

WAKE

Capital County of North Carolina

By Elizabeth Reid Murray

VOLUME I: Prehistory through Centennial

This narrative is a microcosm of Southern American life in this central Tar Heel county with both the State Capitol and the Wake County Courthouse at its center and distinctive crossroads communities dotting its countryside. Much is told through actual words of eye-witnesses to events both local and national, gleaned from original sources such as letters, diaries, journals, wills, newspapers, interviews, reminiscences, paintings, sketches, legal documents, scientific studies, minutes, account books, military reports, expense accounts, land grants, deeds, maps, court records, tombstones, and even graffiti. These sources also yielded personal reflections on life as early families lived it. Their names — hundreds of them — appear as participants in the panorama of the times. From Apex to Zebulon, some of their more than 150 towns and communities are noted — like Alston's Store, Bayleaf, Cary, Dunnsville, Eagle Rock, Fishdam, Garner, the Hurricane, Jones's Crossroads, Knightdale, Leesville, McCullers, Method, Millbrook, New Hill, New Ruin, Oberlin, Olive Chapel, Panther Branch, Rogers Store, Rolesville, Six Forks, Swift Creek, Tippers, Upchurch, Varina, Wakefield, Wake Forest, Wendell, Wilders Grove, Yates, and Zeagle's Rock.

Some highlights: dinosaurs • Indians • settlers • wild animals • schools • colonial customs • Revolutionary War • farming • slavery • stagecoach travel • crime and law • churches • Civil War • Reconstruction • navigating the Neuse • silk culture • panics • black history • celebrities • the arts • railroads • politics • humor • women's roles • medical practices • fire-fighting • business • early families.

More than fifteen years of probing into the past have been distilled into this comprehensive description of people, places, and happenings from prehistoric times through the 1871 centennial of the formation of WAKE: Capital County of North Carolina.

WAKE

Capital County
of
North Carolina

VOLUME I
Prehistory through
Centennial

ELIZABETH
REID
MURRAY

Capital County
Publishing Co.

WAKE

Capital County of North Carolina

ELIZABETH REID MURRAY



VOLUME I

Prehistory through Centennial

Flying over Raleigh's famed oaks and North Carolina's state trees, pines, these flags symbolize three of the four levels of government represented in Wake County. The official ensign of Raleigh, the county seat of Wake as well as the capital of North Carolina, displays on the reverse a part of Sir Walter Raleigh's coat of arms. Raleigh is one of seventeen incorporated or formerly incorporated towns in the county. The North Carolina flag flies over numerous buildings housing state government, including the 1840 capitol near the center of original Raleigh. The American flag is displayed at the Federal Building, the National Cemetery, and other United States government sites, as well as over dozens of U.S. post offices and branches, often in tandem with state or municipal flags, in towns and communities throughout Wake County. Wake was established in 1771, before any of these flags was designed, and upon the establishment of Raleigh in 1792 became the capital county of North Carolina.



WAKE

Capital County of North Carolina

By

ELIZABETH REID MURRAY

VOLUME I

Prehistory through Centennial



Capital County Publishing Company
Raleigh, North Carolina
1983

CONTENTS

Preface	xxxi
Introduction. Before There Was History	
Written in the Rocks	1
The First People	3
PART A	
EIGHTEENTH CENTURY	
I. The Beginnings of Wake County's History	
Presettlement	8
Forty More Years as Wilderness	10
Ownership Changes	13
II. The Settlement Period	
A Peculiar Settlement Pattern	18
First Families of Future Wake	22
Life at Mid-Century	27
Trouble in the Backwoods	37
III. The County's Birth	
A County Born in Turmoil	41
The New County	44
The "War" of the Regulation	49
From Wake to the West	54
The Last Years of Colonial Government	56
IV. Revolution and Evolution	
The Early Days of the War	57
Evolution of the New State	63
Wake in the Revolution	65
Closing Months	72
V. Capital County	
A State Without a Seat of Government	74
The Winning County	77
Action at Last	78
First Events in the New City	84
Early Raleigh Citizens	91
VI. The End of the Eighteenth Century	
Some Continuing Wilderness	97
Early Wake Communities	99
Political Center	105
First Raleigh Government	109
Capital County and the News	112
Urban Services	114
Home Building in Town and Country	117
Prominent Citizens Attracted to Wake	122
Eighteenth-Century Drawing Rooms	123
The County's Marketing Center	125
Population at Century's End	126

PART B

FIRST THIRD OF THE NINETEENTH CENTURY

VII. Economic and Governmental Developments	
Population Changes	128
Transportation	131
Industry	134
Agriculture	138
Political Subdivisions	140
Local Government	142
The "Unnecessary War"	151
Three Widows and Their Times	156
Negroes and the Law	160
VIII. Cultural Developments	
Religion in Wake County	168
Churches in the City	173
Education	183
Interest in the Arts	193
The Social Order	214
Other Entertainment	218
Visiting Celebrities	220
IX. "Gloomy Winter" and "Glorious Summer"	
The Winter That Was Eighteen Months Long	227
The "Glorious Summer" That Began in December	235

PART C

THE OPTIMISTIC YEARS BEFORE THE CIVIL WAR

X. Internal Improvements Efforts	
Early Successes	245
Unsuccessful Efforts	255
More Railroads	258
Business and the Economy	265
Industry	281
Agriculture	288
The State Fair	294
XI. Education, the Arts, and Social Life	
Higher Education	300
Private Schools in Wake	303
Private Schools in Raleigh	308
The Public School System	318
Communication	329
The Arts	333
Entertainment and Recreation	352
Home and Community Diversions	358
Holiday Customs	365
Innovations	370
The Churches in Community Life	377

XII. Politics and Government	388
Political Participation	400
Local Government	415
Developing Communities	427
Humanitarianism	434
Health Care	445
War and Rumors of War	450
The Interval Between Wars	

PART D

THE END OF AN ERA, AND A BEGINNING

XIII. Civil War and Occupation	457
Before Secession	460
Preparations for War	470
The Men Who Fought	482
On the Home Front	488
Events of the War Years	494
Near War's End	499
The Beginning of the End	511
Union Soldiers and the Local Populace	518
The Army of Occupation	522
Foragers and "Bummers"	527
When "Yankees" and "Rebels" Met	530
Distressing News	534
Native Son in the White House	536
Peace Negotiations	

PART E

CLOSING YEARS OF WAKE'S FIRST CENTURY

XIV. Reconstructing the Capital County	543
Steps Toward Reunion	546
The Negro after Emancipation	555
Daily Life and Business	578
Social Life	583
Renewed Interest in the Arts	586
In Memoriam	590
The President and Reconstruction	597
The Postwar General Assemblies	600
Public Education after the War	605
White Private Schools in Postwar Wake	607
Schools for Freedmen	611
Higher Education	615
Separate Churches	621
Separate Fraternal and Charitable Societies	624
Postwar Raleigh Government	630
Second-Century Wake Government	

XV. New Growth and Great Expectations	
Residential Growth at the County Seat	637
Postwar Phenomena: All-Black Villages	642
Wake's Other Towns and Communities	648
Future Towns	654
Other Railway-Related Communities	659
Communities Without Railroads	661
A Preview of Wake's Second Century	666
Appendix A. Wake County: Physical Description	671
Appendix B. Officials of Wake County, 1771 through 1870s	672
Appendix C. Post Offices Established in Wake County During Its First Century	673
Appendix D. Mayors (Intendants of Police until 1857) of Raleigh, 1795 through 1870s	674
Appendix E. Officials of the State of North Carolina Elected to Office While Residents of Wake County, 1771 through 1870s	674
Appendix F. National Officeholders Who Were Wake County Natives or Were Elected or Appointed to National Office While Residents of Wake, 1771 through 1870s	678
Bibliography	679
Index	721

ILLUSTRATIONS

Wake County's six courthouses, 1771, 1795, 1837, 1883, 1915, and 1970	end sheets
Neuse River at Falls, where Wake County's recorded history began, 1701 ..	i
Margaret Wake's coat of arms, borne before she married Royal Governor William Tryon	ii
Raleigh city flag (reverse) bearing Sir Walter Raleigh's coat of arms	iii
Yates Mill on Steephill Creek, site of mills since 1750s	iv
Moore's Mill Pond near Zebulon, and its stone mill dam	v
Crabtree Creek Covered Bridge, in use until the mid-1920s	vi
The last outbuilding at Rogers' Tavern, Wake Crossroads	vii
Jacob Marling's painting of the North Carolina Statehouse	viii
Mordecai House, centerpiece of Mordecai Historic Park, Raleigh	ix
The John O'Rorke House at its original site east of the capitol	x
The stone mill at Falls of the Neuse, once one of Wake's paper mills	xi
Confederate battle flag carried by 7th Regiment N.C. Troops	xii
Map showing Union troops' itineraries through Wake, April 1865	xiii
Antebellum tobacco barn at Pomona, the Seth Jones plantation	xiv
Estey Hall, earliest college building in America for black women	xv
American, North Carolina, and Raleigh flags flying over Wake's pines and oaks	xvi
Fragments of dinosaur skeleton from the Triassic age	1
Fossilized evidence that part of Wake County was once under the Atlantic ocean	2
Indian projectile points representing all periods from ca. 12,000 B.C. to colonial times	4-5
Title page, John Lawson's journal including 1701 visit to Falls area	9
Maps showing Wake's "parent" counties and formation from them	11
"Indian Trail Tree" in north central Wake County	12
Land warrant, memorabilia belonging to early settler John Hinton	23
Granville land grant to John Miate on Swift Creek	26
Marker at Middle Creek (formerly Three Creeks) Baptist Church	32
Portions of the legislative act creating Wake County, 1771	43
The Joel Lane House, near site of first Wake County Courthouse	46
Theophilus Hunter, first chairman of the Wake County Court, and his wife, Jane Lane Hunter	48
Hunter's Lodge, scene of Royal Governor Tryon's draft of Wake County militiamen, 1771	50
Pry record for Wake Militia, Battle of Moore's Creek Bridge, 1776	59
Loyalty Oath required of Tories in North Carolina during Revolution	61
Revolutionary War veteran John Norris's gravestone, western Wake	65
Partial sketch of Revolutionary War soldier, ca. 1778	70
Last surviving building from Isaac Hunter's Tavern	76
Plat of the 1,000 acres the state purchased from Joel Lane, 1792	81
Plat of the 400 acres comprising original Raleigh, 1792	82
Wake artist George West's 1840s woodcut of Sir Walter Raleigh	86
The first Statehouse, sketched by J. S. Glennie, 1811	88
Plat of Raleigh, dated 1797, showing early homes, businesses	95
Wake County portion of the 1808 Price-Strother map of N.C.	100

Wake County Courthouse bell, 1804	107
Manuscript version of Raleigh's first charter, 1795, naming commissioners	111
Wake's first newspapers, the <i>Minerva</i> and the <i>Register</i> , 1799, and their editors, William Boylan and Joseph Gales	113
Two eighteenth-century town houses, built for Secretary of State William White and State Treasurer John Haywood	119
The 1775 Joseph Lane House, dated brick, interior before restoration	121
The State Bank, oldest brick building in Raleigh, 1814	129
Stone's Landing, on Neuse River, once considered the Port of Raleigh	133
Title page of Raleigh's 1816 City Code	144
Reward notice, 1810, for apprehension of horse thief	149
News of the declaration of war with Great Britain, 1812	152
President Andrew Johnson's birthplace, etching by Louis Orr	157
Reward notice for Andrew and William Johnson, runaway apprentices	158
White Plains, home of Nathaniel Jones, and his tombstone	163
Historical marker memorializing John Chavis, teacher and preacher to both blacks and whites	171
First Presbyterian Church, 1818-1899, first brick church in Raleigh	178
The John O'Rourke House, before being moved from New Bern Avenue	181
The last surviving building of the Raleigh Academy, on Burke Square	185
Literary "firsts": title pages from books by Winifred Marshall Gales, James Gay, and George Moses Horton, published in Raleigh	197
Eagle Hotel advertisement, 1812, with "coach-and-four" illustration	206
The Governor's "Palace," Raleigh, built in 1816	207
Bank of New Bern building in Raleigh, later Fabius Haywood home	208
Lithograph representing Lafayette and Canova's Washington statue	224
<i>Raleigh Register</i> account of the 1831 Statehouse fire (excerpt)	229
Fragment of the Washington statue bearing Canova's signature	231
Masthead of the <i>Standard</i> , 1834, with early rendering of Capitol	240
Raleigh <i>Star</i> news report of the 1833 business district fire, Raleigh	242
1840 timetable reflecting rail and stagecoach connections	249
Invitation to "Raleigh's Three Days," celebrating completion of the Capitol and Wake County's first railroad, 1840	251
Raleigh and Gaston Railroad officials and one of the line's 1850s engines, the Romulus Saunders	259
Joint depot and warehouses of the North Carolina and the Raleigh and Gaston railroads; and right-of-way map of Auburn area, 1854	262
Commercial building replacing the burned Casso's Inn, Raleigh, ca. 1835	267
The Bank of Cape Fear Building, later called Law Building, and a \$10 note issued by that bank in Raleigh, 1847	271
Title page and portrait from the <i>Autobiography of Lansford Lane</i> , Raleigh-born slave who won his own and others' freedom	274
Stewart Ellison, builder, one of Wake's first black legislators and city commissioners	276
<i>Scientific American</i> article describing an invention of L. F. Whitaker of Wake, 1850	278
Silver pitcher presented Dr. Thomas Hogg in appreciation for his making gaslight possible in Raleigh, 1859	280
Silas Burns's iron fence, 1848, around Union Square, removed in 1898 to enclose City Cemetery, Raleigh	283

Handmade plow, ca. 1840, similar to one Frederick Law Olmsted called "a most absurd little plow." (Museum of History collection)	289
Cover of Turner and Hughes' 1841 <i>North Carolina Almanac</i> , popular "farmer's Bible"	293
The first State Fair site, 1853 (detail from bird's-eye view of Raleigh)	295
Wake Forest's original College Building, campus centerpiece until 1933	302
One-room, one-teacher Oakwood School, near Needmore	305
Shepherd's Vineyard, home of the Patrick W. Dowds, on the Apex-Macedonia Road	307
Cover drawing of St. Mary's School by Mrs. Gustave Blessner for her husband's piano composition, 1845	311
Public school certificate issued by Turner Pullen, first Wake County school board chairman; and a schoolboy sketch	320
State Institution for the Deaf, Caswell Square, 1849	328
First daily newspaper in North Carolina, <i>Raleigh Register</i> , 1850; and early local woodcut illustration from <i>Raleigh Rasp</i> , 1842	331
Cover of Mary Ann Mason's <i>A Wreath from the Woods of Carolina</i> , 1859, first children's book by a native North Carolinian	336
Judge William Gaston's law office, drawing by Jacques Busbee	338
Piano in Executive Mansion made in Raleigh by Wesley Whitaker; its label; and Whitaker's 1845 newspaper advertisement cut	342
New Ruin Tavern, popular site for horse races, cockfights, and gander pulls, with advertisements for a race and a main, 1840 and 1844	357
The Yarborough (Yarboro) House, Fayetteville Street 1850-1928	373
Birthplace of Matthew Tyson Yates, first N.C. Baptist foreign missionary and first Chinese-English dictionary compiler	378
St. Paul A.M.E. Church and Johnson School for Freedmen (map detail)	380
Interior of 1859 Raleigh Baptist Church, showing gallery and rose window	383
Forestville Baptist Church, little changed since constructed 1859	389
Sketch of 1840 "Log Cabin and Hard Cider" parade in Wake County	391
Grave of James Edwards, "High Sheriff of Wake County"	398
Wake County's 1837 brick courthouse and 1840s jail (maps detail)	402
Municipal code of Raleigh, 1857, year of first city limits extension and change from title Intendant of Police to Mayor	412
Wooden town map of Rolesville, showing original lots offered for sale, 1835	418
The antebellum Foster and Procter houses, Wakefield	421
Holly Springs Masonic Lodge and Academy, ca. 1854	425
Right-of-way map of the North Carolina Railroad through lands of Jeremiah Morris, Morrisville	426
Raleigh <i>Star</i> advertisement, 1839, for Dr. John Beckwith's pills	442
1842 military notice in period leading to War with Mexico	446
Sophia A. Partridge's sketch of Pettigrew Military Hospital	463
Uniform jacket, weapons, used by two Wake County Confederate captains	467
Whitaker's Mill and dam, rebuilt on site of Raleigh Powder Mill	469
Flag presented by "the Ladies of Cedar Fork" to the Morrisville Grays, of "Bloody Sixth" N.C. Regiment, 1861	471
Confederate monument erected by Col. G. B. Alford near his Holly Springs home	474
Wooden shoes and wooden-soled shoe made by Thiem and Fraps during Civil War	487

Levi Branson's elementary school grammar produced in Raleigh during Civil War	492
Map showing earthen fortifications built around Raleigh, 1863	495
Grave of Texas Lt. Walsh, hanged for firing on approaching Union troops, April 13, 1865	508
Graffiti rock inscribed by Union soldier near Rocky Branch, 1865	513
The Richard B. Haywood House, where Confederate Surgeon Haywood and Union Gen. Francis P. Blair drank toast to peace, April 1865	517
Sketch representing one of "Sherman's Bummers," drawn by a contemporary, 1865	524
Romulus M. Saunders family and servants at 1813-built home Elmwood, ca. 1867	529
"Logan Saves Raleigh," sketch representing Union general controlling troops angered by news of Lincoln's death	533
Former Mordecai slaves who remained after Emancipation as servants	548
James H. Harris's teaching certificate from New England Freedmen's Aid Society	555
Oxcart and drivers on unpaved Hillsborough Street at Capitol	559
Four 1870s Fayetteville Street businesses: Besson's tailor shop, an unidentified store, Briggs Hardware, and Williamson Building housing Edwards & Broughton	568
A Raleigh street scene, drawn for <i>Harper's Weekly</i> , 1871	571
The Eagle-Guion-National Hotel, with 1870 second-story porch	572
Advertisement and description of Tucker Hall, opened 1867	581
United States National Military Cemetery on Rock Quarry Road	588
First Hebrew Cemetery, between Confederate and Oakwood cemeteries	590
Andrew Johnson portion of Three-Presidents statue, Union Square; and monument to his father, City Cemetery	592
"Cayton and Wolf" signature, on gravestone made by W. O. Wolfe, father of Thomas Wolfe	599
The Polk-Rayner House, later Raleigh Baptist Female Seminary	607
Earliest extant photograph of St. Augustine's College campus	613
Main building, Peace Institute (College), used as Confederate military hospital and Freedmen's Bureau headquarters	614
St. Ambrose (originally St. Augustine) Episcopal Church	619
Metropolitan Hall, completed 1870 as city hall, market, public auditorium, and headquarters for fire and police units	628
The 1870s "United States Court Room and Post Office at Raleigh," first permanent federally-built structure in Wake County	632
First township map of Wake County, 1870	635
Primary business area, Raleigh, from C. N. Drie's 1872 bird's-eye view	636
Primary industrial district, Raleigh, southwest of capitol, including Shaw Hall and Governor's "Palace" (map detail)	639
Stone marking family plot in Oberlin Cemetery of Wilson W. Morgan, one of Wake's first black legislators and political leaders	643
The Company Mill on Crabtree Creek operated by Allison Francis Page, founder of Cary and father of Walter Hines Page	650
Opening and closing sentences of Apex Town Charter, 1873	653
Railroad timetable, 1868, showing distances and time between Wake County stations on Raleigh and Gaston Railroad	660
Weathercock atop Raleigh's Christ Church steeple, erected 1861	669
Wake County map showing towns and dates of incorporation	670

PREFACE

Few counties established as long ago as the eighteenth century are fortunate enough to have pictorial representations, however crude, of all their courthouses constructed over the course of more than two centuries. Wake County is among the few. Reproduced in the end sheets of this volume are likenesses of all six of Wake County's courthouses, from drawings or photographs contemporary with the existence of each. Sources for these representations are as follows. The 1771 "Wake Cot House" notation is taken from the plat of the thousand acres deeded by Joel Lane to the state (see p. 81). The sketch representing the 1795 courthouse is adapted from a 1797 plat of Raleigh reproduced in full on p. 81. The drawing of the 1837 building is a detail from C. N. Drie's bird's-eye view of Raleigh, a larger segment of which appears on p. 95. Photographs of the 1883 and 1915 structures are from the Archives and History photographic section; the latter photograph is by Gene Furr. Gary Knight photographed the 1970 courthouse in 1982.

It was fortunate, for purposes of this volume, that an important record book, missing for several decades, was rediscovered in time for the chapter dealing with the county's birth to be partially rewritten and documented. Record Book "A," containing minutes of the Wake County Court of Pleas and Quarter Sessions, 1771-1777, has been deposited in the State Archives. Some earlier and later minutes of the governing boards of Wake's "parent" county, Johnston, and of Wake County itself, remain missing, most of them considered destroyed. Among these are minutes of the Johnston County Court, 1746-1759, a period when numerous settlers were moving into that portion of Johnston that became Wake in 1771. Gaps in the Wake County Court minutes include the following: June-December, 1784; all of 1785, 1786, and 1788; March-June, 1789; and all of 1799. Additionally, eighteen of Wake County's irreplaceable deed books were destroyed (see p. 234 and n. 20) in an arson-caused 1832 fire at the County Register's store. A second, less serious courthouse fire was reported to have destroyed a county record book and "some valuable official papers" in 1856 (see p. 401).

Another serious lack is the non-existence of all minutes of the governing boards of both of Wake County's antebellum incorporated towns, Raleigh and Rolesville. Apparently no official minutes of their proceedings are extant, not only for the pre-1865 period but for several postwar years as well. Two explanations have been offered: war and fire. Kemp Plummer Battle noted in 1876 (see p. 519n) that some Raleigh records were destroyed in 1865, "when Sherman's army entered Raleigh." Other records are presumed to have been destroyed when a 1930 fire demolished the City Auditorium building containing some records storage areas, adjacent to the 1911-1960 City Hall. It has been possible to reconstruct some official activities of the Raleigh boards by consulting a "Corporation Proceedings" column published by the *Raleigh Register* for several years beginning in 1843, reporting meetings of the City Commissioners. The 1913 fire that razed the business section of Rolesville (see p. 419) may have burned that town's earliest records.

Numerous direct quotations from primary sources appear in these pages. In all instances except one, they are printed with no editorial changes in spelling or punctuation. The word *sic* appears only occasionally, when the quoted material contains misspellings that might be mistaken for typographical errors in printing

this book. The one exception will be found on pp. 645-647 and is explained on p. 646 in n. 18.

Footnote numbers appear at the ends of paragraphs and are composite in form. As consistently as possible, sources are listed in the order in which they apply to information within the relevant paragraph. After the initial reference to a given work, subsequent references make use of its "short title," which in all cases but one begins with the full title's first word in order that it may readily be found in the alphabetical listing of the Bibliography. The single exception is that of the repeatedly cited *OR*, which is so cited in Civil War footnotes but which is cross-references to its actual title, *War of the Rebellion*, under U.S. War Department.

Small letters in parentheses following the names of newspapers cited or quoted indicate various editions of those papers. A weekly edition is indicated by (w); semi-weekly, (s-w); tri-weekly (t-w); and daily (d).

For purposes of preventing printing delays, one further convention was adopted in footnote references to additional information; e.g., "see chap. 10 at n. 88." The reader is thus referred to that page in chap. 10 that contains the paragraph followed by footnote number 88.

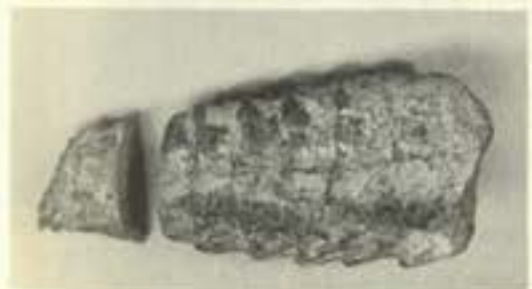
Introduction

BEFORE THERE WAS HISTORY

There was a time when dinosaurs roamed that part of Earth now called Wake County. Later, creatures of the sea inhabited the waters that for a while covered part of it. Still later there were the mastodon, the mammoth, and the buffalo. It was after the land was millions of years old that the "Indian" became its first human inhabitant.

WRITTEN IN THE ROCKS

The history of these eons is written, not in words, but in the rocks and soils of Wake County, in which is preserved evidence of the prehistoric animals and plants that flourished in the area. Geologists interpreting the evidence suggest that in one of the earth's upheavals "a thousand million years ago" the rocks that were thrust up through the earth's crust in what is now North Carolina began weathering and eroding to form the Piedmont plateau of which Wake County is a part.¹



JAMES W. REED, JR., PHOTOGRAPH

These bone fragments are the remains of a pseudosuchian reptile of the late Triassic age, found preserved in shale pits in western Wake County and identified by Smithsonian Institution specialists. (Collection, Department of Geosciences, North Carolina State University, Raleigh.)

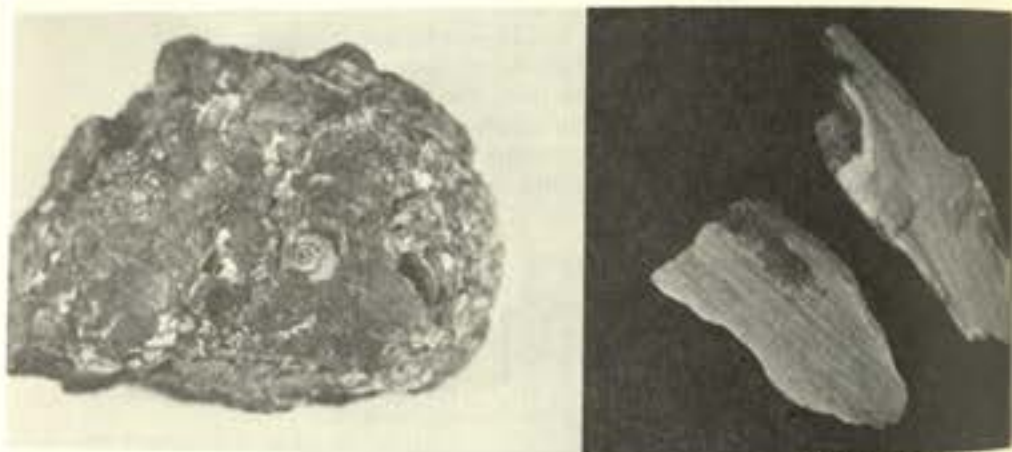
Dinosaurs in Wake.—Gradually there developed a subtropical climate, warmer than today and moist, with vast swamps in which luxurious vegetation and prehistoric animal life evolved. This Mesozoic era, called the Age of Reptiles, is thought to have lasted from about 180 million to about 70 million years ago. Dominating the other living creatures were the dinosaurs, or "terrible reptiles," bones from which have been found deep in the earth in Wake as well as in nearby Lee and Chatham counties.²

¹ Inger L. Stackey, *North Carolina: Its Geology and Mineral Resources*, 27, 136-137, 142.

² Stackey, *N.C. Geology*, 145, 161, 166; Dick Brown, "A Significant Discovery in Chatham," *News and Observer*, Apr. 9, 1967. The collection of the Department of Geosciences, N.C. State University, Raleigh, contains a segmented cranial fossil, the remains of a pseudosuchian reptile found in the shale pits of the Triangle Brick Company in western Wake, near the Chatham County line. Such skeletal remains are extremely rare anywhere in eastern North America, because red muds are not good preservers for bones, and erosion has destroyed most records that may have accumulated. Author's interviews with John M. Parker III, then professor of geoscience, Mar. 27, 1968, Dec. 17, 1976.

There were large trees as well, tall conifers fifty to sixty feet high, that were related to the modern pine family. With the dinosaurs, they gradually became extinct, as tremendous changes took place in the earth's surface, and hardwoods took their place. The familiar magnolia, sassafras, poplar, and fig have all been found fossilized in rocks a hundred million years old. There were also types no longer found in North America, such as ebony and breadfruit. Developing somewhat later were the beech, oak, birch, maple, walnut, tulip tree, and sweet gum, as well as the familiar shrubs laurel, ivy, hazelnut, and holly.³

Wake under Water.—As the climate over the earth became cooler and more varied, and the last dinosaurs died out, the seas advanced and retreated over various portions of the planet. At some time, perhaps seventy million years ago, the Atlantic Ocean gradually advanced west-



JAMES W. REIN, JR., PHOTO

Evidence that part of Wake County was once under waters of the Atlantic Ocean, possibly 70 million years ago, is presented in these fossils. At left is a fragment of a marine shell rock found in upland deposits of Eocene epoch sandy sediment in southeastern Wake. At right are pieces of fossilized driftwood deposited with shells northeast of present Auburn. (Collection, Department of Geosciences, North Carolina State University, Raleigh.)

ward over eastern America until a large part of present North Carolina, including part of Wake County, was covered by marine waters. In areas of southeastern Wake near the town of Auburn, and in the southern tip near Fuquay-Varina, evidence of this one-time floor of the ocean has been seen in exposed deposits of sand containing fragments of seashell.⁴

After the retreat of the waters eastward for the last time to date, the

³ Stuckey, *N.C. Geology*, 138-166, *passim*.

⁴ Horace G. Richards, *Geology of the Coastal Plain of North Carolina*, 14; Stuckey, *N.C. Geology*, 155-157, 172-175; Parker interview, Mar. 27, 1968; Parker to author, July 23, 1976, Jan. 22, 1977; John B. Parker III, *Geology and Mineral Resources of Wake County*, xi, 91, pl. 4; Map showing locations and elevations of Coastal Plain and upland sediments, and extent of major flood plain deposits, in Wake County

climate of North Carolina became approximately what it is now, and the major streams began to develop the courses they now follow. The physical features of North Carolina as they appear today came into existence after the underwater period.⁵

Ancestors of Modern Animals.—Scientists term the last seventy million years the Cenozoic era, and the Age of Mammals. Among the earliest primitive animals were those from which the opossum and mole descended, and the rodents. Quail, vultures, and eagles were well established fifty or sixty million years ago, as were turtles, lizards, and snakes. Fossils in North Carolina rocks indicate that the primitive horse was present for thousands of years before becoming extinct. It is also possible that the camel, rhinoceros, and saber-toothed tiger lived in the area.⁶

One theory concerning the advent of other early mammals into North America is that they made their way from Asia to Alaska by way of the Bering land bridge between the now separate land masses, and eventually came to be at home near the east coast area that became North Carolina. Among the earliest immigrants were the mastodon and mammoth, early representatives of the elephant family. Only part of the Bovidae family seems to have entered America by the land bridge; at least, no cattle apparently were found by the sixteenth and seventeenth century European explorers and settlers. The buffalo, however, did reach the eastern region of the continent, as did the deer and elk, and all were abundant in North Carolina when the colonists arrived.⁷

THE FIRST PEOPLE

Advent of the "Indians."—The "red" men whom the Europeans discovered in the New World in the late fifteenth and early sixteenth centuries are also believed by some to have come from Asia by way of Alaska some time after the Ice Ages, reaching the area that is Wake County at least twelve thousand years ago, or roughly 10,000 B.C. They brought with them their dogs, and the knowledge of the use of fire and the spear. Evidence of these Paleo-Indians, earliest known human inhabitants, has been found in abundance in the form of spear points and crude stone tools such as scrapers. They hunted mastodon, mammoth, buffalo, deer, elk, and a variety of smaller animals. Several centuries later they were aided by an invention called the atlatl, or spear-thrower.⁸

⁵ Stuckey, *N.C. Geology*, 169.

⁶ Stuckey, *N.C. Geology*, 193-195.

⁷ Stuckey, *N.C. Geology*, 167, 192-195; Martha McBride Morrell, *When the World Was Young*, 175. At its writing, the Alaskan land bridge theory appears to be the most generally accepted explanation for the advent of mammals into North America.

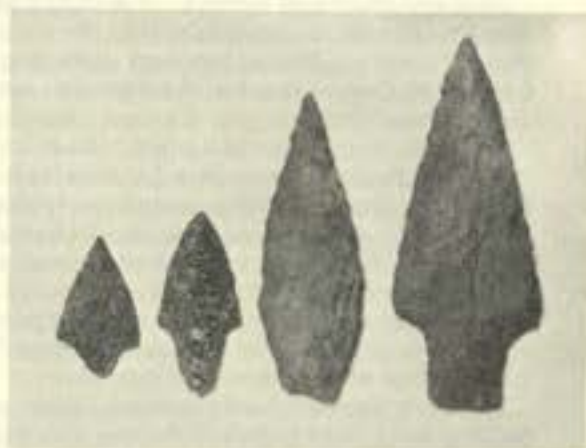
⁸ Stanley A. South, *Indians in North Carolina*, 1, 5-6, 64; Ruth Y. Wetmore, *First on the Land: The North Carolina Indians*, 6-9; author's interview with Harry T. Davis, then director emeritus, N.C. Museum of Natural History, Raleigh, Apr. 24, 1968. On June 26, 1978, Carl P. Holleman and others organized the Capital Area Archaeological Society to determine, among other things, the extent of Indian occupation of present Wake County. Charter members and speakers at meetings included individuals who had previously conducted exploration and research in the area and whose collections contain numerous artifacts left by Indians from the earliest period forward. Minutes, Capital Area Archaeological Society, June 26, 1978ff. See also Phil H. Perkinson, "North Carolina Fluted Projectile Points, Survey Report Number Two," *Southern Indian Studies* 25 (Oct. 1973): 11, 12, 27, 28, 30.



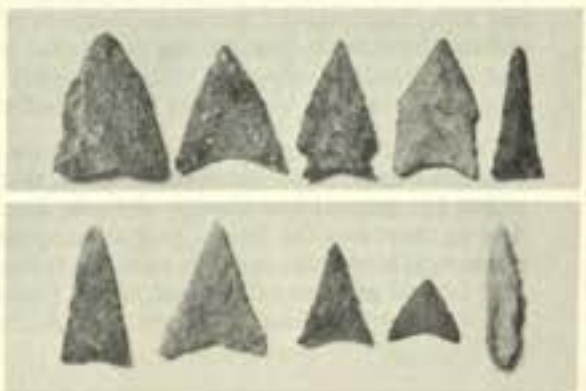
**EARLY TO LATE
PALEO PERIOD**
About 12,000 B.C.
to about 6,000 B.C.



**EARLY TO MIDDLE
ARCHAIC PERIOD**
About 6,000 B.C.
to about 3,000 B.C.



**MIDDLE TO LATE
ARCHAIC PERIOD**
About 4,500 B.C.
to about 600 B.C.



**EARLY TO LATE
WOODLAND PERIOD**
About A.D. 500
to about A.D. 1500

These Indian projectile points found in Wake County, dating from the earliest prehistoric (ca. 12,000 B.C.) to the colonial period (after A.D. 1500), were assembled and photographed August 5, 1978, by Phil Perkinson of Raleigh from his own collections and those of Richard Mills of Apex and Bourke Bilisoly of Wendell. They represent all the point types identified by Joffre Coe in his "Formative Cultures of the Carolina Piedmont" (1964). As pictured, their sizes are accurate in relation to each other.

They began to settle down to a sort of village life in crude huts near rivers, where they could add to their diet fish and fresh-water clams such as the edible but scarcely delectable mussels still found occasionally in Crabtree Creek. And they carved cooking vessels or bowls from locally available soapstone.⁹

Evidence they left Behind.—Examples of these artifacts have been found in abundance, particularly in the northern and eastern portions of Wake County. In the archaeology collection of the State Department of Cultural Resources there is, for example, a medium-sized soapstone vessel that was found in the Bayleaf community in northwestern Wake County. At Soapstone Mountain, about six miles north of Bayleaf on Buckhorn Branch, there may be seen an exposed ledge of soapstone. Here were found partially completed bowls still attached to the stone outcropping, where some long-ago Indian artificer began to carve out vessels but left them unfinished. Large spear points made of local quartzite have been found in Wake County and are in the archaeology collection, as is a collection of a hundred points found together in a cache washed out of the side of a creek bank near Zebulon, and other projectile points found near Fuquay Springs.¹⁰

Smaller points, ax heads, pottery, stone and clay smoking pipes, and farming and grinding tools all belong to a later period of Indian life in the area, beginning about the time of the birth of Christ, and known as the Early Woodland period. About that time, it is thought that a new people invaded the area, probably from across the mountains in the region that is now Kentucky. They are credited with having brought to the Carolinas the bow and arrow, the tomahawk, clay pottery, the smoking of tobacco, and most importantly, farming. Samples of the artifacts used in these pursuits have been found along the Neuse River. They provide evidence that small Indian villages probably existed at riverside locations where tobacco, corn, and vegetables (beans and squash) were cultivated.¹¹

Tuscarora Hunting Ground.—By the time colonization efforts in North Carolina began in the sixteenth century, there were about 35,000 Indians within her present boundaries, in more than twenty-five different tribes. Among them was the fierce, Iroquoian speaking Tuscarora nation whose permanent home was near the eastern seashore, but who controlled all the vast central portion of present North Carolina. The heart of their rich forested hunting ground was the area that is today Wake County.¹²

⁹ South, *Indians in N.C.*, 5-6, 64; author's interview with William Hammett, then director, N.C. Museum of Natural History, Raleigh, June 14, 1968.

¹⁰ Indian artifacts collection, formerly at N.C. Museum of Natural History, Raleigh, transferred (1981) to Archaeology Branch, Archaeology and Historic Preservation Section, Division of Archives and History, State Department of Cultural Resources, Raleigh; Davis interview; see Wetmore, *First on the Land*, 93-94.

¹¹ N.C. Museum of Natural History, Information Circular No. 2-65; Harry T. Davis, unpublished map identifying Wake County sites where pottery had been found, formerly in collection of N.C. Museum of Natural History.

¹² Bennet C. Keel, "Aboriginal North Carolina," in Richard E. Lonsdale, *Atlas of North Carolina*, 33; *Association of Indian in North Carolina*, 2nd ed., 45; William S. Powell, "History"

Buffalo Among the Big Game.—Among the game the Tuscarora hunted were all manner of wild fowl, especially turkey, pheasant, and quail; small animals including beaver, raccoon, squirrel, and rabbit; and the really big game such as bear, fox, deer, and elk. There is also evidence that buffalo were still plentiful during those last years before settlers from other parts of America began changing the pristine forests into outposts of civilization. Names that early settlers gave to two Wake County watercourses are Buffalo Creek, which rises in eastern Wake and flows into Little River within Johnston County, and Buffalo Branch in southern Wake, which enters the Johnston County portion of Middle Creek. In addition, "the Buffalow licks" near Horse Creek is named in an early (1745) northern Wake County land grant.¹³

It is not known when the buffalo became extinct in North Carolina. From numerous eighteenth-century accounts of experiences with the huge animal in states touching all three boundaries, there is no doubt that bison roamed the Carolina back country of which Wake forms a part. "Buffalo, or wild beef," as described by an explorer, John Lawson, provided not only food for the Indians but hide for their clothing and bedding as well. The animals weighed, according to Lawson, "from 1,600 to 2,400 Weight . . . (as I am informed by a Traveler of Credit)."¹⁴

Although it is probable that an occasional seventeenth-century European trader or explorer made his way into the central Carolina woodland, no positive evidence has come to light to indicate that any human being other than the Indian lived or even lingered on soil that was to become Wake County, until Lawson's documented visit in the early eighteenth century.

section in James W. Clay, Douglas M. Orr, Jr., and Alfred W. Stuart (eds.), *North Carolina Atlas*, 12-13. Also see inscription, "This part of the Country was formerly Inhabited by the Tuskeruro Indians," over Wake area in Moseley map of N.C., 1733, Map Collection, State Archives.

¹³ See n. 12 above; William S. Powell, *The North Carolina Gazetteer*, 73; N.C. Land Grant Book 10:159, 5:320, N.C., Office of the Secretary of State, Raleigh.

¹⁴ Ted Malone, "Wake Has Plenty of Furred, Feathered, Scaly Creatures," *Raleigh Times*, Apr. 26, 1969, citing 1755 as suggested approximate date the buffalo became extinct locally; Douglas L. Rights, "The Buffalo in North Carolina," *North Carolina Historical Review* 9 (July 1932): 242-249; John Lawson, *A New Voyage to Carolina . . .* (Readex facsimile of 1709 original, 1966), 115-116.

PART A EIGHTEENTH CENTURY

Chapter I

THE BEGINNINGS OF WAKE COUNTY'S HISTORY

PRESETTLEMENT

First Written Record.—The recorded history of Wake County began in the year 1701 with the February visit of an English adventurer and surveyor named John Lawson. The journal Lawson kept and later published is the first written record extant of any Englishman's entering that portion of the Tuscarora hunting ground that became Wake County. With a party of Englishmen, Lawson had been traveling for nearly eight weeks inland from "Charles Town" in South Carolina. He was making a reconnaissance survey for the Lords Proprietors, eight English noblemen who held title to the two Carolinas by grant from Charles II.¹

The party had been guests in two Indian villages west of Wake, Occaneechee Town not far from present Hillsborough, and Adshusheer near present Durham. Journeying southeastwardly with the chief of the former, Eno-Will, as their guide, they came to the banks of the Neuse River, probably in the area where its meanders form the dividing line between present Durham and Wake counties. They found themselves confronted across the river by two Tuscarora Indians, with whom through their guide-interpretor they held a lengthy conversation, and who assisted them across the river's "strong Current . . . about Breast-high." One might say that the journal account thus is the first record of aborigines' welcoming outsiders into land that comprises present Wake County.²

Lawson described the terrain along the river, observing that the south side had high banks and stone quarries; the north, white sandy land with "no Timber, but small shrubby Oaks." Following the river downstream, the party camped for the night at "the Falls of a large Creek, where lay mighty Rocks, the Water making a strange Noise, as if a great many Water-Mills were going at once . . . called by the Indians, Wee quo

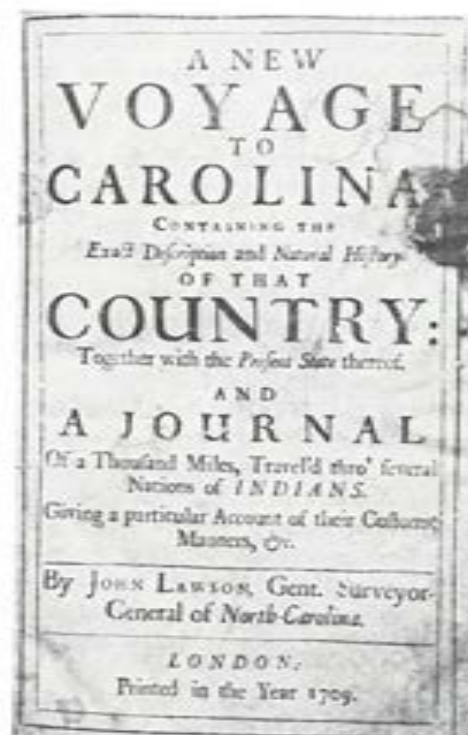
¹ Lawson, *A New Voyage*, dedication, preface, introduction; also see Hugh Talmage Lefler edn. (1967), xi.

² Rights, *American Indian in N.C.*, 86-87; Lawson, *A New Voyage*, 57-58.

Whom." Without question, this site was the Falls of the Neuse area in northern Wake County, where the man-made dam upstream from the now abandoned paper and textile mill marks the largest of the natural falls described by Lawson.³

Other Firsts.—Lawson also brought with him what may have been the first printed book to be read in Wake County. An incident involving the book that night at the falls might well be considered also the first reading

In the journal of his journey through the Carolinas, John Lawson describes the February 1701 night his party spent at the Falls of the Neuse River. (Title page from first edition owned by Col. Alston Grimes; used by permission.)



JAMES W. REID, JR., PHOTOGRAPH

lesson, the first religious instruction, and the first missionary effort within the county. The book was a manual, or illustrated portion of the *English Book of Common Prayer*, which was the center of interest in the following fireside scene related by Lawson:

My guide Will desiring to see the Book that I had about me, I lent it him; and as he soon found the Picture of King David, he asked me several Questions concerning the Book, and Picture, which I resolv'd him, and invited him to become a Christian. He made me a very sharp Reply, assuring me, That he lov'd the English extraordinary well, and did believe their Ways to be very good for those that had already practis'd them, and had been brought up therein; But as for himself, he was too much in Years to think of a Change, esteeming it not

³ Lawson, *A New Voyage*, 58-59.

proper for Old People to admit of such an Alteration. However, he told me, If I would take his Son Jack, who was then about 14 Years of Age, and teach him to talk in that Book, and make Paper speak, which they call our Way of Writing, he would wholly resign him to my Tuition; telling me, he was of Opinion, I was very well affected to the Indians.⁴

Unhappily, that affection was not totally returned by others of Eno-Will's race. Lawson ended his life in North Carolina, probably at the hands of Indians who were not "very well affected toward" him, nor to foreign settlers in general. His death took place a decade later, in 1711, during the bloody Tuscarora War near the coast, according to several varying accounts.⁵

Meanwhile, Lawson continued his journey toward the coast, through what is now northeastern Wake County. The rapid streams along the fall line gave way to slower waters, as they passed through "very level Country, and most Pine Land, yet intermix'd with some Quantities of Marble," as they traveled toward present Goldsboro and points east.⁶

Early Ties with Craven County.—After the trip that brought Lawson to present Wake County, he made his home at the eastern end of the Neuse River, in a location at which he and the Swiss Baron Christopher von Graffenried founded the town of New Bern. This little town, which was later the capital of the northern Carolina colony and still later of the independent State of North Carolina, became the county seat of Craven County. As Craven extended indefinitely westward and included all of present Wake and several other counties, the earliest settlers who pushed into the portion that became Wake were still residents of Craven County. New Bern, many miles distant, was thus the county seat for Wake's first residents until the formation in 1746 of Johnston. For the next twenty-five years they were Johnston County citizens. Not until 1771 was Wake County cut off from Johnston and given its present name.⁷

FORTY MORE YEARS AS WILDERNESS

It was nearly four decades from the time of Lawson's 1701 visit until the first settlers from other parts of the colonies took up land in the wilderness that became Wake County. During the intervening years there doubtless were excursions into the area by others than Indians, although there are extant no further records of adventurers who might have traversed the precise area.

Trails through Future Wake.—During the disastrous Tuscarora uprising against the coastal colonists, 1711-1714, three expeditionary forces of

⁴ Lawson, *A New Voyage*, 51-52, 59; Charles R. Hoffman, "John Lawson Slept Here," *Wake County Historical Society Newsletter* 4 (Sept. 1966): 3.

⁵ William L. Saunders (ed.), *The Colonial Records of N.C.*, 1:826, 933; DAB sketch on Lawson, *Lawson, A New Voyage*, foreword; also see Lefler edn., xxx-xxxix.

⁶ Lawson, *A New Voyage*, 59.

⁷ David Leroy Corbitt, *The Formation of the North Carolina Counties*, 74, 131, 212.



Wake's "parent" counties, Craven and Johnston, are shown on these maps indicating approximate county divisions before, during, and after the major settlement period (1730s-1770s) of the area that became Wake County. They were drawn by L. Polk Denmark for D. L. Corbitt's *Formation of North Carolina Counties, 1663-1943* (1950); used by permission of the State Division of Archives and History.

militia were sent from South Carolina to aid coastal Northern Carolina settlers under Indian attack. At least two and perhaps all three of these units passed through present Wake on their purposely circuitous routes from the country of the Waxhaws toward the English settlements on the coast. One of these expeditions brought a force of about 800 Cherokee Indian allies. A 1716 map marks the routes of these three forces in 1711, 1712, and 1713, under Colonels John Barnwell and James Moore and Captain (later Colonel) Maurice Moore. If the cartographer is not in error with his placement of rivers in relation to known latitudes, the place where two of the routes crossed Neuse River must have been within present Wake boundaries. The third force appears to have crossed the Eno River and then to have cut across the northern portion of present Wake.⁸

Trade with the Indians.—There is every likelihood that the brisk trade that flourished between the settlers on the coast and the Indians in the interior, both before and after the Tuscarora War, included trade in and through the woods of Wake. Although the "Trading Path to the Indians" described by William Byrd in 1728 when surveying the Virginia-Carolina dividing line passed to the north and west of Wake, there was trading through Wake's forests. The celebrated "Green's Path" from eastern Virginia toward the southward lay along portions of the present boundary line between Wake and Johnston counties; and the "Pee Dee Trail" traversed southern Wake County on its east-west route between Johnston and Chatham counties. The fur trade, chief object of the traffic along these paths, was doubtless well supplied from the virgin woodlands of Wake, by means of lesser trails or traces criss-crossing the main paths.⁹



JAMES W. BIRD PHOTOGRAPH (1964)

An "Indian Trail Tree" continues to grow in north central Wake, its trunk pointing southward toward a Neuse River crossing.

⁸ Map published in Charles R. Holloman, "Expeditionary Forces in the Tuscarora War," *We the People* 23 (Mar. 1966):15-17, 30, described in William P. Cumming, *The Southeast in Early Maps*, 183.

⁹ William K. Boyd (ed.), *William Byrd's Histories of the Dividing Line Between Virginia and North Carolina*, 298; Rights, *American Indian in N.C.*, pl. 43; early deeds and land grants in which path is used as reference line, cited by Charles R. Holloman, researcher and genealogist, Raleigh, in interviews July 16, 1970, Apr. 30, July 2, 1976; see also Craven County, *Minutes of the Craven County Court of Common Pleas and Quarter Sessions*, June 1741, June 1743, State Archives; Johnston Court Minutes, July 1759, State Archives; John M. Humber, "Transportation in 1775," and map showing Indian trails important in period 1660-1775, in Loonsdale, *Atlas of N.C.*, 39.

Living Trail Marker.—Still alive in northern Wake County is a strangely growing tree that bears unmistakable evidence of one of these long-ago trails. This Indian trail tree is a venerable white oak, bent not from age but by design, in the manner of Indian trail-blazing to mark a path for others to follow. While a sapling, its pliant stem was forcibly bent to point due south from its base, and was weighted to keep it bent in that direction. Over the centuries, its now massive trunk has grown parallel to the ground for more than twenty-one feet, before its branches thrust skyward. If one sights along its trunk from base to branches, the course indicated leads south from the high point of land on which the tree grows, directly to the Neuse River, so important to the Indian for his living as well as for trade and transportation.¹⁰

OWNERSHIP CHANGES

Charles II, the Proprietors, George II.—From the middle of the seventeenth century until just prior to the period of settlement of the area that was to become Wake County, not only Wake but all of present North and South Carolina was the property of eight English noblemen and their heirs. The eight original Lords Proprietors had received this handsome grant from Charles II in return for their helping him regain the throne of England and putting an end to the Cromwell Protectorate. According to the Carolina Charter of 1663 by which the territory was granted the eight proprietors, their vast possessions extended from the Atlantic Ocean "to the west as far as the south seas." Eager to promote settlement and thus gain personal profits from land rents and export goods, the eight absentee landlords offered all sorts of inducements to families who would take up land in Carolina. Settlement was disappointingly slow, and the period of their proprietorship was satisfactory neither to the English government nor to those who did become Carolina settlers. In 1729 the heirs of all but one agreed to resell their seven-eighths shares to the then reigning monarch, George II.¹¹

Wake in the Granville District.—After 1729 and prior to 1746 all of Wake's early settlers received their land grants from George II through the royal governors of the North Carolina colony; or else they acquired land from others to whom it had originally been granted by the king's agents. After 1746, all the ungranted land in present Wake belonged to the English Earl of Granville, who thereafter had title to the entire northern half of North Carolina.

Granville was the one heir of the original Lords Proprietors who in 1729 had declined to sell to the crown his one-eighth share of the Carolina colony. The agreement finally reached fifteen years later (1744) desig-

¹⁰ The tree is on private property near Ridgecrest Baptist Church.

¹¹ The Carolina Charter of 1663, N.C. Museum of History, Raleigh; William Stevens Powell, *The Carolina Charter of 1663*, 25-28, 23-37; Hugh Talmage Lefler, *North Carolina History Told by Contemporary*, 4th ed., 30-31.

nated his eighth as a wide east-west strip south of and parallel to the southern border of Virginia. It was not until 1746 that a line was finally surveyed as far west as present Wake County, separating the king's land from that of Granville, according to the terms of their 1744 agreement.

After 1746 the king and the British Parliament still governed the entire colony through royal governors and their councils; and it was under British law that these mid-eighteenth century residents lived and that their local courts and tax collectors operated. But from that year until the American Revolution, it was to Lord Granville's agents, not to the British king, that early Wake settlers owed their quitrents, or annual payments to "quit" them from further obligation to Granville. And it was from him that they received new grants of land, if such grants were for land within the Granville district, as was all of Wake.

The southern boundary of Granville's district was a line running due west from the coast at 35°34' north latitude and passing just south of the southernmost tip of present Wake County. The northern boundary was the conveniently straight Virginia line. From this huge sixty-mile wide strip, the speculative absentee landlord Granville expected to reap rich benefits through quitrents from settlers, both those already at home near the coast and those who would be induced to settle farther inland in the huge expanse of backwoods Carolina that was future Wake. He lived in England and employed agents to manage the granting of lands and the collecting of rents for him. His agents proved to be unscrupulous in many cases, and their subordinates, surveyors and rent collectors equally so upon occasion.¹²

They kept careless or no records of grants and entries. There were instances of the same land being granted more than once, to two or more different claimants. In the confusion, there were numerous cases of people moving into lands in the Granville district and taking up home sites without filing entry papers. It is probable that something of the sort happened to some of the earliest settlers in present Wake County, with the result that some of their names will never be known. As was the case with some pre-Granville settlers, however, there were many during Granville's ownership who became permanent settlers with legal title to their lands, and who were the ancestors of numerous families in present Wake County.

Absentee Landowners.—In much the same way that the Lords Proprietors had been absentee landlords to the entire Carolina Province, the few individuals known to have owned land earliest in what was to become Wake County were also absentee owners. Available information from land grants and court records of the early 1740s reveals the names of four residents of eastern North Carolina who owned large tracts of virgin Wake wilderness, but who never, as far as is known, lived there them-

¹² Hugh Talmage Lefler and Albert Ray Newsome, *North Carolina: The History of a Southern State*, rev. edn., 1963, 145-146; Powell, *Carolina Charter*, 67.

selves. Three of these were high officeholders in the council of Governor George Burrington, the first of the royal governors of North Carolina after it was reacquired for England in 1729 by King George II. The three were Chief Justice William Smith, Attorney General John Montgomery, and Col. Robert Halton, provost marshal. The fourth, James Mackilwean, will be mentioned later.¹³

The three adjacent grants from George II to Councilors Smith, Montgomery, and Halton formed a huge rectangular area of almost nine and a half square miles near the center of the then unsettled region in the back country which was to be called Wake County three decades later. Interestingly, the territory included most of the land on which still another twenty years in the future the city of Raleigh would be laid out, together with its later growth to the north and east.¹⁴

An Interesting Theory about the Area that Became Raleigh.—Charles M. Heck, in unpublished notes on Raleigh history compiled in the early 1950s, advances an interesting theory explaining why and how these three important easterners, high officials in the colonial government of North Carolina, came to own this huge tract of land so far away from their homes and from the civilization of that time. From his search of the earliest known land grants in the area, as well as other colonial records, he came to the conclusion that at least two of them may have actually come to the area in the early 1730s, and may have noted its potentialities for future development. Following their participation in a thwarted revolt against the administration of Governor Burrington, Smith and Montgomery had to flee for their lives because of their alleged involvement in an assassination attempt on the governor. Although the accused were reported to have "fled by night, and hid themselves in Virginia," no specific retreat is indicated. Since Smith, Montgomery, and Halton later requested and were given by the next governor huge grants of land in the remote interior of the colony, Heck suggests that instead of having taken refuge in densely populated Virginia, they might have chosen as the nearest uninhabited place to hide, the back country area far up the Neuse River and its tributary, "Crabb tree creek." Their legally recorded grants of a few years later contain the earliest known mention of this important Wake County waterway, as well as of "Walnut Point" on Walnut Creek.¹⁵

After Burrington's ouster the three returned to their former positions on the council, and the new governor, Gabriel Johnston, a short time later

¹³ Saunders, *Colonial Records* 4:164, vol. 3:214. Halton was appointed Mar. 9, 1730.

¹⁴ Independently, and unknown to each other, both Charles M. Heck of Raleigh (ca. 1950) and A. B. Markham of Durham (ca. 1967) plotted these grants on maps using the descriptions and landmarks listed. Charles M. Heck Collection, State Archives; A. B. Markham, "Land Grants to Early Settlers in Present Wake County, Period 1739 to 1830," map copyrighted 1973.

¹⁵ Heck Collection, State Archives; Saunders, *Colonial Records* 4:164-165. Both Smith's and Halton's grants were issued in the name of Governor Gabriel Johnston. Smith's grant, Mar. 18, 1740, is recorded in N.C. Land Grant Book 4:39 and 5:31. Halton's grant, Mar. 9, 1743, N.C. Land Grant Book 4:160, and 5:122. Although no record of Montgomery's grant appears to be extant, his land and line are mentioned in Halton's grant and in grants for other adjacent land, as surveyor's landmarks.

granted them the three large 2,000-acre tracts, totaling 6,000 acres among them, between Walnut and Crabtree creeks. It was part of the Halton grant that half a century later was sold by its eventual owner, Joel Lane, to the independent state of North Carolina as the site for its permanent capital, the city of Raleigh.

Inducements to Settlers.—The British government was anxious to populate the back country with permanent settlers. Recipients of very large grants, such as Halton, Smith, and Montgomery, were expected to induce others to settle within their large claims, in order to increase the colony's population, its soil productivity, and its potential trade products. The terms of Col. Halton's 2,000-acre grant, for example, included the understanding that "he seat the same with one white person and clear and cultivate in proportion as three acres to one hundred within three years." Did he live up to this requirement? The records do not reveal the names of settlers who might have taken up residence as his tenants, although it is likely that this is the method by which some of the earliest settlers came to be on land which became Wake County.¹⁶

Ownership records of the three large tracts indicate that Halton's was inherited by nonresident individuals, later confiscated by the state during the American Revolution, and acquired by Joel Lane and others when the new state land grant office opened in 1778. Meanwhile, the neighboring Smith and Montgomery tracts were also willed to the original owners' heirs and were later acquired in smaller tracts in the 1750s and 1760s by residents of Wake's Walnut Creek area, including John Giles Thomas and William Muckleroy, and still later partially by another large landholder, Isaac Hunter.¹⁷

Another Absentee Landholder.—The fourth of the absentee landholders in Wake was James Mackilwean, who may have been the surveyor who laid off the three grants for Smith, Montgomery, and Halton. He had by the time of their grants also "proved [his] rights . . . according to the Royal Instruction," which information is indicated in the 1741 King's warrant entitling him to a 550-acre tract east of and "opposite Judge Smith's & Coll. Halton's Surveys." In the next several years Mackilwean acquired at least one additional tract of 200 acres in the same vicinity.¹⁸

Mackilwean may have rented part of the land to early Wake residents whose names are lost. Records indicate that he himself was quite busy in other parts of the colony during the time of his ownership of the Wake land, and there appears to be no evidence that he ever actually lived on

¹⁶ N.C. Land Grant Book 4:160; 5:122.

¹⁷ Heck discusses these transactions on approximately the 31st and 32nd pages of his unpaginated notebook, Heck Collection, State Archives.

¹⁸ "Mackilwean" is the one of several variant spellings appearing as signature to Craven Court Minutes, Mar. 1746 and subsequent terms. He was also Craven County representative to the General Assembly 1746-1754. John L. Cheney, Jr. (ed.), *North Carolina Government, 1585-1974*, 1102. Mackilwean's name appears as surveyor on numerous plats, although those for the Smith, Halton, and Montgomery grants are missing. Mackilwean's original warrant for a 1741 survey is in Land Warrant Envelope #0393, Office of the Secretary of State, Raleigh. His 1745 grant is recorded in N.C. Land Grant Book 10:278, and 5:422.

these lands. He owned considerable property near New Bern, was at one time sheriff of Craven County, and served for several years in one of the highest offices in county government, that of justice of the peace for the Craven and later Johnston County courts. Owning land also in various other sections of the colony, he lived for a time in the area that became Lenoir County, and seems to have moved on to Mecklenburg in the 1760s. His original Wake County land was eventually deeded to later Wake residents.¹⁹

There were doubtless other absentee landholders like Mackilwean and the three councilors. But soon there were also settlers who acquired land in the area and made their homes and farms upon it. Gradually the pace of settlement increased and people began moving into the hitherto unpopulated wilderness from several directions. There was evolving a pattern of settlement which affected future Wake in a somewhat peculiar way.

¹⁹ Various grants; Craven Court Minutes, Feb. 1747 and subsequent terms; Saunders, *Colonial Records* 4:3038.

Chapter II

THE SETTLEMENT PERIOD

A PECULIAR SETTLEMENT PATTERN

A Late Settled Area.—As land along the coast was taken up and little additional acreage was available to newcomers, settlers began to push westward, especially along the river valleys. Strangely, however, although one of the principal rivers, the Neuse, leads directly into and through present Wake County, few settlers seem to have penetrated so far inland as early as those who populated other North Carolina regions all around Wake. The pattern of settlement for interior North Carolina thus had the peculiar effect of leaving undisturbed the very heart of the future state, the area which eventually became the center of its government.

Other geographic features had their effect, as did the movements of groups of immigrants into neighboring colonies. To the east and south of Wake, Craven County residents pushed farther and farther west in the 1730s, principally along the Neuse. They were moving ever inland, away from their county seat, New Bern, which continued to be the center of their governmental and court activities until the next decade when Edgecombe and Johnston counties were formed. In such numbers had they moved west of New Bern that it became necessary in the 1740s to establish new centers of county government farther inland.¹

Since by early in the eighteenth century North Carolina's coastal region was largely occupied, new arrivals from Europe were compelled to go inland to find available land. Scottish Highlanders began arriving, many by way of the then important town of Brunswick. They settled in clannish groups all along the Cape Fear River valley as close to present Wake as Campbellton and Cross Creek, early names for present Fayetteville. Thus the area directly south of Wake was settled rather thickly some years before Wake itself. People from South Carolina moved up into their sister colony, especially along the Pee Dee and Catawba rivers, populating those portions to the southwest of Wake well before more than a few hardy souls had ventured into the wilderness of Wake.

Much of western North Carolina was settled early by both Scotch-Irish and German immigrants who had gone first to Pennsylvania and moved south along the foothills of the mountains in search of plentiful and cheap lands. One of their reasons for settling so far to the west was their natural inclination to live to themselves with their own kind, and no closer than was necessary to English settlers who regarded them as "foreigners."

¹ Various land grants; Corbett, *Formation of the Counties*, 95, 131-132.

with their different language and religion. By the time of the American Revolution, there were estimated to be 65,000 Scotch-Irish and 25,000 Germans living in areas of North Carolina to the west of present Wake County.²

Virginians came into the counties along the northern border of North Carolina, as they had been doing earlier in the northern coastal region, and some of them moved farther south into future Wake. Perhaps some were second or third sons of Virginia families who, because of the colonial laws of primogeniture, had little hope of inheriting family estates and set out to establish their own estates in lands to the south yet unclaimed.

From all directions, then, almost every area of the colony had begun to be settled earlier than that central section which eventually became Wake County.

Transients among the Newcomers.—Inevitably, however, the time came when this central area of the colony began to have residents. Many of the earliest among them were people who had lived around New Bern and were looking for new farming land. After having depleted forests and worn out fields in the east, many a land-hungry farm seeker had pushed north and west along the Neuse, gradually taking up most of the best property between New Bern and the future county of Wake. Some of those who came into the area stayed only briefly and then pushed on to the west as the frontier moved more and more in that direction. Some stayed long enough to wear out fields before moving on to seek new ground. Many eighteenth-century North Carolinians thrived on living briefly at the frontier and moving with it, and this nomad tendency seems to have gripped a sizable number of Wake's earliest landowners.

Names of some of them appear in minutes of the county courts. These records show them performing in capacities expected of responsible citizenry, including the clearing and repairing of roads, serving on juries, and seeing to the welfare of orphans. Then, within a few years, their names appear in records of other counties in the same capacities farther west in the state or beyond. Some of these, perhaps renters or squatters, may never have had legal title to the lands on which they lived.³

Permanent Residents.—There were those, obviously, who acquired grants of land varying from 100 to 640 acres and settled down to permanent homes in the future capital county. The process of obtaining rights to settle on new land entailed requesting a grant, getting the land surveyed, and receiving a legal document describing the location, boundaries, and conditions of the grant. In return for the land, settlers agreed to cultivate a certain portion and pay yearly quitrents to the king (later to Granville) through agents. Although there were several individuals and families who gradually amassed properties totaling many thousands of acres, there were far fewer large plantation owners in future Wake than in some of the eastern counties and in neighboring Virginia and South Carolina. These

² Lefler and Newsome, *North Carolina*, 69-81.

³ Various land records and Johnston Court Minutes from the settlement period.

small landowners lived on and cultivated their own land, and possessed fewer slaves (or none at all) than did the plantation aristocrats. That there were some slaves as well as free Negroes in the Wake area within the first decades of Wake's settlement is evident from court records of the late 1750s and 1760s.⁴

From land registry records, some early landowners' names are known, as well as the places they settled within present Wake. A few indicate also the counties from which they moved, and some of the grants and accompanying surveyors' plats bear their signatures or their marks. Numerous records, however, have been lost or destroyed by fire over the years. Thus it is possible to reconstruct only a partial picture of the locations of the homes of Wake's earliest settlers.⁵

It was no easy matter to pick up whole families and all their possessions, to move from whatever degree of civilization they knew, and to make a new life in untamed wilderness. Some undoubtedly came from comparatively gracious town or plantation life; others were desperately poor. All had to bring with them everything they could assemble to set up farming and housekeeping operations from the ground up.

How They Got to Wake.—Some few eastern families may have utilized the Neuse and Little rivers as a means of transportation, loading their belongings into canoes or onto rafts as was more commonly done near the coast and in earlier days. But as they made their way farther north-westward into future Wake, they found traveling against the current increasingly difficult. Part of the fall line area of central North Carolina is included in Wake County, where rivers and streams run more swiftly and cascade over rocks and ledges.

Families traveling overland from the more settled east encountered deep ruts of sand or mud, since even main highways boasted little ditching or drainage. Travelers from the south through relatively flat terrain contended with treacherous red clay which in wet weather was alternately slippery and sticky, and when dry had axle-breaking ruts. Those who came through northern and western counties confronted hazards of steep hills and rocks, often barred by immovable boulders.⁶

Darkness and the need for rest required overnight stops. Lucky were those who arrived at day's end near the homes and farms of families already settled, some of whom shared bed and board briefly. Otherwise, travelers made camp wherever night found them, improvising whatever comfort and safety from natural enemies their surroundings dictated. Fewer and farther apart became the hospitable homes, and less passable the roads as these families continued toward their newly granted lands. What trails there were had probably been made by the Indians, and later by fur trappers and traders through the dense woods. The trails, often connecting one watercourse with another, probably followed paths worn

originally by wild animals, which instinctively chose paths of least resistance.⁷

What They Found.—At their destinations, the settlers found little else than woods and water and wild animals. Whatever the location of their lands, they chose within their acreages those spots for building homes that were nearest to rivers and streams. A water source was absolutely essential for the settlers, their animals, and their crops. Also, watering places provided game and fish to augment the forests' yield of berries, nuts, and fruits. These woods and waterways and wild animals provided not only food but also materials for building homes, power to turn mills, and skins for clothing and other uses.

What's in a Name? Waterways, Woods, and Wild Animals.—These first families settled, then, along the courses of the Neuse and its tributaries, "Crabb tree" and Walnut creeks. Poetic names, these, and at least partially descriptive of some of the trees abounding in the woods of Wake in early settlement days. The names of both these creeks were probably given them by traders, explorers, and surveyors, since they appear in the earliest land grants as identifying landmarks for locating the tracts granted. New settlers gave names to others. All these names provide a valuable record of Wake's natural history, the way it looked before its wilderness gave way to civilization.⁸

Oaks outnumbered other varieties of trees, especially the white oak, which has given its name to three different White Oak creeks in widely separate sections of the county. Other creeks and branches whose names were borrowed from trees include Sycamore, Poplar, Peachtree, and Laurel creeks; Cedar Creek, Cedar Run, Cedar Prong, and Cedar Grove; Reedy Creek and Reedy Spring Branch; Brier Creek and Juniper Branch. The list is not nearly exhaustive of the variety of trees native to Wake County, nor even of the most prevalent. For example, although early land descriptions frequently mention "a blazed hickory" as a starting point for naming the boundaries of land grants, there is no Hickory Creek in Wake County. A later community in eastern Wake, however, became Hickory Grove.

The waters of the creeks themselves gave rise to descriptive names like Crooked Creek, Crooked Run, Steephill Creek, Stoney Branch, and Swift

⁷ Humber, "Transportation in 1775."

⁸ Although it has been suggested that Crabtree Creek might have been named for some family of that name, no evidence has come to light identifying such persons. A second suggestion is that "crabtree" is a combination word commonly applied to the crabapple tree, from which the creek received its name. William S. Powell, "What's In a Name? History," *Raleigh* (magazine) 3 (No. 4, 1971): 10. There remains the possibility, however remote, that explorers saw, instead of the still familiar crabapple, that highly prized crabtree whose bitter bark was once used medicinally. None of the species is known in Wake today, but the welcome and perhaps unexpected presence of that useful variety would have been sufficient reason for naming the large and important watercourse for even a single example of it. As for the more plentiful walnut trees, few remain because of the later great demand for their wood for fine furniture and floors. They were apparently plentiful in the area, however, as late as the 1860s. Former slave Hannah Lane Plummer noted in a 1930s interview that as slaves on Governor Charles Manly's private estate below South Street "we chillun went into the grove . . . to pick up walnuts and hickory nuts." U.S. Works Progress Administration [Federal Writers' Project], *Slave Narratives* 14:178.

⁴ Johnston Court Minutes, 1750s, 1760s, *passim*.

⁵ Granville Land Grants, State Archives.

⁶ Charles Christopher Crittenden, "Overland Travel and Transportation in North Carolina, 1763-1789," *N.C. Historical Review* 8 (July 1931): 239-240.

Creek, Rocky Branch and Ledge of Rocks Creek are picturesque names of northern Wake waterways, descriptive of that section which is most like hill country of any in the county. Stories about Terrible Creek in southern Wake and its behavior in flood season fully justify its name; and Dry Creek suggests an unhappy tendency of that watercourse. Names of others seem to describe the terrain around them, including optimistic Rich Land, or Richland Creek, and the less productive sounding Marsh Creek.

Wildlife the settlers encountered no doubt was the inspiration for naming Panther and Wildcat branches, Buffalo and Moccasin creeks. One outstanding creature of the wild known to have been distressingly prevalent and predatory was the wolf; Wolf Branch, however, is no longer listed on Wake County maps as it was on earlier ones. There are Horse Creek, Red Buck Branch, Buckhorn Creek, and Doe Branch, and both Owl and Turkey creeks. Of the smaller animals and their habitats, the beaver seems to have been the most popular inspiration for names, for there are no fewer than two Beaver creeks and four Beaverdam creeks flowing within the boundaries of present Wake County. Finally, there is the inscrutable name of Haresnipe, or, earlier, "Hairy Snipe" Creek, which appears in early land documents but for which no really satisfactory explanation has been offered.⁹

Sources for Identifying Settlers.—Within a few years, the surnames of some of the earliest families themselves began to appear, too, as names of creeks and branches, indicative of the portions of the county in which they made their homes. Examples are Barton's, Hinton's, House, Mannings, Powell, Smith's, and Utley's creeks, and Jones, Myatts, and Simmons branches. A little later the name Dutchman's Branch or Creek was given to that southern Wake stream where a foreign-accented family named Franck settled.¹⁰

Helpful though they are, creek names are not the only source for determining the identities of the area's earliest residents. Land grants and deeds, together with minutes of the county courts, wills, marriage bonds, and private papers, all provide names and locations as well as events involving Wake County's early citizens.

FIRST FAMILIES OF FUTURE WAKE

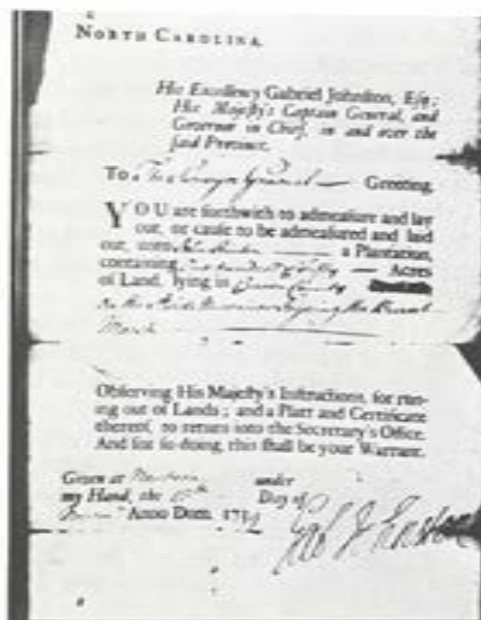
Earliest Known Residents.—In the search for the earliest Wake residents several likely candidates appear from land records. Among these are families named Bledsoe, Green, Heaton, Higdon, Hinton, Matthews, Monk, Myatt, Powers, R——, Simmons, Terrell, Whitaker, and Williams,

⁹ Land documents, maps, various dates; Powell, N.C. Gazetteer, passim; court minutes, passim, including such entries as the following: "John Gyles T[h]omas Esqr. produced an affidavit of Wm. Hollyfield as having took the life of a wolf." Johnston Court Minutes, July 1754-51. Pant[er] Creek appears in Wake Court Minutes, Dec. 1771-8.

¹⁰ Dutchman's Branch is named at least as early as 1756 in land grant and accompanying plat for John Rench, N.C. Land Grant Book 14:243. The Franck[s] family settled in the Wake area after immigrating to New Bern early in the 18th century from the Heidelberg area of Germany. Thomas H. Franks to Charles H. Utley, May 2, 1933, in Charles H. Utley, *The Utleys of Wake County*, 245-246.

and probably others.

A warrant to survey land on Neuse River for John Hinton, dated November 1739, is thought to describe a tract in the area that became Wake County on which Hinton settled. But the earliest reference to his actual residence in the area appears in a September 1745 grant for land adjacent to the tract on which he was then living.¹¹



By means of this warrant, dated November 13, 1739, Governor Gabriel Johnston instructed the Surveyor General to measure for John Hinton 150 acres of land on Neuse River in that part of Craven County that eventually became Wake.

Tiny scales, their weights, and a surveyor's compass were among the Hinton family's possessions when they settled in future Wake County in the late 1730s or early 1740s. (Document and objects owned by Hinton descendants; used by permission.)



JAMES W. BIRD, JR., photographs

¹¹ Hinton descendant Charles Hinton Silver, Raleigh, owned original of John Hinton warrant dated Nov. 13, 1739; its duplicate is filed in Land Grant Office of the Secretary of State, Raleigh. See Charles M. Heck (ed.), *Documents of Early North Carolina and the Establishment of Raleigh as its Capital*, pl. 2; grant to land described identically, dated Nov. 11, 1743, N.C. Land Grant Book 5:179, Book 10:28; grant indicating adjacent residence, Sept. 27, 1745, Book 5:335, Book 10:176.

A May 1741 grant to Robert Whitaker, apparently unrecorded, describes a large tract on Swift Creek. The location, near Billingsglade Branch south of Raleigh, is without question that in present Wake on which he built the original portion of the Whitaker home, purportedly in 1743.¹²

Concerning a third early resident, John Monk, there is no doubt he was actually living in present Wake before February of that same year. Two documents dated February 23, 1743, describe land near Walnut Creek and "Wild Catt" Branch adjacent to "the plantation he now lives on." A second plantation in the vicinity had also been occupied before that time by a man named James R—, whose surname is almost obliterated in a crumbling 1743 land entry book. It is probable that James Simmons, and perhaps John Simmons as well, had settled in the area before either Monk or R—, since "James Simons' plantation" is identified as adjoining Monk's tract, and Simmons Branch is named as a location point for that of R—. But available records do not include the fact that either was actually living on the land at the time.¹³

The Myatt family is another of the very early ones, although the earliest of their grants have not survived in the state records. The obituary of Mrs. Mary Myatt, widow of Capt. Mark Myatt, noted that she was "one of the first settlers of this part of the country."¹⁴

Some time in the 1740s several families found their way to land above the Great Falls of the Neuse in northern Wake County. John Terrell had settled and built a mill on Horse Creek north of the Falls by 1744. Royal grants were issued in 1745 to members of the Bledsoe family with the four-generation Biblical names of Abraham, Isaac, Jacob, and Benjamin, on Horse Creek as well. Also in 1745 Edward Powers, John Heaton, and John Higdon received grants in the Falls area.¹⁵

Another family resident quite early in the 1740s was that of Edward Green, who was already living on land near Walnut Creek in 1745, when John Monk acquired title to it by grant to add to his earlier holdings. Possibly Green continued to live there and to lease land from Monk. There is no way of knowing when Green began to live on this land, or whether he ever held title to it. He may have been among those numerous families who settled on unclaimed land, built homes, and began farming without benefit of purchase or grant. So inefficient was the entire system

¹² Photocopies of Whitaker grant, dated May 23, 1741, owned by Vance E. Swift, purchaser of Whitaker home, 711 Colonial Drive, Raleigh, renamed "Echo House"; also, brick dated 1743 said to have been removed from chimney of original portion of house. Name of watercourse was also spelled Billings-Glade Branch.

¹³ Monk's warrant for survey dated Feb. 28, 1743; entry in N.C. Land Entry Book, 1743-1749; Feb. 23, 1743, State Archives, also reproduced in Heck, Documents, pl. 2. For James R— and James Simons, see N.C. Land Entry Book, 1743-1749.

¹⁴ Raleigh Register, and North Carolina State Gazette (w), July 15, 1834. John Myatt (or Miate) had by 1750 built a structure of some kind on a 500-acre plantation on Swift Creek surveyed for him in that year and granted to him in 1753, Granville Land Grants.

¹⁵ (Terrell) N.C. Land Entry Book, 1743-1749; (Bledsoe) N.C. Land Grant Book 10:159, Book 5:320; (Powers) Book 5:375, Book 10:226; land grant issued Mar. 14, 1745, to John Higdon, naming Heaton plantation adjacent, Granville Land Grants. There is also a reference to a Sept. 17, 1744, grant to John Higdon's brother Daniel in later deed, Johnston County Transcript Deed Book 1:53-54, State Archives.

of granting, issuing, and recording such documents that the General Assembly in 1754 passed a lengthy act dealing with the determination and recording of land ownership in the increasingly widespread colony.¹⁶

In addition to the physical difficulty of going in person to one of the widely scattered land offices, complicated procedures involved in getting a warrant issued for a survey and the expense of the survey itself contributed to the frequency with which these legal niceties were neglected. Hundreds of square miles of unclaimed wilderness tempted the adventurous settler, or the family whose farm lands back east were worn out, to find and lay claim upon new land for a fresh start. It was far simpler to take possession of a good farming area without the extra burden of legal arrangements, or with the expectation of taking care of those matters at some later date. That some settlers never got around to legalizing their claims is evident from the law passed in 1754 declaring those persons rightful owners who had been in possession of such lands for at least twenty years. There were also instances of families being forced to move from land they had settled, when later settlers brought legal claim upon it.¹⁷

Mystery Citizens.—Two mysterious names appear in the 1740s which well might be those of victims of just such circumstances. There were evidently a Williams and a Matthews who had lived on land that Henry Bedingfield acquired in 1745. His grant for a 600-acre tract in eastern Wake was described as being that land "where Williams and Matthews formerly lived." What Williams? And which Matthews? How long had they lived there, and what happened to them? Were they squatters on the land and did they then have to leave when an official surveyor drew up the plat locating and describing the land that was then legally Bedingfield's? Or had they possibly owned and forfeited the land by nonpayment of the quitrents, and then pushed on to another area?¹⁸

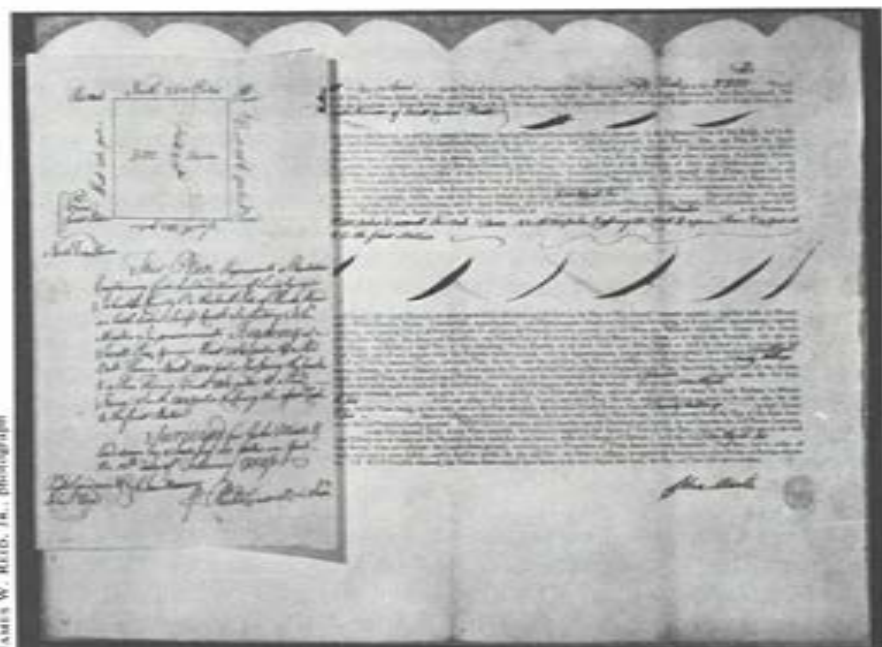
Other Early Families.—By mid-century, these records, augmented by others, reveal there were families in the area that is now Wake County named Alford, Bedingfield, Benton, Bledsoe, Giles, Green, Heaton, Higdon, Hinton, House, Jones, Kilgoe or Kilgore, McCullers, McIlroy, Matthews, Miate or Myatt, Mills, Monk or Munk, Norris, Pearson, Powers, Simmons, Smith, Terrell, Whitaker, and Williams. These are names which occurred and recurred in the records of community life in the young middle-section of the growing North Carolina colony for many years, together with others who came soon after.¹⁹

¹⁶ Monk grants, Apr. 20, 1745, Land Grant Book 5:284, Book 10:124. Concerning grants system, see Walter Clark (ed.), *The State Records of North Carolina* 25:304-309. This act forms chap. 6 of N.C. General Assembly, *Laws of North Carolina Passed by the General Assembly at Its Session of 1745-1755*.

¹⁷ N.C. Laws, 1754-1755, c.6, s.6.

¹⁸ N.C. Land Grant Book 5:309, Book 10:149.

¹⁹ All these names, in conjunction with site descriptions identifiable as Wake County locations, appear in Craven and Johnston County land grants and court records antedating 1750, in Office of Secretary of State and in State Archives. It is entirely possible, of course, that some individuals owned land in the area but lived elsewhere.



JAMES W. REED, JR., photograph

Lord Granville's agents granted John Miate 500 acres south of the Neuse River, on both sides of Swift Creek, in 1753. Attached to this grant, or "indenture," is a plat describing the land measured for him by surveyor Richard Caswell, Jr., three years earlier. Apparently Miate (later spelled Myatt) had built a home or other structures on the site during those three years, since the grant mentions his "Improvements." The land was at the time a part of Johnston County. (Granville Land Grants, State Archives, Raleigh.)

By the end of the decade of the 1750s, there were at least another fifty families, and probably many others of whose presence no records remain. Although some may have arrived before mid-century, the following names seem to have appeared for the first time in records of that decade. They include Allen, Anderson, Barton, Belk, Benton, Bradford, Bunch, Dixon, Fowler, Hall, Hardin, Hardy, Haughton, Herring, Hill, Holleman, Holloman, Honey, Hunter, Hutchins, Johnson, Jones, Joyner, Keith, Lamson, Lane, Lawhon, Lee, Ligot or Leggett, Loockerman, Lowery, Lowther, McNatt, Manning, Martin, Mobbley, Olive, Patton, Pierce, Powell, Robertson, Sanders, Simms, Speight, Stallens, Strickland, Sugg, Tanner, Tarver, Thomas, Thompson, Turner, Utley, Walton, White, Womack, Wood, Wright, and Young.²⁰

²⁰ Grants and court records predating 1760 supply these names and their locations in present Wake. Some also appear among the 45 signatures on petition, ca. 1756-1757, concerning military service of citizens of upper Johnston County. N.C. Governor's Office Papers (Council Papers), State Archives.

LIFE AT MID-CENTURY

Everyday Life.—Firsthand accounts of everyday life in Wake County's earliest settlement years are virtually nonexistent. No private records in the form of diaries or letters have come to light to give word pictures of life at mid-century. Many people could neither read nor write; and even those who could were far too busy clearing land, creating shelters for their families and stock against elements and animals, and wresting food from the new, unproven soil, to think of turning into recorded history the very real history they were making. Any word pictures, therefore, of early Wake homes and their furnishings, marriages and births, illnesses and funerals, children's education, entertainment, social and religious activities, must be pieced together from bits and scraps recorded in the few documents that have survived, and from family stories handed down through generations to present-day descendants.²¹

There is ample evidence of the continuing wild state of nature in the area for many years. One account, supposedly from an eyewitness and recorded at the time of her death, is the obituary of Mrs. Samuel Pearson, née Mary Simmons, who as a child moved with her parents from near New Bern in the 1740s. At that time, the obituary relates, "bears, wolves and panthers were so numerous here, that it was with difficulty they could prevent them from destroying their horses and cattle."²²

Panthers, wolves, and other "vermin," as the law described them, were still so numerous in Wake County well after the American Revolution that the General Assembly enacted legislation for Wake and several other counties renewing a decades-old law that offered a reward for killing a panther, wolf, or wildcat and producing the scalp before a local magistrate as proof of its destruction. In 1764 there was produced in court "an affidavit of Wm. Hollyfield as having took the Life of a Wolf," and he was paid the prescribed bounty of ten shillings. As late as 1779 the Wake Court paid double that amount for wolf scalps to Frederick Honeycutt and Thomas Driver.²³

An Intimate Family Glimpse.—An intimate glimpse into the everyday life of a mid-century home is afforded through reading the inventory of the

²¹ One such story persisting in the family of Revolutionary Col. John Hinton describes first home he is said to have built in the area. According to family tradition it was constructed of logs on a rocky eminence. For protection against unwelcome animal or human intruders, its only door was in upper portion, high above ground, with ladder to be pulled up out of their reach. Descendants, who can point out cabin site near the Neuse in eastern Wake, still call it "the Panther Rocks," because of another family story about a mother panther that closely pursued Hinton as he attempted to take home one of her twin cubs. Nearby is location of a second architecturally interesting Hinton home, said to have been built of bricks that were completely square. Although other traces of both structures have disappeared, the "Panther Rocks" still command the surrounding terrain, remnants of the family cemetery near the second site remain, and the Hinton family preserved at least one of the unusual square bricks and presented it for display at historic Mordecai House, Raleigh. Author's interviews and field trips with Charles Hinton Silver and Elizabeth Silver Cheshire, Feb. 7, 25, 1969, and Feb. 25, 1970. See also Mary Billiard Hinton, "Colonel John Hinton," *South Atlantic Quarterly* 1 (Apr. 1902):182-187, amended and reprinted in *N.C. Booklet* 14 (Apr. 1915):229.

²² See also Alan D. Watson, *Society in Colonial North Carolina*, passim; Alice E. Mathews, *Society in Revolutionary North Carolina*, passim.

²³ *Register* (w), Feb. 8, 1822.

²⁴ *N.C. Laws, 1773*, c. 16; *N.C. Laws, 1785*, c. 28; Johnston Court Minutes, Oct. 1764; Wake County Minutes of the Wake County Court of Pleas and Quarter Sessions, Mar. 1779, State Archives.

belongings of a family named Bunch who lived on 800 acres of land on Buffalo Creek in eastern Wake County. A nonslaveowning generation of that family, they apparently were virtually self-sufficient, raising and manufacturing nearly every necessity themselves. The carefully itemized inventory and the will of Paul Bunch, head of the household, filed with the court after his death in 1771, supposedly lists everything the family owned at that time.²⁴

The Bunch family had settled on Buffalo Creek in the early 1750s, apparently bringing with them to the backwoods a few simple luxuries. These included six books, a violin, a precious looking glass, a punch bowl, some other treasured items of tableware, and a single drinking glass. They brought lumbering and carpentering tools, undoubtedly constructed their own house and outbuildings, and probably made most of their furniture. They owned four axes, a crosscut and several smaller saws, hammers, augurs, chisels, adzes, planes, and bits, as well as blacksmith equipment.

Over the course of two decades on the Buffalo Creek plantation the Bunch family grew to include two sons, seven daughters, and several sons-in-law. The documents do not reveal how many of them remained at home, but the house contained eight feather beds and a dozen chairs, in addition to a black walnut desk and chest of drawers, three tables, and two chests.

The family tables could be set with fifteen plates (probably pewter), a dozen knives and forks, seventeen spoons, six pewter dishes, one stone mug, two earthen mugs, and that single drinking glass. Fireplace cooking was accomplished with the aid of four iron pots with hooks and a pot rack, two skillets, three frying pans, a brass kettle, and a tin pan, along with a "large Brass Spoon." The hearth was furnished with a pair of fire tongs and a fire shovel.

For protection and for hunting, Bunch owned two guns, one of which was a "Buccaneer Gun." Thirty-two head of cattle and a calf provided meat as well as leather, and there were fifty hogs and sixteen pigs, along with the necessary drawing knives and a flesh fork for butchering. Seventeen sheep, from which both wool and food were derived, were kept. The nine geese and sixteen ducks contributed to their table fare as well as to the filling of the eight feather beds. There was a stock of honey bees; and without question a large portion of daily food necessities came from garden, orchard, grain field, and grapevine. There were wheat sieves, meal sifters, and a spice mortar for preparing farm produce for home use.

"Plow hoes" and a variety of other small farming tools indicate the almost primitive nature of the hand-farming operations, in which the family's six horses were invaluable. The only vehicle in their possession was a wheeled cart. At the time of Bunch's death, there was both a man's saddle and a sidesaddle, and materials for making additional saddles and

harness. Some members of the family were evidently adept at the cooper's trade, for there were numerous tools for making hogsheads, barrels, and casks, as well as a quantity of the finished containers in which tobacco and various food products were stored. For their homemade cider and other food and drink there was a case of bottles with six extras, "4 common bottles," two jugs, five tin cans, and "2 piggins and 2 nog-gins." On the place they manufactured nails and other metal necessities with the aid of a well stocked blacksmith's shop, and they prepared leather and made shoes.

Other necessary domestic pursuits included the manufacture of cloth, all the way from the growing of flax and wool, through its spinning and weaving, to the sewing of household linens and clothing. There were flax knives and carding equipment, spinning wheels of several types, a "wellfixed Loom" and two pairs of tailoring shears. They had two washing tubs, two water pails, and six pewter basins, but no iron was listed. The family owned two candlesticks and doubtless made their own candles, although no molds appear in the inventory.

Money was a scarce commodity in the backwoods. Paul Bunch had at the time of his death, however, a pair of money scales and cash on hand in the amount of two English pounds in silver.

Occupational Diversification.—Like Bunch, most of the early Wake planters were nonslaveowners and relatively self-sufficient in the production of home and farm essentials. Gradually the practical necessity for sharing work with neighbors caused some diversification of labor and skills. Some built mills for making meal and flour for their households, and began lending or selling their services to others. After 1758 all water grist mills were legally considered "publick" mills, and permission from the county court had to be obtained to construct any additional mills after that year. To such a mill neighboring grain growers would bring their crops to be converted to meal or flour, paying to the miller a prescribed percentage of the processed grain.²⁵

A very early example of this type of mill is the structure called Yates Mill on Steephill Creek in southcentral Wake County. The original mill at that location is thought to have been built by Samuel Pearson in the 1750s. In addition to Pearson's mill, and the earlier Terrell mill on Horse Creek, James McIlroy had a mill on the north side of Walnut Creek as early as 1751. Among the many later mills throughout the county, the following are a few for which permission to build was granted by the county court in the late 1750s and 1760s: mills on Mine Creek built by William House and Jonas Marshall; on Little Middle Creek by Lodwick Tanner; at the "Great Falls of Crabtree" Creek, the site known as Lassiter's Mill; John Giles Thomas's mill built about 1760; on Smith's Creek the mills of Joshua Houghton and Thomas Boykin; on Powells Creek, "where the creek divideth," Henry Lyles's mill; a later mill on Horse Creek built by Jephtha

²⁴ Will dated Dec. 18, 1762, probated June 1771, and inventory recorded Dec. 1772, Wake County Clerk of Superior Court Record Book Number 1, 1771-1782: 1-2, 7-8, State Archives. Later generations owned slaves. Wake County Tax Lists, 1809, State Archives. An election precinct was established at the home of Bunch's son David in 1803. *N.C. Laws, 1803*, c. 90; Wake Court Minutes, May 1808: 158-159.

²⁵ *N.C. Laws, 1758* (Nov.-Dec. session), c. 5; *N.C. Laws, 1715*, c. 37, reconfirmed in *N.C. Laws, 1749*, c. 6.

Terrell; one on Hair Snipe Creek by James Lynn, Sr.; on Terrible Creek that of William Norris; on Poplar Creek, Demcy Welch's mill; and finally, on Walnut Creek, "the Widow Streeter's mill," probably built by Charlton Streeter, or Streeter.²⁶

One additional mill that later served as a landmark in the official description of Wake County boundaries in 1771 was one built about 1760 by David Mims, downstream from Lodwick Tanner's mill on Little Middle Creek. It occupied a site that is actually just over the line in Johnston County. In the legislative act setting Wake off from Johnston County in 1771, the dividing line was drawn "between Mims Mill and Tanners old Mill."²⁷

As these mills became landmarks, so did some of the early trading posts and stores. Some of the merchant mills doubled as both. In the 1750s Daniel Higdon had a trading post or store near the Falls of the Neuse, where John Higdon had owned land since the mid-1740s. Assuredly this powerful source of energy was used as water power for his or someone else's mill long before 1762, the earliest documented date of legal ownership of the Falls itself. It was in that year that Joseph Montfort of Halifax County acquired title to 150 acres on both sides of the Neuse, "including the Great Falls Joining Daniel Higdon's line." Montfort had been clerk first of Edgecombe and then of Halifax County, later achieved distinction in other governmental affairs, and was the first and only North Carolinian to be Provincial Grand Master of Masons in the American Colonies. As first owner of the Falls of the Neuse, he was an early Wake landholder, but never a resident of Wake. His Wake County descendants, however, included the Boylans, prominent in early Raleigh.²⁸

Another early trading center was "Suggses Store" above Powell's Creek, possibly begun by Captain Acquilla Sugg. The building, evidently on a main road, was mentioned frequently as a point of reference in describing road districts, beginning with the earliest surviving court minutes. Joshua Sugg served as a constable in his home area north of Powell's Creek, was a lieutenant in the Wake County militia, and later served as a justice of the peace for Wake County during the Revolutionary War.²⁹

It is likely that cotton and tobacco were not grown in great quantities in the earliest years. The available cultivating implements were crude; the

²⁶ Pearson's will, dated July 30, 1806, recorded June 8, 1802, devises to his son Simon a tract of land "lying on both sides of Steep-Hill Creek Joining Paris Pearson's land, including the old Mill." Wake County Wills, Inventories, Settlements, 1797-1903, 6:1, microfilm copy, State Archives. See also Mrs. Pearson's obituary, *Register* (w), Feb. 8, 1822. The surveyor's plat, dated Oct. 30, 1751, attached to McIlroy's Granville grant of Apr. 27, 1753, describes his tract as "beginning at a white oak below his Mill on the side of said [Walnut] Creek." Granville Land Grants. Re court actions with regard to other mills see Johnston Court Minutes, Apr. 1759 through May 1770, *passim*.

²⁷ *N.C. Laws, 1770-1771*, c. 22, s. 2.

²⁸ See n. 15 above; Granville Land Grant, June 12, 1759, describing Higdon as "merchant"; Granville Land Grant to Montfort, June 25, 1762; Marshall DeLancey Haywood, "Joseph Montfort," in Samuel A. Ashe and others (eds.), *Biographical History of North Carolina: From Colonial Times to the Present* 6:376. Montfort Ave. in Boylan Heights, Raleigh, near the later Boylan-built Montfort Hall, bears the name of that branch of the Boylan family's ancestry.

²⁹ Johnston Court Minutes, Apr., July 1759, Feb. 1769; Field Returns of the Wake County Militia, Oct. 6, 1772, Troop Returns 1747-1859, N.C. Military Collection, State Archives; Wake Court Minutes, Feb. 1778.

back-breaking work was done largely by hand; the yields were light. Only the relatively few slaveowners were able to produce marketable quantities of cotton and tobacco. At first there was little produce left from home needs for most of Wake's pioneers to use for trading; but eventually there developed trade with coastal merchants, especially in New Bern at the mouth of the Neuse River. Farmers who could transport their products to New Bern were then able to exchange flour, pork, and tobacco for commodities they could not produce, such as tools, glass, and iron products for building, salt for preserving food, and luxuries such as sugar. As the Cape Fear River developed markets, products of eastern, southern, and western Wake farmers were traded in the area where Fayetteville later developed. Northern Wake residents traded with merchants at Petersburg, Virginia, especially as their herds of cattle and hogs grew large enough to permit bartering them for other goods.³⁰

Eventually there were residents specializing in occupations other than farming, milling, and trading. The earliest such trades mentioned in court minutes are those of carpenter, saddler, and weaver, and later shoemaker, wheelwright, cooper, and spinster. The minutes record the names of individuals to whom apprentices were bound in order to be taught these specific trades. In some slaveowning families, some of the Negroes developed skills in trades such as housebuilding, carpentry, blacksmithing, shoemaking, and the like, and employed these trades both for the households to which they belonged and for hire.³¹

There were few professional men in the first several decades of settlement. Among the attorneys who practiced in the local court, at least two were Wake residents during part of their legal careers. These were John Rand and Bromfield Ridley. Others, probably not local residents, were John Williams, Jr., James Forsyth, Thomas Gray, Joseph Taylor, and Adlai Osborne.³²

Data concerning local physicians are even more scarce. The names of two who practiced medicine in Wake County prior to the American Revolution are known, although their homes may have been elsewhere. These are Dr. Valentine Auston and a "Doctor Boyakin."³³

Available documents thus far reveal the identities of no resident clergymen in the Wake area until well after the Revolutionary War.

Religion and Education.—An occasional traveling preacher probably provided the only exposure to formal religious exercises afforded most early Wake County residents. It is certain that few local congregations

³⁰ U.S. Department of Agriculture, *Soil Survey of Wake County, 1916*, 8.

³¹ Johnston Court Minutes, Oct. 1761 through May 1771; Wake Court Minutes, June 1771 through Mar. 1783.

³² Summons, Dec. 1, 1772, Wake County Miscellaneous Court Papers 1770-1777, State Archives; Johnston Court Minutes, Feb., May 1769, July 1767 through Nov. 1770, *passim*; Wake Court Minutes, June 1771.

³³ Summons, Dec. 8, 1774, Wake Miscellaneous Court Papers; record of one pound ten shillings paid Dr. Boyakin in estate settlement Mar. 1776, Wake Record Book L-87; payment of five pounds to Boyakin in 1771 for treating one of Governor Tryon's soldiers wounded in Alamance expedition, Clark, *State Records* 22:258.

were organized and few churches were built during the settlement period. There is proof, however, of two pre-Revolutionary churches in Wake County, both of which have had continuous existence since their formation. The first, now called Middle Creek Primitive Baptist Church, is located as its name suggests on that watercourse in Panther Branch Township near the Johnston County line. It was established at least as early as 1756 and perhaps earlier, and originally called Three Creeks Church because its members lived on Swift, Middle, and Black creeks in the area. The church is said to have been received into the Charleston, South Carolina, Baptist Association in 1757. There are references to a church building, or "chappell" there as early as 1759, on or very near the site of the present church. By 1761 it was referred to as "Middle Creek Chappel."²⁴



A contemporary sign marks the location in Panther Branch Township of Wake County's oldest continuing religious congregation, organized in or before 1756 as Three Creeks Church. Early members were residents of areas around three creeks named Swift, Middle and Black creeks. They later chose the name of one, and continue to be called Middle Creek Primitive Baptist Church.

²⁴ Records of Middle Creek Primitive Baptist Church, Church Records film, State Archives; Johnston Court Minutes, Apr., July 1759, July 1761; Johnston County Deed Book E-1:134, B-1:134, 1:140, Office of the Register of Deeds, Johnston County Courthouse, Smithfield. See also 1814 deed for "land whereon the new meeting house now stands," Wake County Deed Book Y:138, Office of the Register of Deeds, Wake County Courthouse, Raleigh. Location of present church in relation to original building was researched by Charles R. Holloman, who suggests that Lodowick Tanner built the early structure as an Anglican chapel. Holloman interviews, July 16, 1970, Apr. 30, 1976. During part of its history the church was also known as Swift Creek Church. George Washington Paschal, *History of North Carolina Baptists* 1:416, citing John Aspland, *The Annual Register of the Baptist Denomination in North America, 1793*.

The other pre-Revolutionary church, the New Light (now Baptist) Church in northern Wake County, was organized in 1775, and is repeatedly referred to in court records as "New Light Meeting House." Its name derives from a mid-eighteenth-century movement, away from established churches, by people who were called "New Lights." Subsequently New Light Township (earlier, "District") in which the church is located, took its name from that religious group, as had a creek in the same area.²⁵

No data have come to light to indicate that any religious denominations sponsored schools in the county in the eighteenth century, as was the case elsewhere in North Carolina. A rare reference to "the Old School House," evidently in northwestern Wake, occurs in the county court minutes for June 1777. Otherwise there is little evidence of any organized school in Wake County prior to the 1790s. The matter of education was largely the private concern of any families with sufficient resources to help their children acquire learning. The majority gained what education they had at home. Although it is evident that many early Wake residents were illiterate, some parents were their own children's teachers. In other homes, tutors engaged for one family were shared among neighboring households, for which purpose a few doubtless constructed separate small school buildings. Some few families were able to send their children away to boarding schools in other localities, and a rare few, abroad.²⁶

After 1762, a provision written into a law pertaining to orphans and apprentices provided some measure of assistance toward the rudiments of an education for poor children. The law required that any master to whom orphans or others were apprenticed teach his apprentice "or cause him or her to be taught, to read and Write."²⁷

Community Life: Court Week.—There was no real town near any of Wake County's early settlers. The heart of their interacting community life was the county court which met four times each year in the place designated as county seat. From the 1740s until 1771, their county town was miles away from most, far down Neuse River near present Clayton and later Smithfield, since most of them were then citizens of Johnston County. It was to these distant places they had to journey if they had business with the court or were called upon to participate in its activities.²⁸

These quarterly sittings of the county court required the attendance of dozens of citizens to serve as witnesses or jurors, to report tax assessments and collections, to register their livestock marks or brands, to file deeds or wills or claims regarding estates, to be named guardians to or-

²⁵ Paschal, *History of N.C. Baptists* 1:407, 549; Wake Court Minutes, various dates; David T. Morgan, Jr., "The Great Awakening in North Carolina, 1740-1775: The Baptist Phase," *N.C. Historical Review* 45 (Summer 1968):268. See below, chap. 7 at n. 35, chap. 14 at nn. 186-187.

²⁶ See below, chap. 8 at n. 35, n. 53E; Wake Court Minutes, June 1777:15; Edgar W. Knight, *Public School Education in North Carolina*, 11.

²⁷ *N.C. Laws, 1762*, c. 5, s. 19.

²⁸ Corbitt, *Formation of the Counties*, 131; Powell, *Gazetteer*, 459, 229.

phaned children, or to have poor children apprenticed to them.

At every session, other people not actually involved were attracted from far and near, if only for excitement and a change of pace from the everyday humdrum. There were also those who came with produce to trade, and a list of items needed for the farm and home which might be obtained from others who would be there. Thus it is likely that these three-to-five day court events took on the appearance of a county fair of sorts, at least outside the courthouse.

Meanwhile, inside were sitting three or more of the crown-appointed but local justices of the peace who presided over the sessions, made decisions regarding county government, set tax rates, appointed collectors, arranged apprenticeships, and in all ways functioned as the local governing body in both judicial and administrative matters.³⁹

The minutes of these sessions which have survived fire and loss are terse but telling, and are valuable sources of Wake's colonial history. In them are recorded the names and activities of hundreds of the local citizenry who held positions of leadership in both brain and brawn categories. They participated in the government in their county in various capacities. Some held the highly prominent and influential positions of justices; there were always a court clerk, register of deeds, sheriff and deputy sheriffs, other officers at various times, and captains of the districts into which the county was divided for organizing citizens. Many others who never held prestigious appointive or elective offices were nonetheless important to the development of the community, building and repairing public roads and bridges, collecting taxes and paying their own, and serving on juries for civil or criminal cases. Minutes of these courts hint at but actually tell little about the relative lawlessness or law-abiding habits of the people. The jury cases recorded certainly do not typify the behavior of average citizens, though they do reflect criminal behavior, misdemeanors, quarrels and unpaid debts, and possibly downright meanness on the part of some.⁴⁰

The Colonial Inn, or Ordinary.—Those who journeyed from afar to attend court week sometimes had to stay overnight at the county seat. Food, drink, and lodging might be found with friends, or as paying guests in the homes of certain citizens who had applied for and received licenses to operate taverns, or ordinaries, at their dwelling houses. Such a license required the host to "find and provide in his or her said Ordinary, good wholesome and clean Diet and Lodging for Travellers; and Stable, Fodder and Corn, or Pasturage and Corn, as the Season shall require, for their Horses." Rates were fixed annually by the court. In 1759 a traveler could spend the night for four pence, get dinner for a shilling and breakfast the next morning for eight pence. The hostler would pasture his horse for a day and night for four pence, or for a total of five pence keep it in a stable

and feed it a bundle of fodder.⁴¹

The equivalent of the Sunday blue law was in operation then. A specific provision of the license was that the ordinary keeper "shall not suffer unlawful Gaming in his or her House nor sell Liquors on the Lord's Day to any Person, by which such Person may be intoxicated." On any other day, liquor by the drink (a "toddy") or by the gallon was freely offered for sale.⁴²

These ordinaries were to be found in many places in the area that became Wake County, especially at the homes of people living near well-traveled roads. Most ordinaries were kept as a sideline by persons whose primary occupations were farming or some other trade. Among the early ordinary operators were several individuals whose places of entertainment, as well, were destined to figure prominently in Wake County's history. The houses of Lodwick Tanner and David Mims, for example, were used as landmarks in the 1771 law establishing the boundary line between Johnston and the new county of Wake. Near John Giles Thomas's tavern at the Falls of Crabtree there was a military encampment during the Revolutionary War. Charles Sims's ordinary was a frequently mentioned landmark at the Falls of the Neuse. Isaac Hunter's Tavern is famous for its selection in 1788 as the point within ten miles of which the capital city of North Carolina was ordered to be situated. These ordinary licenses were all issued in the 1750s and 1760s.⁴³

Perhaps the most famous of these early ordinaries, however, was that operated by Joel Lane at his home, near which the first Wake County Courthouse was built. The county court held at least two sessions at Lane's. The North Carolina Council of Safety met there August 21-28, 1776, as did the General Assembly of 1781. The commissioners to select the capital site conducted their balloting there in 1792 and established the City of Raleigh on part of Lane's plantation, immediately adjacent to his home.⁴⁴

Military Duty.—The men of the families, from sixteen to sixty, were required by law to serve in the militia, which involved mustering four times a year in local companies, and standing ready to be called to active duty should emergency dictate. Several categories of people were exempt from military duties, including ministers (other than Dissenting preachers), practicing attorneys and physicians, former military officers, the clerk of court, and citizens operating public mills or ferries. These were all considered essential services.⁴⁵

³⁹ Ordinary license, Johnston County Miscellaneous Court Records 1764-1926, State Archives; Johnston Court Minutes, July 1759; see also Crittenden, "Overland Travel," 248-251.

⁴⁰ Ordinary license, Johnston Miscellaneous Court Records.

⁴¹ Tanner license recorded in Johnston Court Minutes, July 1759; Mims, Oct. 1767; Thomas, Jan. 1761; Sims, Jan. 1763; Hunter, Feb. 1769. See *N.C. Laws, 1770-1771*, c. 22; also see below, chap. 4. Lassiter's Mill operated for many years at Falls of Crabtree. A building thought to comprise at least a portion of the original (7) Hunter's Tavern survived into 1981 a few hundred yards west of Old Wake Forest Road between Crabtree Creek and the beltline. See below, chap. 5.

⁴² Ordinary license issued to Joel Lane, Wake Court Minutes, June 1771:19. See below, chaps. 3, 4, 5.

⁴³ *N.C. Laws, 1746*, c. 1, continued in *N.C. Laws, 1749*, c. 4.

³⁹ Paul Woodford Wager, *County Government and Administration in North Carolina*, 7.

⁴⁰ See Wager, *County Government*, 7-12.

The French and Indian War campaigns were conducted at the frontier of North Carolina. In the early stages of that conflict, in 1754, Governor Arthur Dobbs sent orders to the militia officers in every county "to send me an exact list of the men in their several districts capable of bearing arms, with an account how they are armed & what ammunition they had." Replying for his area Col. Lewis DeRosset of the Johnston militia indicated that since his was "an Inland County," and there were "no nations of Indians near," his people were "not much exposed." As for being prepared for other emergencies, however, although most families had guns, he continued, the people in general were "very poorly armed."⁴⁶

Of the ten companies of militia listed in DeRosset's regimental return, at least three were commanded by residents of the western Johnston section that became Wake County. These were Captains John Hinton, Edward Powers, and William Speight. Presumably the men in their companies were also residents of the same general area; but extant records are unclear whether these companies were actually called to fight in the French and Indian War or whether selectees or volunteers represented the county. Among those few residents of future Wake County known to have served was Abraham Hill, who later was named one of the original justices for Wake County and was at one time chairman of the court, and his brother, Henry Hill.⁴⁷

In Governor Dobbs's correspondence for 1757, there is one vague statement to the effect that in Johnston County "there was a Riot once upon draughting [sic] men from the Militia." The record does not indicate what part of Johnston was involved in the riot, nor what the outcome of the incident was.⁴⁸

By 1761 or earlier, Capt. John Hinton had been promoted to major of the Johnston Regiment under Col. Samuel Smith, who, like DeRosset, was a resident of the area that remained Johnston after the later division. Other Wake area captains were Theophilus Hunter and Edward Mobbey. Later captains in the decade were Benjamin Hardy, John Rogers, and Simon Turner. Serving as lieutenants under them were John Hinton, Jr., Cornelius Keith, and Samuel Pearson; and as ensigns, Reuben Hunter and Hardy Sanders.⁴⁹

An interesting list of names was returned in the late 1760s as "A True List of Soldiers Commanded by Capt. Simon Turner of Redgement [sic] of Johnston," which reads like a *Who's Who* for the Wake section of Johnston County in the mid-eighteenth century. Virtually all the names listed are those which also appear in court records or land documents that help to identify them as Wake area residents. Ica Atkins was lieutenant;

Hardy Sanders was ensign; and the three sergeants were John Miate, William Speight, Jr., and David Darnall. The list is signed by Jesse Lane, "Clark."⁵⁰

TROUBLE IN THE BACKWOODS

Money Problems.—In the mid-1760s, the continuing costs of war and consequent spiraling taxes resulted in increasing financial difficulties for citizens of North Carolina. Especially hard hit were the farmers of the central backwoods area, such as Orange County and the Wake portion of Johnston. Because they did not have access by water to ports of trade, citizens of this area derived little cash income from their farm products. Local purchasing of goods was mostly by barter, or exchange of commodities, and actual money was extremely scarce.⁵¹

Added to their difficulties in paying the burdensome but legal taxes imposed by Britain was the problem of dealing with sometimes dishonest collections officials. Nearly all local officials were appointed by the colonial governor, and not locally elected. Sometimes these officers were not even residents of the counties they were appointed to serve. There were frequent charges during this period that some sheriffs collected excessive amounts in taxes, seized property in lieu of prompt payment, or charged and withheld large sums of tax moneys instead of paying them into the county or province treasury. An official investigation in 1770 revealed that Johnston was one of the six "western" counties from which huge portions of the taxes over a decade or more had never been returned by the sheriffs to the government.⁵²

Other appointed officials, including clerks of court and registers as well as attorneys, who were licensed by the governor to practice in any county in the colony, were accused by the people of charging extortionate fees for legal services performed. Dissatisfaction between 1764 and 1768 became more and more widespread, especially in Orange County, where accusations of malpractice by local officials seem to have been most frequent. There is little doubt, however, that farmers in the area felt the pinch and unfairness as well as those farther west in huge, new Orange County.

The Regulators.—Gradually, there developed an organized resistance to corrupt local officials. The movement was especially intense in Orange, just west of Wake, where unrest and dissatisfaction was met by armed force on the part of Col. Edmund Fanning, an "outsider" who held the

⁴⁶ "A True List of Soldiers Commanded by Capt. Simon Turner of Redgement [sic] of Johnston," n.d., Militia Returns 1747-1769, N.C. Military Collection. The 57 names are arranged alphabetically, but by given names rather than by surnames, so that all the Johns are listed together in one section, the Jameses in another, and the Williams in still another.

⁵¹ Orange County, formed in 1752 from the western portion of Johnston and from other counties, was originally a huge county that embraced a portion of present Wake. It included all of present Durham County, which was formed in 1881 from parts of the then adjacent Orange and Wake counties. Corbett, *Formation of the Counties*, 167, 94.

⁵² William S. Powell, *The War of the Regulation and the Battle of Alamance, May 16, 1771*, 7.

⁴⁷ Saunders, *Colonial Records* 3:144; Troop returns of Johnston Regiment, 1754, N.C. Military Collection.

⁴⁸ See below, chap. 3; Lodowick Johnson Hill, *The Hills of Wilkes County, Georgia, and Allied Families*, 16, 17, 52.

⁴⁹ Saunders, *Colonial Records* 5:990.

⁵⁰ Johnston County Court Martial Minutes, Oct. 29, 1761, and 1762-1767, *passim*, State Archives; Militia Returns, 1763-1767, N.C. Military Collection.

powerful local office of register for Orange County. The Regulators announced that until local taxation and fees abuses were corrected, they would pay no more of either. When the property of some of them was seized, they resorted to violence, within the Orange county seat of Hillsborough.

Hillsborough was familiar to many Wake citizens as the place some had to go as jurors for District Superior Court held there twice each year. Doubtless there were numerous citizens of future Wake within the ranks of the Regulators and their sympathizers. In April 1768, Royal Governor William Tryon, who had succeeded Dobbs, issued orders empowering Fanning to call out the militia of several adjoining counties, including Johnston, if necessary to restore law and order. The situation worsened, and in July 1768, Governor Tryon himself traveled from Brunswick to Hillsborough to try to persuade the citizens to abide by the laws and to arrange for trials both of the county officials accused of malpractice and of several Regulators charged with acts of violence.³³

Margaret Tryon in Wake?—Governor Tryon undoubtedly followed the primary road westward from the coast, which traversed present Wake County. Probably he had taken his family along in other summers of the late 1760s as well. The Tryons were living in Brunswick between 1767 and 1770, while the elegant Governor's Palace was being constructed at New Bern. To escape the heat and mosquitoes of coastal summers, Tryon is said to have established a "summer capital" in Hillsborough. A letter of his dated June 1768, indicates that he planned that summer to go "up into the back country . . . for the hot months." It was not the daytime temperature which made the difference, he later explained to his English correspondent. "The heat of the days in both situations are nearly similar, but the nights in the hilly country are much cooler than those on the sea board which gives the inhabitants in the former a great advantage in point of health."³⁴

If this trip were an annual summer habit, the entire Tryon family may well have been quite familiar with that part of present Wake County through which they traveled, and have known personally some local people in whose homes they may have stopped on the way. This was the area which would soon be a separate county bearing Mrs. Tryon's maiden name of Wake. It would also be called St. Margaret's Parish, in her honor, Margaret also being the name of their daughter, seven years old that summer.³⁵

Continuing Unrest.—During the July 1768 trials at Hillsborough Superior Court, Governor Tryon ordered militia from several counties to

be present to insure protection for the court. It is unclear whether that portion of the Johnston militia commanded by future Wake's Maj. John Hinton was called, although some writers have indicated that it was.³⁶

The results of the trials proved to be solutions neither for the problems of the governor nor for those of the complaining citizens. Abuses continued in Orange and elsewhere. As differences between Regulators and local officials widened, and the General Assembly seemed slow to take steps to mend them, the Regulators resorted to further acts of violence, lawlessness, and terrorism. In August of that summer, as the governor recalled in later correspondence with Earl Hillsborough, "about eighty men came to the court of Johnston county, with an intention to turn the Justices off the bench. . . . The Justices thought it prudent, tho' the first day of the court, to adjourn the court for that term, upon the notice of the insurgents approach." The actual minutes recorded simply the fact that "the court are urged to adjourn to the Court in Course, without finishing the necessary Business. . . ." Governor Tryon's account concludes: "They immediately collected some gentlemen and others, who were the friends of government and attacked with clubs the insurgents, and after a smart skirmish drove them out of the field."³⁷

At the following (November) term of court, two items of expense in connection with the incident were recorded. The first was payment of thirty-five shillings and two pence to William Rand, Jr., "for Going as Express [evidently with news of the riot] to his Excellency the Governor." The second item, which was not allowed, was a special expense account rendered by the sheriff "for necessary maintenance for majesty's lege Subjects in opposing the Mob in this County at last Court." Probably the justices considered such protection in the line of the sheriff's duty.³⁸

Other similar incidents continued to take place throughout the central and western portions of the colony. Governor Tryon wrote several letters to the British Board of Trade urging financial relief for his North Carolina subjects, who constantly complained of the lack of specie. He was unsuccessful in this effort, however. Furthermore, his unpopularity with many western residents increased, not only because of the Regulator-stated grievances, but also because of what many considered extravagant use of tax funds in building the Palace. The combination official residence and government building was completed during 1770, in time for the December 5 convening of the General Assembly.³⁹

³³ Mary Hilliard Hinton wrote in 1902: "In 1768, when Governor Tryon held a consultation at Hillsborough . . . John Hinton, then a Major of provincial troops in the County of Johnston, was one of the gentlemen who attended the conference." Hinton, "Colonel John Hinton," 228. Marshall DeLancey Haywood in 1905 wrote: "In this expedition of 1768 one of the officers in the Governor's army was Major John Hinton who appeared at the head of a detachment from Johnston County." Marshall DeLancey Haywood, "The Genesis of Wake County," *N.C. Booklet* 5 (July 1905):6. Neither author cites a source. According to William S. Powell, "this body of men was drawn from Rowan, Mecklenburg, Granville and Orange counties." Powell, *War of the Regulation*, 14-15.

³⁴ Powell, *War of the Regulation*, 16; William Tryon to Earl Hillsborough, Dec. 24, 1768, N.C. Governor's Letter Book 1:212.

³⁵ Johnston Court Minutes, Nov. 1768.

³⁶ Dill, *Governor Tryon*, 116-117.

³⁷ William Tryon to Col. Fanning, Apr. 27, 1768, Saunders, *Colonial Records* 7:718.

³⁸ N.C. maps of the period (Collet, 1770, and Mouzon, 1775) show principal east-west and north-south highways intersecting near the approximate center of present Wake County. William P. Cumming, *North Carolina in Maps*, pls. 7 and 8; Alonzo Thomas Dill, *Governor Tryon and His Palace*, 112-117; Blackwell P. Robinson (ed.), *The North Carolina Guide*, 487; William Tryon to Earl Hillsborough, June 16, 1768, Apr. 25, 1769, N.C. Governor's Letter Book 1:197-198, 234-235, State Archives.

³⁹ Marshall DeLancey Haywood, *Governor Tryon of North Carolina*, 201.

Action by the General Assembly.—At least one resident of future Wake County was present in New Bern for the December 1770 meeting of the General Assembly. During that session the assembly began passing acts designed to reform the corrupt practices of local officials about which the Regulators complained. He was Joel Lane, one of the two Johnston County representatives to that session. Legislation enacted included laws dealing with the appointment of sheriffs for the counties and their duties, and the regulation of the fees which county officials and attorneys could charge. At the same time, the assembly was in the process of acceding to other requests of residents of the larger frontier counties to subdivide these into smaller governmental units and was creating four new counties, including one to be called Wake.⁶⁰

Even as these reform measures were being adopted, a rumor reached New Bern that Regulators from Johnston and other counties were marching in Cumberland County to march on New Bern, where the assembly was meeting. The governing body felt that drastic steps had to be taken, and moved quickly to adopt measures for dealing with emergencies and enforcing the law by use of the militia. Through the "Johnston Riot Act" (so named because Samuel Johnston introduced the measure) the governor was empowered to call out the militia whenever he felt it necessary to enforce the laws.⁶¹

In the following spring, this military authority was to involve residents of future Wake in armed combat, one of their first duties as citizens of the new, separate county of Wake, which was even then in the process of being created.

⁶⁰ N.C. General Assembly, *The Journal of the House of Commons of North Carolina, 1769-1771*, 36; Powell, *War of the Regulation*, 17.

⁶¹ Minutes of the Governor's Council, Dec. 4, 1770, in N.C. Governor's Letter Book 1:438; *Letter and Newsome, North Carolina*, 176; Powell, *War of the Regulation*, 17.

Chapter III

THE COUNTY'S BIRTH

A COUNTY BORN IN TURMOIL

Wake County's birth, in 1771, occurred in the midst of the turbulent Regulator period of North Carolina's history. Involved on both sides of the trouble were Wake residents, most of whom had been Johnston County citizens before the division. Others, living in the present southern portion, had been citizens of Cumberland; and those in the western part had belonged to Orange County, then many times its present size, and considered the very heart of "Regulator country."

Reasons for Creating the New County.—There were both political and practical reasons for the creation of Wake and of three other counties which were even deeper in Regulator country, the same year. Precipitating the General Assembly's decision to subdivide several huge western counties where Regulators were numerous were the Regulator uprisings themselves. The lawmakers felt that more control could be exercised over the "insurgents" by dividing their counties.¹

There were, however, considerations from the standpoint of law-abiding citizens as well. The population in these central and west-of-central portions of the colony had grown rapidly. Citizens there desired and deserved greater representation in the General Assembly and new political units would entitle them to additional members. There were also practical reasons related to their personal convenience and well-being. Some residents of future Wake communicated these reasons to the General Assembly meeting in New Bern in December of 1770 in the form of petitions, as did other citizens farther west.²

One of the Wake area petitions, signed by residents of what is now the southwestern part of Wake, together with their neighbors to the west in present Chatham County, urged the governor and the assembly to take part of the southern portion of the oversize county of Orange and create from it a separate, smaller county. The new county seat, it was argued, would be more easily accessible from their scattered homes, for attending "General Musters, Elections of Burgesses and vesterymen [*sic*] and at Courts as witnesses and jurymen." Many had to travel as often as four

¹ Governor Tryon wrote to Lord Hillsborough that the creation of Guilford County "was, in the distracted state of this country, a truly political division," but regarding all four, the subdivision of the larger counties "seemed a measure highly necessary from the too great extent of the counties they were taken out of." Tryon to Earl Hillsborough, Mar. 12, 1771, N.C. Governor's Letter Book 1:283.

² Petitions of inhabitants of Orange County and of Rowan County, in N.C. General Assembly, *Legislative Papers, 1770-1771*, State Archives.

times a year the "vast Distance" from their homes to the Orange County seat of "Hillsburrah" for these purposes. Inadequate roads and the difficulty of crossing "many Large Water Courses" not only put them to "very Considerable hardships and Inconveniences" [sic], but also often made them "Subject to have fines and forfeitures [sic] for not attending the required military, voting, and court duties."³

A Birth Date Shared with Three Other Counties.—In creating four new counties in the inland section of the colony, the council and assembly complied not only with the governor's judgment that smaller political units would help tighten control over the Regulators, but also with complaints of some of the citizens themselves. The other three were Chatham, Guilford, and Surry counties, each of which originally was far larger than its present size.⁴

The act creating Wake County was to take effect on March 12, 1771, the earliest of the effective dates of the four new counties. Similar wording in the four acts explained that the older counties were so large as to "render it greivous and Burthensome" as well as "extremely Difficult and expensive" for many inhabitants living great distances from their county seats to "do Public duties," that is, to "attend the Courts, General Musters, and other Public Meetings therein."⁵

Joel Lane as Introducer of the Bill.—The bill to establish Wake County was introduced in the House of Commons on December 17, 1770, by the representative from the western area of Johnston County, Joel Lane. Prior to presenting his bill, Lane read to the House a petition "from Sundry Inhabitants of Johnston County therein Praying a Division of the said County be made." The setting for introduction of the Wake County bill was some unidentified room in New Bern other than the Council Chamber of the Governor's Palace where the upper house or Governor's Council met. That room may have been the Craven County Courthouse, or perhaps the 1766 schoolhouse in New Bern where the General Assembly had met prior to completion of the palace.⁶

Successful in securing an affirmative vote on first reading in the House, the bill's introducer, Joel Lane, along with Representative Walter Gibson



Archives and History Photograph

These portions of the legislative act creating Wake County show the names "Wake" and "St. Margaret's" apparently supplied in spaces originally left blank. The opening words state one reason for creating the new county: "Whereas the large extent of the said counties of Johnston Cumberland and Orange renders it greivous and Burthensome to many of the Inhabitants thereof to attend the Courts General Musters and other Public Meetings therein . . ." (Manuscript bill in Legislative Papers, State Archives.)

from Cumberland County, walked from the meeting room of the House to the grand new council chamber in the palace to deliver the bill to the upper house. On January 2, 1771, after some amendments and many trips between the two meeting places, the Council completed the third reading, passed the bill, and ordered it to be engrossed. The bill was returned to the House of Commons where it had originated, and was given its final reading there on Saturday, January 5. It received Governor Tryon's approval on Tuesday, January 15, 1771.⁷

The Lady Whom Wake County's Name Honors.—It is obvious from an examination of the original manuscript bill creating Wake County that its originators did not formally propose a name for the new county at the time of its introduction. The document appears to have been initially drawn with blank spaces for the county and parish names, and to have had inserted at some later time the names Wake for the county and St. Margaret's as its parish designation. Minutes of the two houses of the General Assembly show that it was not until December 26, the date of the second reading in the House of Commons, that the bill was given its complete title: "A Bill for Erecting Part of Johnston, Cumberland and Orange

³ Petition of "Sundry of the Inhabitation [sic] . . . Residing in the Loer [sic] Part of the Said County of Orange," N.C. Legislative Papers, 1770-1771.

⁴ The same reasons were given in the wording of acts creating Duplin and Anson counties. N.C. Laws, 1749, c. 1, c. 2, in Clark, *State Records* 23:342-343; Corbit, *Formation of the Counties*, 61, 113-114, 199-200.

⁵ Excerpts from all four acts: N.C. Laws, 1770-1771, c. 22 (Wake), c. 24 (Guilford), c. 27 (Chatham), and c. 42 (Surry), in Clark, *State Records* 23:819-823, 823-826, 827-831, 844-846.

⁶ N.C. House Journal, Dec. 17, 1770, in N.C. Legislative Papers, 1770-1771: 89-90. The petition, which doubtless contained many Wake area signatures, apparently has not survived; it is not to be found among the Legislative Papers. Johnston County's second southeastern area representative was John Smith, Jr., whose home was in a part of the county which remained Johnston after the division. He represented Johnston County in later sessions of the Assembly as well. R. D. W. Connor (comp. and ed.), *A Manual of North Carolina . . . 1813*, 369; Cheney, *N.C. Government*, 1173. The exact sites in New Bern for both buildings are unknown. Dill, *Governor Tryon*, 117, 67-70. Gertrude Carraway, former director, Tryon Palace Restoration, suggests the possibility that the lower house met in the palace basement, the restored counterpart of which was large enough in 1959 to accommodate the considerably larger House of Representatives of that session of the General Assembly during its meeting in New Bern. Gertrude Sprague Carraway to the author, June 30, 1970.

⁷ N.C. House Journal, Dec. 17, 1770-90, Jan. 5, 15, 1771:141, 178; N.C. General Assembly, *The Journal of the Governor's Council* (upper house of General Assembly), Dec. 17, 1770, Jan. 2, 1771 (unpagged).

Counties into a Separate and Distinct County, by the Name of Wake County and St. Margarets Parish."⁸

The journals contain no hint as to who suggested the names Wake and Margaret honoring the wife of the governor, the former Margaret Wake. Actually, there does not seem to be any record that designates her specifically as the honoree. Except for a few nineteenth-century romanticists who subscribed to a story concerning another Miss Wake, historians in general agree that both county and parish names do honor the governor's wife, a lady who lived in North Carolina only briefly (1764-1771), and who may have known only in passing a small segment of the county that bears her name.⁹

Although the English names of several other counties were changed by the newly independent State of North Carolina after 1776, Margaret Wake Tryon's has never been erased. The county of Tryon, named for her husband in 1768, was abolished in 1779 by being divided into Lincoln and Rutherford counties. But there is scant evidence of any dissatisfaction with the name Wake, even though closely associated with the former royal governor's administration, except for a half-hearted attempt many years later to change the name from Wake to Raleigh County. This 1805 movement was quickly and quietly dropped.¹⁰

THE NEW COUNTY

Boundaries.—Wake County was formed by redrawing the boundary lines of three adjacent counties, Johnston, Cumberland, and Orange, and designating the area taken from them as a new political unit. The major portion of Wake's land was cut off from Johnston County, with considerably smaller areas taken from the other two. Hence most of the people who suddenly found themselves living in a new county were former Johnston County citizens.

The law designating March 12, 1771, as the date for the new county's government to become effective, prescribed its boundaries in detail. Named "to run the said Dividing Line between the Counties" were Wake area residents Joel Lane and Theophilus Hunter, along with representatives of Johnston and Cumberland counties. The line so run, different from that of the present county, was described as follows:

Beginning at Edcombe Line [now Franklin County line] on Mockason Swamp [now nearly all in the northern tip of Johnston County], a Mile above James Lee's Plantation, running a direct Line to Neuse

river at the upper end of John Beddingfields Plantation [the approximate center of the eastern line of present Wake]; then to David Mimms Mill Creek, between Mims Mill and Tanners old Mill [points along the present Wake-Johnston line]; then the same course continued to the Ridge which divides Cumberland and Johnston Counties [now the Harnett-Johnston line]; then a Straight line to Orange line, at the lower side of Richard Hills Plantation on Buckhorn [Buckhorn Creek in southwest Wake County]; then the same course continued five Miles then to the Corner of Johnston County on Granville Line [now, roughly, the northwest corner of Wake, where it touches Granville]; then with the same line to the Beginning. . . .¹¹

Even as the General Assembly subdivided larger counties to form Wake in 1771, Wake itself lost territory in later years. Portions of it were taken to be added to other counties, or to help form new counties. In 1787, for example, residents of the northeastern portion, around "Mockason" Swamp, persuaded the General Assembly to annex the area east of Moccasin Creek to Franklin County, on the grounds that the Franklin County Courthouse was more accessible to them than that of Wake. The new line dividing the counties became and remains meandering Moccasin Creek. On the west, Wake originally extended as far as the outskirts of the present city of Durham. But in 1881 a large area along Wake's northwestern edge was taken to form part of the new county of Durham. Thirty years later still another portion was annexed to Durham County. The two actions reduced to approximately 867 square miles Wake County's original size of approximately 920 square miles.¹²

The County Seat.—The 1771 act provided that quarterly court sessions for Wake County be held on the first Tuesdays in March, June, September, and December. It was necessary that a county seat be selected, where a courthouse would be built. This first and crucial decision was

⁸ *N.C. Laws, 1770-1771*, c. 22, ss. 1, 2, 14. John Smith represented Johnston County; Farquard Campbell and Walter Gibson, Cumberland. The paragraph quoted above retains the original spelling and punctuation of the manuscript bill (see n. 8 above) rather than reproducing the text of the law as later printed in Clark, *State Records* 23:819-823. Bracketed words indicate present-day equivalents of the locations named. The commissioners reported to the Sept. term of Wake County Court the exact measurements of the line. *Wake Court Minutes*, Sept. 1771:27.

A large area of western Wake had been for nine years (1752-1761) part of Orange County, that portion of Johnston County having been taken in 1752 to form Orange; but part of the same territory was re-annexed to Johnston in 1761. See Corbitt, *Formation of the Counties*, 167. See also Johnston Deed Book E-1:86, concerning land "on Reedy Creek and Crabtree . . . a part [of Johnston County] formerly called Orange County," cited by Charles R. Holloman to the author, 1970.

¹¹ *N.C. Laws, 1786-1787*, c. 39, in Clark, *State Records* 24:838; *N.C. General Assembly, Public Laws of North Carolina, 1881*, c. 138; *N.C. Public Laws, 1911*, c. 47. The two portions annexed to Durham County included a large part of Wake's old Oak Grove Township and a smaller portion of Cedar Fork Township. Compare the Fendall Bevers map of Wake, 1871 (drawn prior to the 1881 act) with those by Sholar, 1885, and Shaffer, 1887 (predating the 1911 act) and with map of present Wake County, all available in Map Collection, State Archives. Figures accompanying Bevers' map list the county's area in 1870 as 586,682 acres, or 916.7 square miles. Sholar's and Shaffer's figures apparently represent farm and forest land only, rather than the total land area of the county. Statistics published by the State Department of Administration in 1981 indicate approximately 554,900 acres, or 867 square miles. *N.C. Department of Administration, Profile: North Carolina Counties*, 6th edn. 1981, Wake County table. Other county, state, and federal publications, including the Twentieth Census (1980) give area figures varying between 858 and 867 square miles, influenced in part, presumably, by whether water area was included with land area.

⁹ Manuscript bill bound in *Laws of North Carolina, 1771-1774*: 129-138, *Legislative Papers, N.C. House Journal*, Dec. 26, 1770:107.

¹⁰ Regarding the once widely circulated claim that the name Wake honored a Miss Esther Wake, supposedly a sister to Mrs. Tryon, see Haywood, *Governor Tryon*, 74-75; Adolph Vermont, *Esther Wake, or The Spirit of the Regulators; A Play in Four Acts*; and R. D. W. Connor, "Was Esther Wake a Myth?" in *N.C. Booklet* 14 (April 1915): 220-224. For biographical notes on Margaret Wake Tryon, see M. Haywood, *Governor Tryon*, 12, 20-22, 69, 156-164, 200-205; Dill, *Governor Tryon*, 2-25, *passim*. See also poem inscribed to "Madam Margaret Tryon" in *Virginia Gazette or The Norfolk Intelligencer* (Norfolk), Sept. 22-29, 1774 (copy supplied by Thomas Parramore, Department of History, Meredith College, Raleigh).

¹¹ Corbitt, *Formation of the Counties*, 205-206. Also see below, chap. 7, nn. 36-37.

entrusted to seven men who already held responsible positions in local governments when their lands were still a part of Johnston County. Named commissioners to select the site were Thomas Crawford, Thomas Hines, John Hinton, Theophilus Hunter, Joel Lane, Joseph Lane, and Hardy Sanders. Except for Crawford, each had served as a justice of the peace for Johnston County before the division. All later, at various times, served in the same or other posts for Wake. Hines and Sanders became sheriffs; Colonel Hinton, already embarked on a distinguished military career, continued in that role for years to come.¹³

There was no real town anywhere in the new county which might have suggested itself as a site for the county seat. During its entire first two decades, in fact, Wake was a townless county, until the establishment of Raleigh in 1792. In 1771, however, a nucleus of activity had developed near the geographical center of the county, where the main east-west road from the coast toward Hillsborough crossed the highway from South Carolina to Virginia. Near this crossroads lay the plantation of one of the site commissioners, Joel Lane.

The name Wake Crossroads was applied to this area at an early date, and the commissioners chose it as the site of the county seat. Thereafter it was called Wake Courthouse, although for a brief period it was also referred to as Bloomsbury. The actual site for the building of the courthouse was within a short distance of the residence of Commissioner Lane,

This small 1760s home of Joel Lane was the center of his extensive estate once called Bloomsbury. The first session of the Wake County Court convened here in June 1771, as did the North Carolina General Assembly a decade later during the Revolutionary War. W. G. Randall sketched the house in its original location in 1900, before it was moved some hundred yards westward to 728 West Hargett Street, Raleigh.



¹³ *N.C. Laws, 1770-1771*, c. 22, ss. 3, 7, in Clark, *State Records* 23:819-823. Thomas Hines was appointed justice Feb. 1769; John Hinton, Apr. 1759 or perhaps earlier, prior minutes being missing; Theophilus Hunter served continuously from Apr. 1759 or earlier until the separation of Wake; Joel Lane, from Nov. 1769; Joseph Lane, from at least Apr. 1759; Hardy Sanders, from Nov. 1769. Johnston Court Minutes, 1759-1771, passim.

the introducer of the bill creating the new county. A three-man commission consisting of Lane, Hunter, and James Martin was appointed to contract with workmen to build a courthouse, jail, and stocks. Costs of the building were to be defrayed by a poll tax to be levied by the later-named justices of the peace. An authentic description of the original courthouse is lacking, but historians have consistently described it as a log structure. It was evidently not completed by the time of the first session of the county court in June 1771, which is thought to have been held in Lane's own home.¹⁴

"The best within a hundred miles" was the description given the small Joel Lane house by a later Lane descendant, Governor David L. Swain. Still standing but altered, the tiny house seems by modern standards entirely inadequate to have accommodated the sitting of a county court. Nevertheless, the same home was later the scene of several other historic meetings, including a session of the General Assembly in 1781.¹⁵

The First Court for Wake County.—In April 1771 Governor Tryon appointed Wake County's first justices of the peace and other officers of the county court. Again, the majority of those named were men who had already been leaders in local government while Wake was still a part of Johnston County. The eleven justices were Theophilus Hunter and Joseph Lane, who had served continuously as Johnston County justices since at least as early as 1759; Benjamin Hardy, justice since 1763; James Martin, from 1768; Joel Lane and Hardy Sanders, serving from 1769; and

¹⁴ M. Haywood, "Genesis of Wake County," 3; Wake Court Minutes, June 1771 ff., passim; Wake Court Minutes, first day each term June 1771 through Mar. 1772; "Plan of the city of Raleigh with all the improvements & all the numbers, July 1th [sic] 1797," Susie Gentry Papers, Southern Historical Collection; Fred A. Olds, "The County of Wake," *The Oryzian's Friend*, June 1, 1923; *N.C. Laws, 1770-1771*, c. 22, ss. 7, 8; R[ichard] B[enehan] Haywood, "History of Raleigh," unpublished memoirs in possession of his grandson, Marshall DeLancey Haywood, Jr., Raleigh, 3; Kemp P[umme]r Battle, *Sketches of the Early History of the City of Raleigh* (1876), 90; Olds, loc. cit.

Kemp Battle suggests that Margaret Wake Tryon might have proposed the name Bloomsbury, that of a hamlet near her London home, for the county seat of the county named for her. K. Battle, *The Early History of Raleigh . . . A Centennial Address . . . 1892*, 12. Apparently use of the name was short-lived; minutes for only the first four sessions (June 1771-March 1772) of the county court refer to Bloomsbury, or Bloomsberry," as the location of the courthouse; and three extant letters in Joel Lane's own hand are datelined, not Bloomsbury, but Wake Courthouse. Heck Documents, pls. 7, 14. See also Kemp P[umme]r Battle, "Raleigh and the Old Town of Bloomsbury," *N.C. Booklet* 2 (Nov. 1902):1-20.

The courthouse, prison, and stocks apparently cost 125 pounds. Wake Court Minutes, Mar. 1772-32, Sept. 1772:9. Two years later the court authorized Lane to "employ workmen to Pillar the Court House with good Brick and lime mortar [sic] to Tar the Court House make window Shutters with proper Bolts [sic] to provide a good and sufficient Stock lock for the Door," and to repair the jail. Wake Court Minutes, Sept. 1774:77.

¹⁵ D[avid] L. Swain to Gen. Joseph Lane of Oregon, Oct. 23, 1859, published in Marshall DeLancey Haywood, *Joel Lane, Pioneer and Patriot* (3rd edn., 1952), 10-12; *N.C. Senate and House Journals*, June 23-26, 1781, in Clark, *State Records* 17:877ff, 794ff, and see below, chap. 4 at n. 34. The house was moved in the 20th century to 728 W. Hargett St., southwest of its original location near the intersection of present Boylan and Hargett streets, where it faced east. See C. N. Dric, *Bird's Eye View of Raleigh*, 1872; Wake County Book of Maps, 1885:147. Office of Register of Deeds, Wake County Courthouse, Raleigh. The house was acquired from Lane's descendants by Peter Browne, attorney, and then by newspaper editor William Boylan, whose family owned the property for the longest period (1818-1929). M. Haywood, *Joel Lane*, 27-31. Since its 1927 restoration by the Wake County Committee of the Colonial Dames of America, the house has been preserved by that organization as a historic site. See Wake Deed Book 337:522, Book 514:497, Book 2079:593, Book 2090:402.

five political newcomers. The five freshman justices were Thomas Crawford, Abraham Hill, James Jones, Tignal Jones, and Thomas Wooten. Theophilus Hunter was the first chairman and presiding justice of the court.¹⁶



JAMES W. REID, JR., PHOTOGRAPH



Theophilus Hunter was the first chairman of Wake County's governing body, the County Court of Pleas and Quarter Sessions, beginning in 1771. He later gave to the county the southern half of the second and continuing courthouse site on Fayetteville Street in Raleigh. Mrs. Hunter was the former Jane Lane, niece of Joel Lane. (Portraits owned by Mrs. L. C. Dillard.)

June 4, 1771, as provided by law, was the date of the first sitting of the "Inferior Court of Pleas and Quarter Sessions" in and for the new county of Wake. As indicated above, the court is thought to have been held in the home of Joel Lane. Opening ceremonies at the initial session included the reading of several official documents, including the legislative act establishing the county and the "Commission of the Peace" by which Governor Tryon named the eleven "Justices to keep the Peace." After oaths of office were administered to them, they then proceeded with the business of the county. Commissions were also exhibited by several other men

¹⁶ *N.C. Council Journal*, Apr. 5, 1771, in Saunders, *Colonial Records* 8:543; Wake Court Minutes, June 1771:1; Johnston Court Minutes, various dates, beginning with first extant volume, 1759, earlier minutes having been destroyed. Although Tignal Jones's signature on Wake Court Minutes is spelled "Tingnall," other records and his descendants have used "Tignal" and "Tignall." Wake Court Minutes, June 1771:20, 1, and later records. Wake Record Book 1:9 documents Hunter's chairmanship, and he is listed present and first each day of the June 1771 term of court.

appointed by Governor Tryon to local offices. Named sheriff for Wake was experienced Michael Rogers, who had been deputy sheriff of Johnston County. Bromfield Ridley was commissioned King's Deputy Attorney for that term of court. John Rice, a new name in local governmental service, and not at the time a Wake County resident, was sent by the governor to be clerk of the Wake court and deputy clerk for the crown in Wake. It was not at all unusual for salaried appointive offices in county government to be held by nonresidents. Interestingly, the second clerk of court for neighboring Chatham County is thought to have been none other than Wake County's Joel Lane, during part of the time that he was also serving as justice of the Wake County Court.¹⁷

Wake's "Royal Charter" and First Election.—In addition to the act creating Wake County and giving instructions for the conduct of its business, there was also issued in 1771 a "charter" for the county in the name of George III of England. Actually more a writ of election than a charter, the document granted to the inhabitants of the new county the right to elect two representatives to the House of Commons for the next session of the General Assembly. Included were specific instructions for holding an election at the courthouse, with the sheriff officiating. It was not until later in the year that the date for the meeting of the Assembly and for that first election in Wake County were set.¹⁸

Later it was recorded "that the writ of Election issued and directed to the Sheriff of Wake County for choice of two representatives for that County is returned and filed in the Secretary's office of this Province and that Mr. Thomas Hines and Mr. Benjamin Hardy are return'd representatives for the said County duly Elected."¹⁹

THE "WAR" OF THE REGULATION

First Duties: Military.—Meanwhile, certain citizens of Wake County

¹⁷ *N.C. Laws, 1770-1771*, c. 22, s. 3; Wake Court Minutes, June 1771:1; Johnston Court Minutes, Aug. 1770. The signature "Joel Lane, C.C." on a Chatham County court order of Nov. 3, 1772, in Chatham County Miscellaneous Court Records, State Archives, is remarkably similar to numerous known signatures of Joel Lane of Wake. According to Walter D. Siler, "History of Chatham County," *Chatham News* (Siler City), Feb. 4, 1932, the clerk of court for that county from Nov. 1772 to Dec. 1773 was Joel Lane. There would have been no conflict in the meeting times of the two courts in order for Lane to have served both, since the Chatham court met on the first Tuesdays of Feb., May, Aug., and Nov., and the Wake court convened on first Tuesdays in Mar., June, Sept., and Dec. *N.C. Laws, 1770-1771*, c. 27, s. 3, and c. 22, s. 3, in Clark, *State Records* 21:828, 829.

¹⁸ Although the original charter appears to be lost, two copies contemporary with the 1771 document exist. Commission and Charter Book 1771-1772:72-73, in *N.C. Governor's Office Papers*; and Wake Record Book 1:4-6. The second copy was recorded therein Sept. 12, 1771, after having been signed by Governor Tryon May 22, 1771, while he was on the Alamance expedition. Col. John Hinton, who was with Tryon shortly after the Battle of Alamance, conveyed the signed document to the court at the Sept. term, when it was ordered to be recorded. The minutes note that the colonel had to pay 20 pounds for the charter, for which sum the court reimbursed him. See below at n. 28; Wake Court Minutes, Sept. 1771:24, 27; M. Haywood, "Genesis of Wake County," 7. The charter is reproduced in William S. Powell (ed.), *The Correspondence of William Tryon and Other Selected Papers* 2:630-631.

¹⁹ *N.C. Legislative Papers, 1771*. The first assembly in which Wake was represented met in New Bern Nov. 19-Dec. 23, 1771; Hardy and Hines took their seats Nov. 26, 1771. Connor, *Manual*, 1913, 340, 385; Cheney, *N.C. Government*, 53, 54.

were already involved in military activities. John Hinton had become colonel of the now separate Wake militia, even before the effective date for the establishment of Wake County, March 12. In February Governor Tryon, as Captain General of the colony, sent orders to Colonel Hinton similar to orders dispatched to the colonels of other nearby units, to "hold your Regiment in readiness to march . . . if necessary" to halt the Regulators, who again were threatening to march on New Bern. Preparations for such an assignment included assembling food stores, which were primarily bread and meat. The governor advised Colonel Hinton to have ready sufficient wagon loads of flour and beef-on-the-hoof to provide each man "one pound of flour and one pound and a half of meat" per day. A postscript added that "the men should take their Blankets[,] and Kettles to cook with on their march."²⁰

The Wake regiment assembled at Maj. Theophilus Hunter's home, south of present Raleigh. As events developed, however, confrontation with the Regulators was unnecessary. The primary object of their threatened march was to free from the New Bern jail one of their leaders, Hermon Husband. They dispersed as soon as they received word that he had already been released. Coincidentally, it was from Hunter's Lodge, where the Wake regiment was assembled, that Husband sent the message of his liberation ahead of him. He had stopped there on his way home to



ARCHIVES AND HISTORY PHOTOGRAPH

Hunter's Lodge was the place where Governor William Tryon reviewed and drafted Wake County men into his service in May 1771 during his expedition to Alamance to quell the Regulators. The local militia, however, were left near home to guard against possible trouble in Wake. This small structure, the only building of the Hunter's Lodge complex to survive into the 20th century, was photographed by Susan Iden in the 1920s.

²⁰ William Tryon to Col. John Hinton, Feb. 7, 1771, in Saunders, *Colonial Records* 8:687.

Orange County. Colonel Hinton, learning firsthand of the cancellation of the Regulators' march, dismissed the Wake militia.²¹

A County "In the Middle."—The new county of Wake was "in the middle" geographically and, it might be said, emotionally, between the royal government and the Regulators. Its location was between the seat of government at New Bern in the east and the troubled and troublesome Regulator country to the west. It is also obvious from the records that there was much division of sympathies between the two factions on the part of Wake's citizens. There were both those who were willing to do their part to preserve the local peace, under orders from the governor, and those who harbored considerable "disaffection" toward Tryon and his government. This division was evident in the spring when Colonel Hinton asked for volunteers to march with Tryon himself against the Regulators.

Orders came from the governor for fifty volunteers to be prepared to march with him toward Hillsborough to quell the Regulators, whose defiance had reached a state of violence in Orange County. The Wake volunteers were ordered to assemble at "Major Theophilus Hunters" by April 30 to await the arrival of the governor, who was personally to lead the army of militia representing many counties "against the Insurgents in the Western Frontier."²²

Governor Tryon's Four Days in Wake County.—Bringing with him about a thousand troops from eight eastern counties, six swivel guns mounted on carriages, and two heavy field pieces which had been sent him from New York, Governor Tryon traveled the 122 miles from New Bern to Wake County in seven days. The army arrived on Sunday, May 5, at Major Hunter's, where they made camp, also referred to as "Hunter's Lodge Camp" in the military log. Tryon's order book records that, appropriately for the army's first day in Wake County, he designated as the military password or parole for that day the word "Wake," and the word "Margaret" as the countersign.²³

Tryon's review of the Wake militia on Monday proved discouraging in several ways. Although there were approximately 400 men in the regiment, they were poorly equipped. The governor noted that "not more than one man in five had arms." Even more disappointingly, he learned

²¹ Richard Caswell to Governor Tryon, Feb. 20, 1771, in N.C. Governor's Letter Book 1:451. Hunter's Lodge was the early home of Theophilus Hunter on the present Fayetteville Rd. south of Raleigh. Although the residence burned in the early 19th century, one of its dependencies remained for at least a hundred years more. A newspaper reporter-photographer described the two-room wooden house in 1925 as having "a thick brick wall filling in the space between . . . the weatherboards and the [plastering] laths," and a wide fireplace with high mantel and narrow shelf. Susan Iden, "Remnant of Hunter's Lodge, One of First Three Houses Erected in Wake County," *Raleigh Times*, n.d. [1925?], clipping in Susan Iden Scrapbook, microfilm, State Archives.

²² Tryon to Hinton, Mar. 19, Apr. 4, 1771, in Saunders, *Colonial Records* 8:697, 704; Powell, *War of the Regulation*, 19; and William Tryon, *Journal of the Expedition Against the Insurgents in the Western Frontier of North Carolina, Begun the 20th April, 1771*, in Clark, *State Records* 19:837.

²³ Powell, *War of the Regulation*, 20; Tryon, *Journal*, May 5, 1771, in Clark, *State Records* 19:838; William Tryon, *Order Book in Campaign Against the Regulators*, May 5, 1771, in Saunders, *Colonial Records* 8:575.

from Colonel Hinton that, "owing to a disaffection among the inhabitants of the County," he had succeeded in recruiting only twenty-two of the fifty required volunteers. Taking matters into his own hands, the governor called upon the men personally "to turn out as Volunteers in the Service," but they "refused to obey." Firmly, then, the governor

ordered the Army to surround the Battalion, which being effected he directed three of his Colonels to draft out forty of the most slightly and most active men, which caused no small panic in the Regiment. . . . During this drafting the officers of the Army were active in persuading the men to enlist, and in less than two hours completed the Wake Company to 50 men. The 40 men drafted were released upon their giving their parole they would return next day with their Arms to lend them to such Volunteers as stood in need of them. Night coming on the Wake Regiment was dismissed, much ashamed both of their Disgrace and their own conduct which occasioned it.²⁴

Unfortunately, no journal has survived which preserves the thoughts of the men themselves about the reputation of their regiment, or about the military duties they were asked to perform. As Governor Tryon later explained to Lord Hillsborough, the troops "had no other immediate encouragement than the forty shillings bounty mon[e]y, which was necessary to leave with their families to hire husbandmen to plant their corn in their absence. . . ."²⁵

The following day, Tuesday, May 7, the company of Wake men were "supplied with arms by those men that were drafted the Evening preceding." They then "marched and encamped with the army at Jones' on Crab Tree Creek, 12 Miles from Hunter's." On Wednesday morning Tryon sent a detachment to the nearby home of one Turner Tomlinson whom he called a "notorious Regulator," to take him prisoner. Brought into camp "closely confined," Tomlinson "confessed he was a Regulator but would make no discoveries." He remained a prisoner only two days, making his escape while the army was on the march.²⁶

After four somewhat less than successful days in the new county named for his wife, Tryon and his army proceeded westward on Wednesday toward Hillsborough. He ordered Colonel Hinton to remain with his Wake detachment "in his County" to assist the sheriff in collecting the fines imposed on the militia men who had appeared at the Monday muster without arms. Tryon's journal adds, "This Detachment was left also with a view to prevent the disaffected in that County [Wake] from forming into a Body and Joining the Regulators in the adjacent Counties." Actually, it was only a few days before the rebellion throughout the area was effectually

ally crushed by Tryon's victory over the assembled Regulators at the Battle of Alamance on May 16.²⁷

The Missed Battle of Alamance.—Having been left behind to attend to local matters, the Wake militia men missed the Battle of Alamance entirely. It was not until Monday, May 20, four days after the two-hour conflict, that Colonel Hinton and his men rejoined Tryon's victorious militia, already en route westward to join Col. Hugh Waddell. Hinton reported, according to the governor's journal, "that he had been successful in collecting the fines of his Regiment, and that he left the Country [sic] very quiet."²⁸

The Wake detachment consisted of Colonel Hinton, a captain, a lieutenant, an ensign, forty-six "rank and file" soldiers, two sergeants, a drummer, a clerk, one "waggoner," a cart and three horses.²⁹

The men remained for a month with the army. One of their first duties

²⁴ Tryon, *Journal*, May 8, 1771, in Clark, *State Records* 19:839. A tradition of long standing insists that during Tryon's four days in Wake he ordered a road cleared between Hunter's and Jones's to accommodate heavy artillery and named it Ramsgate after an English road. Writers at the time of the 1924 unveiling of a marker near the Hunter's Lodge site (and earlier) fail to document these assertions. See articles by Collier Cobb, Mary Hilliard Hinton, Ben Dixon McNeill, and Marshall DeLancey Haywood, in *News and Observer*, May 17, 18, 1924; Cobb and Hinton, "Marking the Ramsgate Road," *N.C. Booklet* 23 (Jan.-Oct. 1926):57-62; M. Haywood, *Joel Lane*, 13; M. Haywood, "Genesis of Wake County," 6; M. Haywood, *Governor Tryon*, 121. In neither Tryon's journal of the expedition against the Regulators, his military order book covering the same period, nor his extant letters is there any reference to the clearing, constructing or widening of an existing or new road in the area. Nor is there any indication that the army's line of march followed any but the existing road between Hunter's and Hillsborough, which his journal for Sat., May 11, 1771, describes as "the Stony rugged Roads" over which some of his waggons were "too weak to travel." Clark, *State Records* 19:840. Wake Court Minutes of the 1780s contain references to "the Old road leading from Colo. Hunters to Hillsborough." Wake Court Minutes, Mar. 1784:309. A part of the road was called Ramsgate Road at least as early as the 1860s, and the area nearby called Ram Cat. See H. T. Guion, "Survey of all approaches to Raleigh. Showing the line of intrenchments made by order of Zebulon B. Vance," Oct. 26, 1863, Map Collection, State Archives; *North Carolina Standard* (Raleigh) 60, Jan. 6, 1866. By the 1870s the spelling had become "Rhamkatt" or "Rham Katt" for road and community. *Standard* (Raleigh) 60, Aug. 9, 1872, July 7, 1874; A. W. Shaffer, "Shaffer's map of Wake County," 1887, Map Collection, State Archives. The name was used in a pseudonym in his informal writing by James Fauntleroy Taylor, Jr., "the Bard of Rhamkatt," and later in Josephus Daniels's "Rhamkatt Rouser" column in the *News and Observer* until 1948. Kemp Plummer Battle, *Memories of an Old-Time Tar Heel*, 111-112; *News and Observer*, *passim*.

²⁵ William Tryon, *Additional Papers Relating to the War of the Regulation*, in Saunders, *Colonial Records* 8:677; Tryon, *Journal*, May 20, 1771, in Clark, *State Records* 19:846; Powell, *War of the Regulation*, 23. Although several writers have interpreted a statement by Governor Caswell seven years later to mean that the Wake regiment participated in the Battle of Alamance itself, the contemporary records indicate their later arrival and participation only in that part of the expedition following the battle. The Caswell statement, in an Apr. 1778 letter to the General Assembly, was as follows: "Col. John Hinton, an old and experienced officer who had served in that character in the expedition against the regulators in 1771. . . . [in] which, as I was an eye witness I can venture to assert he behaved with becoming bravery and resolution." *N.C. House Journal*, Apr. 24, 1778, in Clark, *State Records* 12:707.

²⁶ Tryon, *Additional Papers*, in Saunders, *Colonial Records* 8:677. The names of these officers, other than the colonel, are not given. It is possible, however, that the second officer was Capt. Samuel Pearson, who had been captain of Wake area militia for Johnston County. Johnston Court Martial Minutes, Feb. 1771. Or, the captain may have been William Anderson Fowler or Michael Rogers; the lieutenant, Dempsey Powell; and the ensign, Aaron Rogers. All of these were qualified in these positions at the Wake County Court of Mar. 1772, along with Col. Hinton and Lt. Col. Joel Lane. Wake Court Minutes, Mar. 1772:30. The first extant return of the Wake regiment of militia is that of Oct. 6, 1772, in the Military Collection, State Archives, which lists Lt. Col. Joel Lane, Maj. Theophilus Hunter, and ten companies of men, each having a captain, lieutenant, and ensign. In the only other Wake return from the colonial period, that of Oct. 6, 1773, in the same collection, the regimental officers are Col. John Hinton, Lt. Col. Theophilus Hunter, and Maj. John Hinton, Jr. Both lists are printed in Saunders, *Colonial Records* 9:344, 689.

²⁷ Tryon, *Journal*, May 6, 1771, in Clark, *State Records* 19:838-839.

²⁸ Tryon to Earl Hillsborough, Aug. 1, 1771, Governor's Letter Book 1:294.

²⁹ Tryon, *Journal*, May 7, 8, 1771, in Clark, *State Records* 19:839-840. Jones is probably Tignal Jones, one of Wake County's original justices of the peace and the "Col. Jones" in the Price-Strother map of N.C., 1808, Map Collection, State Archives. Location is west of present Cary, toward Morrisville. Note that information published in the Price-Strother map was gathered over a period of years beginning in the 1790s. Mary Lindsey Thornton, "The Price and Strother First Actual Survey of the State of North Carolina," *N.C. Historical Review* 41 (Autumn 1964):477-483.

was to escort to camp several wagonloads of flour the army requisitioned from a Quaker settlement west of Hillsborough. During the remainder of their tour of duty the Wake detachment and their colonel are mentioned several times in Tryon's journal and order book. They formed the rear guard as the main army continued toward the west, and later were sent ahead to assist General Waddell's forces to join Tryon's army. The journal and order book list the duties assigned to the detachment on specific days, including special duties given Colonel Hinton. He was Field Officer of the Day for Monday, June 17, 1771, while the army was at Hillsborough Camp, and president of a court martial held there on the morning of June 19.²⁰

Within the next two days, Tryon advised his officers that he had been appointed governor of New York, and on June 21 he said farewell to the troops. Proceeding immediately to New Bern, he embarked for his new post before the month ended. Tryon left Col. John Ashe in command of the army, with orders that the men be discharged within their home counties. The last day of service for the Wake men was June 22, 1771, while the army was again encamped at "Hunter's Quarter" in Wake County where they had originally been drafted. The password that final day was "Tryon," the countersign "Wake."²¹

FROM WAKE TO THE WEST

Wake Pioneers in Tennessee.—During the period of Regulator trouble, many poor families left Wake and other counties to escape the injustices that had led to the Regulator movement and to seek opportunity to better their standards of living. In the winter of 1768-1769 ten families from Wake County were said to have journeyed over the North Carolina mountains into the area which became Tennessee, one of the earliest groups of settlers in the Watauga region there.²²

The next year they were visited by James Robertson, another Wake Countian who, like John Sevier, was becoming one of the best known pioneer leaders in Tennessee's early history. Born in 1742 to a Virginia family who moved to future Wake when he was eight, Robertson was poor and illiterate. The educated young woman whom he married in Wake County in 1768, Charlotte Reeves, had begun to teach him to read and write. Robertson set out to see for himself whether the Watauga land in Tennessee might provide a better life for his growing family, which by then included a year-old son. Returning to Wake County, he recounted such encouraging descriptions of the country he had explored that some dozen or more neighboring families decided to move there with him.²³

²⁰ Tryon, *Journal*, May 22, June 1, 1771, in Clark, *State Records* 19:847, 849; Tryon, *Order Book*, May 26, June 17, 19, 1771, in Saunders, *Colonial Records* 8:588, 597, 599.

²¹ Tryon, *Order Book*, June 22, 1771, in Saunders, *Colonial Records* 8:600.

²² John Haywood, *The Civil and Political History of the State of Tennessee*, 50.

²³ Robertson's monument inscription, cited in Thomas Edwin Matthews, *General James Robertson, Father of Tennessee*, 21, 536; Robertson manuscripts, Peabody College Library, cited in Theodore Roosevelt, *The Winning of the West* 1:218-224; A. W. Putnam, *History of Middle Tennessee, or, Life and Times of Gen. James Robertson*, 21. Matthews gives a differing version of Robertson's education. Matthews and Putnam give birthdate for son Jonathan Frier Robertson as June 13, 1769.

In the spring of 1771 he led the little caravan of families, goods loaded on pack-horses, into the Watauga settlement. In two extant lists of some of the Watauga settlers, several familiar names appear. The Abraham and Isaac Bledsoe, Obadiah Terrill, Henry Suggs, and Thomas and Joshua Houghton listed may well be some of those who went from Wake County.²⁴

Descendants of Robertson described the Wake County leader as follows: "He was a man of remarkable powers . . . ; his somewhat sombre face had in it a look of self-contained strength that made it impressive; and his taciturn, quiet, masterful way of dealing with men and affairs, together with his singular mixture of cool caution and most adventurous daring gave him an immediate hold even upon such lawless spirits as those of the border." Members of the Watauga settlement, under Robertson's leadership, established in 1772, four years before the date of the Declaration of Independence, the first North American self-government totally independent from the British Crown. Robertson continued his leadership role in the government of the Watauga settlement. He served as mediator between settlers and Indians, and later led the pioneer group that founded Tennessee's capital, Nashville.²⁵

During the American Revolution he returned at least once to Wake County to settle his father's estate, which had been in the care of former Wake Sheriff Michael Rogers. Later he journeyed frequently to other places in North Carolina to meetings of the General Assembly. He served as representative and later senator from Davidson County, now in Tennessee but then part of North Carolina.²⁶

Indian Fighters.—Other Wake Countians joined the pioneers in the West; some went later as members of military units sent to protect the settlers from Indians whom they were displacing. Isham Simms, one of these, was later awarded a grant of 640 acres of Tennessee land in return for these services. His petition to the 1805 General Assembly requesting the land that was due him was reported favorably out of committee as follows: ". . . that it does to them [the committee] appear . . . the petitioner was one amongst those, who at an early period of the settlement of Cumberland, now in the State of Tennessee, aided and assisted in the protection of the then Inhabitants thereof, and that for so doing was entitled to a bounty of [640] acres of land."²⁷

²⁴ Putnam, *History of Middle Tennessee*, 24, states that the group left Wake County after the May 16, 1771, Battle of Alamance. One list of settlers is given in J. Haywood, *Civil and Political History of Tennessee*, 88; another in Saunders, *Colonial Records* 10:708.

²⁵ Roosevelt, *Winning of the West* 1:224-238, especially 231; R. D. W. Connor, *The Colonial and Revolutionary Periods, 1584-1783*, 296; Vance Swift, "Watauga Colony and the State of Franklin," *Tar Heel* 6 (Jan.-Feb. 1978), 38-40.

²⁶ In 1980 the Wake County Historical Society dedicated a marker commemorating Robertson's pioneer accomplishments and in 1981 installed it in a boulder in southeastern Wake County near the neighborhood where he is thought to have lived. *News and Observer*, Nov. 17, 1980.

²⁷ J. Haywood, *Civil and Political History of Tennessee*, 68; Connor, *Manual, 1913*, 586; Cheney, *N.C. Government*, 1114.

²⁸ N.C. Legislative Papers, 1805.

Many are the Tennessee families who trace their ancestry back to Wake County during the 1770s and 1780s period of that state's settlement.

THE LAST YEARS OF COLONIAL GOVERNMENT

Wake's Representatives to the Colonial General Assembly.—Six Wake County citizens served in the House of Commons from the time of the county's establishment until the end of the colonial period. Thomas Hines and Benjamin Hardy were the first elected members of the House. From November 19 to December 23, 1771, they attended the assembly in New Bern called by the last royal governor, Josiah Martin.³⁸

There was not another session until January 1773, at which time Hines was returned, along with Joel Lane. Sheriff Michael Rogers and Tignal Jones were elected to represent the county in the December 1773 assembly. Their election was contested, however, as having been held in a highly irregular fashion, was declared "void and illegal," and they were not seated. Their names came before the voting freemen of Wake County again and both were reelected. They took their seats at the second session in March 1774.³⁹

Who Served in '75?—For the final colonial assembly, April 4-8, 1775, existing records are silent regarding Wake County's representatives. The journal of the House of Commons, which lists all the members present, leaves blank the space beside "Wake." Possibly no local election was held that year; among the extant certificates of election from at least twenty-seven of the thirty other counties, none certifies the names of any representatives in Wake County.⁴⁰

The two men who had last represented Wake County were in fact in New Bern at the time, but apparently not attending the assembly. Instead they were present, joined by a third Wake Countian, at a citizens' meeting which foreshadowed the cessation of royal government in North Carolina and helped to assure that this would be the final assembly under the British crown.

Chapter IV

REVOLUTION AND EVOLUTION

THE EARLY DAYS OF THE WAR

Provincial Congresses.—At the same time the final colonial assembly was convening in the palace in New Bern April 4-8, 1775, under Royal Governor Josiah Martin, the Second Provincial Congress was meeting somewhere in the same town. That citizens' group was taking preliminary steps toward creating a government that would be representative of the people. The three members from Wake County were John Hinton, Michael Rogers, and Tignal Jones. Rogers and Jones had represented Wake in the lower house of the colonial assembly a year earlier but did not report to their seats in that body in 1775.¹

The Wake men joined in adopting the Congress's statement asserting the people's right to hold meetings and to present their complaints to the king. According to the *New Bern Gazette*, the Congress "highly approve[d] the 'Association of the General Congress at Philadelphia, 20 October, 1774 . . . presented by Richard Caswell.'" Soon thereafter Governor Martin fled, leaving the colony of North Carolina with no legal government. Local Committees of Safety, including one in Wake County, and a colonywide Provincial Committee of Safety were organized to maintain order.²

In August of the same year a third Provincial Congress met in Hillsborough. Augmenting the previous Wake County delegation were Joel Lane, Theophilus Hunter, John Rand, and Thomas Hines. This Congress declared that the British government had no right to impose taxation upon North Carolinians without representation and established a temporary provisional government. They also arranged to raise two regiments of men for the Continental army being formed, as well as six battalions of minute men with arms and ammunition.³

Wake's Military "4-H."—It was Wake County's responsibility to raise two companies of fifty soldiers each. Four men already experienced in militia command were appointed by the Provincial Congress as field officers for the Wake militia, and reappointed the following year as well.

¹ Connor, *Manual*, 1913, 340, 387, 410; Cheney, *N.C. Government*, 56, 153-154; Lefler and Newsome, *North Carolina*, 190. The Assembly met Apr. 4-8; the Congress, Apr. 3-7, 1775. No Wake County delegates are listed for the First Provincial Congress Aug. 25-27, 1774.

² *North Carolina Gazette* (New Bern), Apr. 14, 1775; Powell, *North Carolina*, 61; Hugh F. Rankin, *North Carolina in the American Revolution*, 7-9; see Saunders, *Colonial Records* 10:157-158; Lindley S. Butler, *North Carolina and the Coming of The Revolution*, 53-61.

³ Connor, *Manual*, 1913, 387, 410; Cheney, *N.C. Government*, 153, 156; Rankin, *N.C. in Revolution*, 8-9, 21. See Butler, *N.C. and Coming of Revolution*, 61-62.

³⁸ See above at p. 18.

³⁹ *N.C. House Journal*, Jan. 25, Dec. 4-21, 1773, Mar. 1774, in Saunders, *Colonial Records* 9:448-449, 759, 874-875, 887; Connor, *Manual*, 1913, 385, 386; Cheney, *N.C. Government*, 1289-1290.

⁴⁰ *N.C. House Journal*, Apr. 4, 1775, in Saunders, *Colonial Records* 9:1189; *N.C. Legislative Papers*, Mar., Apr. 1775.

Coincidentally, all four had names beginning with the letter "H." They were John Hinton, colonel; Theophilus Hunter, lieutenant colonel; John Hinton, Jr., first major; and Thomas Hines, second major.⁴

Ammunition was scarce. When the Wake County Committee of Safety applied to the Provincial Congress for a supply of gunpowder, that body denied the request but promised that at such time as there might be "any to spare they may depend on our assistance."⁵

Along with those in other counties, the revolutionary-minded leaders and citizens of the young county of Wake found themselves simultaneously involved in preparation for the inevitable war with England, participation in the evolution of a government for the emerging independent state, and problems with local and neighboring citizens who did not favor severing political ties with the mother country.

Neighbor Against Neighbor.—It would be erroneous to assume that every local citizen immediately embraced the spirit of independence and revolution. Especially in the early days of the conflict, when complete information on current events was not readily available, issues were frequently neither clear-cut nor well understood. The labels "Whigs" as applied to those who were willing and ready to rebel against the authority of England, and "Tories" or "loyalists" in reference to others who retained a feeling of loyalty to the established government, were not always accurately applied.

A Wake County resident expressed the dilemma of the puzzled, peace-loving citizen caught up in the divisive aspects of the conflict that inflamed neighbor against neighbor. Some years after the war, signing himself merely "Country-Man," he wrote the following letter to the editor of the *Raleigh Register*:

... Some practical inconveniences I remember to have suffered from . . . the dextrous use of certain nicknames . . . during the war. I pretty well understood the question between us and Great Britain. I knew that if we were governed without our consent, there might be no limit to coercion or taxation, but the will of those who taxed or governed us; but, in the course of the war, the terms *Whig* and *Tory* came into vogue, and I found, that when used by the prevailing partizans for the time being, all argument and reasoning gave way before these conquering appellations. So, friend as I was to the cause of American Independence, yet being somewhat too idle, too peaceable, and too domestic, to engage in, or approve the violent measures of any party, I became suspected as a *Tory* by the *Whigs*, and should have been hung as a *Whig* by the *Tories*, had the latter unfortunately succeeded. Under one or other, or both of these undefined appellations, the opulent and the

⁴ N.C., *Journal of the Proceedings of the Provincial Congress of North Carolina*, Sept. 8, 1775, Apr. 22, 1776, in Saunders, *Colonial Records* 10:207, 532. Later in the war years the colonelship of the Wake militia was held by John Hinton, Jr., Michael Rogers, James Hinton (another of the elder Hinton's sons), and Thomas Wooten. Various militia returns, General Assembly journals, Saunders's *Colonial Records*, Clark's *State Records*, 1776-1781.

⁵ N.C., *Proceedings of the Safety Committee at Wilmington, August 11, 1775*, in Saunders, *Colonial Records* 10:157-158.

peaceable were almost certain to be classed, according to the prevalence of their more active neighbors on either side. I felt experimentally, at the time, the truth of the proverb, "give a dog an ill name, and hang him."⁶

State of North Carolina		Received	Expended	Balance
By the Treasurer	100			100
To the Treasurer	10			110
To the Treasurer	10			120
To the Treasurer	10			130
To the Treasurer	10			140
To the Treasurer	10			150
To the Treasurer	10			160
To the Treasurer	10			170
To the Treasurer	10			180
To the Treasurer	10			190
To the Treasurer	10			200
To the Treasurer	10			210
To the Treasurer	10			220
To the Treasurer	10			230
To the Treasurer	10			240
To the Treasurer	10			250
To the Treasurer	10			260
To the Treasurer	10			270
To the Treasurer	10			280
To the Treasurer	10			290
To the Treasurer	10			300
To the Treasurer	10			310
To the Treasurer	10			320
To the Treasurer	10			330
To the Treasurer	10			340
To the Treasurer	10			350
To the Treasurer	10			360
To the Treasurer	10			370
To the Treasurer	10			380
To the Treasurer	10			390
To the Treasurer	10			400
To the Treasurer	10			410
To the Treasurer	10			420
To the Treasurer	10			430
To the Treasurer	10			440
To the Treasurer	10			450
To the Treasurer	10			460
To the Treasurer	10			470
To the Treasurer	10			480
To the Treasurer	10			490
To the Treasurer	10			500
To the Treasurer	10			510
To the Treasurer	10			520
To the Treasurer	10			530
To the Treasurer	10			540
To the Treasurer	10			550
To the Treasurer	10			560
To the Treasurer	10			570
To the Treasurer	10			580
To the Treasurer	10			590
To the Treasurer	10			600
To the Treasurer	10			610
To the Treasurer	10			620
To the Treasurer	10			630
To the Treasurer	10			640
To the Treasurer	10			650
To the Treasurer	10			660
To the Treasurer	10			670
To the Treasurer	10			680
To the Treasurer	10			690
To the Treasurer	10			700
To the Treasurer	10			710
To the Treasurer	10			720
To the Treasurer	10			730
To the Treasurer	10			740
To the Treasurer	10			750
To the Treasurer	10			760
To the Treasurer	10			770
To the Treasurer	10			780
To the Treasurer	10			790
To the Treasurer	10			800
To the Treasurer	10			810
To the Treasurer	10			820
To the Treasurer	10			830
To the Treasurer	10			840
To the Treasurer	10			850
To the Treasurer	10			860
To the Treasurer	10			870
To the Treasurer	10			880
To the Treasurer	10			890
To the Treasurer	10			900
To the Treasurer	10			910
To the Treasurer	10			920
To the Treasurer	10			930
To the Treasurer	10			940
To the Treasurer	10			950
To the Treasurer	10			960
To the Treasurer	10			970
To the Treasurer	10			980
To the Treasurer	10			990
To the Treasurer	10			1000

A four-page record of payment to Col. John Hinton documents the presence of a Wake County militia regiment at the crucial Battle of Moore's Creek Bridge in February 1776. In addition to military pay, expenses involved horses and feed, vehicles, ammunition, cooking utensils, and rations, including "cyder" and liquors for the soldiers. Payment was in pounds, shillings and pence. (N.C. Treasurer's Journal, State Archives.)

Wake Men at the Battle of Moore's Creek Bridge.—Wake County men knew early, and firsthand, the experience of actual battle with fellow North Carolinians who were loyal to the king. Some of them participated in the brief but crucial Battle of Moore's Creek Bridge, one of the earliest and most significant engagements of the war, involving bloody conflict between resident Whigs and Tories. In February 1776 Colonel Hinton's Wake militia was ordered to march eastward to join units from other counties and minute men under the command of Colonels Richard Caswell and Alexander Lillington. Their objective was to prevent armed Loyalists from assisting British troops' efforts to crush the rising "rebellion" in North Carolina. He raised two companies under Capt. James Hinton, his son, and Capt. Michael Rogers, former Wake sheriff. Colonel Hinton's financial account filed later with the state treasurer indicates that among his costs were several sums he expended for "Liquors raising men." Numerous other entries are for "Cyder & Corn for men," and "Liquors for soldiers."

⁶ *Register* (w), June 10, 1800.

For the expedition the colonel purchased 30 dozen gun flints, 25¼ pounds of lead, 4 sides of leather, wagons and teams, corn and fodder for the baggage horses, and 12 iron cooking pots. The cost of rations for the troops was slightly more than 115 pounds.⁷

To the cadences of drummers Minion Monk and Joseph Embry most of the 157 men, including servants and others, marched the more than 100 miles to the battle site in present Pender County and back. They were away about three weeks. The other regimental officers were Theophilus Hunter, John Hinton, Jr., and Thomas Hines. The outcome of the battle waged on February 27 was the complete rout of the attacking Tories and the thwarting of British plans for invading the South. The two Wake companies lost several items of equipment that "fell into the hands of the Enemy" or were "taken by the Enemy." These included two wagons and teams, a pair of halyards, a hogshead, a supply of corn, and a half-pint measure.⁸

Robert Dodd, one of these Wake men, described the engagement many years later as "a very severe Battle," although the total number of casualties suffered by the Patriots was fifty, including only one man who died later from wounds. Colonel Caswell, later elected first governor of the independent state of North Carolina, commended the Wake County colonel and his men for "becoming bravery and resolution." In addition to the men's pay, which for a private was two shillings per day, another tangible reward they received came later that summer. All the "Officers and Soldiers who turned out in the late Expedition to Moore's Creek" received a proportionate share of an already scarce and very welcome commodity, salt, which was essential on both military and domestic fronts for food preservation. The Council of Safety ordered that Col. Joel Lane, commissioner for Wake, "be empowered to receive one hundred bushels of salt out of that taken by a Court Martial . . . held at Cross Creek" and to distribute it among the participants.⁹

The Tory Story.—The Tories who were defeated at Moore's Creek were largely Scottish highlanders from the upper Cape Fear region, including Wake's neighboring county of Cumberland. Throughout the war there were continuing conflicts between Tories who remained fiercely loyal to the British and patriot Whigs fighting for independence. A state of

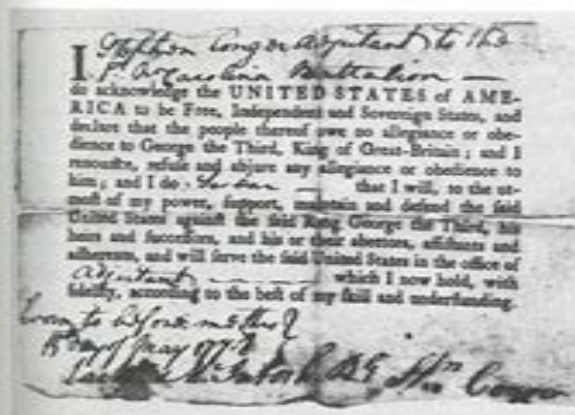
⁷ Col. Richard Caswell to President [Cornelius] Harnett [of the Provincial Council], Feb. 29, 1776, in Saunders, *Colonial Records* 10:482; statement of account with "Colo. John Hinton of Wake, for the services of his Regt. of Militia on an Exped. to Moors [sic] Creek against the Insurgents." N.C. Treasurer's and Comptroller's Records, Journal A, 1775-1776/91-92, State Archives. Names of the junior and non-commissioned officers are given, but not those of the 34 and 24 privates, respectively, in the two companies. See also Butler, *N.C. and Coming of Revolution*, 62-65.

⁸ N.C. Treasurer's Journal A, 1775-1776/91-92; Lefler and Newsome, *North Carolina*, 227; Hugh F. Rankin, "The Moore's Creek Bridge Campaign, 1776," *N.C. Historical Review* 30 (Jan. 1953):23-60.

⁹ Pension application of Revolutionary War veteran Robert Dodd of Wake County, Aug. 2, 1820, in Wake County Revolutionary War Pension Applications, Miscellaneous Wake County Papers, State Archives; N.C. Treasurer's Journal A, 1775-1776/91, 92; message from Governor Caswell to House of Representatives, recorded in *N.C. House Journal*, Apr. 24, 1778, in Clark, *State Records* 12:707; *N.C. Journal of the Council of Safety*, Halifax, July 31, 1776, in Saunders, *Colonial Records* 10:690. Lane had served as lieutenant colonel of the Wake regiment in 1772, but was replaced by Theophilus Hunter in 1773. Wake Court Minutes, Mar. 1772:30; Troop Returns for Wake County, 1772, 1773, N.C. Military Collection.

emergency akin to civil war existed in many parts of the state, including the central Cumberland-Wake area. Colonel Hinton's military expense account lists the costs of raising two companies of men under Captains Kadar Bryan and John Rider Leigh for "an Exped[ition] intended to Cape Fear." Apparently this particular alert did not result in the men's actual dispatch to the area, for most of them received pay for less than one week's service.¹⁰

One of the hotbeds of Tory trouble in the Cape Fear region was Cross Creek, the Cumberland community where the salt had been confiscated, and which later became Fayetteville. Also taken from Tory residents there were eight horses that were brought to Wake Courthouse for a public sale under orders of the Council of Safety. Five local men paid more than 111 pounds for the "8 Tory & 2 Public Horses" at the sale. Joel Lane bought five; Isaac Hunter, two; and Christopher Curtis, James Martin and Drury Massey, one each. Of the three companies of foot soldiers stationed at Cross Creek under Ebenezer Folsom to keep the Tories in check, one was comprised largely of Wake County militia. Colonel Folsom advised the Council of Safety in October of 1776 that conditions in that area still remained such that the detachment should be brought immediately to full strength. "In my Opinion," he urged, "there never was more Necessity for the Detachments being complete than at Present." The Cross Creek area continued throughout the war to be a gathering place for militant Tories, against whose depredations constant surveillance and frequent military actions were necessary.¹¹



ARCHIVES AND HISTORY PHOTOGRAPH

North Carolina required Tories to swear loyalty to the new United States of America, renouncing any allegiance to King George III. Stephen Conger's Loyalty Oath, signed May 15, 1778, is in the State Archives.

The new state General Assembly gave Tories a choice of taking an oath of allegiance to North Carolina or leaving the state. Soon after the passage of the 1777 loyalty oath act, the Wake court, having "taken under consideration . . . the Danger which may arrize [sic] from Persons disaffected to the State," ordered the commanding officer of the county militia "to call

¹⁰ N.C. Treasurer's Journal A, 1775-1776/92-94. The names of all the officers and men are listed.

¹¹ Clark, *State Records* 11:348; Col. Ebenezer Folsom to Council of Safety, Oct. 8, 1776, in Saunders, *Colonial Records* 10:839.

private Musters of each Company" at which one of the justices of the peace would administer the required oath. Inhabitants who were not on the muster rolls were also to swear allegiance, and the justice was to cite to the next court any persons refusing to do so. Later minutes of that body list numbers of citizens who came into court to take the oath and obtain "a Certificate of their having Complied with the law in that respect." At the September term, however, a different action was taken concerning one local resident:

Mr. Alexander Munn came into open Court and the Oath of Allegiance to the State of North Carolina being tendered to him, which he refused to take, whereupon the said Alexander Munn entered into Bond . . . in the Sum of 5000 [pounds] proc Money for his departing this State within Sixty days and at the same time Obtained a certificate of his refusal to take the said Oath.

One of the several confiscation acts (later declared unconstitutional) specifically directed that Munn's property in Wake be sold, along with that of others, as a means of "raising a considerable revenue to the State." In accordance with another of the confiscation acts Richard Banks, James Alford, and Joseph Davis were named special commissioners to administer such sales and other matters related to confiscated property within the county.¹²

Notorious Local Tory.—Col. David Fanning, one of the most daring and destructive of the Tory leaders, grew up in that portion of Johnston County that became Wake. So far as is known, he was not related to Edmund Fanning, of Regulator-crushing fame. Born about 1756, he was orphaned in his eighth year by the death of his father, also named David Fanning. He was apprenticed to a prominent Johnston Countian, Needham Bryan, Jr., to be taught the art of farming and "to Read and Write." At some point he removed to Chatham County, and at nineteen offered his services to the government that represented the British crown as early as May 1775. Before the war was over he had advanced to the rank of colonel. The record of bloodshed instigated by him was so great that he was one of three Tories specifically excepted by name from North Carolina's "Act of Pardon and Oblivion" enacted in 1783.¹³

¹² *N.C. Laws, 1777, c. 3, c. 17; N.C. Laws, 1779, Second Session, c. 2; N.C. Laws, 1782, c. 6*, in Clark, *State Records* 24:11, 123-124, 263-268, 425; Wake Court Minutes, Sept. 1777:20, 23, Dec. 1777:31, 32, 36, Mar. 1779:92, Mar. 1780:139; Lefler and Newsome, *North Carolina*, 243. Apparently Munn retained some property in Wake County. John Spence was appointed administrator of his estate by the Wake court in June 1798. *North-Carolina Journal* (Halifax), Aug. 27, 1798.

Strong local tradition in Harnett County perpetuates a story about a series of confusing events in late summer, 1781, involving Col. James Hinton of Wake, his company of 250 "ten-day" men, and their encounters with Tories in the vicinity of "Sober John" McLean's mill on Upper Little River. The incident is called "The Battle of Indian Branch." Sion H. Harrington III to the author, July 13, 1977, citing stories related by "older settlers," miscellaneous notes on Harnett County history, Harnett County Library, Lillington; Malcolm Fowler, *They Passed This Way*, 30-31. Also see Revolutionary pension application of Jonathan Smith (claim #5 7556) re ten days' service in Col. James Hinton's regiment, Wake Revolutionary Pension Applications.

¹³ Clark, *State Records* 16:viii; Johnston Court Minutes, Jan., July 1764; Col. David Fanning, "Narrative of Col'o David Fanning, Written by Himself, Detailing Astonishing Events in No. Ca., from 1775 to

A first-person account of Fanning's loyalist sympathies and of his activities during the war on behalf of the crown is told in the "Narrative of Col. David Fanning" published in the *State Records* from his manuscript. That there were few other active Tory officers from Wake County is borne out by the absence of Wake County names from the lists of other North Carolinians commissioned in "his Majesties Loyal Militia" that Fanning included in his book. The twenty-two names are all representatives of Cumberland, Chatham, Orange, and Randolph counties.¹⁴

EVOLUTION OF THE NEW STATE

Helping Create a New Government.—In the midst of war, representatives of Wake County had a part in shaping a government for the new state. The county's delegates to the April 1776 Fourth Provincial Congress at Halifax were John Hinton, Tignal Jones, John Rand, and Joel Lane, although for some reason Lane was apparently absent. It was at this session, on April 12, that the Congress adopted the resolution known as the Halifax Resolves, authorizing North Carolina's delegates to the Continental Congress in Philadelphia to concur with those of the other colonies in "declaring Independency." This action preceded by almost three months the signing of the Declaration of Independence. The state Congress named Thomas Hines and Theophilus Hunter in Wake County to "receive, procure and purchase fire arms for the use of the troops," including arms taken from Tories, and to see to the repair of any that might need reconditioning.¹⁵

Wake delegate John Rand was elected by the Congress as one of two Hillsborough District representatives to the Council of Safety, the new name of the Provincial Council. This organization was North Carolina's chief executive governing authority during that interval between the overthrow of the royal government in 1775 and the inauguration of the independent state government January 1, 1777.¹⁶

News of the Declaration of Independence.—It was at least August in 1776 before the people of Wake County knew what was contained in the momentous Declaration of Independence adopted the preceding month in

1783," in Clark, *State Records* 22:181; *N.C. Laws, 1783, c. 6, s. 3*; Rankin, *N.C. in Revolution*, 71. See also Lindley S. Butler (ed.), *The Narrative of Col. David Fanning*.

A Canadian writer prefaced his 1908 edition of the Fanning narrative with the following statement concerning Fanning's birthplace: "Fanning declares in his will that he was the son of David Fanning, and was born at Beech Swamp, in Amelia County, Virginia, where his father left a considerable estate of which he was 'the rightful heir,' and which he still hoped at that date (1825) that his family might recover." A. W. Savary (ed.), *Col. David Fanning's Narrative . . . supplying important omissions in the copy published in the United States*, 5.

¹⁴ Fanning, "Narrative," in Clark, *State Records* 22:180-189. Lists are on pp. 186-198.

¹⁵ *N.C. Journal of Provincial Congress*, Apr. 4, 12, 19, 1776, in Saunders, *Colonial Records* 10:501, 512, 525; Connor, *Manual*, 1913, 410; Cheney, *N.C. Government*, 157; Powell, *North Carolina*, 64-66. The journal's list of those present does not include Lane's name. See also list of delegates in N.C. Secretary of State Papers, Apr. 1776, State Archives. The name of William Hooper, the delegate from New Hanover County to all five Congresses and signer of the Declaration of Independence for N.C., also appears [erroneously?] in the journal as a delegate from Wake County and is so recorded in Connor and Cheney.

¹⁶ Connor, *Manual*, 1913, 413, 412, 325; Cheney, *N.C. Government*, 151.

Philadelphia. News of the signing reached Halifax, where John Rand was attending a meeting of the Council of Safety, on July 22. The first public reading of the document within the state took place there August 1, followed by other public readings in every county and town in North Carolina. It is possible that Wake County citizens gathered at the courthouse for such a purpose between August 21 and 28. During that week the Council of Safety itself was meeting nearby. They had decided for safety's sake to move their meeting from Halifax to "some Interior part of this Colony," and had adjourned to reassemble in "Wake County at the house of Mr. Joel Lane." After a week the council moved still farther west to Salisbury in Rowan County.¹⁷

First Wake Legislators Under the 1776 Constitution.—Five men experienced in local government represented Wake County in the fifth and final Provincial Congress that adopted the 1776 Constitution of North Carolina. These delegates were Justice Tignal Jones, returning for the second time to the Congress; former Sheriff Michael Rogers; Britain Fuller; the clerk of court, John Rice; and Justice James Jones, who was shortly thereafter elected Wake County's first senator in the General Assembly. The constitution adopted there served the state for six decades, until its revision in 1835. The Congress chose as the first governor of the state the hero of the Battle of Moore's Creek Bridge, Richard Caswell, under whom the Wake volunteers had served.¹⁸

Under the new constitution, Wake County was entitled to one senator and two representatives. Sen. James Jones attended the first session of the General Assembly in New Bern in April 1777, with John Rice and Thomas Wootten representing the county in the House of Commons. Senator Jones died between the first and second sessions, and Wake had no senator when the November session convened. The Senate issued a writ for a special election in Wake, and almost a month later, Michael Rogers, former sheriff and then justice of the peace, took his seat in the Senate.¹⁹

A problem arose, also, over Wake's first representatives to the House of Commons for the new state. The seats of both Representatives Rice and Wootten had to be vacated because of their having accepted salaried offices back home, Rice returning to his office of clerk of court after a brief absence, and Wootten accepting the office of sheriff for Wake County. At the special election at Wake Courthouse November 24, 1777, the voters elected attorney John Rand, who had been a member of two of the Provincial Congresses and of the Council of Safety, and Tignal Jones, a justice of the peace since the establishment of the county, to represent them in the House.²⁰

¹⁷ Rankin, *N.C. in Revolution*, 22; *N.C. Journal of Council of Safety*, July 27, Aug. 13, 21, 28, 1776, in Saunders, *Colonial Records* 10:688, 701, 707.

¹⁸ *N.C. Journal of Provincial Congress*, Nov. 12, 1776, in Saunders, *Colonial Records* 10:915.

¹⁹ *N.C. Senate Journal*, Apr. 14, 1777, in Saunders, *Colonial Records* 10:915; Connor, *Manual*, 1913, 827, 861; Cheney, *N.C. Government*, 201, 202, 339; Jones's will, probated at Sept. term, 1777, Wake Record Book 1:113; *N.C. Senate Journal*, Nov. 15, Dec. 5, 1777, in Clark, *State Records* 12:114, 169.

²⁰ *N.C. House Journal*, Nov. 15, Dec. 5, 1777, in Clark, *State Records* 12:265, 337.



John Norris, Jr., a Wake County militiaman who served under Col. John Hinton in the Revolutionary War, is buried near this marker erected later in the vicinity of his home between Holly Springs and Holleman's Crossroads.

WAKE IN THE REVOLUTION

Total Involvement in the War Effort.—Eventually, as was true in most counties, nearly every Wake Countian was involved directly or indirectly in the Revolutionary War. Although no actual battle with the British took place within Wake County, there was considerable activity related to the war within its borders throughout the period. From scattered records comes proof of the presence of Wake County soldiers at most of the major battles, not only in North Carolina but also in South Carolina and Georgia. Among those engagements specifically mentioned in pensioners' applications and other records are Guilford Court House, Lindley's Mill, Charleston, Camden, Eutaw Springs, Brier Creek, and Savannah, as well as other places of service.

As the war dragged on, both the Continental Congress and the state General Assembly called each year for more men, money, and supplies. A 1778 call summoned sixty men from Wake for the Continental army, and the county was "required to furnish the Necessary Wagons and Carts." Further, Wake's quota of military clothing to be supplied included 43 hats, 179 yards of linen, 86 yards of "woolen or double wove cotton cloth," 86 pairs of shoes, and an equal number of pairs of stockings. There was even one record of the acquisition of "Three Tomahawks taken for the use of the

Wake militia," for which payment of 5 pounds was made to Wake Ensign (later Captain) Etheldred Jones.²¹

Another call in 1779 instructed Wake to send 35 additional men. Michael Rogers, colonel at that time, reported to Governor Caswell that he had "raised 47 men from the Militia of this County, agreeable to my orders from the Brigadier Gen'l, amongst which is 17 volunteers." Not all soldiers were motivated solely by patriotism, it would seem, for in his report Colonel Rogers admitted that "the men seem very unwilling to march without their Bounty, and as I have not that sum to advance on this necessary and important occasion, am obliged to make application to you. . . . I have promised the men their Bounty before they leave Hillsboro." The bounty, offered as an inducement for enlistments, was undoubtedly essential to many families for the livelihood of a soldier's dependents while he was away in service. A year later, James Hinton, who apparently served briefly as Wake's colonel, told Governor Nash almost the same thing: "I expect they will turn out Volunteers. . . . They go with greater Alacrity when the bounty is paid."²²

A militia return for Wake County in 1779 indicates there were 13 companies totaling 795 men. These included 4 field officers; a captain, lieutenant, and ensign for each company; and 752 privates. Their names are not listed. From that number, again in 1780, 48 privates were to be drafted for active duty. Colonel Hinton reported to Governor Nash in June that his quota was not filled, again because he had not received money to pay the bounties. Volunteers received \$300; draftees, \$150.²³

A "Specific Grain Tax" levied in 1780 called for collecting wheat and corn for the army and for the election of a commissioner to supervise arrangements in each county. At a special meeting of justices of the peace at the courthouse in Wake, Thomas Wootten was named to that office. The Board of War instructed militia colonels to report the number of privately owned wagons that might be used, on a rotation basis, as supply wagons. Colonel Hinton's report indicated that very few were left in Wake County.²⁴

After the invasion of North Carolina by the British under Cornwallis, the

demand for men and supplies for the defense of their state was more urgent than ever. The members of the General Assembly in February 1781 increased the call for men, so determined were they "to compel the enemy to abandon this State, and to preserve it effectually from the future invasions thereof." Wake County's quota was raised to 200. The Assembly also ordered a volunteer regiment of light horse requisitioned from the Hillsborough District of which Wake was a part. Capt. Solomon Wood of Wake commanded one company of the unit under the French colonel, Malmedy. The July 1781 roster includes numerous Wake County names.²⁵

The Wake County justices, late in 1781, levied an additional tax of three pounds on the hundred pounds' worth of taxable property against "those persons who have been Exempt from Militia Duty, agreeable to an Act of Assembly." Earlier, they had made a special concession concerning delinquent taxes in the cases of citizens serving in the war. The collectors were to assess no penalty against those whose taxes were not paid on time "by reason of their being in the service of their Country," although all others who neglected or refused payment were assessed "a fourfold tax." Even after formal hostilities had ceased, there was continuing need for men and supplies. A final order in 1782 required that 8,000 pounds of "Salted meat or fresh equivalent" be collected or impressed in Wake.²⁶

Rendezvous at Wake Courthouse.—An army camp near the Wake County Courthouse was the scene of much activity throughout the war, and especially in the last years. It was the rendezvous for men reporting for duty from other counties, and for troops assigned to combat Tory raiders in the upper Cape Fear area. Letters and reports datelined "Camp at Wake Courthouse" reveal numerous occasions on which high-ranking American officers had business there, including Gen. Stephen Drayton and Brigadier Generals Allen Jones and John Butler. Apparently its location and some of their comings and goings were known to the British. Lord Cornwallis mentioned General Butler's presence there in a May 1781 letter to his compatriot, Lt. Col. Banastre Tarleton.²⁷

At least two other camps were located in the county. Camp Middle Creek, near Woodward's Mill on that watercourse, may have been the regular Wake County muster ground. And there was another near a tavern operated by John Giles Thomas, probably near the falls of Crabtree Creek.²⁸

The rendezvous at Wake Courthouse was recalled by several veterans years later as they described their experiences during pension application hearings. One company of Wake County draftees in 1779 met at the court-

²¹ *N.C. Laws, 1778*, c. 3; excerpts from *North Carolina Gazette* (New Bern), May 8, 1778, published in *Clark, State Records* 23:436; *N.C. Senate Journal*, May 1, 1778, in *Clark, State Records* 12:639; voucher no. 368 for payment to Etheldred Jones from General Assembly of Oct. 1779, photostatic copy of which is owned by Ruth Johnson, Fuquay-Varina, a descendant.

²² Michael Rogers to Governor Caswell, July 29, 1779, in *Clark, State Records* 14:178-179; Col. James Hinton to Governor Nash, June 24, 1780, *N.C. Governor's Papers* and *Clark, State Records* 14:860. John Hinton had been replaced briefly as colonel of the Wake militia by Michael Rogers, *Militia Returns*, June 30, 1779, in *N.C. Military Collection*. A series of misunderstandings concerning that office beginning in Apr. 1777 resulted in at least two periods when the Wake regiment was without a colonel. John Hinton, Jr., although appointed colonel after being nominated by the elder Hinton and Rogers jointly, declined the commission. See *Clark, State Records* 12:707-708, 861. After Rogers's short tenure, James Hinton was colonel. *Revolutionary Army Accounts*, Book D:124, H:121, K:65-B, in *N.C. Treasurer's and Comptroller's Papers*.

²³ *Militia Return*, Hillsborough District, 1779, and *Scheme of a Draft from the Hillsborough Militia*, Feb. 16, 1780, in *N.C. Military Collection*; Col. James Hinton to Governor Nash, June 24, 1780, and Benjamin Sewell to Governor Nash, July 26, 1780, in *Clark, State Records* 14:860, and 15:8-9.

²⁴ Proceedings of the Board of War, Sept. 22, Oct. 7, 1780, in *Clark, State Records* 14:390, 408; *Wake Court Minutes*, special meeting Sept. 26, 1780:164.

²⁵ *N.C. Senate Journal*, Feb. 7, 1781, and "A List of Capt. Wood's Horse in Colo. Malmedy's Regiment," in *Clark, State Records* 17:625, and 15:509-510.

²⁶ *Wake Court Minutes*, Dec. 1781:197, and Mar. 1781:175; "State Military Orders," Apr. 6, 1782, in *Clark, State Records* 16:263.

²⁷ Pension applications of Bartlett Allen, Isaac Smith, Vincent King, James Harwood, and others, *Wake Revolutionary Pension Applications*; other letters in *Clark, State Records* 14:392-393, 681; Lord Cornwallis to Lt. Col. Tarleton, May 8, 1781, in Lt.-Col. [Banastre] Tarleton, *A History of the Campaigns of 1780 and 1781, in the Southern Provinces of North America*, 331.

²⁸ Lt. Col. Hardy Saunders to Gen. Sumner, Aug. 21, 1781, in *Clark, State Records* 15:612-613.

house under Capt. Woodson Daniel, marched to Salisbury and then to Camden, South Carolina, "on to the ten miles house from Charleston and from that place marched to Purisburg [sic] where they joined General [Benjamin] Lincoln of the Regular Army." The company shifted its position to various points on the Savannah River. Others who recalled they were members of the same unit were Cpl. Bartlett Allen, Isaac Smith, Vincent King, and James Harwood, a drummer. A later experience related by drummer Harwood involved his being sent to Hillsborough, where he "was not put into military service, but being a shoemaker by trade," he with other draftees having the same occupation was "employed in making shoes for the regular Army, then stationed at Hillsborough." Another veteran, Christopher Babb, told of assembling at Wake Courthouse and serving for a short time under "Col. Outon" [Wooten?] of Wake County. Still another, Thomas Ross, remembered being enlisted by Col. Michael Rogers.²⁹

Negro Soldiers.—It is a well-known fact that Negro soldiers fought in the Revolutionary War. The diary of a white North Carolinian in camp near Wilmington, Hugh McDonald, indicates that blacks and whites served together, not in separate units. Records for Wake County reveal the name of at least one local free Negro in the war. He was Valentine Locus, who was a private in the Third Regiment and survived the war. After his death in 1811, his widow, Rachel, continued to live in Wake County, and she applied for a pension in 1838. Assuredly there were others, but records are far from complete. An accurate list of all Wake Countians who served in the Revolutionary War would be impossible to compile.³⁰

A Conscientious Objector's Story.—A firsthand account of a Wake County happening during the war is given in the diary of a conscientious objector from another county. The Reverend Jesse Lee of Halifax County found himself at age twenty-two drafted into the militia and assigned to an army unit camped in Wake County in the summer of 1780. A Virginia-born Methodist minister who had moved to North Carolina, he turned the occasion into a preaching service in a local tavern. The camp was near "Mr. Thomas's Tavern . . . a few miles from the site of what was afterwards the seat of government for North Carolina." Upon his arrival on Saturday, July 29, he declared himself unwilling to bear arms and was placed under guard. He wrote:

Many of the people came and talked with and pitied me. . . . I told the people if they would come out early in the morning, I would pray with

²⁹ Wake Revolutionary Pension Applications.

³⁰ *N.C. Laws, 1779*, c. 12; Hugh McDonald's diary, winter of 1776-1777, in Clark, *State Records* 11:835; Revolutionary Army Accounts, No. 981, vol. 1:84, folio 2, N.C. Treasurer's and Comptroller's Papers; Valentine Locus's will, Wake Wills, Book 10:169; pension application of Rachael Locus, 1838, Wake Revolutionary Pension Applications; postwar references to Locus, Wake Court Minutes, Sept. 1790-59, Mar. 1791-96, Sept. 1791-143, Feb. 1812-28. See also Jeffrey J. Crow, *The Black Experience in Revolutionary North Carolina*.

A later resident of Wake, Negro preacher and teacher John Chavis, served three years as a Revolutionary War soldier from Virginia. Barbara M. Parramore, "John Chavis," *DNCB* 1:358-359; see below, chap. 8 at nn. 6, 50-51.

them. [On Sunday] as soon as it was light, I was up and began to sing, and some hundreds of people soon assembled and joined with me, and we made the plantation ring with the songs of Zion. . . . I wept much and prayed loud, and many of the poor soldiers also wept. . . . A little after we were done prayer, Mr. Thomas, the tavernkeeper, came out and talked with me, and told me he was in bed when he heard me praying, that he could not refrain from tears, and he had called to see me and know if I would be willing to preach to them that day, it being Sabbath? I told him I would preach provided he would procure a block or something for me to stand upon; which he readily promised to do. I told him, withal, I wished him to go to the colonel, for we had no higher officer amongst us, and obtain leave for me to preach; which he did, and liberty was granted. It is but just to state, that Colonel Bru. . . [sic] was a man of great humanity, although a profane swearer. When he heard that I was about to preach, it affected him very much, so he came and took me out to talk with me on the subject of bearing arms. I told him I could not kill a man with a good conscience, but I was a friend to my country, and was willing to do any thing I could, while I continued in the army, except that of fighting. He then asked me if I would be willing to drive their baggage wagon? I told him I would. . . .

He then released me from guard, and said when I was ready to begin meeting I might stand on a bench by his tent. When the hour arrived, I began under the trees. . . . It began to rain, and we were under the necessity of going into the house, where I resumed my discourse. . . . Many of these people, officers as well as men, were bathed in tears before I was done. . . .

On Monday the unit marched southward from Thomas' Tavern through Chatham and Randolph counties to Salisbury, where Lee witnessed the hanging of a Tory. He served as a sergeant of the pioneers (engineers) for a few months until his discharge. The Reverend Mr. Lee had occasion to revisit the area of his first camp experience long years after the war. In 1811 and again in 1816 he attended Methodist Church conferences in Raleigh, presided over by Bishop Francis Asbury.³¹

A Familiar War Anecdote.—The origins of familiar wartime anecdotes have been claimed by nearly every section of the country. The following anecdote, which has been recounted in relation to every war in America's history, was printed two decades after the Revolutionary War in a Wake County newspaper. Although the editor made no claim to the story's having originated with a Wake County recruit, it could well be the earliest publication of the yarn.

During the Revolutionary War, when draughts were made from the militia, to recruit the continental army, a certain Captain gave liberty to the men who were draughted from his company, to make their objections, if they had any, against going into the service. Accordingly, one of them, who had an impediment in his speech, came up to the Captain,

³¹ Minton Thrift (ed.), *Memoir of the Rev. Jesse Lee*, 26-29; Grady L. E. Carroll (ed.), *Francis Asbury in North Carolina*, 252, 262. The tavern was probably that of John Giles Thomas on Crabtree Creek. Wake Court Minutes, Sept. 1772-44, Mar. 1775-113, Sept. 1775-127, and other sessions.



ARCHIVES AND HISTORY PHOTOGRAPH

A rough sketch of a Revolutionary War soldier appears on the back of the February 1778 discharge paper of Pvt. John Massey of the Third N.C. Regiment, Continental Line. Massey's discharge, issued at Valley Forge at the end of his 2½-year enlistment, is in the Legislative Papers, State Archives.

and made his bow. "What is your objection?" said the captain. "I ca-a-ant go," answers the man, "because I st-st-ut-ter." "Stutter!" says the captain, "you don't go there to talk, but to fight." "Ay, but they'll p-p-put me upon g-g-guard, and a man may go ha-ha-half a mile, before I can say, Wh-wh-who goes there?" O that is no objection, for they will place some other sentry with you, and he can challenge, if you can fire." "Well, b-b-but I may be ta-ta-taken and run through the g-g-guts, before I can cry, qu-qu-qu-quarter." This last plea prevailed, and the captain, out of humanity, (laughing heartily) dismissed him.³²

Penalty for Draft Evading.—For whatever reasons, there were Wake Countians who did not, or would not, enlist as soldiers or be drafted. Some paid heavily for their inaction by having their property seized and sold, under provision of the state militia act of 1781. Because Jacob Leavens failed to report for duty when drafted that year and also to provide a substitute, Wake Militia Col. Thomas Wootten hired Nathaniel Jones, Jr., as a substitute, paid him 10,000 pounds, and issued a warrant against Leavens's estate to cover that cost. At public auction that same summer, high bidder at 21,000 pounds happened to be the substitute himself, Jones, who received title to Leavens's 500-acre plantation and home. A second, similar, case involved Daniel McDaniel, who was charged also in 1781 with having "neglected or refused to march" when drafted for the Southern Expedition. His estate, too, was exposed to public sale and bought for the high bid of 10,000 pounds by Joel Lane.³³

Assembly in Wake: A Preview?—The General Assembly continued to meet frequently throughout the war years. The session of 1781 was planned for New Bern, where several earlier sessions had been held. After Cornwallis's invasion, however, and the British occupation of Wilmington following the Battle of Guilford Courthouse, it was considered unsafe to meet there. Again, the governing body looked inland to Wake County as a meeting place, far enough away from British activities to be considered safe, and the assembly convened "at Wake Court House" June 23, 1781.

Not only the courthouse, but also Joel Lane's nearby plantation and tavern were pressed into service. An enterprising man named Vincent Vass made an interesting arrangement for providing meals for the legislators. He engineered an agreement with numerous local residents to supervise or furnish manpower for food preparation in return for exemption from one or two short "Tours of Militia Duty." The assembly approved these exemptions "for the services rendered the public in that department" for Nicholas Atkins, Joshua Sugg, Kemp Goodloe, Isaac Bracken, Matthew Calours, Richard King, Willis Pope, Solomon Hood, John Rand, Hardy Sanders, Thomas Wootten, Joel Lane, James Alford, and Francis Wilkes. Many of them had already served one or more tours before. For his own purchases of "Candles, Fowls, etc." and "for things borrowed and hired," the state reimbursed Vass a grand total of 35,720 pounds. In addition, host Joel Lane was paid 15,000 pounds "for House Rent, Pasturage, etc.," for the June 23-July 14 session. These inflated costs reflect the tremendous depreciation in paper currency during the war. The orders for payment were signed by an Edgecombe County man who a few years later became a Wake resident for the rest of his life, North Carolina's future treasurer, John Haywood. In 1781 he was clerk of the Senate.³⁴

Impossible for any of those in attendance to know was the fact that in little more than a decade the itinerant General Assembly would be settled permanently within a few hundred yards of the site of their temporary arrangements at Wake Courthouse.

Election and Inauguration at Wake Courthouse.—On opening day of the session there were present only 76 of the 156 senators and representatives entitled to attend from the 50 counties that comprised North Carolina at the time. Gradually most of the other members arrived, and clerks and other employees added to the number who were accommodated at Wake Courthouse. Apparently the larger House of Commons met in the courthouse and the Senate in Joel Lane's home or tavern. The former building was chosen for the joint meeting of the two houses to elect a successor to the state's second governor, Abner Nash, on the third day of the session.³⁵

The balloting resulted in the election of Thomas Burke of Orange County, who was escorted to a second joint meeting the following day for

³² Register (w), July 29, 1800.

³³ N.C. Laws, 1781, c. 1, s. 19, in Clark, State Records 24:362; Wake Deed Book F:109-113, 137-140.

³⁴ N.C. House Journal, June 23, July 14, 1781, in Clark, State Records 17:877, 972-973, 976; miscellaneous records in Clark, State Records 13:911. Capt. John Medearis was quartermaster general in Wake County, Clark, State Records 15:450.

³⁵ N.C. Senate and House Journals, June 23-26, 1781, in Clark, State Records 17:877, 794, 892.

his inauguration. One of the first items of business was Governor Burke's actively assuming the position of military commander in chief and Richard Caswell's being named major general of state forces. The nervous General Assembly, "at a time so truly alarming and dangerous as the present," had on the second day ordered a troop of light horse from nearby Franklin County to guard them. These men augmented part of a regiment of cavalry Governor Nash had requested from Joseph Hawkins, who agreed that they would serve not only as sentinels but also "to give the Assembly every Intelligence of the Enemies movements at Wilmington." Although "little respite from the cursed Tories" was felt in other parts of the state, the assembly was able to complete its business at the Wake session without threat or attack.³⁶

CLOSING MONTHS

A War of Nerves.—In less than two weeks after adjournment of the assembly, however, the central Wake-Cumberland-Orange area was under serious attack from bands of Tories. About 30 men from the Wake militia were on duty in the New Hope area of Orange, just over the Wake line. Most of the county's remaining men were engaged in other parts of the state that were under threat of attack. More than 200 were serving in the "lower districts" and near Salisbury, and about 15 went to the aid of neighbors in Cumberland County who were being attacked by organized Tories reportedly led by a sergeant who had deserted from the British army. Wake County's John Rand, former delegate to the Council of Safety and former senator, sent an express to Governor Burke to inform him that "150 or 200 horse and infantry" were urgently needed "to drive them from Cumberland and prevent their making further excursions, otherwise their stay there will perhaps endanger the whole State."³⁷

The situation worsened. Hardy Sanders of the Wake militia advised the governor in mid-August that a "Tory Army," thought to number nearly 2,000, was massing in Cumberland and Chatham counties, and that Wake and its neighboring counties were in "truly alarming" danger of being "exposed to their ravages." He was drafting all the men and arms he could muster; but help was urgently needed to hold the Tories in check and thereby "spirit up our own people who are now desponding." Lieutenant Colonel Sanders further advised the governor that a party of about 300 Tories led by the notorious Col. David Fanning was on the march toward Hillsborough, where the commander in chief and his aides were organizing a campaign to stop the Tories. He added the warning, "I am told your Excell[ency] is Fanning's object." The governor would have done well to heed the Wake colonel's warning, for it later proved accurate.³⁸

Meanwhile, desperately short of men and ammunition, and with the Tories reportedly within twenty miles of his camp on Middle Creek in southern Wake County, Lt. Col. Sanders was able to persuade another 60 volunteers to enlist. He enticed them with the prospect of a two months' tour, a month shorter than that permitted by the state's military laws. They had to supply their own horses and guns, he reported, "as I had no Other way to Collect Arms." The Wake militia, now 100-strong, was ordered to rendezvous at Wake Courthouse for the march to the Cape Fear River in Cumberland County to confront Colonel Fanning and his "near Five hundred men on the opposite side of the River."³⁹

Instead of staying to do battle, however, Fanning and his men marched toward Hillsborough where Gen. John Butler was encamped. Governor Burke, ignoring the warning Sanders had sent him concerning Fanning's intentions, received other intelligence that the Tory army was on the way to attack General Butler. He sent a messenger to warn Butler, but failed to arrange sufficient protection for himself. In the black of night Fanning and his Tories surrounded the Burke home and took as their prisoner the governor and commander in chief of North Carolina's forces. Burke's troops attempted to rescue him; but although Fanning was wounded in the ambush, he succeeded in retaining his important prisoner, took him to Wilmington, and turned him over to the British Major Craig.⁴⁰

With the surrender of Cornwallis at Yorktown a month later, the war was virtually over, except for continued activities by the Tories. Their leader in the Wake-Cumberland-Orange area continued to be Fanning, until he left the state for South Carolina and eventual exile in Nova Scotia.⁴¹

From War to Peace.—From the upheavals of the Revolutionary War, Wake citizens had to turn immediately in peace time to dealing with war-aggravated economic, political, and social problems. Some local leaders were also involved in the new state's task of establishing a permanent seat of government. There were those who thought central-lying Wake County a natural choice. But there lay ahead a lengthy period of controversy and postponement before Wake was finally selected as the capital county.

³⁶ *N.C. House Journal*, June 25, 1781, in Clark, *State Records* 17:890, 892, 893, 899; Beth G. Crabtree, *North Carolina Governors 1585-1975: Brief Sketches* (3rd printing, revised, 1974), 48; *N.C. Senate Journal*, June 24, 1781, in Clark, *State Records* 17:804; Col. Joseph Hawkins to Governor Nash, June 17, 1781, and Capt. George Doherty to Gen. Sumner, June 22, 1781, in Clark, *State Records* 15:487-488, 490-491.

³⁷ J. Rand to Gov. Burke, July 30, 1781, in Clark, *State Records* 22:1044-1046.

³⁸ Lt. Col. Hardy Sanders to Gov. Burke, Aug. 16, 1781, in Clark, *State Records* 15:610.

³⁹ Lt. Col. Hardy Sanders to Gen. Sumner, Aug. 21, 1781, Col. Hugh Tinner to Gov. Burke, Aug. 28, 1781, and J. Luttrell to Gov. Burke, Sept. 1, 1781, in Clark, *State Records* 15:612-613, and 22:580-581, 585-586.

⁴⁰ For details concerning Burke's capture and escape, and criticism, see Rankin, *N.C. in Revolution*, 69-71.

⁴¹ Rankin, *N.C. in Revolution*, 71. See also Carole Watterson Trotter, *The Loyalist Experience in North Carolina*, passim.