

Governor's Council ^[1]

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by William S. Price Jr., 2006

See also: [Council of State](#) ^[2]

During the Proprietary period in North Carolina (before the establishment of royal government in 1731), the "governor's council," precursor to the modern [Council of State](#) ^[2], was a group of 6 to 12 men appointed by the governor. The council served as the Upper House of the legislature, acted as an advisory board to the governor (similar to the modern gubernatorial cabinet), and sat as the highest court of appeals until about 1712. From then until the [American Revolution](#) ^[3], the council functioned as the [Court of Chancery](#) ^[4] for the colony. The president of the council served as chief executive in the governor's absence.

With the advent of royal government, the council became even stronger than its Proprietary forebear. When it functioned as a legislative branch, the governor no longer attended its sessions, as had frequently been the case before 1731. The council had an extensive role in shaping executive proclamations and decrees, granting land, and extending patronage, especially the appointments of [justices of the peace](#) ^[5]. Although the Proprietary council had had these powers too, the often muddled authority characterizing the Proprietary years tended to dilute the council's role.

The term "governor's council" is misleading, particularly during the royal period. Although governors nominated councillors, the [Privy Council](#) ^[6] in England was the appointing authority, and it sometimes named its own members. Even in the most favorable circumstances to a governor, a period of 18 to 36 months usually ensued between nomination and swearing in. Furthermore, governors sometimes discovered that their nominees did not vote as expected.

Councillors were usually among the wealthiest citizens of the province and as such were leaders of society. That wealth often provided a measure of independence from the governor. Finally, councillors served at the "king's pleasure," not the governor's, and a new governor would usually face a council with "holdovers" from a prior administration. Current hindsight tends to downplay the importance of the council in light of the rise of the Lower House of the legislature prior to the [Revolution](#) ^[3], but the council was a powerful political force in [colonial](#) ^[7] North Carolina.

Educator Resources:

Grade 8: NC Council of State. North Carolina Civic Education Consortium.
<http://civics.sites.unc.edu/files/2012/05/councilofstate.pdf> ^[8]

References:

Robert J. Cain, ed., *Records of the Executive Council, 1664-1734* (1984).

William S. Price Jr., "'Men of Good Estates': Wealth among North Carolina's Royal Councillors," *NCHR* 49 (1972).

Additional Resources:

Minutes of the North Carolina Governor's Council, North Carolina. Council, May 09, 1712 - May 10, 1712, Volume 01, Pages 841-844, DocSouth, UNC: <https://docsouth.unc.edu/csr/index.html/document/csr01-0451> ^[9]

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[Encyclopedia of North Carolina, University of North Carolina Press.](#) ^[15]

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