



*His Excellency Gabriel Johnston Esq^r
Governour and Commander in Chief in
and over His Majestys Province of North
Carolina*

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*"Carolina! Carolina! Heaven's blessings attend her!
While we live we will cherish, protect and defend her."*

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HERALDRY AND ITS USAGE IN THE COLONY OF NORTH CAROLINA

BY MARY HILLIARD HINTON

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In this age of materialism, in a land thoroughly democratic, it is a marvel that there should be a revival, so to speak, of an important science of the mediæval era, indissolubly linked with the days of Chivalry. Its popularity has increased to such an extent that persons attaining sudden eminence have been known to order Arms to be designed at great cost. Some later repose beneath tombs adorned with the assumed badge of distinction. Others, without authority, appropriate those that belong lawfully to persons of the same surname, between whom there is no known connection. Cases can be cited where people have displayed on their stationery certain crests because they were more pleasing to behold than their own.

In preparing this paper it has been considered advisable to first speak of the origin and history of Heraldry and its uses and abuses before touching upon its relation to the Colony of North Carolina.

THE ORIGIN AND HISTORY OF HERALDRY.

Heraldry is a science. These notes relate only to the English acceptance of the fascinating study. The French and Germans have different rules. They are more confusing and far less rigid. The handsomest works bearing on this sci-

ence are prepared by the French—they are very costly and the styles are so ornate with all their gorgeous embellishment that one is reminded of the overcrowded interior of the Italian palaces—too loaded down to be in good taste.

Most erroneous ideas prevail regarding this branch of Art. The thought that one who uses armorial bearings, to which he is rightfully entitled, is a snob is simply ridiculous. A Coat of Arms is as much one's personal property as his name. It comes in the same way—by inheritance. To discard the one would be as sensible as to reject the other. In mediæval times Coat Armor was the sole means of distinguishing a knight. Consider the warrior armed *cap-à-pie*, mounted on a charger similarly encased in armor; unless one beheld the crest and Arms there was no means of recognition.

The origin of this very fascinating science is veiled in obscurity. Some armorists allow fancy to play no small part in their solutions and eagerness to claim a greater antiquity for "this once cultivated study." One has asserted that Adam bore a red shield with a silver escutcheon thereon, showing that Eve was an heiress. Others say that laws regarding it came from heaven. Mr. Charles L. Camp, the noted Connecticut armorist, claims a most ancient origin for this science. Many of us are familiar with his beautiful work shown in the Connecticut Building at Jamestown Exposition and the decorations on some of the covers of the *Journal of American History*.

Not granting that Heraldry's origin was divine, it must be admitted that Moses ordered each of the twelve tribes and their families to bear their own separate standard and ensign, in order that they might be distinguished in their wandering through the wilderness. In the Book of Daniel we find reference to symbols—when it is written that "the king sealed it with his own signet and the signet of his Lords," while it is recorded in the Book of Kings that Jezebel

“wrote letters in Ahab’s name and sealed them with his seal.” Other allusions can be found therein, but it is to the signs of ancients they bear analogy, not the Heraldry of the present. A similar instance can be found in a Greek tragedy of twenty-five centuries ago, where a soldier bore a shield containing a torch with the words, “I will fire the city,” which evidently related only to that occasion—nothing is said to prevent the thought that he used other devices at other times and did not hand it down to posterity. On the contrary Heraldry, as we know full well, is permanent and hereditary.

We will consider a few later authorities on this subject. Sir John Ferne claims that we took Arms from the renowned hieroglyphics of Egypt. Sir William Dugdale states that Arms were first used by great commanders in war to distinguish different personages and their followings. Alexander Nisbet in writings on Heraldry declares that the genesis of Arms extends to the primitive ages deriving its origin from Nature—that all people in all ages employed signs and marks to distinguish the noble—the ignoble being conspicuous by absence. The heroes of Homer, Ovid and Virgil bore various signs on their shields as badges for recognition. Alexander the Great bestowed badges on his officers and soldiers for deeds of bravery and to arouse ambition in his army. These were to be borne on banners, pennons and armor, at the same time order was issued in his dominions that he alone should take or bestow such emblems. The precedent then established has held good throughout the succeeding ages with sovereign princes in their possessions. Some armorists trace the beginning of Heraldry to the Romans, some of their customs resembling the later use of Arms. Their civil and military laws will ever attract attention and those familiar with their history clearly see their ardent patriotism and excite their emulation, the desire to win laurels and afterwards present them to the public gaze.

Much comment has been given the descriptions of the emblems borne by the various Roman families which show the propensity of the human race for "decorative embellishment"—the Romans indulging in the inclination as means of perpetuating any glorious action or attainment. As has been said the genesis of Heraldry has been shrouded in mystery, but of one thing we are positive. All nations in all ages have used figures of creatures, vegetables, and symbols to express the bravery and prowess of their leaders or nations, just as names are employed. We learn from the discourses on science by C. Agrippa that various countries adopted emblems of distinction, for instance, an ox was the badge of the Egyptians, the Romans bore the renowned eagle and the letters S. P. Q. R.; the Goths a bear; the Athenians an owl; the Franks a lion; the Saxons a horse. This custom of bearing a national emblem has been retained to our own times.

Symbols, emblems and devices were used from earliest times. Hieroglyphics expressed thoughts. The first ships had signs on the foredeck, for instance, the vessel in which St. Paul sailed bore the badge of Castor and Pollux. The tribes of Israel used emblems that adorned the entrance to the tents. The contentions that the Romans used the eagle on their ensigns and the Egyptians the ox, was a branch of Heraldry was without foundation. There is no connection between this and the present science.

The last of the eleventh century seems to have been the date upon which reliable heraldic authorities, such as William Cambden, Sir Henry Spelman and others have settled as the time when families assumed hereditary Arms. They were so called from the fact that military men wore these symbols of honor in martial engagements and at tournaments, or jousts. On the helmets and shields, as well as other warlike implements appeared the armorial bearings of the

owner. The term "Coat of Arms" was derived from the custom of embroidering the same on a coat worn above the coat of mail, as Herald's have done to the present day. The Germans and French were the first to regard Heraldry as a science. It was introduced into England about the twelfth century and into Scotland at an earlier date. When the vast armies of Christendom assembled on the plains of Palestine it was essential to have some means of recognition for the knights encased in armor, so at that early period it can be stated the use of Coat Armor was established.

The tournaments of the Middle Ages greatly encouraged Heraldry. These engagements were contests of strength and skill and contestants were knights of patrician birth, no one could become a candidate unless he could prove four lines of gentle birth, including paternal and maternal sides of his house. It was called a tournament when many engaged, a joust when there were but two contestants. Both man and horse were encased in armor. The lance was used till broken or lost, then the sword, mace, or battle-ax was taken up. If a man was unhorsed, the play was resumed on foot—fair play was the distinctive feature of these pastimes.

The candidates for the contest visited the lists some days before, perfectly armed, displaying the armorial bearings on the shield. The esquires of each respective knight preceded him on horseback, bearing the helmet and lance, to which was attached a small flag with the armorial bearings thereon. The sound of trumpet heralded the approach. The presiding judges accepted or rejected the candidates. The mode of challenge was thus: The admitted knight touched the shield of his opponent with the reverse of his lance, or the sharp point. The first required the arms of courtesy; the spear had a ball attached to its point and blunt weapons were used; the latter demanded the same arms as those required in actual warfare. Often fatal wounds ended the

jousts. Some noble lady presented the prize, a chaplet, or a similar ornament, to the victorious knight. As has been shown, the Arms were the sole means of identifying the competitors.

The church approved of Heraldry. Banners were brought by the Crusaders for the treasured blessing of the priests. These, carrying additional honorable charges won in Palestine, were hung in the churches, and the more permanent means of preserving the same distinctions were preserved in the glass of the windows, the frescoes of the walls, the tombs, the tiles of the floor or the carved stone itself.

Heraldry attained the zenith of its popularity in the fourteenth century and flourished till the passing of armor when the armorial bearings were no longer essential to recognition. The use of Arms has still been retained by the leading nations of the world showing alliance and noble birth. "The Iron Cross" of the present cannot be more prized than the heraldic trophy bestowed upon the mediæval warrior for valiant service on the field of battle.

The devices used in the Middle Ages were so simple any one—ignorant or learned—could decipher the meaning. The mansions, almost without exception, were ornamented with the family Arms—these are still seen in foreign lands. The window was a favorite point for decoration. The followers each bore the master's badge on his sleeve. The inns hung out the crests and badges, along with its name, of the nobility, such as: "Bear and Ragged Staff," the "Eagle and Child," the "Rose and Portcullis," the "Chequers." Inns near abbeys assumed ecclesiastical devices, such as the Cross Keys of St. Peter.

In "Locksley Hall Sixty Years After," we find this allusion:

"Here is Locksley Hall, my grandson, here the lion-guarded gate
There is one old Hostel left us where they swing the Locksley shield
Till the peasant cow shall butt the lion passant from the field."

Reference is here made to the Dymoke crest, a "lion passant," which is above the quaint gateway of Scrivelsby Court, while there is a "leaden cow" in these ancient grounds.

The arms assumed were frequently indicative of the profession of the armiger (bearer of arms) for example, the three little round balls one sees on many places in Florence were the devices of the haughty Dukes of Medici, so chosen because they were originally apothecaries.

THE USES AND ABUSES OF HERALDRY.

Having given a brief outline of the origin and history, we shall proceed to explain its significance as applied in modern times.

The ignorant invariably ask, "Now do tell me the meaning of this ship, or that snake, or ragged lion's head?" To understand the true meaning an armorist *must* be acquainted with the history of a house.

The modern uses are given below. Heraldry is employed in various ways. The chief one being engraving the armorial bearings on silver, on seal rings and bookplates. They can be cast in bronze, carved on wood, painted in oils or water colors, sketched with pen and ink, or India ink, framed and hung in the hall, library or dining-room. They can be embroidered on the household, or personal linen, painted on china and carriages, chased on cut glass, engraved on rings, and last, but by no means least, adorn the stationery, visiting cards, and wedding invitations. The late Empress of Austria simply had her name "Elizabeth" engraved on her card beneath the imperial crown. In Colonial days they were carved on tombs, which has greatly aided the genealogist to-day. In the reigns of Henry VII and Henry VIII it was customary in England to paint the Coat of Arms in the upper right-hand corner of portraits. In In some of the masterpieces of Holbein is shown this fashion.

While only armigers can display these devices on their personal possessions, any one is allowed the right to hang paintings, etc., of these ancient reminders of the age of Chivalry, worn by any ancestor, whether of the same name or not, in their habitations. In Virginia the custom is universally adopted, so it is in New England, but in North Carolina, one rarely finds in sight these mementoes of by-gone days.

A slight knowledge of Heraldry is requisite to a thorough understanding of the works of Scott, Shakespeare and Tennyson. An armorist must know something of French and a little Latin and interpret Old French which is frequently puzzling.

Abbotsford affords an illustration of the ideal baronial hall. There in "the Great Hall," in the exquisite carving of the woodwork, the delicately tinted stained glass of the windows, in a border running around, are the Coats of Arms of the ancestors of Sir Walter Scott, who were entitled to use them. On the three beams overhead are carved shields, each bearing charges in the appropriate tinctures and metals. The last three of the middle beam are plain. These the faithful guide points out and announces that Scott said they would have belonged to his ancestors, but had never been found.

Heraldry has been of great assistance in archæological pursuits; it can be called the "Handmaid of History," and in genealogical research proves indispensable. The work recently issued in the Bowles family was easily compiled through the aid of tombs, brass tablets and armorial bearings as found in old English churches.

To-day we see the Arms of extinct noble families adopted by those of a similar name without authority. Herbert Spencer, in one of his essays published in the "Westminster Review" in 1854, says: "Coats of arms which served to distinguish men in battle, now figure on the carriage panels of retired tradesmen. Once a badge of high military rank, the shoulder-knot has become on the modern footman, a mark

of servitude. The name Banneret, which once marked a partially-created Baron—a Baron who had passed his military 'little go'—is now, under the modification of Baronet, applicable to any one favored by wealth, or interest, or party feeling. Knighthood has so far ceased to be an honor that men honor themselves by declining it."

Mr. S. Gough Nichols says: "In the early days of Heraldry, if a man adopted the arms belonging to another family he was proceeded against by the rightful owner as a man would be now were he to steal the property of another," and he quotes the case of Sir Richard Scrope and Sir Robert Grosvenor in August, 1385.

There has been in the past few years a marked revival of this ancient custom of using Coats of Arms in this country. It does not partake of a monarchical tendency, for a land whose flag was designed from the Arms of her greatest hero, and where orders are organized with a view to perpetuating her history and instilling the duty of patriotism, which encourage a regard for Heraldry, cannot claim citizens who are not loyal to dearly-bought liberty, principles and standards. The fact that Tiffany employs regularly four armorists in his Fifth Avenue establishment, shows the demand for such delicate workmanship.

Mrs. Roger A. Pryor in her work, "The Mother of Washington and Her Times," writes of Heraldry in the Old Dominion: "Virginia families used the Arms to which they had a right with no thought of ostentation—simply as something belonging to them as a matter of course. They sealed their deeds and contracts with their family crest and motto, displayed their Arms on the panels of their coaches, carved on their gate-posts and on the tombstones of their people; for such had been the custom in the old country which they fondly called 'home.'"

There is but one dishonorable charge in Heraldry. This

must be borne for all time. The noble, not the ignoble, deeds are recorded.

Do you remember the scene in "The Monastery," where soldiers are descending upon the village of Kennequahair, the present town of Melrose, when the Abbot of St. Mary's ascended to the battlements of the lofty monastery, followed by Edward Glendenning, for a sight of the approaching army?

"Look at the banner," said the Abbott; "tell me what are the blazonries?"

"The arms of Scotland," said Edward, "the lion and its treasure, quartered, as I think with three cushions—can it be the royal standard?"

"Alas! no," said the Abbott, "it is that of the Earl of Murray. He hath assumed with his new conquest the badge of the valiant Randolph, and hath dropped from his hereditary coat the bend which indicates his own base birth."

No one could read "Kenilworth" without remembering the queer old character—Master Michael Mumblazon, who was a stationary guest of Sir Hugh Robsart at his ancient seat of "Lidcote Hall." Scott thus describes him: "He was an old bachelor of good family but small fortune, and distantly related to the House of Robsart; in virtue of which connection Lidcote Hall had been honored with his presence for the last twenty years. His company was agreeable to Sir Hugh, chiefly on account of his profound learning, which though it only related to heraldry and genealogy with such scraps of history as connected themselves with these subjects, was precisely of a kind to captivate the good old knight; besides he found in having a friend to appeal to when his memory as frequently happened proved infirm, and played him false concerning names and dates, which and all similar differences Master Michael Mumblazon supplied with due brevity and discretion. And indeed in matters concerning

the modern world he often gave his enigmatical and heraldic phrase, advice which was well worth attending to, or in Will Badger's language, started the game while others beat the bush."

When young Tressilian started on his second search for the choice of his heart, the unfortunate Amy, the herald addressed him thus: "You are going to court, Master Tressilian, you will please remember that your blazonry must be *argent* and *or*—no other tinctures will pass current."

"Mumblazon produced a bag of money containing three hundred pounds in gold and silver of various coins, the savings of twenty years, which he now without speaking a syllable upon the subject dedicated to the service of the patron whose shelter and protection had given him the means of making this little hoard."

Some families have their surnames handed down on their shields—for instance, the Rye, Sparrow, Swann, Bullock, Roosevelt families, as well as hosts of others, have Arms of this kind. Occasionally the charges of the Arms are a pun on the bearer's name, as in the case of Miles Standish, whose shield was adorned with three standing dishes. Instead of armorial bearings being taken from the surnames in some cases the surnames trace derivation from the charges of the shield, for example, Sir Simon Lockhard of Lee, accompanied the Black Douglas with the heart of the Bruce on that fatal journey to Palestine. After the death of that great soldier in Spain he was appointed to take charge of the sacred trust on the return homeward. On account of that mission Sir Simon's name was changed from Lockhard to Lockheart and a man's heart with a padlock was painted on his shield. In memory of that ill-fated expedition the Douglasses added to their escutcheon a heart with a crown upon it.

The colors have great significance and are connected with

the family history, therefore unless familiar with the annals of a house the armorist cannot decipher the full meaning. The Draytons of "Drayton Hall," South Carolina, bear this Coat of Arms, "Argent, a cross engrailed gules," while the Warners of "Warner Hall," Virginia, bear the same Arms with different tincture and metal—"Vert, a cross engrailed or." There is a vast difference of course in the meaning, but one who is not conversant with the past glory of each line could only interpret that each original Grantee made a crusade as the cross ever indicates. No one could surmise the significance of the Pollok crest, borne by Thomas Pollok, Colonial Governor of North Carolina, unless familiar with the incident in the life of his remote ancestor, Pollok of Balgray. When one of the retinue of James IV of Scotland, during one of those hunts in the Highlands, that that monarch keenly enjoyed, the said Pollok of county Renfrew beheld a furious wild boar bearing down upon the king, and, realizing his danger, shot an arrow that killed the animal instantly. For this delivery the king bestowed upon his protector, a crest consisting of a wild boar pierced with an arrow and the motto, "audacter et strenue." Had this narrow escape occurred in France a *fleur-de-lis* would have been granted as a charge on the shield. When a deBernière saved the life of Louis XI of France recognition of the service was the addition of a *fleur-de-lis* in the center of his shield, which charge has been retained ever since by the deBernières. A progenitor of the Lenoirs of "Fort Defiance," in the Happy Valley, North Carolina, won the silver *fleur-de-lis* on a canton gules, in the upper left-hand corner of their Arms by serving France or the French king.

The manner in which American women of prominence display the crest and motto on their personal belongings is ludicrous. Some English women are not more careful. Crests and mottoes, because they partake exclusively of a military

character *can only be used by men and never by women*. A woman cannot transmit Arms unless she is an heiress, or co-heiress, a term which merely implies she was the representative of her father and does not indicate that she is the owner of property. She may have had brothers who died without issue and still be the heiress of her father at his death. The husband of an heiress or co-heiress places her Arms over his own in an escutcheon of pretense and their children inherit the privilege of quartering their father's with their mother's Arms. A notable example in history of quartering is the Coat of Arms of the Dymokes, Hereditary Champions of the kings of England, which displays fifteen quarterings, indicating fourteen marriages with heiresses. These alliances rendered that house one of the wealthiest in Great Britain at one time. A maid bears her father's Arms on a lozenge, after marriage. If not an heiress, she uses her husband's Arms on the bachelor's shield, and when a widow bears the same on a lozenge.

In 1483 the College of Heralds was established in England to verify and register Grants of Arms. Many abuses were found which eventually demanded the Herald's Visitations early in the following century. These were for the purpose of revising and recording genealogies of families who could claim Arms. All persons who can trace descent from those progenitors whose Coat Armor was accepted at a Herald's Visitation, inherit Arms.

With this guarantee it matters not whether the War of the Revolution or the War between the States has swept over our country, destroying innumerable proofs of such an inheritance, the dearly bought heirloom belongs as much to the American as to the English branch representing the knight who in the long ago won a sovereign's favor with some valiant deed.

The ruling of William Dugdale, Garter King of Arms,

dated 18 June, 1668, is of such importance that it is herewith given :

“It is incumbent that a man do look over his own evidences for some seals of armes, for perhaps it appears in them, and if soe and they have used it from the beginning of Queen Elizabeth’s reigne, or about that time, I shall then allowe thereof, for our directions are limiting us soe to doe, and not a shorter prescription of usage.”

To-day Ulster King of Arms observes this heraldic law and accepts any Arms by Patent, borne continuously for three generations, or for a century. The attempt by a certain historical society to abolish the usage of Coat Armor in America on the grounds that the connecting link between the British and the American lines can seldom be authentically established is unwarrantable, with the high authority in favor thereof.

The Arms-bearing Americans are chiefly those who have descended from the Knickerbocker families of New York, the Cavaliers of the South, the Quakers of Pennsylvania, the Puritans of New England and the Huguenots. These have the same title to Arms as have their cousins over the sea. The fact that such eminent Americans, builders of the nation, as the Washingtons, Adamses, Livingstones, Van Rensselaers, Lees, Jays and others established the precedent of using armorial bearings, prove their descendants are heirs to the same heritage, therefore no objection can be raised on the grounds that it is an unsuitable proceeding for inhabitants of a republic of the New World.

As to the use of Heraldry in America Washington expressed himself thus on the subject and his opinion should overrule all prejudice in the matter :

“It is far from my design to intimate any opinion that Heraldry, Coat Armor, etc., might not be rendered conducive to public and private use with us, or that they can have any tendency unfriendly to the purest spirit of republicanism. On the contrary, a different conclusion is deducible from the practice of Congress and the

states, all of which have established some kind of Armorial devices to authenticate their official instruments."

There has probably never been an armorist in America who possessed such a thorough knowledge of the science of Heraldry as the late William H. Abbott. An Englishman by birth he became identified with his adopted State of New York and his death leaves an unfilled place. His workmanship was excellent and his "Heraldry Illustrated" is a volume that is indispensable to the student of this ancient branch of Art. The recently published work on Heraldry by Arthur Huntington Nason has been pronounced a remarkable production and has won high praise from authorities abroad.

At this present day genealogy is at the zenith of its popularity in America. Statistics reveal the fact that there is constantly a greater demand for books on this subject in the Library of Congress than for any other. As this study arouses and leads to a similar interest in Heraldry, it seems an unwise omission that our public libraries are poorly equipped in heraldic literature. Private libraries can be cited that are better provided with such works. That of Mr. Joseph J. Casey of New York is wonderful in this special line. He probably owns the most extensive and complete collection of volumes on Heraldry and genealogy in this country. It has been the dream realized of a lifetime, securing and preserving these choice tomes, many of which are in French. Through his wife the General Society Daughters of the Revolution has been enriched by these rare treasures, Mrs. Casey having for more than twenty years filled the responsible office of Registrar-General of that Society.

What is true of our great libraries, is more pronounced in the public libraries of North Carolina. There is not one of these that possesses a collection of this kind that can com-

pare with the heraldic library of Mrs. Charles Beall of Arden, Buncombe County, who is an armorist as well as artist of great talent, having had the advantage of studying for a long period under Bouguereau at Paris.

The popularity of Heraldry has awakened the enthusiasm and talent of several daughters of the Old North State, who today are accomplishing good results in armorial painting. The late Mrs. Annie Iredell Robertson, whose recent death is deeply lamented by a large circle of friends and acquaintances, and which is indeed a loss to the State, was an heraldic artist of considerable note. Each year at the State Fair there are exhibited samples of this line of Art.

SOME NOTES ON CAROLINA HERALDICA.

Some historians, of whom Fiske was one, assert that North Carolina was settled by indentured servants, the undesirable overflow of Virginia and other unenviable sources. That may be true in part, as it was in other Colonies, but the entire population was not of that class. Some who came hither from Virginia in quest of grants of land were the younger sons of prominent families, the elder sons falling heir to landed estates and the ancestral seat while many, coming directly from a foreign land, were of the best type. There exist proofs to-day showing these founders of the Colonies were armigers. On Colonial documents extant can be seen their armorial seals, and again on the tombs of some of the Colony's most distinguished statesmen are found engraven Arms almost obliterated by time and vandalism, like that of Governor Charles Eden, removed from its first resting place to St. Paul's Churchyard, Edenton, North Carolina. Scattered throughout the State are treasured silver heirlooms that bear either the crest and motto, or the entire Coat of Arms. Then there are those who came to this from other Colonies who have never displayed any desire to continue

the use of an heritage that without doubt the founder of the American branch of these families regarded as his very own. Bookplates also adorned the libraries of some of the most prominent leaders of this Province. William Hooper's bookplate appeared in the July, 1905, issue of *THE BOOKLET*. Col. Cadwallader Jones', also that of Major Cadwallader Jones, is exhibited in the Hall of History at Raleigh, also that of Governor Gabriel Johnston, which forms the frontispiece of this number of *THE BOOKLET*, a photograph of which is in the Johnson collection in the same building. There are many more in existence.

As the reader glances over Crozier's *General Armory* he finds only the five following families of the Old North State, viz.: Burgwin, Hunt, Morehead, Johnstone and McFarland, who are included in the list of nearly two thousand Americans entitled to bear Coat Armor. While Crozier did an excellent work in Heraldic research, this volume can by no means be regarded as exhaustive even though he does state it is the most comprehensive work of the kind published. But few volumes of this nature have been printed in America. With the many famous names linked with the genesis of this Colony it does seem strange that they should not have been deemed worthy of enrollment with those of the other notable Colonists. In another later work, "Virginia Heraldica," published in 1908, in a limited edition, there appear the names of two hundred and seventy-five families who settled in the Old Dominion entitled to Armorial bearings, and there are many more who can claim a similar distinction that have been omitted.

Although North Carolina may not have possessed as long a roll of armigers among her settlers, one who has made a study of the subject has discovered that a goodly number came from English antecedents who were granted Arms scores of years ago, perhaps centuries since.

The list given in these brief notes by no means comprises the names of all the families in the Old North State who have inherited the right to bear Coat Armor. The following, generations ago, in distant lands over the sea, for valiant deeds of service to king or country were rewarded with Coats of Arms, and their descendants of the same name, to-day can rightfully use their inheritance:

ALSTON.

(Saxham Hall, Suffolk, and Odell, County Beds., England.)

Azure, ten étoiles or, four, three, two, one.

Crest—A crescent argent, charged with an étoile or.

Motto—Immotus.

BATTLE (Battayll, or Battaille.)

Purp. a griffin segreant, with a bordure engrailed or.

Crest—Out of an antique crown or, a dexter arm ppr. holding a cross crosslet fitchée in pale gules.

ASHE.**BLOUNT.**

Barry, nebuly of six, or and sable.

Crest—An armed foot in the sun.

Motto—Lux tua mea via.

BRYAN.

(A photograph of the original Grant of this Coat of Arms is in the possession of descendants in Florida, but the proper heraldic description so far is unknown.)

BRYAN. (Ireland.)

Argent, three piles gules.

Crest—A Saracen's head erased at the neck sable.

BODDIE, or BODY. (Nash County.)

(Essex, England.)

Argent on a fesse azure three pelicans, or, vulning their breasts gules; on a canton argent, two staves raguly, in saltire of the fourth, a ducal coronet, or.

Crest—On the middle of a staff raguly gules a ducal coronet, or.

BULLOCK.

(Arborfield County Berks., England; an ancient family in that shire several members of which served the office of sheriff in the 14th, 15th and 16th centuries.)

Gules, a chevron between three bulls' heads cabossed argent, armed or.

Crest—Five Lochaber axes, handles or, blades ppr. bound with an escarf gules, tassels or.

BURRINGTON.

BURGWIN. (John Burgwin, New Hanover County, 1760.)
(Hereford, England.)

Per fesse indented or and gules, three escallops counterchanged.
Crest—A sword and key in saltire.

BURWELL. (Granville County.)

CAMERON. (Orange County.)

CARR. (Edgecombe County.)

Azure, on a chevron argent three mullets of the first.
Crest—A lion's head erased, or.

COBB.

(Adderbury, County Oxford, and Sindringham, County Norfolk,
England.)

Sable, a chevron, gules, between three dolphins embowed naiant
argent, a chief or.
Crest—An elephant, or.

COFFIN.

CRAWFORD.

(Scotland.)

Gules, a fesse ermine.
Crest—An ermine argent.
Motto—Sine labora nota.

DEBERNIERE.

(France.)

DRAKE.

(Devon, England.)

Quarterly, 1st and 4th, Argent a wivern, wings displayed and tail
nowed, gules; 2nd and 3rd, Sable, a fesse wavy, between two
polar stars argent.
Crest—An eagle displayed, gules.

EDEN.

(West Auckland, County Durham, England.)

Gules on a chevron argent between three garbs or banded vert, as
many escallops, sable.
Crest—A dexter arm in armour embowed, coupé at the shoulder
ppr. the hand grasping a garb bendways, as in the arms.
Motto—Si sit prudentia.

EDWARDS.

Argent, a fesse ermines between three martlets or.
Crest—On a ducal coronet argent, a tiger passant or.

EVERARD.

(Much Waltham, Essex, England.)

Gules on a fesse wavy between three estoiles, argent a mullet of the field.

Crest—A Moor's head couped at the shoulders, sided ppr. wreath about the temples argent and azure.

FINLEY.

Barry of six, sable and or.

GILMER.

(Scotland.)

Azure, a chevron between two fleur-de-lis in chief or; and in base a writing pen full feathered, argent, with the badge of Nova Scotia as Baronet.

Crest—A garland of laurel ppr.

Motto—Perseveranti darbitur.

HALL.

Argent on a chevron between three columbines azure stalked and leaved vert, a mullet of six points or.

Crest—A talbot's head erased.

Motto—Turpiter desperatur.

HAY.

HARVEY.

HAYWOOD.

HINTON. (Chowan Precinct.)

(Chilton Foliot and Earlsclott, County Wilts, England.)

Per fesse indented, argent and sable, six fleur-de-lis counter-changed.

Crest—An eagle's leg erased entwined by a serpent.

HICKS.

Gules a fesse wavy between three fleur-de-lis, or.

Crest—A buck's head couped at the shoulders or, gorged with a chaplet of roses gules.

Motto—Tout en bon heure.

HOLLIDAY, or HOLLADAY. (Chowan Precinct.)

(Bromley, Middlesex, England.)

Conferred upon Sir Walter Holladay by Edward IV in 1470, and brought to America by Captain John Holladay in 1702.

Sable, three helmets, argent, garnished, or, a border of the last.

Crest—A demi-lion, ppr., rampant, resting his paws on an anchor, azure.

Motto—Quarta salute.

HOLT, or HOLTE.

(Lancashire and London, granted 18 June, 1582.)

Argent, on a bend engrailed sable three fleur-de-lis of the field.

Crest—A dexter arm embowed in armour ppr., garnished or, holding in the gauntlet a pheon sable.

HOSKINS.

HUBBARD.

(Durham, England.)

Sable, in chief a crescent, argent, and in base an etoile of eight points (or) between two flanches ermine.

Crest—A wolf passant, or.

Motto—Vincit amor patriae.

HUNT. (Thomas Hunt, Pasquotank County, 1659.)

(Bucks., England.)

Azure, on à fesse argent between three cinquefoils or. a lion passant gules.

Crest—A boar's head coupé and erect between two ostrich feathers.

JOHNSTON. (Gabriel Johnston, 1734.)

(Dumfries, Scotland.)

Argent on a saltire sable; on a chief gules three cushions or.

Crest—A winged spur or.

Motto—Nunquam non paratus.

JONES. (Willie Jones.)

Argent ermine, three lions rampant sable.

Crest—Unicorn sejant, argent.

KEARNY.

(Ireland.)

Sable on a chief argent, three wheat sheaves, vert.

Crest—A ruined castle in flames, ppr.

Motto—Ich dien (I serve).

LENOIR. (Caldwell County.)

(France.)

Azure, three chevronels or.; on a canton gules a fleur-de-lis argent.

Motto—Le noir de Nantes.

LEWIS. (Granville County.)

(Wales.)

Argent, a dragon's head and neck, erased vert, holding in the mouth a bloody hand, ppr.

Crest—A dragon's head and neck erased vert.

Motto—Omne solum forti patria est.

LINDSEY, or LINDSAY.

(Scotland.)

Quartered. 1st and 4th: Gules, a fesse chequy, argent, and azure.

2d and 3d: Or., a lion rampant gules, the shield debruised of a ribbon, in bend sable over all.

Crest—A cubit arm in armor, in pales, holding in the hand a sword erect argent on the point a pair of balances of the last.

Motto—*Recta sed ardua.*

LONDON.

(Norfolk, England.)

Argent, three crosses—crosslet in bend, cottised gules.

Crest—An armed arm holding a sword ppr., hilt and pommel or, between two dragons wings, argent.

Motto—*Fidelis et audax.*

LOVE.

(Hampshire, England.)

This Coat of Arms is composed of the Arms of the Loves of Nuton and the Arms of the Loves of Basing.

Loves of Nuton:

Vert, a lion rampant, or., charged on the shoulder with a cross patée gules.

Crest—Out of a ducal coronet (or) a cross formée, gules, thereon a bird argent.

Loves of Basing:

Argent, three bars gules, in chief three lions' heads erased gules.

Crest—A cross formée, fitchée, gules, thereon a bird, argent.

Motto—*Amor ab amando.*

MACON.

Azure, a bend between three estoiles, or.

Motto—*Dadextram misero.*

McFARLAND. (John McFarland, 1770.)

Argent, a saltire wavy between four roses gules.

Crest—A demi-savage grasping in his dexter hand a sheaf of arrows, and pointing with the sinister to an imperial crown, or.

Motto—This I'll defend. In a compartment above the crest the word "Lochsloy."

McCULLOH.

(Myrtaun, Scotland.)

Ermine a fret engrailed, gules.

Crest—A hand throwing a dart ppr.

Motto—*Vi et animo.*

MOREHEAD. (Guilford County.)

(Scotland.)

Argent, on a bend azure three acorns, or., in chief a man's heart ppr., within a fetterlock sable. The whole surrounded by an oak wreath ppr., acorned or.

Crest—Two hands conjoined grasping a two-handed sword ppr.

Motto—*Auxilio dei.*

MOSELEY.

Quarterly, 1st and 4th, Sable a chevron between three battleaxes displayed, argent. 2d and 3d: or., a fesse between three eagles displayed, sable.

Crest—An eagle displayed sable.

Motto—Mos legem regit.

NASH.

NEEDHAM, 1625.

(Viscount Kilmorey, Ireland.)

Pearl, a bend, sapphire, between two buck's heads cabossed and attired, diamond.

Crest—On a wreath a phœnix in flames ppr.

Motto—Nunc aut nunquam.

Supporters—The dexter, a horse pearl. The sinister, a stag ppr.

PESCUO.

(Hampshire, England.)

Ermings (black) on a chief or., three griffins sejant sable.

Crest—A griffin sejant d'or, the dexter claw raised beaked and membered or.

POLLOCK.

(Balgray, county Renfrew, Scotland.)

Vert, a saltire argent between a buglehorn in each flank and another in base or, stringed gules; in chief a mullet of the second.

Crest—A boar passant quarterly, or. and vert, transpierced with an arrow ppr.

Motto—Audacter et strenue.

PUREFOY.

(Misterton and Drayton, county Leicester, England; seated at former place so early as 1277, and at the latter in the year 1397.

The derivative branches were the Purefoys of Caldecote, Barwell, Wolvershill, Shalleston, Wadley, etc.)

Azure, three stirrups, or.

Crest—A dexter gauntlet, or, the inside azure, fingers grasping a broken tilting spear of the second.

Motto—Purefoy ma joy.

RICHMOND.

RUFFIN.

ROSE.

Or, three water bougets, azure.

Crest—A hawk ppr.

Motto—Audio.

SEAWELL.

(Warwickshire, England.)

Sable, a chevron between three bees argent.

Crest—A bee or.

SKINNER.

SWANN.

(Southfleet and Denton Court, county Kent, England.)

Azure, a chevron ermine, between three swans, argent.

Crest—A demi-talbot salient gules, collared or.

TURNER.

(Thorveston, Devon, England.)

Sable, a chevron, ermine, between three fers-demoline or; on a chief argent, a lion passant gules.

Crest—A lion passant gules, holding in the dexter paw a laurel branch vert.

WASHINGTON.

(Northampton, England.)

Argent, two bars gules, in chief three mullets of the second.

Crest—(1) Out of a ducal coronet or, a raven wings endorsed ppr.

(2) Out of a ducal coronet or an eagle, wings endorsed sable.

Motto—Exitus acta probat.

WHITFIELD.

Argent, a bend plain between two cottises engrailed, sable.

Crest—A stag's head, or, coming out of a palisado coronet, argent.

WILLIAMS.

Sable, a lion rampant argent, armed and langued gules.

Crest—A fighting cock.

Mottoes—(1) Cognosce occasionem. (2) Yeynodwy fydd.

WILLIS.

Argent, three griffins passant sable; a bordure engrailed gules and bezantée.

Crest—A griffin segreant holding a spear piercing a boar's head, sable.

Motto—Defende rectum.

WINSTON.

As will be observed some of the surnames in this list belonged to our Colonial governors who were in the Colony a short while, others lived and died here but left no descendants. Again some of the names were represented in the Colony by the spindle side of the house, like Willis, Crawford, etc.

In publishing these notes the writer has not endeavored to delve into a science that has been handled by scholars who have made it a study and about which they have given volumes to the public. This has only been an effort to present

a brief outline of its history and usage, especially in our own Province of North Carolina, with the hope that some light may be thrown on a topic about which, as a rule, we know comparatively little and that it may interest the readers of THE BOOKLET. Heraldic research has produced in her mind an ambition to gather material for a volume on "Carolina Heraldica." All North Carolinians who can aid in this undertaking are requested to furnish what data they may have in their possession, which will be gratefully received.

References: Abbott's "Heraldry Illustrated"; Boutell and Aveling's "Heraldry Ancient and Modern"; Crozier's "General Armory"; Burke's "General Armory"; "A Royal Lineage"; "Genealogical Column" of Richmond *Times-Dispatch*; "A Corner in Ancestors" of *The Democrat*, Nashville; various unpublished private papers of North Carolina families, etc.

THE STATE OF FRANKLIN

BY CAPTAIN S. A. ASHE.*

(Extracts from the 2d volume of Ashe's History of N. C. Mss.)

On August 21, 1776, the Council of Safety of North Carolina, which was invested with the functions of government when the Provisional Congress was not in session, met at the house of Mr. Joel Lane in Wake County. A petition was received from the settlements on the Watauga and Holston, called by the inhabitants there "The Washington District," setting forth that about six years earlier they had begun to locate in that territory, and finding themselves outside of Virginia, had formed a court and adopted the Virginia laws, and had enlisted a company of riflemen under Capt. James Robertson, stationing them on the frontier to guard against an attack by the Indians. They asked that they might be annexed to North Carolina, promising to be governed by the Council and to lack nothing in the glorious cause of America. The petition was signed by John Carter, John Sevier, William Bean, and others as a committee, and to it were attached more than a hundred names of settlers on the Watauga and Nolachucky, among them being David Crockett. The Council directed that they should hold an election on October 15th, and choose five delegates to represent Washington District in the Congress of the State to meet at Halifax on November 10th.. This was the first connection between the settlement beyond the mountains and the Province or State of North Carolina. In 1767, under instructions from the Crown, Governor Tryon had established a line running along the crest of the Blue Ridge, beyond which the whites were not to settle—but some adventurous

*A Biographical Sketch of Captain S. A. Ashe, by Mrs. E. E. Moffitt, appeared in the BOOKLET, Vol. IX, No. 4.

men had pressed down from Virginia to the waters of the Watauga, and others from North Carolina had joined them, and by 1776 the settlement had extended south of the line dividing Virginia territory from that of North Carolina. Those in Virginia were under the law of that Province; those south of the Virginia line established a local government for themselves, and adopting Virginia laws, called their settlement, "Washington District." They followed the directions of the North Carolina Council, and in October, 1776, elected delegates to the North Carolina Convention, who took part in framing the State Constitution. That fall treaties were made with the Indians by which they surrendered their right to the lands on the Nolachucky, Watauga and New rivers, and the dividing line between Virginia and North Carolina was extended beyond the settlements; and Washington District became a county of North Carolina.

Further to the west, Kentucky had received many accessions, and in 1779 James Robertson had established a camp at a salt-lick on the Cumberland River, separated by impassable mountains from the Watauga settlements. The next year others followed in boats down the Tennessee to the Ohio, and then ascended the Cumberland to Robertson's cabins. Although much harassed by the Indians, they held their ground, and so increased in numbers that in 1783 the North Carolina Assembly incorporated that region into a county, calling it Davidson, and naming the central settlement Nashville. At the same session, North Carolina made some provision for her soldiers now returning to their homes, wearing the laurel leaves of victory. There was set aside as a bounty for the veterans of the war an extensive domain from the point where the Cumberland River crossed the Virginia line, south fifty-five miles—then westward to the Tennessee, and Martin Armstrong was appointed the surveyor to locate their grants, and on the east of the Cumber-

land Mountains, in the valley of the Powell River, in extinguishment of their claims for lands purchased from the Indians, more than 200,000 acres were allotted to Richard Henderson and his associates.

And now the soldiers crossed the mountains to take possession of their bounty lands, and population flowed in with a rush to occupy the fertile tracts along the Powell and the Clinch, while others passed on to the distant Cumberland. The old Washington District was subdivided into Washington, Sullivan and Greene counties.

The State was burdened with a heavy debt, while the Confederacy of the States was on the point of falling to pieces because of its inability to pay its debts.

In its sore straits, Congress had urged the States to cede their unsettled western territories for the benefit of the Union.

The North Carolina Legislature, adopting the suggestion, offered to cede her entire territory beyond the mountains, although it was thought to contain one-tenth of her population. The proceeds of the unoccupied lands thus ceded were to be for the payment of the creditors of the United States. This measure was deemed by some as unjust, weakening the security of the creditors of the State and depriving the inhabitants of a chief asset for the payment of their public indebtedness. William R. Davie made vigorous opposition, and under his leadership General Person and thirty-six other members filed a strong protest against it. In particular it met with the disfavor of the representatives of the interior counties, and even some of those from beyond the mountains strenuously objected. But the purpose to contribute to the common fund of the Union was strong, and, besides, there were both political and economical reasons for the cession. The inhabitants of the territory were entirely segregated, and the administration of public affairs, rendered difficult as well

as expensive by the remoteness of the region cut off by impassable mountains, had been so unsatisfactory that many of the people were discontented and desired separation. And so, despite much earnest opposition, the bill was hastily passed without the subject having been discussed at all among the people of the State. There were, however, several conditions attached to the donation. It was to be accepted by Congress within twelve months. As a provision for orderly government, the territory was to have the North Carolina Constitution, until the inhabitants themselves should change it; and there was to be no regulation made by Congress tending to the emancipation of slaves, other than should be directed by the new State itself. This last condition was inserted because Congress had already manifested a disposition to legislate against slavery. When an ordinance was being framed for the government of the Northwest territory, a provision prohibiting slavery in that region failed only by the vote of Richard Dobbs Spaight, one of the North Carolina delegates, much to the irritation of Thomas Jefferson, who ardently urged the provision. Three years later, in 1787, when a second ordinance was passed, Jefferson was successful and slavery was forever prohibited in that extensive region.

There was a further provision in the act of cession that until Congress should accept the gift, the sovereignty and jurisdiction of North Carolina, in and over the territory and the inhabitants thereof, should remain in all respects as if the act had not been passed. So with respect to government in the territory, the existing government was not disturbed; nor was it to be disturbed until Congress should accept the gift; and then it was provided that the Constitution under which the people had lived should continue to be their fundamental law until changed by themselves.

Subject to the condition mentioned North Carolina in June, 1784, made the tender of one-half of her territory,

already somewhat settled, and with population pouring into it, for the benefit of the Union. Truly it bespoke a high patriotism. No other State had been so liberal in sustaining the common government. If during the war North Carolina's contributions for the cause had been unsurpassed, now in time of peace she again set an example for her sisters to follow.

Some unexpected events, however, quickly followed the passage of the act. When the measure was being considered some of the representatives from the counties embraced favored its passage, while others stoutly opposed it. The sentiment of the leaders was divided, but the people for the most part hailed it with satisfaction. For some time courts had not been regularly held beyond the mountains, and the laws were not fully enforced. Settlers were daily encroaching on the lands of the Indians, who had become irritated because of prolonged delay in delivering to them goods, agreeably to a treaty stipulation, in compensation for territory already relinquished. These circumstances aroused a spirit of hostility and several of the encroaching settlers were murdered. A feeling of unrest, perhaps of insecurity, began to pervade the settlement. And, so, when the news was received of the act of cession among the greater number of people it fell on willing ears. It was urged that the State had neither sufficiently enforced law nor given adequate protection; and soon the people numbering some thirty thousand, hardy and self-reliant, moved forward with eagerness to assume the function of self government. Doubtless, also, the vista of public honors in a separate and independent commonwealth was pleasant and alluring to aspiring leaders and quickened them to action. There was some objection; but the voices of those who doubted were drowned in the general commotion. Although not authorized under the act of the legislature, a movement was made to hold a popular con-

vention. Without delay the counties of Washington, Sullivan and Greene elected delegates, who assembled at Jonesboro in August, 1784.

It is the first step that always costs. This irregular action, not anticipated nor authorized by North Carolina, was the beginning of events that led to grievous disappointments and deplorable anarchy. The idea of independence had been urged with great zeal and had taken strong hold on the public mind. The proceedings of the Convention were opened by reading the Declaration of Independence; the act of cession was approved; and initial steps were taken to establish a new government; and an association was adopted and signed to maintain independence. John Sevier presided over the Convention and gave direction to affairs. One of the heroes of Kings Mountain he had long been the most important personage in that region, and was esteemed for his capacity and character, no less than for his bravery and vigorous action. Under his direction it was determined to call a second convention for the purpose of framing a constitution, and in the interim it was resolved that the new State should establish a government similar to that of North Carolina.

In August the election was held under the new law and in October the North Carolina Assembly met at New Bern. As Governor Martin's term was to expire in the spring, a successor was now to be chosen. Caswell and Nash were the aspirants, the former becoming the victor by twenty votes. Caswell was in full sympathy with Martin in regard to the Union; Nash stood with Rutherford in regard to the Tories. There were divergences, but as yet no well defined parties.

The people had not generally approved the act of cession. Davie and his followers had been sustained at the election, and the new Assembly was in sympathy with that faction. Besides, a new cause of dissatisfaction was now brought to the attention of the members.

Virginia and New York had in December, 1783, agreed to convey to Congress the unsettled territory beyond the Ohio; but Massachusetts and Connecticut had set up a claim for a part of that region for themselves; and these and other States were making demands on Congress for the repayment to them of bounties paid to their troops, and were presenting claims for other military expenses incurred for local purposes. These demands, so at variance with North Carolina's liberality, excited disgust and aroused indignation. The Assembly directed the Governor to make up North Carolina's expenditures and to insist on payment; and, it appearing that other States had not passed acts levying taxes for the Union similar to those passed by North Carolina, money collected by these acts was directed to be turned into the State treasury; and further, since Congress had not yet accepted the gift of the western territory, the Assembly repealed the act of cession, the vote in the House being 37 to 22. So within six months after the offer was made, it was withdrawn. Having determined to retain the territory, the Assembly created a new judicial district, called the District of Washington, covering the four western counties, and appointed John Haywood to preside, and David Campbell an associate judge; and John Sevier and was appointed brigadier general of the district.

Sevier had been the central figure in the movement to establish a new State, but on learning of this action of the North Carolina Assembly he was satisfied with it and urged that no further steps ought to be taken looking to separation. A majority of the inhabitants, however, determined to persist, and Sevier's advice was disregarded. Nevertheless he exerted his influence to such good purpose as to prevent the election of delegates to the approaching convention in two of the counties. Elsewhere his opposition was ineffectual, and finding the popular current for separation too strong to be

stemmed, he at length yielded to it and became a member of the new convention and presided over it. That body framed a constitution similar to that of North Carolina, which was submitted to the people for their consideration, to be rejected or ratified by a convention to assemble thereafter; and it ordered an election for members of Assembly. The Assembly so elected convened in March, 1785. At its first session it elected Sevier governor of the State for a term of three years, and David Campbell presiding judge of its courts; and also appointed State and county officers. The old county officers who had been commissioned by North Carolina were for the most part retained in their respective offices. The county of Greene was divided, and two new counties erected, one named Sevier, and the other in compliment of General Caswell; while an academy was incorporated, called in honor of Governor Martin, as the State itself had been called Franklin in compliment of Dr. Franklin, then of great influence in the Continental Congress. The salaries* of the officers were fixed at moderate amounts; and, there being a scarcity of currency, it was enacted that the produce of the country should be received at certain fixed values in payment of all taxes, public debts and salaries. This was entirely similar to the early practice of Albemarle and North Carolina; and the same custom had prevailed in some other States and communities. Good flax linen was rated at 3s. and 6d. per yard, linsey at 3d., beaver and other skins at 6s., raccoon and fox skins 1s. 3d., woolen cloth at 10s., bacon 6d. per lb., good distilled rye whisky 2s. 6d. a gallon, peach or apple brandy at 3s. a gallon, country made sugar at 1s. per lb., deer skins 6s., good tobacco 15s. the hundred, etc.

On learning that the people were taking steps to form a separate State, Governor Martin in 1785 dispatched a special messenger to General Sevier notifying him of the repeal of

*The word salary had its origin in the practice of paying the old Roman soldiers their stipends in salt.

the act of cession and warning him and the people to desist from their revolutionary proceedings and be obedient to the laws of North Carolina. But the admonition was disregarded. The legislature of Franklin was then in session and made a formal reply, as also did Governor Sevier, declaring their purpose to proceed; and Colonel William Cocks was directed to hasten to Philadelphia and solicit Congress to admit the State of Franklin into the Union. North Carolina, they said, had cast them off and they did not mean to return.

On receiving these replies Governor Martin convened his council, and on April 25 published a manifesto requiring the inhabitants beyond the mountains to abandon their purpose to form a new State, and to return to their allegiance. He declared that the people of North Carolina were unwilling to part with them—as indicated by the result of the recent election for members of the Assembly; that all their grievances had been remedied; that a military district had been created for them, and a brigadier general appointed; and also that a resident associate judge had been appointed to hold their courts. But both his entreaties and warnings were equally unheeded. Undismayed by the Governor's proclamation, Sevier and his associates, although denounced as being in revolt, held fast to their new constitution and revelled in the delights of independence. Evan Shelby, now appointed brigadier in the place of Sevier, and John Tipton, the colonel of his county, and Colonel James Martin, the Indian agent, all men of great influence, exerted their utmost power to arrest the progress of events, but without avail. Finding that the western counties persisted in their course and defied the authority of the State, Governor Martin issued a call for the Assembly to meet in New Bern on June 1.

In the meantime the people of Franklin were not inactive. They proceeded to administer the affairs of the new State with resolution and determination. Colonel Cocks, on reach-

ing Philadelphia about the middle of May, met with much favor at the hands of Congress, and that body, with scant courtesy to the North Carolina delegates, manifested its sympathy in his mission by urging North Carolina to retrace her steps and annul the repealing act and execute a conveyance of the western territory to the Union. Thus matters stood at the opening of June when Martin's term expired and Caswell entered on the administration. Although the legislature had been called to meet with the new Governor, a quorum did not attend, and Caswell was left to deal with the novel situation without the aid of the Assembly.

And, indeed, conditions beyond the mountains became more acute and claimed his anxious attention. Affairs there were rapidly assuming an alarming aspect. To placate those who were insisting on independence he wrote letters and addresses kindly in their tone, holding out the hope of an early separation, when the people should be sufficiently strong to maintain a government and protect themselves from the Indians; and as indicating his good will, he declared that he himself expected to lay his bones on the western waters. But at the same time he sent forward the civil and military commissions ordered by the legislature and insisted on a loyal obedience to the authority of the State. In some of the counties these commissions were accepted; in others they were refused. The two factions, that sustaining the independent government called Franks by themselves and rebels by the others, were almost on the point of coming to blows. Each represented and sustained the authority of a government that the other opposed. Clashing between the two courts and county officers was inevitable. To avert trouble, in March General Evan Shelby, acting in behalf of those adhering to North Carolina, and Governor Sevier entered into an agreement that while the respective courts might try criminal cases they should not proceed to any civil business except to

prove wills and deeds, and that the inhabitants might pay their taxes either to North Carolina or to the State of Franklin as they might select; and further, that the sheriffs and jailors under the Franklin government should receive felons committed by the North Carolina courts. This agreement, tolerating North Carolina authority, was, however, immediately repudiated by the Franklin Legislature, then in session.

That body, rejecting every purpose of temporizing, acted with vigor and vehemence. It passed an act punishing, with fine and imprisonment, any person who should act as a magistrate, or in any other civil capacity, under the authority of North Carolina, and it directed the Governor to raise the militia and oppose by force the operation of any North Carolina law, authorizing a bounty of 400 acres of land to those who would enlist; and, to draw the wavering to their side, a land office was opened where grants were to be obtained on very easy terms. Sevier's attitude, which had been moderate, now was completely changed. He wrote to Caswell: "We shall continue to act independent and would rather suffer death, in all its various and frightful shapes, than conform to anything that is disgraceful." The purpose to maintain independence was fixed and strong, while those who adhered to North Carolina were equally resolute and determined. The division between the two parties among the inhabitants was clearly drawn, and the circumstances of every day intensified the estrangement. Toleration gave way to bitterness. In May the situation was so acute that General Shelby notified Caswell that hostilities were about to begin, and, unless the government interfered, bloodshed would at once take place. It was no part of Caswell's policy to precipitate a situation where he would have to subjugate the inhabitants, although in revolt. He hastened to urge the officers holding North Carolina commissions to use the utmost

moderation. To dampen their ardor and restrain their action, he declared that he could not send them any assistance, and he begged them not to engage in a civil war. His information was conflicting. David Campbell assured him that nineteen-twentieths of the inhabitants favored separation, while Thomas Hutchins reported that, although the people of Greene were much divided, in the other two counties two-thirds were willing to return to their allegiance. In the meantime the force, which the Assembly had directed to be raised to cut the road to Davidson, was being recruited; and Colonel James Martin, the Indian agent, went among the Indians to prevail on them to desist from hostilities. At length towards the close of April, General Shelby called together Tipton, Maxwell and Hutchins, the Colonels of the three counties, and they united in urging that the only hope of averting bloodshed was for North Carolina to send from Burke a thousand men to uphold her authority. Intent on the supremacy of their faction and on the suppression of their opponents, they sought to strengthen their cause by a display of force that would deter the Franks from persisting in their defiance. But it must not be forgotten that they held commissions from the State charging them with the duty of upholding and maintaining her supremacy. Caswell, however, relied on gentler means of persuasion and hoped for the healing influence of time. In the meanwhile, further in the interior the savages were murdering the settlers. The Mississippi was claimed by the Spaniards, who, from their stronghold at Mobile, had free communication with the tribes in the interior, while the Frenchmen on the upper Mississippi had trade relations with the Indians, which bred a jealousy of the encroaching pioneers. The savages were thus influenced to continual warfare. In June, from the Cumberland came a cry for immediate help. Anthony Bledsoe wrote: "Nothing but the distress of a bleeding country could induce

me to trouble you on so disagreeable a subject. * * * Inclosed you have a list of the killed in this quarter since our departure from this country to the Assembly. This, with the numbers wounded, with the large numbers of horses stolen from the inhabitants, has in a degree, flagged the spirits of the people." And the next month, James Robertson advised Governor Caswell that there had been a hot war with the Chicamauga Indians; that he had raised 130 men and gone to the front, where he found that the Indians had been joined by Frenchmen from Detroit who were inflaming them to hostility. In one of the encounters, three Frenchmen and a French woman had been killed. He urged the Governor to hurry on the force the Assembly had ordered for their protection. The commander of that detachment, Major Thomas Evans, had met with such obstacles that the middle of August found him still east of the Blue Ridge, and Caswell indignantly ordered him to proceed, not delaying to open the road to Nashville but pressing on to the relief of the people. Evans, however, could not scale the Alleghany Mountains. Diverted from the direct course, he passed through Cumberland Gap and made his way into Kentucky, his men cheerfully enduring their march through the wilderness where no supplies could be obtained. In Kentucky he could purchase no provisions either on public or private credit, and was driven to furlough his men until by their labor they could procure sufficient food to last them to Nashville. At length, in the middle of October, he reached Davidson County, after a toilsome journey of 400 miles. There he found the inhabitants were being daily murdered, and he hurried advices home that he himself was hourly expecting attack.

While such was the critical condition on the Cumberland, on the Watauga influences were silently at work, undermining the foundations of the new State. The moderation and

firmness of the North Carolina Assembly, its tender of oblivion and remission of taxes, together with the hope held out of eventual consent to the separation, had a softening influence on the public mind. But for a period there was so much bitterness, and the current was so strong for separation, that General Shelby himself yielded to it, resigned his commission as brigadier, retired from the service of North Carolina, and recommended to Governor Caswell that separation should be conceded. Yet notwithstanding his defection, and despite the strenuous efforts of Sevier to sustain his government, the enthusiasm that had attended the first movements for independence gradually disappeared. When the August elections came on, only two counties failed to elect representatives to the North Carolina Assembly. In Greene, David Campbell, the presiding judge of Franklin State, and in Washington, where the Sevier party had been strong, Colonel Tipton were elected to the Senate. Sullivan elected General Joseph Martin and Hawkins sent to the House of Commons Henderson and Marshall; all of whom and their colleagues had at one time been adherents of the new State. Only Sevier and Caswell counties, well on the frontier—where land had been occupied contrary to the North Carolina laws, stood faithful. The former lay between the Little Tennessee and the French Broad within the Indian reservation, where more than 1,000 families had located, and the latter in the forks of the French Broad and Holston. Still there were many who yet adhered to Franklin; and in all the counties conflicts were continually arising between the courts held under the authority of the two different States. In Washington County particularly these clashings reached a great height, being colored by personal enmity as well as political antagonism. In that county resided both Governor Sevier and Colonel John Tipton, neighbors and once friends; but when on the repeal of the Act of Sessions Colonel Tipton

abandoned the new government which he had aided to frame and renewed his allegiance to North Carolina, withdrawing his support from Governor Sevier, a bitter personal feud sprang up between them. And this was intensified by the circumstance that, while Colonel Tipton was the clerk of the North Carolina County Court, James Sevier, a son of the Governor, became clerk of the Franklin Court, and each dominated the justices and officers of their respective courts. In August, 1787, Colonel Tipton, at the head of some fifty men, undertook to take the records of the Franklin Court, and quickly two hundred of the Franks embodied to oppose him. A rumor was then spread that the purpose was to seize Governor Sevier, and fifteen hundred of his followers rushed to protect him. The error, however, was made known, and no blood was shed; but there were personal encounters between Tipton and the Seviars.

About that time Governor Sevier, seeing that the tide was turning against the continuance of his government, determined on strengthening his cause with the people by prosecuting an Indian war. Far to the south the Creeks were giving trouble, and Governor Sevier entered into arrangements with the Governor of Georgia for their conquest. In September, with some difficulty, a quorum of the Franklin Assembly met at Greeneville, but confidence in the new State had ebbed so fast that Sevier was able to secure the passage of an act providing the means for carrying on the projected war only by a compromise. He agreed that two delegates might be chosen to attend the North Carolina Assembly and make such representations as they should think proper. Judge Campbell and Landon Carter were elected delegates for this purpose, the former having been already chosen to represent Greene County in the State Assembly. This action indicated that the last stage was being reached in the existence of the new State. Gradually the Commonwealth of

Franklin was passing away. Hardly had the Assembly adjourned, and it was the last Assembly of Franklin that met, before Governor Sevier began to prepare for his campaign. In the great bend of the Tennessee, in the Creek country, lay some very desirable land, and it was arranged that this should be reserved for the Franklin volunteers. On November 28 Governor Sevier announced that every private should have 640 acres in the great bend, and officers in proportion; and the work of enlistment went briskly on.

The General Assembly met at Tarboro on November 19, and both the representatives elected by the counties beyond the mountains and the delegates chosen by the legislature of Franklin, attended the session. The former were admitted to seats, and the latter given a respectful hearing when they urged the continued desire of the people for separation. The Assembly, however, held steadfast to its purpose. James Martin was appointed brigadier of the district, and a special committee was directed to report measures to quiet the disorder in the western counties. They advised a further extension of the act of pardon, and that all suits for nonpayment of taxes should be discontinued; and these measures were adopted. The policy of mediation and conciliation was bearing its fruits and North Carolina was supplanting the State of Franklin, whose legislature had ceased to exist, whose judicial officers were no longer acting, and whose Executive after March would have no claim for the exercise of authority. Governor Sevier's term was to end on March 3, and no successor had been chosen; and, there being no Assembly, none could be chosen. The State of Franklin was about to expire by a natural dissolution, and without any great convulsion or bloodshed. But now an incident occurred attended by unfortunate consequences.

During the fall of 1787, a judgment having been obtained against Governor Sevier in one of the local Carolina courts,

an execution against his property was put in the hands of the sheriff. The levy was made on some of his negroes on his plantation, and for fear of interference, the sheriff removed the negroes to the premises of Colonel Tipton for safe keeping. It was a great error in judgment and an improper exercise of power. Necessarily it inflamed Governor Sevier and was a personal affront that he would not brook. Had no such incident occurred the State of Franklin would probably have faded away, leaving, doubtless, a memory of disappointment but without pangs of bitterness. At the moment, Sevier was in Greene County collecting volunteers for the expedition against the Creeks. On learning of this seizure of his property and the removal of his negroes to the premises of Colonel Tipton, he dispatched a messenger to Caswell County, February 15, saying that the Tipton party had got very insolent; and that he had ordered fifteen men out of every company to turn out. He was "satisfied that a small exertion will settle the matter to our satisfaction." Tipton, on being informed of Sevier's action, wrote on February 25, "The rebels are again rising. Sevier is now making his last effort. * * * This day they are to meet at Greene. To-morrow at Jonesboro, and Wednesday, if not before, they push here." And he called for aid. A few friends reached him in time. But soon the Governor with 150 men and a small cannon appeared on the scene and demanded an unconditional surrender. Tipton valiantly defied him. Truly Sevier's situation was embarrassing. He had no desire for bloodshed. His commission as Governor was to expire within three days, and his State had virtually ceased to exist. Stigmatized as a rebel by the Carolina officers, he doubtless comprehended that to use military force against the Carolina authorities placed in jeopardy the lives of himself and his followers. It was levying war and high treason. For nearly four years two conflicting governments

had been carried on in that wilderness; and despite personal enmities, despite the clashing of the courts and the antagonistic authority of the militia officers, there had been no serious collision. This of itself is high evidence of the wisdom, courage and moderation of Sevier, as well as of the forbearance of the inhabitants generally. Now circumstances springing from his personal affairs brought the Governor face to face with an emergency threatening bloodshed. He had probably hoped to redress his wrongs by a show of superior strength; but a hard fate had brought him into a position from which he could not retreat with credit, nor proceed without hazarding consequences for which he had no heart. He became a prey to conflicting emotions—sad and dejected. There was no assault made on the house; but some firing took place, not in Sevier's presence. Those passing into Tipton's premises were fired on, and one or two killed and wounded, but there was no engagement. At length, in the early morning of February 29, Colonel Maxwell of Sullivan County, to whom Tipton had appealed for aid, approached with his militia. He had made a night march. The weather was very cold, and there was a blinding snow storm. As he neared the scene about sunrise, Maxwell saw Sevier's men advancing, and a collision occurred. Maxwell's militia discharged a volley and raised a great shout, which led Tipton to sally out, taking Sevier's party in the rear or flank. As it probably had never been Sevier's purpose to engage in battle, he and his men quickly dispersed, followed, but not aggressively, by the militia. On March 3 Sevier sent a verbal message that if his life was spared, he would submit to North Carolina. Tipton, in reply, offered to cease hostilities, giving Sevier and his party until the 11th to submit to the laws. The Council of the Franklin State made reply that they would be obedient to the laws of the Union, and they wished a convention of the people called at once.

As for Governor Sevier, they stipulated that he should be left at liberty to act for himself; and he, with some anxiety, required a plain understanding as to what he could depend on. Ten days later General Joseph Martin, the brigadier of the district, appealed to General Kennedy to bring about a reconciliation. He declared that he would be sorry to imbrue his hands in the blood of his countrymen, but "nothing will do but a submission to the laws of North Carolina." This is the only way, he urged, that would relieve Governor Sevier from a very disagreeable situation. He offered Kennedy a commission under North Carolina, and urged him to prepare for action, as a general Indian war was expected. Martin's conciliatory steps and firm action had a very salutary effect. All opposition ceased, every trace of the State of Franklin disappeared.

In the meantime Sevier, no longer Governor, left Washington County and took shelter in the distant settlements. A period of repose now set in; but in June Sevier, having gathered some forty bold and daring men, fell on the Indians on the Hiwassee and killed twenty of them, following this with another raid and bringing in fourteen scalps; and then, in July, he made a third invasion of the Indian country which precipitated an Indian war.

Notwithstanding that the State of Franklin had fallen, Sevier and his friends indulged a hope that the State Convention, which was to meet at Hillsboro in July to consider the proposed Federal Constitution, might cede the western territory, or otherwise provide for a separation, but that body adjourned without action favorable to their desires. On the other hand Governor Johnston, because of advices from General Martin called his council to meet at Hillsboro in July, and on receiving information of Sevier's battle with Maxwell while the Convention was still in session, he wrote to Judge Campbell: "It has been repre-

sented to the Executive that John Sevier, who styles himself Captain General of the State of Franklin, has been guilty of high treason in levying troops to oppose the laws and government of this State, and has with an armed force put to death several good citizens. If these facts shall appear to you by the affidavit of credible persons, you will issue your warrant to apprehend him." Judge Compbell, however, took no action. Later, Judge Samuel Spencer crossed the mountains to hold court at Jonesboro, and he issued a warrant for the arrest of Sevier. On the evening of October 9 Sevier with a number of men had a violent altercation with one Deadricks in Washington County, and Colonel Tipton, armed with the bench warrant and doubtless feeling that his hour of triumph had arrived, hastened in pursuit with a body of horsemen. At early dawn the posse surrounded the premises of Widow Brown, where Sevier lodged that night, and at sunrise the arrest was made. Sevier was taken to Jonesboro, and then was conveyed to Morganton for trial. It is said that he was treated with great discourtesy and malevolence, and for a time was subjected to the indignity of being handcuffed, but the details are obscure, and the circumstances were such as to require unusual care on the part of those charged with his safe keeping. In a letter to the General Assembly he alleged that he "was treated with wanton cruelty and savage insult," and he complained of being "borne off out of the district" for trial. Arrived at Morganton he was released on parole to visit a brother-in-law in the vicinity. The court being convened, he attended agreeably to his parole. In the meantime, two sons and other friends had followed to rescue him. "At night, when the court broke, and the people dispersed, they with the Governor, pushed forward towards the mountains with the greatest rapidity and, before morning, arrived at them, and were beyond the reach of any who might think proper to pursue." Appa-

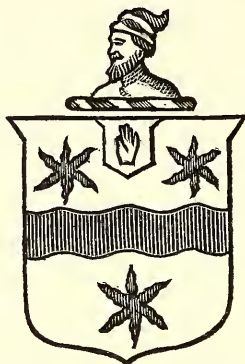
rently no further effort was made to capture him. At the November session of the Assembly following, the act of pardon and oblivion was again passed, but it was provided that Sevier was so far excepted that he should not be entitled to hold any office under the State. But the act operated to pardon his alleged offense of high treason, and put a stop to the proceedings in court against him.

Congress and the States of Georgia and North Carolina had taken measures with the view of quieting the hostility of the Indians; and on a conference a firm peace was agreed to. But shortly afterwards, Sevier with a considerable force made his way to one of the Indian towns, and finding all the braves absent on a hunt, he brought away twenty-nine women and children, and again the people on the frontier realized the necessity of taking measures for protection. On January 12, 1789, some twenty of the prominent men of Greene County met in convention and "resolved to petition North Carolina to divide the State and cede the territory west of the mountains to Congress, and that John Sevier keep the command of the inhabitants." On being informed of these proceedings Governor Johnston wrote to General Martin that "Sevier appears to be incorrigible; and I fear we will have no peace in your quarter till he is proceeded against to the last extremity"; but he directed Martin to act with prudence and conciliation both in regard to the inhabitants and the Indians. Before summer came, however, Sevier had abandoned his opposition to the State of North Carolina. At the August election he was chosen to represent his county in the State Senate, and he appeared along with the other members when, in November, the Assembly met at Fayetteville. His disabilities had not been removed; but during the session he presented a memorial to the body. On November 30 a committee, drawing a veil over his particular offense, reported that "when the people in the western coun-

ties first attempted to subvert the government, Sevier opposed them and prevented elections from being held in two of the counties; and that he was not as highly reprehensible as many others." A bill was therefore passed including him in the general pardon; and he took his seat in the Assembly, and further, it was declared that he still held the office of brigadier general under his original appointment in 1784. And thus the last vestige of the State of Franklin was, by conciliation and moderation, buried out of sight, without the punishment of any person for engaging in the insurrection, and Sevier, who for years had been the central figure in the revolt was, on his first submission to the laws of the commonwealth, admitted to a seat in the Assembly and restored to the honors and emoluments of military commander in his district.

**SIR RICHARD EVERARD, BARONET, GOVERNOR
OF THE COLONY OF NORTH CAROLINA, 1725-
1731, AND HIS DESCENDANTS IN VIRGINIA.***

BY MARSHALL DELANCEY HAYWOOD.†



Sir Richard Everard, Baronet, of Much Waltham, in the county of Essex, England, was the last Governor of North Carolina under proprietary rule. His administration was brought to a close in 1731, two years after the sale of that province to the Crown, by the Lords Proprietors, in 1729. He came of ancient lineage in the land of his nativity.

From *Betham's Baronetage of England*‡ we learn that the family's earliest ancestor, of whom any record is preserved, was Ralph Everard, who flourished in the thirteenth century, during the reign of Henry III. His descendants lived at Much Waltham—or Waltham Magna, as we first find it written—and were among the landed gentry of the shire. Sir Anthony Everard received the honor of knighthood in 1603, and was succeeded by his brother, Hugh, who held the

* From Publications of Southern History Association (Washington, D. C.) October, 1898, pp. 328—339.

† A Biographical Sketch of Mr. Marshall DeLancey Haywood, by Mrs. E. E. Moffitt, appeared in THE BOOKLET, Vol. VIII, No. 1.

‡ Vol. 1, 368, 369.

office of High Sheriff, in 1626. The latter's son, Sir Richard, was advanced to the dignity of Baronet, in 1628, and became the father of another Richard, who inherited his title and estate. Sir Hugh Everard, a son of the last named, "signalized himself" in the Flemish Wars, and was the father of Governor Everard, fourth baronet.

Wright, in his *History of Essex*,* says that Governor Everard sold the family's ancestral estate, Langleys, to discharge debts with which it was encumbered, and afterwards purchased a much smaller one at Broomfield.

To avoid confusing the similar surnames, it may be well here to observe that there was likewise a family of Everard (seated at Ballybay, county of Tipperary, Ireland), which included a line of baronets whose title was created in 1622, and finally became extinct.† Several of these also bore the name Richard, but no relationship seems traceable between them and the Everards of Much Waltham, in Essex.

In 1725, Governor George Burrington, who had made things a trifle too hot for his adversaries in North Carolina, was removed from office by the Lords Proprietors. Thereupon a memorial was presented by Sir Richard Everard, of Essex, asking that he might be appointed to the vacancy. This request being granted, he set out for America, and on the 17th of July was sworn in, before the Provincial Council at Edenton, as governor, captain-general, admiral, and commander-in-chief of the colony."‡

On the 1st of November, 1725, the Assembly of the Province met at Edenton, and was prorogued by Governor Everard until April, in the following year. Upon inquiry from the burgesses, as to his reason for such a course, Sir Richard refused to discuss the question; and replied that, since they had seen fit to dispute his authority, he would stand by the

* Vol. I, 196.

† Burke's *Extinct and Dormant Baronetage* (1844 edition), p. 604.

‡ Colonial Records of North Carolina, II, 559, 556.

decision. It was thereupon unanimously resolved, by the members of the Assembly, that their pretended prorogation was illegal, contrary to the laws of the province, and an infringement upon the liberties of the people. It was further resolved that, at its next meeting, the House would proceed to no further business until the privileges, then withheld, were restored and confirmed. The Assembly further proceeded to make itself pleasant by sending a memorial to the Lords Proprietors, wherein the loss of Berrington was greatly deplored and deep concern expressed at the prospect of so vile an administration from the new Governor, who was declared to be entirely influenced by a few irreligious persons of immoral character.*

Soon after this Sir Richard became involved in a dispute with the Rev. Thomas Bailey, on account of some praise bestowed by the latter upon the recent administration of Governor Berrington and that gentleman's "vast character." A riot resulted, led by the Berrington faction, which carried Bailey in triumph to the court house, where he was prevailed upon to favor his friends with a sermon. After this, Everard had the pleasure of paying his respects to the Rev. Thomas, in a letter to the Bishop of London, wherein he described the missionary as a riotous individual, much given to drunkenness, whose vile actions had caused him to be run out of Philadelphia into Virginia, whence he escaped to North Carolina. But the vestries of Hyde and St. Thomas soon came to the rescue of their parson's reputation, and declared him to be a most pious and exemplary minister, well deserving of encouragement.†

The Assembly, which had been prorogued to meet in April, 1726, convened at the appointed time, and was addressed in a spirit of conciliation by the Governor, who sought to impress upon it the necessity of harmonious ac-

* Colonial Records II, 576, 577, 578.

† Colonial Records II, 579, 580, 581, 604, 624.

tion. The reply to this expressed pleasure at the good intentions avowed, but declared that the most effectual method of seeking redress would be to lay aside all formalities of speech. Then followed a catalogue of grievances, entitled "Exclamations of the Injured & Oppress'd." Shortly after receiving these "exclamations" the Governor became ill and again prorogued the Assembly, which was not much improved in humor thereby.*

Governor Burrington had lingered in the province, after his removal from office, and was an interested observer of these occurrences. Before the Assembly met, he had made himself rather disagreeable to Everard, by going to that gentleman's house and calling for satisfaction, also indulging in some questionable language, which the writer, having quoted in two previous sketches, does not deem it necessary here to repeat. Suffice it to say, that Sir Richard's "damn^d thick skull," as Burrington politely termed it, remained unscalped, contrary to the charitable intentions of his assailant, who soon found it convenient to leave Edenton.†

A few months later, Edmond Porter was also taken with a fit of belligerency and attacked Secretary Lovick, but fared worse; for the latter was joined by Governor Everard, Attorney General Little, Colonel Worley, and a few more official dignitaries, who soon gave the aggrieved Mr. Porter more satisfaction than he knew what to do with.‡

The next bellicose individual, who ran amuck of the Governor, was Dr. George Allen (or Allyn, as he signed himself), a "Chyrurgeon" or "Practicer of Physick & Surgery." This gentleman was generously donated to North Carolina by the city of Williamsburg, Virginia, where an indictment had been found against him for cursing King George and Governor Drysdale. After his arrival in Edenton, he was

* Colonial Records II, 609, 613, 622.

† Colonial Records II, 647 *et seq.*

‡ Colonial Records II, 659.

again brought before the courts for damning the King "while a drinking of clarett." But, from the nature of an undertaking he had in view, one might suppose it was something stronger than claret which Dr. Allynn drank; for he wanted to go to Hanover and get King George's estate, as that monarch owed him money! Being offended by Governor Everard, the worthy chirurgion armed himself with a sword and two pistols "loaden with powder and ball," wherewith he went in search of his adversary. Sir Richard disarmed him of his horse pistol, but he then resorted to a pocket pistol "and did continue to raise sedition & mutiny" till driven off by numbers. On being summoned to court, he increased his arsenal by the acquisition of a gun, and it was some time before the provost marshal could get him into custody. When his trial came off, he plead guilty and was released upon the payment of costs.*

Even this did not close the list of Everard's quarrels, for he afterwards figured in another altercation, with John Lovick; and had to defend his house against a motley assemblage described by him as being composed of Major Joseph Jenoure, Thomas Betterly, Peter Osborne, Tom y^e Tinker *alias* Cockram, Robert Robinson, Peter Young, Charles Cornwall, James Roe, Richards Robbins, a carpenter, two foreigners, a tall Irishman, and divers others, who, when commanded to depart, refused to do so, and struck one of the Governor's servants, breaking his head.†

In addition to his disputes within the colony, Governor Everard had to contend with enemies in England, who represented him as too much given to intoxicants.‡ Thereupon, the Provincial Council was requested to express itself as to the truth of this allegation, and unanimously declared that he had never come before the public "disguised in drink."

* Colonial Records II, 653, 710, 718, 824; III, 220, 223.

† Colonial Records II, 824.

‡ Colonial Records II, 724.

It is little to be wondered that, after a few years of experience with the civil discords of North Carolina, Sir Richard was even melted into expressing some sympathy for his old enemy, Burrington, who had undergone a similar ordeal. Such, indeed, is the tone of a letter written by him in 1729, in which he deplores his hard lot in being sent to rule so incorrigible a people, whose sole occupation in life seemed to be the abuse of their official superiors.*

The only event of importance, which marked Everard's administration, was the settlement of the long disputed boundary question with Virginia, by commissioners appointed from the two colonies for that purpose.† Colonel Byrd's famous *History of the Dividing Line* gives a humorous account of the party's experiences; and a more modern discourse, from North Carolina's standpoint, will be found in the able address, delivered November 26, 1879, before the Historical Society, in Wilmington, by the Honorable George Davis, of that city.

When appointed Governor of North Carolina, in 1725, Sir Richard was somewhat advanced in age. In December, 1705, he had married Susannah Kidder, a daughter and co-heiress of the Right Rev. Richard Kidder, Lord Bishop of Bath and Wells, who was killed in his Episcopal Palace at Wells, by a falling chimney, during the great hurricane, in November, 1703. Governor Everard left four children. His sons, Richard and Hugh, both succeeded him, in turn, and died without issue, whereupon the baronetcy became extinct.

The younger Sir Richard, fifth baronet, was an attorney-at-law, while in North Carolina, and remained there after inheriting his father's title. He was a representative in the Provincial Assembly from Beaufort county, in 1739; and

* Colonial Records III, 19.

† Colonial Records II, 740.

from Bladen, in 1740.* His death occurred two years later, on the 7th of March, 1742.

Sir Hugh, sixth baronet, succeeded his brother and resided for a time in Georgia, where he married, but left no issue.†

As to the Governor's two daughters: Susannah married David Meade, an American gentleman who will be mentioned later; and Anne became the wife of George Lathbury.‡ Of Mr. Lathbury and his descendants—if he left any—the writer knows nothing.

Governor Everard's family does not seem to have made a very favorable impression on the people of North Carolina, and his "pack of rude children who gave offence daily" were the objects of special complaint. The Provincial Council declared that he had set up a sort of Inquisition, and would order servants of the colonial gentry to appear at his house, where they were questioned upon oath as to whether any disrespectful remarks had ever been privately made, by their masters, concerning the Governor's household.§ In addition to his immediate family, the name of James Everard—possibly a relative—also appears in the records, as an attorney-at-law.¶

One charge, more creditable than the average in its nature, stated that Sir Richard was an ardent Jacobite, who

* Colonial Records IV, 346, 493.

† So says Burke's *Extinct and Dormant Baronetage* (1844 edition), p. 190. The Secretary of State, however, writes from Atlanta, Georgia, as follows: "The name 'Everard' does not appear anywhere in the records of this office. If Sir Hugh ever came to Georgia, he never owned any land or held any official position." Though Burke gives 1745 as the date of Sir Hugh's death, it would seem that the title was thought to be still extant by Betham (in 1801) and by Kimber (in 1771), when those authors compiled their baronetages; for the works here mentioned, do not treat of extinct titles. Kimber speaks of Sir Hugh Everard as "the present baronet, who now enjoys the title and estate." Vol. I. p. 348. All three of these works refer to Sir Hugh as residing in Georgia, but neither Betham nor Kimber mention his marriage.

‡ Betham's *Baronetage* I, 369.

§ Colonial Records II, 660.

¶ Colonial Records III, 4. (As Richard, Jr., was an attorney, this name may have been erroneously entered for his.)

had figured in the Preston Rebellion of 1715, and desired to celebrate the Old Pretender's birthday (June 10th) in North Carolina.* When the death of George I. was announced, he is said to have exclaimed, "Then adieu to the Hanover family, we have done with them!"

As heretofore mentioned, Everard's administration was brought to an end by the sale of North Carolina to the Crown, by the Lords Proprietors, in 1729. During that year, Burrington was again appointed Governor, but did not qualify until the beginning of 1731,† and Sir Richard continued in office for the space intervening.

After his removal, Governor Everard went to Nansemond, Virginia, and thence to England. At Nansemond, his daughter, Susannah, was married to David Meade, by whom she became the mother of seven children. They were:

I. David Meade, of Macox, in Prince George county, Virginia, who afterwards removed to Kentucky. He married Sarah Waters, only child of Col. William Waters, of Williamsburg, Virginia.

II. Richard Kidder Meade (an aide-de-camp, during the Revolution, to General Washington), who married, first, Elizabeth Randolph, daughter of Richard Randolph, the elder of Curles; secondly, Mrs. Mary Randolph, *nee* Grymes, widow of William Randolph, of Chattsorth, and daughter of Benjamin Grymes.

III. Everard Meade (an aide-de-camp during the Revolution, to General Lincoln), who married, first, Mary Thornton, daughter of John Thornton, of North Carolina; secondly, Mrs. Mary Ward, *nee* Eggleston, widow of Benjamin Ward, and daughter of Joseph Eggleston, of Egglestetton, in Amelia county, Virginia. The distinguished Revolutionary officer, Major Joseph Eggleston, of Lee's Legion, was Mrs. Meade's brother.

* Colonial Records III, 4.

† Colonial Records III, 211.

IV. Andrew Meade, of Octagon, in Brunswick county, Virginia, who married Susannah Stith, daughter of Captain Buckner Stith, of Rockspring, in the same county.

V. John Meade, who died young.

VI. Anne Meade, who married Richard Randolph, the younger, of Curles.

VII. Mary Meade, who married Colonel George Walker.

It is not within the scope of this brief biography to give an account of Governor Everard's more remote offspring. From his grandchildren, just named, many of the most noted families in Virginia, Kentucky, and throughout the Southern States in general, trace their descent.

The marriage of Susannah Everard to David Meade, of Nansemond, is mentioned in *Betham's Baronetage*, and some of the other works on heraldry that we have had occasion to quote, and also in *Campbell's History of Virginia*,* which contains the following:

"Andrew Meade, first of the name in Virginia, born in County Kerry, Ireland, educated a Romanist, came over to New York, and married Mary Latham, a Quakeress, of Flushing, on Long Island. He afterwards settled in Nansemond, Virginia, and for many years was burgess thereof; from which it appears that he must have renounced the Romish religion. He was prosperous, affluent, and hospitable. He is mentioned by Colonel Byrd in his Journal of the Dividing Line run in 1728. His only son, David Meade, married, under romantic circumstances, Susannah, daughter of Sir Richard Everard, Baronet, Governor of North Carolina. Of the sons of David Meade, Richard Kidder Meade was aide-de-camp to General Washington; Everard Meade aide to General Lincoln."

The same authority also says:

"The name of Richard Kidder is said to be derived from a bishop of Bath and Wells, who was from the same stock with the Meades of Virginia."

This personage will easily be recognized by the reader as Sir Richard Everard's father-in-law, Bishop Kidder, whose

* *History of Virginia*, by Charles Campbell (1860), p. 690.

death in the great cyclone has already been mentioned. To have called him an ancestor of the Meades would be more explicit. As David Meade was an only son of the family's progenitor in America, all members of the connection who bear the name, as well as many other of his descendants, are also descended from Governor Everard. But Andrew Meade also left a daughter, Priscilla, who married Wilson Curle, of Hampton, Virginia, and her descendants, of course, are not of the Everard stock.

During the Revolution it was Colonel Richard Kidder Meade's painful duty to superintend the execution of Major André. In recounting that tragic event to Colonel Theodorick Bland, junior, under date of October 3, 1780, he wrote: "Poor Andre, the British adjutant-general, was executed yesterday; nor did it happen, my dear sir (though I would not have saved him for the world), without a tear on my part. You may think this declaration strange, as he was an enemy, until I tell you that he was a rare character. From the time of his capture to his last moment, his conduct was such as did honor to the human race. I mean by these words to express all that can be said favorable of man. The compassion of every man of feeling and sentiment was excited for him beyond your conception."*

Both Colonel Richard Kidder Meade and Major Edward Meade were original members of the Virginia Society of the Cincinnati.

In his well-known work on *Old Churches and Families in Virginia*,† the Right Rev. William Meade, late Bishop of that State, who was a son by the second marriage of Colonel Meade,‡ of Washington's staff, gives an account of the union

* Bland Papers II, 34.

† Vol. I, Article XXIV, p. 292 (edition of 1872).

‡ Col. R. K. Meade left no surviving children by his first marriage. For the issue of his second marriage, see Memoir of Bishop Meade, by Bishop Johns, p. 10, note.

of his ancestor, David Meade with Susannah Everard, as follows:

"The God of Love was present at their first interview, and made them feel the effects of his disposition at the same moment. But there was a considerable lapse of time between their first meeting and marriage. Her father was Governor Everard, of North Carolina, then living with his family in Edenton, and was unwilling to leave his daughter in the wilds of America when he should return home. When about to sail—the ship in which they were to embark lying in Hampton Roads, then called Nansemond River—there was no other house at that time, convenient to the place of embarkation, at which they could be well accommodated but Andrew Meade's. To this they went; and, being detained some weeks by adverse winds, or other causes, the earnest entreaties of a most affectionate father, almost distracted with the thought of parting with his only son (who was determined to follow her) at length prevailed, and they were immediately married."

Here endeth the "Story of Susannah," and, with it, we close our account of the descendants of Governor Everard. In returning to the old baronet's personal history, little remains to be said. As his successor qualified on the 25th of February, 1731, Sir Richard probably left Virginia during the following Summer, though history fails to give us the exact date. His death occurred on the 17th of February, 1733, in London, two years after his retirement from office.

The *Daily Journal*, for Monday, February 19th, contains the following obituary:

"On Saturday morning at 6 o'clock, died at his house in Red Lyon street, Holbourn, Sir Richard Everard of Much Waltham in Essex, Bart: late Governor of North Carolina, descended from a very ancient family in the county of Essex. Sir Richard married Susanna, one of the daughters and co-heirs of Dr. Richard Kidder, formerly Bishop of Bath & Wells, by whom he has left two sons and two daughters, and is succeeded in his honours and estate by his eldest son, now Sir Richard Everard."

In its issue of Wednesday, February 21st, the *Daily Courant* says:

"On Tuesday, the corpse of Sir Richard Everard was conveyed from his late dwelling house in Red Lyon street, Holbourn, with great solemnity to be interred at Much Waltham, Essex."

At his old home in Essex, here mentioned as the burial place of Sir Richard, many memorials of the family were preserved, including recumbent effigies of Sir Anthony Everard and his lady, who lived in the sixteenth and seventeenth centuries. Among other persons of note, there interred, are also Sir Hugh Everard, Baronet—father of the Governor—who died in 1706, and Sir Richard Everard, Knight, who died in 1611.

Again reverting to North Carolina, it must be confessed that little good accrued to the province from Governor Everard's administration. He had been born and reared in the upper class of English society and was too far advanced in age to adapt himself to a change of situation. In a colony which required more than ordinary activity to develop its resources, he sought to preside with dignified ease; and, when aught unclean came "betwixt the wind and his nobility," dignity and temper, alike, were too quickly cast aside. But, before indulging in overmuch adverse criticism, we should remember the difficulties with which he was forced to contend. Though endowed with less patience than the average mortal, his trials and vexations were indeed sufficient to test the forbearance of a saint.

"So may he rest; his faults lie gently on him!"

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