

Cumming, William ^[1]

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by [C. Sylvester Green](#) ^[2], 1979; Revised SLNC Government and Heritage Library, July 2023.

July 30, 1724–ca. 1797

William Cumming was an attorney, legislator, enslaver, and member of the [Continental Congress](#) ^[3]. He was born in Annapolis, Maryland and was the son of Elizabeth Courcey and William Cumming. In his will, William the son stated that his mother was "the daughter of Col. Courcey of Queenanns County Maryland." Although he clearly was well educated and wrote extremely well, there is no evidence that he attended any of the leading colleges of the day. He studied law, however, and had been admitted to the bar before coming to North Carolina in 1762 or earlier. In his will, dated 11 July 1796, he observed that he had experienced financial stringency to the point of mortgaging his property to cover losses sustained by his father. He also commented with enthusiasm on his life in [Edenton](#) ^[4], "where I have experienced humanity, friendship, promotion, perhaps more than my merit." A William Cumming represented [Currituck County](#) ^[5] in the assembly in 1762, 1764, and 1765, in the latter year serving as chairman of the committee of the whole. In 1766 one William Cumming presented a petition claiming that he had been chosen a representative from Nixonton in [Pasquotank County](#) ^[6], but a committee decided that he had been illegally returned. In 1773 a William Cumming complained of an irregular election in the same county, and a new one was ordered; two years later this man represented Pasquotank County in the Third [Provincial Congress](#) ^[7], which met in Hillsborough in August and September, but whether this William Cumming was the one who served in the Continental Congress later cannot be determined.

Cumming was living in Edenton as a lawyer by January 1762 and apparently was well accepted locally. A letter of that date to his sister, "Betty," (like his sister Elizabeth) in Maryland, told of the pending marriage of elderly Governor [Arthur Dobbs](#) ^[8] to fifteen-year-old [Justina Davis](#) ^[9]. Cumming represented Edenton in the House of Commons in 1783, 1784, and 1788. In 1784 he was elected to the Continental Congress, serving until 1786. He appears to have been the only North Carolina delegate present at the 1785 session of the Congress. In February 1786 he was named to another term, but the state's failure to pay funds due to him, and a subsequent debilitating illness (apparently a paralysis), made it impossible for him to serve; he so advised Governor [Richard Caswell](#) ^[10] on 3 Aug. 1786.

Cumming was particularly active in the assembly of 1783, serving on various committees, notably on one appointed "to consider making a revisal of the laws of the State" and another, a joint committee, "to enquire into the present state and condition of the Public Revenue and to make a report thereon." During the session he also introduced several significant bills, including "a Bill of pardon, indemnity, and oblivion, and for restoring tranquility to the State" and another supporting roads, ferries, bridges, and the clearing of inland rivers and creeks. He joined fifty-five other men in petitioning the governor to "exercise mercy" toward two accused horse thieves of Hillsborough, insisting that the men had "otherwise good reputations."

In 1788, when he was the borough representative for Edenton in the assembly, he served on "the Committee on the State and Condition of the Public Revenue" and was the author of a "Bill to amend an Act to prevent Domestick Insurrection" and of another "to punish House Breaking and other crimes." Perhaps with an eye to conservation or perhaps merely to protect the interests of residents of the state against interlopers, he presented a "Bill to prevent the exportation of raw hides, of both cattle, and wild animals."

Cumming was nominated for a judgeship in 1790, but the records do not reveal whether he was actually named to the post. The federal census of the year records as members of his Edenton household Cumming himself, one white male under the age of sixteen (an apprentice, perhaps), and two enslaved people. In 1791, when he was a candidate for the General Assembly, Cumming noted that he had served his country sporadically for nearly twenty-eight years; he apparently was not elected.

Cumming was never married. The date and place of his death and burial are not known. However, Cumming enumerated in his will that it was recorded July 11, 1796. By June 19, 1797, James Hathaway was made administrator of his estate and probated his will. Cumming died between July 11, 1796 and June 29, 1797. In advertisements in the *State Gazette* of June 29 and July 13 1797, Hathaway asked that books missing from Cumming's library be returned, as his estate was to be sold at Colonel John Hamilton's on July 21.

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