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No. 12

THE
NORTH CAROLINA BOOKLET



GREAT EVENTS IN
NORTH CAROLINA HISTORY

SKETCH OF THE BATTLE OF
GUILFORD COURT-HOUSE

BY MAJOR JOSEPH M. MOREHEAD

THE GERMAN PALATINES
IN NORTH CAROLINA

BY JUDGE OLIVER H. ALLEN.



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\$1 THE YEAR

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MRS. E. E. MOFFITT.

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"CAROLINA! CAROLINA! HEAVEN'S BLESSINGS ATTEND HER!
WHILE WE LIVE WE WILL CHERISH, PROTECT AND DEFEND HER."

The object of the BOOKLET is to aid in developing and preserving North Carolina History. The proceeds arising from its publication will be devoted to patriotic purposes. EDITORS.

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SHORT SKETCH OF THE BATTLE OF GUILFORD COURT-HOUSE FROM THE VIEW-POINT OF RESULTS.

BY MAJOR JOSEPH M. MOREHEAD.

The name of Washington overshadows of course that of every other Revolutionary soldier, and yet the inquiry presents itself, did Washington assume graver responsibility, or evince truer courage in accepting the command of the American Army than that assumed and displayed by Greene in accepting the command of the Southern Department in December, 1780? I take it to be true that when England determined in the winter of '79-80 to transfer the seat of active hostilities to the Southern Department from Delaware to Virginia, inclusive, Greene was Washington's choice as commander for the same, as he was his favorite of all the officers under him. But the fearful lessons of the fall of Charleston in May '80 and of the disastrous defeat at Camden in August following, it seems were necessary before the appointment was allowed to be made and accepted. Upon his arrival at Charlotte, N. C., in December '80 Greene in the face of a hitherto victorious army of British Regulars was under the necessity of creating an army from militia who had borne the brunt of war for five weary years—around a nucleus of Regulars—a handful—too naked to appear on dress parade. After the battle of Cowpens, January 17th, 1781, Greene retreated rapidly as possible across North Carolina and effected

his escape from Cornwallis by crossing the Dan river below Danville, Va., on February 15th or 14th. Cornwallis arrived on the south bank the same day. With what courage, fortitude and skill Greene and his men pushed their forlorn hope to victory let the fathers tell. The reader is referred to the Diplomatic Correspondence of the American Revolution published by Congress in 1890.

Here we read, Volume 4, page 363, John Adams to Benjamin Franklin (Paris).

“Leyden, Holland, April 16, 1781—I think the Southern States will have the honor, after all, of putting this continent in the right way of finishing the business of the war. There has been more sheer fighting there in proportion than anywhere.”

Page 419, Adams to Franklin (Amsterdam).

“May 16, 1781—The news from the Southern States of America of continual fighting, in which our countrymen have done themselves great honor, has raised the spirit of Holland from that unmanly gloom and despondency into which they had been thrown by defeats by the English.”

Page 802, Robert Livingstone, Secretary of State for Foreign Affairs, to Dana, in Europe.

“Philadelphia, October 22, 1781—I have the pleasure of communication to you the important account of two signal victories lately obtained over the enemy in these quarters: One by General Greene, which has been followed by the re-establishment of the governments of South Carolina and of Georgia. The other at Yorktown. You will not fail to make the best use of this intelligence which must fix our independ-

ence not only beyond all doubt, but even beyond controversy.”

Page 817, Robert Morris to General Greene :

“Office of Finance, November 2, 1781—Your favor of the 17th of September last has been delivered to me. I hope it is unnecessary to make assurances of my disposition to render your situation both easy and respectable.” * * I have neither forgotten nor neglected your department. I have done the utmost to provide clothing, arms, accoutrements, medicines, hospital stores, etc., and I flatter myself that you will receive through the different departments both benefit and relief from my exertions. * * * * * You have done so much with so little that my wishes to increase your activity have every possible stimulus.”

Beyond doubt Guilford was the most important battle embraced within all this fighting. But the one fact that Cornwallis kept the field has wrongfully transferred victory there to the British instead of to the American Army. King’s Mountain and Cowpens, glorious and complete victories as they were, by no means drove Cornwallis from his original purpose and plan of capturing South Carolina, North Carolina and Virginia, though they conduced tremendously to that triumph achieved at the battle of Guilford Court House ; just as the release of South Carolina and Georgia flowed from it.

Upon receipt of the news of the “victory” Fox said, that the results to Cornwallis of the “victory” were identical with those that would have been caused by defeat. In Tarleton’s Campaigns, page 320, we read the following extract from a letter of General Greene to Philadelphia—the battle having been fought March 15th, when Greene had retired

northward "in good order," as Stedman affirms, to his fortified camp eighteen miles north of the battlefield.

Tarleton affirms that when urged to come out and again join battles Cornwallis replied that among the streams of South Carolina Greene might entangle and destroy his army.

"GREENE'S HEADQUARTERS, RAMSEY'S,
"DEEP RIVER, March 30, 1781.

"I wrote you the 23rd instant from Buffalo Creek (South Guilford) since which time we have been in pursuit of the enemy with the determination to bring them into action again. On the 27th we arrived at Rigden's Ford, 12 miles above this, and found the enemy then lay at Ramsey's. Our army was put in motion without loss of time, but we found the enemy had crossed some hours before our arrival and with such precipitation that they had left their dead unburied upon the ground."

Tarleton says, pages 279 and 280: "The British obtained information that General Greene's army had reached Buffalo Creek, southward of Guilford Court House. The day before the King's troops arrived at Ramsey's the Americans insulted the Yagers in their encampment. The Royalists remained a few days at Ramsey's for the benefit of the wounded and to complete a bridge over Deep River, when the light troops of the American again disturbed the pickets. The British crossed the river and the same day General Greene reached Ramsey's with the intention to attack them. The halt of the King's troops at that place nearly occasioned an action which would not probably have been advantageous to the royal forces

on account of the position and the disheartening circumstance of their being encumbered with so many wounded officers and men in the action at Guilford.”

Having reached his ships at Wilmington Cornwallis was tendered the alternative of again fighting Greene or of seeing him unmolested destroy in detail the British troops, then garrisoning South Carolina and Georgia. He chose the former.

Stedman, perhaps the most trustworthy historian of the period, in his account of the Battle of Guilford Court House, gives us the most unique commentary, account or criticism upon or of any battle whatever, that I ever saw. It is a literary curiosity, as well as a curiosity historical. He says: “Thus we find that the battle of Guilford drew after it some, and it will afterwards appear that it was followed by all the consequences of something nearly allied to a defeat.” So will the conscientious squirm when too hard pressed.

As soon as Greene had passed southward Cornwallis hastened to Virginia with no one to confront him—thus abandoning South Carolina and Georgia to their fate and the original plan and purpose of his campaign in hopes, I suppose, that something might turn up in Virginia. Vain hope! Confronted in Virginia by no force worthy of his steel he idled around effecting nothing till Washington, giving Clinton in New York the slip, bagged him at Yorktown.

I recall no battle of the Revolutionary War more extensive or more fortunate in its results to the American cause, than that of the battle of Guilford Court House.

My allotted space being occupied I add hurriedly and in conclusion that it is a matter of easy proof, that the plan and conduct of the battle of Guilford Court House was conceived in wisdom and courageously and effectively carried out, and that even Greene's retreat from the field was a matter of judgment and not of necessity. Greene had, as he had previously written Washington that he would do, so crippled Cornwallis and burdened him with wounded men and officers as to rid North Carolina of his presence, and he had, as he had affirmed he would do, preserved his regulars—the last he could hope to get, with whom as a nucleus he released two States and caused the surrender of Cornwallis at Yortkown. That was the end of the war.



THE GERMAN PALATINES IN NORTH CAROLINA.

BY JUDGE OLIVER H. ALLEN.

The barbarity of war has its only parallel in the cruelties of religious persecutions.

The remarkable people who are the subject of this paper suffered from both in a manner that appeals to the pathetic side of our nature above that of all the peoples that ever came to our land in early days excepting perhaps, the Lost Colony whom they excelled in long suffering.

The revocation of the Edict of Nantes (1685) by Louis XIV, which in 1598 had insured religious freedom to protestants in that part of Europe embracing the country inhabited by these people began afresh the fires of persecution which drove the Huguenots and Dissenters from their homes. Many of them eventually settled in North and South Carolina and their protestant German neighbors soon followed them.

One of the most picturesque spots in all Europe on both sides of the Rhine around Heidelberg, its principal city, was the country known as "The Palatinate on the Rhine," whose inhabitants were Germans, a country no longer having a place in the geography of Europe—but the territory now mostly forming a part of Bavaria and Banden, and its population scattered abroad and known for a long time as "The Palatines." A large number of them were settled in New York and other in South Carolina. Dr. Benjamin Rush in his

essay on the German inhabitants of Pennsylvania says: "The aged Germans and the ancestors of those who are young migrated chiefly from the Palatinate," and from these latter come our thrifty German population in the central part of the State, who came to North Carolina because "Lands could not be obtained in Pennsylvania without much difficulty."

Close upon the causes which drove the Huguenots from their country came the "Spanish War of Succession." Long before this war the Palatines had been objects of hatred and persecution but they clung to their beautiful land.

Heidelberg from the time of the Reformation had been the stronghold of protestant learning and hence a mark of Romish rancour. In 1622 it had been reduced to ruins and its splendid library sent to Rome.

When the war over the Spanish throne arose, lasting thirteen years and involving a greater part of Europe, Louis XIV. seized upon the opportunity of carrying his arms into Germany, whose inhabitants were mostly protestants, and it is said "that wherever he sent his army among the Germans it carried fire and sword, desolation and ruin."

The rest of the story of their suffering is vividly told by Dr. Bernheim:

"The peaceful inhabitants of the Palatinate, plundered of all their earthy possessions, were driven in midwinter as exiles from their native lands to seek an asylum in some safe and friendly country. They beheld their comfortable cottages and once amply-filled barns and storehouses smouldering in the flames behind them, whilst they and their helpless wives and children, ruined in worldly prosperity, naked, feeble, and

in a starving condition, were wending their weary way over vast fields of snow and ice, leaving their bloody footprints in the frozen snow, seeking shelter and finding none.

“Numbers perished by the way, others dragged along their feeble bodies until at last they found safety in the Netherlands, and from thence they journeyed into England. This is no overdrawn picture. Says a distinguished writer: ‘The ravages of Louis XIV. in the beautiful valleys of the Rhine, were more fierce and cruel than even Mahometans could have had the heart to perpetrate. Private dwellings were razed to the ground, fields laid waste, cities burnt, churches demolished, and the fruits of industry wantonly and ruthlessly destroyed. But three days of grace were allowed to the wretched inhabitants to flee their country, and in a short time, the historian tells us, ‘the roads were blackened by innumerable multitudes of men, women and children, flying from their homes.’

“Many died of cold and hunger; but enough survived to fill the streets of all the cities of Europe with lean and squalid beggars, who had once been thriving farmers and shopkeepers.’ ”

About twelve thousand of them went to England, being invited there by the good Queen Ann (1708), who cared for them with a genuine Christian magnanimity. Four thousand of them were settled by her in New York and others elsewhere.

About this time Christopher DeGraffenried and Louis Mitchell were preparing to emigrate to America with a large Swiss population, their own countrymen. Negotiations were

entered into between them and the Queen's commissioners by which it was arranged for about six hundred of the Palatines to be settled in Carolina upon ten thousand acres of land located in one body on or between the Neuse and Cape Fear rivers. Accordingly these Palatine immigrants started for America in January, 1710, (though another account says 1709), DeGraffenried says he selected them, young, laborious and of all kind of avocations and handicraft and provided for them well, but they were overtaken by terrible storms and were thirteen weeks crossing the Atlantic. More than half of them died on the sea. They arrived at the mouth of the James river and were there assailed and plundered by a French captain. After recruiting they started by land for Carolina, stopping with Thomas Pollock on the Chowan river, who put them across the sound *sed pro pecunia* and in September they arrived on a tongue of land between the Neuse and Trent rivers and were first settled on the southern side of Trent river on lands which it turned out belonged mostly to the Surveyor General and there they remained in a state of "sickness, want and desperation" till the arrival later of DeGraffenried with his Swiss colony, and here was started the city of New Bern, named after the capital city of Switzerland.

One would suppose that the trials and misfortunes of these unfortunate people were now at an end save the hardships incidental to the life of the early settlers, but not so.

As to their further experience let them speak for themselves through a document preserved in the *Colonial Records*

which is so interesting that no apology is necessary for copying it in full:

“To His Most Excellent Majesty King George the Second King of Great Britain, Scotland, France and Ireland, Defender of the Faith.

“The Humble Petition of the Palatines in North America Humbly Shewith

“That your Petitioners being sent, six hundred in number, by Her Most Gracious Majesty Queen Ann into America under the Care of Christopher Gravenreid Barronet Her Majesty, of her bountiful kindness, paid each man Twenty Shillings Sterling for to purchase Necessarys for their peopling and settling her Plantations in North America, And Gentlemen of England raised the like sum with six pair of hand mill-stones and two pair of water mill-stones for like purpose which said sums and mill-stones your petitioners put into the care of their Trustee aforesaid, who promised to pay them in North Carolina three pounds for one received from them in England.

“That your Petitioners, pursuant to Her Majesty’s Proclamation sent to Germany in the year of our Lord One Thousand seven hundred and eight had their Lands laid out to them (to wit) to each Family two hundred and fifty acres; That your Petitioners Trustee Baron Grovenreid aforesaid entered into an agreement with them to find each Family 2 cows and 2 calves, 2 sows with their young, 2 ewe sheep and 2 lambs with a male of each kind, which said stock your petitioners were to have in possession for the space of seven years, and at the Expiration of such Term to deliver their said Trustee the said Principal and at Expiration of five years

of said Term to pay him the yearly rent of two pence per acre. That in the year of our Lord One Thousand seven hundred and nine your petitioner arrived in America and in the year 1711 Indians broke out against and destroyed several Families in which enterprize our Trustee was taken by the Indians whilst he was yet amongst them. We expected him killed then came one Thomas Pollock who ruled both Governour and Country and acted in behalf as a General send to his Captain William Brice to take all the Dutch that were able to bear arms and meet him at an Indian Town which was about six Leagues from our Inhabitants accordingly we did but he never met but left us to sit two days and one night with the Indians soon after Grovenreid was brought in but did not stay long with us who carried off from our Settlements all that he could conveniently come at, promising to return with provisions and necessarys for the war but never returned nor made the least satisfaction for these Things received nor the money allowed us by her most Gracious Majesty or the Gentlemen of England with two hundred pounds, which we also put into interest at our departure from England.

“That as soon as our Trustee departed, the said Colonel Thomas Pollock came to our Settlements and took every thing even the mill stones and left us without any Assistance entirely naked to the mercy of the Indians.

“That at the expiration of four years the Indian War ended and then came the said Pollock and took our Lands from us that we had in Virtue of her Majesty’s Proclamation laid out to us. We your distressed Petitioners being in an unknown part of the world and quite destitute of any assis-

tance was obliged to submit to him the said Pollock who under Colours of a relapsed pattend holds the land to this day. That in the year One Thousand seven hundred and forty seven, the fifth day of January the Heir of Colonel Thomas Pollock come to our Plantations to turn us off from our possessions by virtue of Authority in order to settle the Rebels the Scots in our possessions it being in the dead time of Winter not knowing which way to go with our Familys by which we were compelled to give him our Bonds for as much as he was pleased to ask.

“That your Petitioner most humbly prays that your most sacred Majesty will be pleased to award us your poor Petitioners who have undergone the Fatigues of so long and Tedious a War against the Barbarous Indians a Decree for our said Land and at any Term of rents under Your Most Gracious Majesty, as to your Majesty may seem meet.

“And your Distressed Petitioners as in Duty bound will eber pray

“Philip Feneyer, Henry Grest, Christian Esler, Jacob Miller, Herman Grum, Christian Walker, Peter Ender, Matthias Reasonover, Joseph Pugar, Dennis Moor, Adam Moor, John Granade, Abraham Busit, John Rimer, Henry Morris, Michael Gesibel, Jacob Eibach, Christian Bavar, Nicholas Rimer, Peter Reyet, John Kinsey, Michael Kiser, Andrew Wallis, Peter Lots, John Simons, Daniel Tetchey, Daniel Simons, Peter Pillman, George Sneider, Abraham Baver, Frederick Market, Christian Ganter, Casper Risherd, Simon Kehler, Michael Shelfer, Jacob Huber, Jno Lekgan Miller,

Jno Bernard, Shone Woolf, George Renege, Christian Hubboch, John Kensey, Phillip Omend.”

The Lords of Trade and Plantations (Pitt, Greenville and Duplin) thereupon reported that pursuant to the orders of the Privy Council of 13th June, 1747, they had taken into consideration the humble petition of the Palatines in North Carolina, who were a “laborious people employed in manufacturing pitch and tar and other commodities, that they had struggled with great hardships as alleged in their petition and dispossessed of their possessions.”

They are further represented in this report as being a “sober, industrious people and had a great many near relations murdered in the Indian War and yet are in a worse position than any of His Majesty’s subjects in that Province by reason of exorbitant quit rents and proclamation money which was an intolerable load.”

Governor Gabriel Johnston was directed to investigate the matter and he reported that he had the heirs of Thomas Pollock and “these people” before him and the heirs of Pollock represented that DeGraffenried had been to considerable expense on account of the Palatines and had gotten in debt to their father between six and seven hundred pounds for which he gave a bill of exchange which was protested and thereupon he mortgaged all his estate in that Province both real and personal for the payment of the said debt. A decree in chancery was obtained for said estate and, upon DeGraffenried failing to pay, these lands were surveyed and patented in Pollock’s name.

The Palatines were advised to apply to chancery for relief,

but the report says "as they were not well acquainted with the language and ignorant of the laws they were afraid to commence a suit."

The King directed and required that grants be forthwith made to the petitioners of so much land as should be equivalent to the lands they had been dispossessed of.

In 1749 about two years later David Shuts and George Kernegu of the surviving Palatines appeared before the council with a list of those entitled to the relief and Governor Gabriel Johnston requested the General Assembly to provide for surveying the lands, but that body requested a postponement because "they had been so long from their homes," and finally in 1750 Governor Johnston reported that he should put the order relative to the "poor Palatines" into immediate execution.

Thus forty years at least after their arrival in America those who survived commenced colonial life anew. That they were treated badly there is no doubt, but at this late day it is difficult to fix the blame with any degree of satisfaction. There has never been any suggestion of wrong conduct on the part of Mitchell. The heirs of Pollock justify their course on the ground that DeGraffenried mortgaged the property to their ancestor and he was given two years to redeem it after the decree was obtained, and there is no evidence that Thomas Pollock knew that DeGrafferied was trustee unless his position as Governor was such as to put him on notice. DeGraffenried was disappointed and in debt, and after his narrow escape from death at the hands of the Indians when Lawson was cruelly burned, he likely become desperate and deter-

mined to try some other venture. So he went to Virginia and undertook a mining scheme which proved a signal failure and being threatened with arrest for debt he advised with friends, made his way up to New York, and sailed for England where after having some trouble with his distressed miners who had followed he passed in disguise to the continent. Thus his condition with this German colony might rest but for one thing. He defames them without cause and does it in general terms without stating any facts.

It comes with bad grace in a paper written after he reached Switzerland to "justify himself" when he had passed through England and failed to make any report to the Queen with whose commissioners he had entered into a solemn contract to colonize these people. One of the provisions of the contract was that "these articles shall be taken and construed in the most favorable sense for the ease, comfort and advantage of the said poor Palatines intending to settle in the country or Province of North Carolina."

This and every subsequent act of the good Queen Ann and of the King afterwards shows that they were regarded tenderly by them, and Gabriel Johnston likewise shows a becoming anxiety for them.

There is nowhere in any record or history a line that speaks otherwise than favorable of them save in the *ex parte* account by the Baron of his various "mishaps." It smacks of calumny upon these people in order to furnish an excuse for his own failure and wrong, and he spares not his own Bernese people. On the contrary, their past history, their lives of persecution

and poverty and perseverance as well as a study of their descendants refutes every insinuation against them.

As to their religion they were likely of the Lutheran Church originally. DeGraffenried says that on the day before their departure he went with Mr. Cesan, a German minister of the Reformed Church of London, to cheer up these people and to wish them a happy voyage, but he afterwards arranged with the Bishop of London to accept him and his people into the English Church, and in the course of time their descendants became connected with the various Christian denominations in their section of the State.

After the second grant of lands to them they were mostly thrown out into the territory covered by the counties of Craven, Jones, Onslow, Duplin and contiguous sections where their descendants are now mostly to be found, and, mixing with the scattering Huguenots, the Scotch in the Cape Fear section and the descendants of the early Irish settlers of Duplin and Sampson, whose fathers like theirs had come over in search of religious and political freedom, they with their allies have become one of the most substantial class of people known to any country.

While no account has been kept of the Palatines it is easy to recognize many of the families from the few names we have recorded, allowing for the corruption of names which was very common in that day.

For instance: Croom (Grum), Isler (Esler), Moore (Mohr), Wallace (Wallis), Simmons (Simons), Gaunto (Gantor), Teachey (Tetchey), Kornegay (Kernegee—Renege), Martin Franch (Martin Franke), Miller (Muil-

ler), Morris, Walker, Kinsey and others. Wherever found they represent the best type of German industry, frugality and integrity.

Rush says of the Germans of his State: "A German farm may be distinguished from the farms of other citizens of the State."

The Palatines are spoken of as "sober, moral and industrious," the others as "industrious, frugal, punctual and just." And so other resemblances might be easily shown by reference to individuals especially.

Little is known as to what became of the Swiss colony. They are represented by one historian as being fifteen hundred in number, but DeGraffenried says "a small colony from Bern." They departed from their own country and at a different time from the others and they were not embraced in the agreement with Her Majesty's Commissioners.

References: DeGraffenried's Manuscript, North Carolina Histories. Colonial Records—Vols. I, p. 905 and IV. Bernheim's German Settlements in the Carolinas. Rush's Essays.

Had DeGraffenried remained with them and carried out his contract their identity would likely have been as well preserved to this day as the German character is still in New York and Pennsylvania and in some counties in the central part of the State, for they are the same people.

Note some of the resemblances: DeGraffenried says of the Palatines: They were "healthy, laborious and of all kind of avocation and handicraft." Rush says of the Germans of

Pennsylvania: "They were farmers and many mechanics, weavers, tanners, shoemakers, smiths," etc. He also says that many of them lost valuable estates by being unacquainted with the common forms of law. The Lords of Plantations report that the Palatines by reason of their ignorance of the law would not go into chancery concerning the loss of their lands.

DeGraffenried says of their thrift, that within eighteen months they managed to build homes and made themselves so comfortable that they made more progress in that length of time than the English inhabitants did in several years.

(APPENDIX.)

CONTRACT WITH DEGRAFFENRIED.

(FROM WILLIAMSON'S HISTORY.)

"Articles of agreement, identified and made, published and agreed upon, this tenth day of October Anno Domini One thousand Seven hundred and nine, and in the eight year of the reign of our Sovereign lady Anne, by the Grace of God queen of Great Britain, France and Ireland, defender of the faith, between Christopher de Graffenrid of London Esq. and Lewis Mitchell of the same place Esq. of the one part, and Sir John Phillips Bart, Sir Alexander Cairnes Bart, Sir Theodore Janson Knt, White Kennet D.D., and dean of Peterborough, John Chamberlain, Esq., Frederick Slore, doctor of Physic, and Mr. Micajah Perry merchant, seven of the Com-

missioners and trustees nominated and appointed by her Majesty's late gracious letters patent, under the great seal of Great Britain, for the collecting, receiving and disposing of the money to be collected for the subsistence and settlement of the poor Palatines lately arrived in Great Britain, on the other part.

“Whereas the above named Christopher de Graffenrid and Lewis Mitchell have purchased to themselves and their heirs in fee, and are entitled to a large tract of land in that part of her Majesty's dominions in America called North Carolina, which now lies waste and uncultivated for want of inhabitants; and they the said Christopher de Graffenrid and Lewis Mitchell have applied themselves to the Commissioners appointed by the letters patent above mentioned for the subsistence and settlement of the poor distressed Palatines, that some number of the said poor Palatines may be disposed of and settled in the said tract of land in North Carolina aforesaid, as well for the benefit of the said Christopher de Graffenrid and Lewis Mitchell as for the relief and support of the said poor Palatines.

“And whereas, the said Commissioners have thought fit to dispose of for this purpose six hundred persons of the said Palatines, which may be ninety-two families more or less, and have laid out and disposed of to each of the said six hundred poor Palatines the sum of twenty shillings in clothes, and have likewise paid and secured to be paid to the said Christopher de Graffenrid and Lewis Mitchell the sum of five pounds ten shillings lawful money of Great Britain for each of the said six hundred persons, in consideration of and for their

transportation into North Carolina aforesaid, and for their comfortable settlement there.

“It is constituted, concluded and agreed, by and with the said parties to these presents in manner following:

“In primis, that the said Christopher de Graffenrid and Lewis Mitchell for the consideration aforesaid, at their own proper costs and charges shall, within the year ——— next after the date hereof embark or cause to be embarked on ships board, in and upon two several, ships, six hundred of such of the said poor Palatines as shall be directed by the said commissionres, which together may in all make up ninety-two families more or less, and cause the said persons to be directly transported to North Carolina aforesaid, providing them with food and other necessaries during their voyage thither.

“Item, that upon the arrival of the said six hundred poor Palatines in North Carolina aforesaid, the said Christopher de Graffenrid and Lewis Mitchell shall, within three months next after their said arrival there, survey and set out, or cause to be surveyed and set out, by metes and bounds, so much of the said tract of land above mentioned as shall amount to two hundred and fifty acres for each family of the said six hundred poor Palatines, be they ninety-two families more or less; and that the said several two hundred and fifty acres for each family be as contiguous as may be for the more mutual love and assistance of the said poor Palatines one to another, as well with respect to the exercise of their religion as the management of their temporal affairs.

“And for avoiding disputes and contentions among the said Palatines in the division of the said several two hundred and

fifty acres of land, It is agreed, that the said land, when set out by two hundred and fifty acres to a family, be divided to each family by lot.

“Item, that the said Christopher de Graffenrid and Lewis Mitchell, their heirs executors or administrators, within three months next after the arrival of the said poor Palatines in North Carolina aforesaid, shall give and dispose of unto the said poor Palatines and to each family, by lot, two hundred and fifty acres of the tract of land above mentioned and by good assurances in law grant and convey the said several two hundred and fifty acres to the first and chief person or persons of each family their heirs and assigns forever: to be held the first five years thereafter without any acknowledgement for the same, and rendering and paying unto the said Christopher de Graffenrid and Lewis Mitchell, their heirs executors and administrators, for every acre the sum of two pence lawful money of that country yearly and every year after the said term of five years.

“Item, that for and during one whole year after the arrival of the said poor Palatines in North Carolina aforesaid, the said Christopher de Graffenrid and Lewis Mitchell shall provide, or cause to be provided for, and deliver to the said poor Palatines sufficient quantities of grain and provision and other things for the comfortable support of life; but it is agreed, that the said poor Palatines respectively shall repay and satisfy the said Christopher de Graffenrid and Lewis Mitchell, their heirs executors and administrators, for the full value of what they shall respectively receive on the amount at the end of the first year then next after.

“Item, that the said Christopher de Graffenrid and Lewis Mitchell, at their own proper costs and charges within four months after their arrival there, shall provide for the said Palatines and give and deliver, or cause to be given or delivered to them, for their use and improvement, two cows and two calves, five sows with their several young, two ewe sheep and two lambs, with a male of each kind, who may be able to propagate, that at the expiration of seven years thereafter each family shall return to the said Christopher de Graffenrid and Lewis Mitchell, their heirs or executors, the value of the said cattle to be delivered to them, with a moiety of the stock then remaining in their hands at the expiration of the said seven years.

“Item, that immediately after the division of the said two hundred and fifty acres among the families of the said Palatines, the said Christopher de Graffenrid and Lewis Mitchell shall give and dispose of gratis to each of the said Palatines a sufficient number of tools and implements for felling of wood and building of houses, etc.

“And lastly, it is covenanted, constituted and agreed, by and between all parties to these presents, that these articles shall be taken and construed in the most favorable sense for the ease, comfort and advantage of the said poor Palatines intending to settle in the country or province of North Carolina; that the said poor Palatines, doing and performing what is intended by these presents to be done on their parts, shall have and enjoy the benefits and advantages hereof without any further or other demand of and from the said Christopher de Graffenrid and Lewis Mitchell, their heirs executors

or administrators or any of them; and that in case of difficulty it shall be referred to the Governor of the country or province of North Carolina, for the time being, whose order and directions, not contrary to the intentions of these presents, shall be binding upon the said Christopher de Graffenrid and Lewis Mitchell, his heirs executors and administrators, as to the said poor Palatines.

“Witness whereof the said parties to these presents have interchangeably set their hands and seals the day above written.

“JOHN PHILLIPS (L. S.)

ALEXANDER CAIRNES (L. S.)

WHITE KENNET (L. S.)

JOHN CHAMBERLAIN (L. S.)

FREDERICK SLORE (L. S.)

MICAJAH PERRY (L. S.)

“Sealed and delivered by the within named Sir John Philips, Alexander Cairnes, White Kennet, John Chamberlain, Frederick Slore, Micajah Perry, having two six penny stamps.

“In presence of us.

WILLIAM TAYLOR,

JAMES DE PRATT.

“We the within named Christopher de Graffenrid and Lewis Mitchell, for ourselves, our heirs, executors and administrators, do hereby covenant and agree to and with the Commissioners and trustees within written, for and upon the like consideration mentioned, to take and receive fifty other persons in the families of the poor Palatines, to be disposed of

in like manner as the six hundred poor Palatines within specified, and to have and receive the like grants, privileges, benefits and advantages as the said six hundred Palatines have, may or ought to have, in every article and clause within written, and as if the said fifty Palatines had been comprised therein, or the said articles, clause and agreements had been here again particularly repeated and recited on to them.

“Witness our hands and seals this 21st day of Octobre, A. D. 1709.

“CHRISTOPHER DE GRAFFENRID,
LEWIS MITCHELL.

“Sealed and delivered this agreement in the presence of

“WM. TAYLOR,
JAS. DE PRATT.”



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