

SOUVENIR BOOKLET

BICENTENNIAL Brunswick County North Carolina



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Brunswick County Historical Society

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BRUNSWICK, Duchy of. Quarterly: 1 or, seme of hearts gules, a lion rampant azure (Luneberg), 2 gules, two lions passant guardant in pale or (Brunswick), 3 azure, a lion rampant argent, crowned gules (Everstein), 4 gules, a lion rampant or within a bordure compony argent and azure (Homburg), 5 or, a lion rampant gules, crowned azure, 6 gules, three bars and in chief a lion passant or, 7 per fess in chief or, two bears' paws sable (Hoya), in base per fesse in chief barry of four gules and argent (New Bruchhausen), the base gyronny of eight argent and azure (Old Bruchhausen), 8 azure, an eagle displayed argent; armed gules, (Diepholz), 9 barry of four argent and gules, a pale counter-changed (Hohnstein), 10 argent, a stag's attire gules (Reinstein), 11 argent, a stag trippant sable (Klestenberg), 12 argent, a stag's attire sable (Blankenburg). Supporters — Two savages, each supporting a club and wreathed about the head and middle with leaves. Motto — "Nec aspera terrent."

PREFACE

Brunswick County was founded in 1764. To commemorate this date, the Brunswick County Historical Society held a bicentennial celebration at Brunswick Town State Historic Site on November 15, 1964. In order to have a permanent memento of this event, the Brunswick County Historical Society herewith presents this booklet.

The bicentennial program was held in the open near the excavation of the ruins of the first courthouse used in Brunswick County. The following constituted the program for the afternoon:

2:00 P.M.	Invocation, Rev. Robert R. Childs, Jr.
2:10 P.M.	Presentation of Program, James M. Harper, Jr.
2:20 P.M.	Brunswick Town Courthouse, Stanley South
2:30 P.M.	Music
	Recognition of Distinguished Guests
	Acknowledgments
3:00 P.M.	Address: Courthouses of Brunswick County Judge Rudolph I. Mintz

Included in this booklet are the address given by Judge Mintz and the comments about the original courthouse presented by Stanley A. South, who is the archaeologist in charge at Brunswick Town.

Also included are maps and illustrations, a brief history of the County, and other material pertinent to the Society and to Brunswick County in the colonial era.

For their splendid cooperation and financial contribution that made possible this publication, the Brunswick County Historical Society is deeply grateful to Colonel James D. Griffin and the members of the Brunswick County Chamber of Commerce. Similar gratitude is also felt for the Brunswick County Board of Commissioners who assisted with financial support.

Credit is due Mrs. Edwin Taylor for the terse, excellent history of the county.

R. V. Asbury, Jr., who edited the booklet, was assisted by the executive committee and other members of the Society, notably C. B. Berry, all under the direction of Mrs. M. H. Rourk, president; and Miss Helen Taylor, secretary-treasurer.

MARY WYCHE MINTZ

Secretary of the County

1964

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AN HISTORICAL SKETCH OF BRUNSWICK COUNTY

Brunswick County, which lies in the southeastern corner of North Carolina, was formed in 1764 from parts of New Hanover and Bladen Counties, and was named in honor of the House of Brunswick. Since this date, the boundaries of the county have been changed several times. The present boundaries are the Atlantic Ocean, the Cape Fear River, Columbus, Pender, and New Hanover Counties. The Town of Brunswick was its first county seat.

The history of some of the Brunswick County area goes back to the early days of the Spanish and French explorers, as early as 1524, according to some records. The English became interested in settling the area at the time of the Carolina Charter, making the settlement of Charles Town on the west bank of the Cape Fear River near the mouth of Town Creek in 1664. This settlement lasted only three years. Another attempt to settle the area was in 1726, when Maurice Moore of South Carolina planned Brunswick Town near the site of the earlier settlement. Brunswick Town grew and flourished for the next half-century, becoming one of the world's leading ports for naval stores.

The early settlers of the area raised corn, cotton, rice, indigo, and tobacco; and the virgin forests yielded for them a bountiful supply of naval stores and lumber of the best quality. The roads were a drawback to the progress of the area. As much as possible, creeks and rivers were used in getting to and from markets and in the social life of the area. Creeks and branches were also used to furnish water power for grist mills and sawmills. Today many old mill sites are to be found in the county, and some of the old mill dams are present day road beds.

Many of the Brunswick County citizens were outstanding in the revolt against British rule and in the great struggle for liberty. Armed resistance to the Stamp Act occurred at Brunswick Town in 1766. Early in the Revolution the British razed many nearby plantations, which, with the burning of Brunswick Town in 1776, left the county in a destitute situation from which it did not recover until many years after the war between the states.

The men of Brunswick County were quick to answer the call to arms in the Civil War. Several forts were located in the county, the two most important being Fort Anderson and Fort Caswell. Being next door to intense blockade running activity, numerous blockade-runner wrecks line the coast, especially near the mouth of the Cape Fear River. The county suffered the desperate poverty and privations so common in much of the South during the war and in the post-war period of reconstruction.

Since Revolutionary days the county has been a rather close-knit social community. Prior to the Civil War, education was handled in private schools, on plantations, and in small communities. These private schools continued for years after this war and served as a stimulant to the struggling public schools.

During the current century with the coming of good roads and the automobile, great strides have been made in developing the county's natural resources. The beaches along its long coast line have been developed into year-round resorts as well as summer playgrounds. Its vast, open areas of land, the availability of a plentiful supply of fresh water, and the nearness of rail and water transportation have proved most inviting to a variety of industries. Great advances have been made in education and agriculture.

With many of its resources still undeveloped, the county's future appears bright for continued growth in agriculture, industry, and recreation. As its healthy economy continues to expand, it is hoped that the county's historical background will not be forgotten.

Alice Johnson Taylor

Winnabow, North Carolina

North Carolina governors who lived in the area which later became Brunswick County:

George Burrington	1724-1725	Nathaniel Rice	1752-1753
	1731-1734	Matthew Rowan	1753-1754
Gabriel Johnston	1734-1752	Arthur Dobbs	1754-1765

North Carolina governors who lived in Brunswick County:

William Tryon	1765-1771	Benjamin Smith	1810-1811
James Hasell	1771	Daniel L. Russell	1897-1901

Revolutionary War:

Robert Howe of Brunswick* was North Carolina's highest ranking officer.
Benjamin Smith of Brunswick* was aide-de-camp to George Washington.

A BRIEF HISTORY OF THE BRUNSWICK COUNTY HISTORICAL SOCIETY

The Brunswick County Historical Society was organized August 3, 1954, with Cornelius Thomas as president. From October 1954 until June 1956, the organization did not function. On June 21, 1956, a group met at Clarendon Plantation and reorganized the Society electing Kirby Sullivan president. Since that date, the Society has had regular meetings. Others who have served as president were H. Foster Mintz for the year 1957 and the Rev. Lawrence Bridges from 1958 through 1961. Mrs. M. Henderson Rourk has served continuously since 1961. Miss Helen F. Taylor has been treasurer since 1959 and secretary-treasurer since 1963, at which time the two offices were combined. Various other positions in the Society have been held by Mrs. C. Ed. Taylor, Miss May Phelps, the Rev. H. Arthur Phillips, Mrs. Gertrude G. McNeill, Mrs. Ramona King, and Mrs. Jeannette V. Driscoll.

A constitution was adopted in 1962.

The Society maintains a Brunswick Town Preservation Committee, whose function is to formulate policy and to give financial aid to the historical site.

The quarterly programs of the Society have dealt with various phases of the history of Brunswick County. The Society has been fortunate in having the programs presented by its own members especially Stanley A. South, archaeologist in charge at Brunswick Town and at Ft. Fisher; R. V. Asbury, formerly official guide at Brunswick Town; and C. B. Berry, surveyor from Ocean Drive, South Carolina. Other notable speakers included Dr. Phillips Russell and Dr. E. J. Woodhouse, former members of the faculty of the University of North Carolina; and Dr. Lawrence Lee of the Citadel faculty.

In 1963 the president of the Society, Mrs. M. H. Rourk, served as the area chairman for the State's tercentenary celebration of the granting of the Carolina Charter. In recognition of this event, the Society presented a program at Brunswick Town on September 8, 1963. The program, under the direction of Charles Taylor, included Dr. Lawrence Lee, who conceived the idea of preserving the ruins of Brunswick Town; J. Laurence Sprunt, who donated the land for the site; and Brig. General John D. F. Phillips, who was the executive secretary of the State Tercentenary Commission.

The Society was also active in helping to secure a legislative grant for the construction of a museum-visitor center at Brunswick Town. And as mentioned in the Preface, the Society had a Bicentennial Celebration at Brunswick Town on November 15, 1964. Mrs. Harry L. Mintz, Jr., was chairman of the program.

MARY WYCHE MINTZ

OFFICERS FOR 1964

President Mrs. M. Henderson Rourk
Shallotte, N. C.

Vice-President Mrs. ~~Edwin~~* Driscoll
Southport, N. C.

Secretary-Treasurer Miss Helen F. Taylor
Winnabow, N. C.

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The Rev. Arthur H. Phillips, Jr., Shallotte, N. C.

Mr. R. V. Asbury, Jr., Wilmington, N. C.

Mrs. Lucille Blake, Leland, N. C.

Program Committee

Mrs. Harry L. Mintz, Jr., Shallotte, N. C. and
Mrs. Edwin W. Taylor, Winnabow, N. C.

Brunswick Town Preservation Committee

Mr. Harry L. Mintz, Jr., Shallotte, N. C.
Mrs. ~~Edwin~~* Driscoll, Southport, N. C. and
Miss Helen F. Taylor, Winnabow, N. C.

* JEANNETTE V.

1964 MEMBERSHIP

BRUNSWICK COUNTY HISTORICAL SOCIETY

Mr. Harold F. Aldridge		Southport, N. C.
Mrs. Harold F. Aldridge		Southport, N. C.
Mayor O. O. Allsbrook	179 Colonial Dr.	Wilmington, N. C.
Mr. R. V. Asbury, Jr.	321 S. 4th St.	Wilmington, N. C.
Mrs. Elizabeth C. Babbitt	3020 Mt. Pleasant St., NW	Washington, D. C.
Mrs. Leslie R. Bellows		Southport, N. C.
Mr. C. B. Berry	Box 212	Crescent Beach, S. C.
Mrs. J. L. Blake		Leland, N. C.
Miss Florence Blakely	709 W. Club Blvd.	Durham, N. C.
Mrs. Albert Bogie		Southport, N. C.
*LCDR Wilmer R. Bomberger (ret)		Southport, N. C.
Mr. J. G. Bordeaux		Leland, N. C.
Mr. George Cannon	2013 Pender Ave.	Wilmington, N. C.
Mrs. George Cannon	2013 Pender Ave.	Wilmington, N. C.
Miss Susan S. Carson		Southport, N. C.
Miss Lillian Collins		Southport, N. C.
Mrs. Georgia S. Dresser		Leland, N. C.
Mrs. Jeannette Driscoll		Southport, N. C.
Mr. J. A. Elmore		Bolivia, N. C.
Mr. William G. Faulk, Jr.		Southport, N. C.
Mr. Charles H. Foard	213 Ann St.	Wilmington, N. C.
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Mr. S. Bunn Frink		Southport, N. C.
Mrs. S. Bunn Frink		Southport, N. C.
Mrs. Gertrude K. Galloway	Route 2	Leland, N. C.
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Miss Sylvia Henson		Shalotte, N. C.
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Mr. Davis C. Herring		Southport, N. C.
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Mrs. John F. Holden	Holdens Beach	Supply, N. C.
Mr. Richard W. Iobst	Route 1	Riegelwood, N. C.
Mrs. Ida B. Kellam	219 S. 3rd St.	Wilmington, N. C.
Mr. Kenneth Kidd	100 Queens Park	Toronto, Canada
Mrs. Phillip King		Southport, N. C.

*Deceased

Mr. Abner S. Knowles		Bolivia, N. C.
Miss Sallie B. Knox	Route 2	Leland, N. C.
Mrs. M. B. Koonce	Box 2250	Raleigh, N. C.
Mr. M. B. Koonce	Box 2250	Raleigh, N. C.
Mr. G. R. Leonard	134 Chesterfield Rd.	Hampton, Va.
Dr. E. Lawrence Lee, Jr.	46 S. Battery	Charleston, S. C.
Mr. Donald R. Lennon	200 E. Edenton St., Apt. 2	Raleigh, N. C.
Miss Jane H. Lewis	105 E. Lewis St.	Whiteville, N. C.
Judge Raymond Mallard	Box 335	Tabor City, N. C.
Mr. E. W. Maulsby	Route 2	Leland, N. C.
Mrs. Gertrude McNeill		Southport, N. C.
Mrs. Harry L. Mintz, Jr.		Shallotte, N. C.
Mr. Harry L. Mintz, Jr.		Shallotte, N. C.
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Mrs. Ernest E. Parker, Jr.		Southport, N. C.
Mrs. Dula Pinner		Southport, N. C.
Miss May Phelps		Southport, N. C.
The Rev. H. Arthur Phillips, Jr.		Shallotte, N. C.
Mrs. Tempie H. Prince	High Rock Farm	Reidsville, N. C.
Miss Martha Rabon		Winnabow, N. C.
Mrs. M. H. Rourk		Shallotte, N. C.
Dr. M. H. Rourk		Shallotte, N. C.
Mrs. Marguerite E. Scull	Route 1	Riegelwood, N. C.
Mrs. Jewel B. South	225 Pine Grove Dr.	Wilmington, N. C.
Mr. Stanley A. South	225 Pine Grove Dr.	Wilmington, N. C.
Mrs. R. R. Stone	1819 Market St.	Wilmington, N. C.
Mr. Kirby Sullivan		Southport, N. C.
Mrs. Alice J. Taylor		Winnabow, N. C.
Miss Helen F. Taylor		Winnabow, N. C.
Mr. Charles M. Taylor		Winnabow, N. C.
Mrs. A. W. Taylor		Southport, N. C.
Mr. A. W. Taylor		Southport, N. C.
Miss Mary C. Warren	512 Chestnut St.	Wilmington, N. C.
Mrs. James W. White	3611 Montlake Dr., SW	Knoxville, Tenn.
Mrs. E. C. Woodbury, Sr.	202 Pinecrest Pkwy.	Wilmington, N. C.

C O U R T H O U S E S - B R U N S W I C K C O U N T Y

Speech Delivered by Rudolph I. Mintz
at Brunswick Town, November 15, 1964

ACKNOWLEDGMENT OF INTRODUCTION -

INTRODUCTORY REMARKS -

My friends, this is truly a significant year in the history of this historical County.

Its 200-year history is interesting -- it's fascinating, and all the more so because on this very site was the County Seat of another County, whose original boundaries now include over half the counties of the State.

Prior to 1739 this was the County Seat of the New Hanover Precinct, or as it was later called, New Hanover County.¹ Precinct was the named subdivision before the name County was adopted.

The County Seat of New Hanover County was moved to New Town, later called Wilmington, in 1740; and the available minutes of the Court of Common Pleas, often called Quarter Sessions of New Hanover County, indicate that citizens of Brunswick regularly attended the courts for the purpose of transacting such business as they had.² Now some of you may or may not know that the Court called the Quarter Sessions, or the Court of Common Pleas, transacted many different items of business, not only the trying of cases involving small amounts on the civil side of the docket, but criminal cases as well. It was also something of an administrative court. The duties now normally performed by the Clerk of Court were performed by this court; likewise, the duties of the Register of Deeds - and they had no County Commissioners - so the court performed those duties, which consisted of such things as leasing ferries, or leasing the franchise for a ferry, building roads, laying out roads, the building and maintenance of county buildings, and so on.

The courts met, as the name would indicate, quarterly, and their dates were prescribed usually by statute. The minutes would indicate that they were usually in session for the greater part of a week. Deeds, wills, mortgages, contracts, were acknowledged in these courts, and many other, what we now normally term as ministerial functions, were taken care of by the Justices who made up the Court.

The Justices were appointed by the Governor, and after our Independence, that was one of the acts that was adopted by the State Constitution, that is, the appointment of Justices by the Governor.

I have been asked to talk about the Court Houses of Brunswick County, and a careful examination of the material available, and some imagination in retrospect on the problems confronting the officials at that time, will help to explain why we had at times no court house, and at other times court houses in various places. And, even before this County was formed, the Legislature, meeting in Edenton, on the 4th day of April, 1741, passed an act, which summarized, read "that the building and maintaining of court houses, prisons and stocks in every county within this province will be undertaken by the Justices," that is the Courts of Common Pleas " and the Justices will lay the tax for the buildings, of the court houses, the prisons, and the stocks; will make contracts for the building of the buildings."³ This act was applicable to those counties which did not have buildings

Now another significant thing was the names assigned to the counties back two hundred years ago, and earlier, for the Act that established Brunswick County was entitled "An Act for erecting a part of St. Phillips Parish in New Hanover County, and the lower part of Bladen County, into a separate county by the name of Brunswick County. So, precincts,

1. New Hanover County Minutes 1738-1769

2. New Hanover County Minutes 1738-1769

3. 1741, C.33, Sec. 1 & 2

parishes, and counties, all had their significance at the time the County of Brunswick was formed. Counties had formerly been called precincts, and it is my opinion that this "parish" introduction in that act was to designate a particular area served by the parish, for at one period the parishes were supported by a tax much like a special school tax as we know it.

The Act of 1764 in the fifth year of the reign of our Sovereign George the Third (George III) created Brunswick County.⁴ That General Assembly met on the 30th day of January in Wilmington. The Act defines the limits of the County, "It being that part of Bladen County which lies to the westward of the Northwest branch of the Cape Fear River divided from the upper part of Bladen County by a line beginning at the upper corner of a tract of land on which the Plantation of John Grainger is situated above the mouth of Beaver Dam Creek, which Plantation lately belonged to Mr. Robert Howe, running from thence a direct course to the East side of the Lake on Waccamaw River and from thence by a West line to the bounds of the Province, so as to leave all inhabitants of said Lake in Bladen County, and that the said lower part of Bladen County, together with all that part of New Hanover County, called St. Phillips Parish, except so much thereof as lies to the Northwestward of the dividing line hereby directed to be run to the Lake, and from thence to the bounds of this Province, to be erected into a distinct County, by the name of BRUNSWICK COUNTY."

The records indicate that the court house site which we assemble in view of today stood until 1769, when the building was destroyed by a hurricane that struck the village of Brunswick Town.⁵

The minutes of the court are not available for this early period, or at least have not yet been located, but the Acts of the Legislature, and such information, records of deeds, and such other information as we can produce, would suggest that the Court met during the first five years of the County's existence, at this very site; and after the building was destroyed it probably continued to meet here, for it was not until 1778 that the Legislature, meeting in Newbern, authorized and empowered Brunswick to lay a tax, not exceeding the sum of four shillings on every hundred pounds of taxable property, and a poll tax of four shillings on every taxable person in said County, for the purpose of erecting, finishing, repairing such court house, prison, and stocks in any county within the State where the same may be found for the said Court to be absolutely necessary, and so on.⁶

This was a general act but it specifically named Brunswick. Why that act did not suffice, we do not know; but Chapter 27 of the Session of 1778,⁷ which met in New Bern, passed a very similar act, applicable to Brunswick only, except the tax was lower. The tax was one shilling and six pence instead of four shillings, and there appeared to have been no poll tax, and this act of the General Assembly authorized commissioners.

These commissioners as they were called, named William Goss - spelled g-o-s-s, Edward Wingate, and Samuel Leonard, were authorized to agree and contract with workmen for the building of a court house, prison, and stocks for the use of the County of Brunswick, at or near Lockwoods Folly Bridge, and it went on to impose the tax. Now this, my friends, was in 1778. This tax was to be laid for three years; that is, to be annually levied and collected for three years, and the Commissioners were accountable for the tax, and accountable for spending the money, and to make their report to the County Court. And the act went on to say "and the courts of said county from and after March next the courts of said county will be held at John Bell's until the County Court House shall be built."

Now when you read this Act, together with the deed which is recorded in Book D, page 306,⁸ a long recital of this Act authorizing commissioners appointed, and so on, and the substance of that Act is that the County has contracted with, and bought from John Bell, out of his Plantation on Lockwoods Folly, three acres of land for the use of the County, and for erecting a court house, prison, and stocks thereon. This indenture was made the

4. 1764 Wilmington Chap. 14 - (Patten's Rev)

5. Gov. William Tryon

6. 1778 Ch. 27

7. 1784 Ch. 27 Clark's Compilation

8. Brunswick County Registry

7th day of April, (in the year 1787 of Our Lord One Thousand Seven Hundred and Eighty Seven.) Now the recital goes on to say in the description, that the three acres of land in my plantation on the West side of Lockwood's Folly on which the Court House and Prison now stand, "BEGINNING at a pine running South 45 East six chains; South 45 West, five chains" so it was a tract roughly 330 feet by 400 feet in size. Now it would appear that it was some ten years after the appointment of these commissioners before this contract and deed were made, and that John Bell had built the buildings on the land in the meantime, and that they were being used. That gives rise to the possibility that John Bell would not part with the land until the commissioners had had time to raise the money. Whether there were any enabling acts extending the time for raising the money past the three years, we are unable to say.

The Act of 1784, Chapter 60,⁹ was a rather significant Chapter in view of the preceding chapter, and also in the light of the next instrument I will tell you about.

This Act was entitled "An Act to empower the Court of Brunswick to adjourn to the place which they shall think most convenient for holding the same," and the substance of it was that it was a recital that the General Assembly of 1779 had altered the place for holding the Court from the Town of Brunswick to the Plantation of John Bell at Lockwoods Folly; laid a tax, and so on, to erect a court house, etc., and that by depreciation of the currency, this amount was totally inadequate; and it would be inconvenient and disagreeable to Robert Bell, the present possessor of said land, to have the Court held at his house, so the General Assembly of that year enacted that the Court may convene at such place as it found convenient, but not more than two miles from Lockwoods Folly Bridge until the necessary building for said County can be erected; and it continued William Goss and Sam Leonard, and added Louis Dupree, Jacob Leonard, and Henry Walters as Commissioners, for agreeing with and employing proper workmen to build a good and substantial court house, prison and stocks, and that they are hereby empowered to purchase five acres of land where they, or a majority of them, shall find most convenient within the distances above described. And this also authorized the levying of one shilling and six pence, and provided for the collection of the tax.

Jacob Leonard was an ancestor of our Sheriff Ed Leonard, and Ed's brother Rudolph, and his charming wife Ruth, who live in Hampton, Virginia, are with us today. They have probably traveled farther than anyone else for this meeting. We are happy to have them with us.

Now while all this was going on, we have been talking about Courts of Common Pleas and Quarter Sessions. Now the Court of Law & equity did not meet in Brunswick so far as we know for several decades until well into the nineteenth century, and indeed there were a limited number of these courts sitting, and they were apparently authorized somewhat on a district basis, for we have a number of acts providing for a district gaol, and our Brunswick County gaol was in Wilmington, and the Legislature of 1785, Chapter 34,¹⁰ provided that a District Gaol be erected in the Wilmington District, and the Act goes on to levy or rather to authorize the counties, and apportion the tax they will raise. Brunswick was included in the number of the counties that were required to put up to build a gaol in Wilmington. Other acts indicate that the gaol burned on one or two occasions and at one time they had some trouble finding a proper site, and there are several acts that have to do with the erection of gaols and stocks, etc., and if any of you have any interest in determining what happened to the prisoners of those days, you can examine that further.

Now this act authorizing the courts to meet at such convenient places as they saw fit, even though it limited the court to within two miles of Lockwoods Folly Bridge, I would be surprised if the court did not at some time or other meet farther away than that. I would expect that they did not measure the mileage and met wherever it was convenient.

It does appear rather from the minutes of Brunswick County that is the record of the Court of Common Pleas, that the Court met at the home of Robert Bell in September 1784,

9. Session Laws of N. C.

10. Session Laws (N. C.) 1785

and also December 1884, and again in March 1785.¹¹ I think I examined all of the minutes for this period, and only found these three references to the places of meeting other than Lockwoods Folly.

John Bell, the man who was dealing with the County, which would be a violation of the law today, was a member of the Court. Other members of the Court in 1774 were Dennis Hankins, Samuel Leonard, and Will Mooney.

We find that Robert Bell was a landowner of some considerable extent, and the best I can place his major holdings from the descriptions, which are rather vague, owned much of the land around the mouth of Lockwoods Folly, and particularly on the western side.¹² We think John Bell and Robert Bell were brothers, or father and son, but more likely brothers.

The Court House site was, as we understand it from the records, on the Southeast side of the old highway that we used to know at #130. The old Peter Rourk's store was probably on that site, but anyway I think most of that three acres or five acres, whichever it was, were extended North Northwestwardly toward New Concord Methodist Church.

A map of North Carolina, supposed to have been made in 1790 by one Samuel Lewis, which is on record in the State Archives, and which is relied on by many researchers in this area, shows the Court House on the map near the intersection of two roads and the river. I have no doubt that at the time the Court House was standing, and in use, it was at what we know as Supply.¹³

Infrequently but regularly over the years, it has been suggested that the Court House was located at one time at Brown's Landing. We are unable to substantiate either from the minutes of the Court, from records in the office of the Register of Deeds, or from Legislative Acts, the validity of this legend. We do know that the Court met in the home of Robert Bell, and that in all probability Robert Bell's home was at Brown's Landing.

Now meeting in the homes to transact public business was not an unusual thing in those days. We have on record in the early history of this State that the Legislature met at the home of a man whose name now escapes me, but it did not even give the County or the Town where the home was located. So, no doubt the Court did meet for a number of years at Brown's Landing.

There is of record a map, or a deed and a map, which is made a part of the deed. The deed is dated the 24th of June 1784. It was acknowledged in 1792, and recorded in Book D, at page 322,¹⁴ from Schenking Moore and wife, Mary, and Nathaniel Moore, to William Evans. Apparently the Moores were conveying to Evans several tracts, or at least either two or three, and one of the tracts is platted, and contains 774 acres. That is an interesting one because it shows the old bridge across Lockwoods Folly River, and it shows Court House, and it shows the house of William Evans, all located on the 774 acres. Mill Branch is on the map. There is a grave yard located on the map, Lockwoods Folly River, and there is a reference to Doe Creek. This map shows no roads on it, or at least none of the symbols marked on it designate roads. This was of particular interest to me because it appeared to include the Court House site. So far I have not been able to find the Moore source of title for this land, since the deed seemed to have been dated about the same time that the Legislature was passing the Acts, and the Court of Common Pleas was trying to raise money to build a court house, and for the further reason that we have no record information that the County disposed of this three-acre site that they did purchase from John Bell at Supply.

Now I hope to work some of these things out, but if in the meantime any of you want to start exploring it, it's anybody's business.

In the Session of the General Assembly which met in Raleigh in December 1808,

11. Minutes Common Pleas and Quarter Session (Now in Dept. of Archives and History, Raleigh, N. C.)
12. Deeds, Brunswick County Registry.
13. Samuel Lewis map, N. C. Dept. Archives & History
14. Brunswick County Registry.

Chapter 64,¹⁵ is an Act to remove the Court of Brunswick County from Lockwoods Folly to Smithville. The Act goes on to say that whereas it has been represented by a large majority of the inhabitants of Brunswick County that many beneficial effects will result from the removal of the courts thereof to Smithville, -- and then the General Assembly goes on in the enacting clause and states that the courts shall be removed from Lockwoods Folly and held in the town aforementioned as soon as a court house, gaol, and stocks at least equal to those now standing at Lockwoods Folly shall be erected on one of the angular lots reserved in the plan of said town for public purposes, to be designated by the intendent or magistrate of police and commissioners of Smithville, or a majority of them, and that Benjamin Smith, Edward Sullivan, Jeremiah Westcoat, Joseph Russ, Isaac Etheridge, Thomas Fink, (and I think that might have been Frink), Joshua Pitts, Benjamin Blainey, Wilson Davis, Samuel Potter, and Charles Betts are appointed commissioners to contract for and carry on the said buildings.

But, the most significant thing about that Act was this: The funds were to be raised by private subscription, or voluntary subscription, without any tax being laid on the County for the completion; and the Act further provided that they were to sell the lands and buildings at the present Court House, after due notice, and so on, under such terms as they found sufficient; and the money derived therefrom was to go into the common treasury, significantly, not to the building or the new building; and they made this Act and the removal of the Court House to Smithville, more palatable to the people who lived a long way off by declaring that 2-1/2 cents per mile would be paid to each juror who had to travel in excess of what he formerly had to travel.

Up to this point we know little about our Court Houses. We have always understood that the present building was built in 1844. Extensive alterations were made, especially to the front and the second floor in 1922, following the fire which started in the office of the Register of Deeds.

Whether the building has been on the angular lot South of Nash Street from the beginning, we are unable to say. Possibly it stood on the angular lot (I refer to the original plan) Southwest of the Masonic Building. Originally Dry Street was laid out 132 feet wide - so, most of the present building stands in Dry Street.¹⁶

Some of you will be interested in picking up here and developing fully the Court House in Southport.

We would like to leave this thought with you.

We started the preparation of this appearance about five weeks ago with a few documented items furnished us by R. V. Asbury, Jr. Our further labors were carried out in the Law Library of Battle & Winslow, in Rocky Mount, the New Hanover County Law Library, the Department of Archives and History and the Supreme Court Library, in Raleigh, and in our Register of Deeds Office.

The more we worked the more interesting this subject became. Not just a Court House, indeed we have found very little about Court Houses, as buildings. What we did find was the determination of loyal dedicated people, anxiously sacrificing of their times and means, not just to have a Court House Building, but to provide a meeting place where men could, under law, adjust their differences; provide and enact for their mutual benefit; try offenders who transgressed the law; all of which would ensure for themselves and those who come after them, order, direction, unity, and responsibility.

It has been an inspiring exercise. I am grateful for this opportunity to bring you my findings and some of my conclusions.

Before I close I would like to express my appreciation to R. V. ASBURY, JR., for available material furnished me at the outset of my research undertaking; to DAVIS C.

15. Session Laws N. C. 1808

16. Book GG - 578 (Map)

HERRING for extracting records in the office of the Register of Deeds of Brunswick County. Mr. DONALD LENNON, a native of Brunswick County, and a researcher in the Department of Archives and History, for his assistance to me while I worked in the Department. Mrs. IDA BROOKS KELLAM for valuable references furnished. Mr. RAYMOND TAYLOR, Supreme Court Librarian in Raleigh, for his assistance in locating many of the old acts which we reviewed; Miss IDELLE JOLLY for her patience in copying the notes I made in the several libraries I visited, and to my MISS MARY , who made most of these excursions with me.

Speech by ----- RUDOLPH I. MINTZ

THE COURTHOUSE

In 1722, four years before the first lots were sold in Brunswick Town, an act in regard to the erection of Courthouses was passed. This act was probably applicable to Brunswick. It stated that the Justices of the Peace of each precinct

... are hereby required and empowered to purchase the quantity of one acre of land. In such place or places of their several precincts, as in and by this act is hereby nominated and appointed, for erecting the said court houses on. (1)

It went on to state that the Courthouse should not be less than 24 feet long by 16 feet wide.

When Maurice Moore laid out Brunswick Town, "... proper places were appointed and given by the said Maurice Moore for a Church, Courthouse and Burial Place, Market House and other public buildings." (2) Shortly after the founding of the town, a law was passed in 1729 which directed that the "Courts and Elections of County and the Church, Court House and Gaol of New Hanover County and St. James Parish to be held and built at a place called Brunswick." (3)

When Hugh Meredith, formerly a partner of Benjamin Franklin, visited Brunswick Town in 1731, he indicated there was a Courthouse at Brunswick at that time. (4) If it was built according to the specifications outlined in the 1722 law, it should have measured at least 24 feet long and was probably erected on an acre of land set aside by Maurice Moore for this purpose. This would be two lots since each lot was one-half acre in size.

On November 2, 1734, the "... members of His Majesty's Council being assembled and met together in the Court House of Brunswick..." Governor Gabriel Johnston took the oath of office. (5)

By 1739 the Brunswick Courthouse was not meeting the needs of the Council, so two poll taxes were imposed to aid in building a courthouse and gaol in the Town of Brunswick. Gabriel Johnston favored the newly formed town of Wilmington, and in 1740 the funds collected under the poll tax law were directed to be used to complete a courthouse in Wilmington, and to build a gaol there instead of at Brunswick. (6) After this Brunswick ceased to be the seat of government of New Hanover County. It again became the seat of county government when Brunswick County was created in 1764. The bill creating the county designated that a courthouse, prison, and stocks and pillory be built in Brunswick for Brunswick County. (7) This was evidently done, because when C. J. Sauthier drew his map of Brunswick in 1769, (8) the "Court House and Goal" were shown. Later, during the same year a hurricane struck Brunswick, and Governor Tryon stated that "... many houses blown down with the Court House of Brunswick County." (9) This was the end of the Courthouse at Brunswick; apparently it was never rebuilt.

When work was begun at Brunswick Town in the summer of 1958, discovery of the site of the historic Courthouse was one of the goals of Dr. Lawrence Lee in his survey of the area. Since the Brunswick Courthouse had been the early seat of government of both New Hanover and Brunswick counties and also a meeting place for the Colonial Council of North Carolina, it was an important historic ruin of particular interest.

In locating the ruin, the Sauthier map was used and measurements taken from the corner of the St. Philips Church, a well established reference point. The undergrowth was cut away from the area shown on the map, and a stone foundation of a building was located in the general area shown for the courthouse by Sauthier. This foundation proved to be approximately twenty-five feet square, the only structure found. The measurements of the

distance of the courthouse from the church did not exactly match that shown by Sauthier, and this fact was a source of some concern for awhile.

When the lot plan was reconstructed by Dr. Lee from the deed records, it was discovered that the foundation thought to be the courthouse was on the south central edge of lot 78, whereas Sauthier showed it to be on the south central edge of lot 79, just one lot to the north. Since no ruin could be found on lot 79, it was quite certain that Sauthier made an error as to which of these two lots the courthouse was built on. By checking the land deed records, it was found that the lots on either side of lots 78 and 79 were, at some time or another, sold to private individuals, but 78 and 79 were never sold, indicating that these two lots were the acre of land set aside by Maurice Moore for a courthouse. The ruin on lot 78 was then seen quite positively the remains of the courthouse.

In regard to public property, lots 117, 118 and 119 were never sold either, St. Philips Church being built on lots 117 and 118, and the "goal" on lot 119. (10)

The foundation of a building in the area shown by Sauthier for the "goal" has not been located, indicating perhaps, that this was a wooden structure without mortared stone foundation or footings.

NOTES

1. Clark, The State Records of North Carolina, v. XXIII, pp 100-102
2. Ibid., p. 239.
3. Ibid., pp. 146-147.
4. Meredith, An Account of the Cape Fear Country 1731, p. 27.
5. Saunders, The Colonial Records of North Carolina, V. IV, p. 1.
6. Clark, The State Records of North Carolina, v. XXIII, pp. 134-135.
7. Ibid., pp. 623-624.
8. Sauthier, Plan of the Town and Port of Brunswick, in Brunswick County, North Carolina, surveyed and drawn in April, 1769. On file at the Dept. of Archives & History in Raleigh.
9. Saunders, The Colonial Records of North Carolina, v. VII, p. 71.
10. South, Archaeological Base Map of the Site of Brunswick Town, Brunswick County, North Carolina, Correlated with C. J. Sauthier's Map of April 1769, and the Reconstructed Lot Plan of Maurice Moore - 1726, with a List of the Property Owners, and Fort Anderson 1862-1865. Map on file at the Dept. of Archives & History, Raleigh, North Carolina.

Stanley A. South

FIRST CENSUS OF THE UNITED STATES.

WILMINGTON DISTRICT, BRUNSWICK COUNTY

NAME OF HEAD OF FAMILY.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, including heads of families.	All other free persons.	Slaves.	NAME OF HEAD OF FAMILY.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, including heads of families.	All other free persons.	Slaves.	NAME OF HEAD OF FAMILY.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, including heads of families.	All other free persons.	Slaves.	
Freeman, James	2		7		1	Goodman, William	1				1	Aderson, James	1		1		4	2
Curray, Daniel	2		2			Parker, William	1	2	3		11	Taylor, Benjamin	2		2		5	12
Cain, Allen, Junr	1				8	Clemmings, Timothy	1		2		5	Gressel, William	1		3			
Roots, John	1	2	6		16	Chains, James	1	1	2		3	Taylor, Benjamin	1				2	
Smith, James	1	1	4			Rooks, John	1	1	1			Hargroves, Samuel	1	1	1		5	
Keater, Nehemiah	1		2		1	Balloon, Daniel	1	1	4		16	Wengate, William	1	1	1		4	7
Keater, William	1					Bell, Robert	1	1	6		23	Simmons, Benjamin	1	1	3		1	
Norris, Thomas	1		2			Russ, Thomas	3	3	4		8	Simmons, John	1	1	1		3	
Morris, Robert	1		1			Holdan, Sarah	1	1	3		3	Russ, John	1	1	3		1	
Morris, Thomas	1	1	3			Swain, Levi	1	2	2			Floyd, Morris	1	1	2		4	
Jeanots, Benjamin	1		1			Swain, James	1	2	3			Sellars, William	1	1	3		4	
Jeanots, Winey	1		2			Gause, Susanna	1	1	2		19	Sellars, Jordan	1	1	2		2	
Jeanots, John	1		1			Hewit, Philip	1	4	4			Floyd, Bits	1		1			
Pounds, John, Senr	1					Hewit, William	1	2	1			Roach, James	1		4		4	
Pounds, John, Junr	1		2			Hewit, Ebenezer	1	2	2			Ward, Milly	3	3	7		7	
Pounds, Isaac	1					Clark, Jonah	1	3	2			Dugger, John	1		4		2	
Skipper, John	1		3			Clark, Henry	1	1	1		5	Edwards, Thomas	1		4		4	
Skipper, Moses	1	3	2			Hewit, Joseph, Senr	2	1			1	Stevens, Mekajah	1		1		1	
Skipper, Abraham	1	2	3			Hewit, Joseph, Junr	1	1	1		1	Soles, Timothy	1		1		2	
Flours, James	3		2		20	Sharp, William	1		1		1	Soles, Nathaniel	1		1		2	
Rowan, John	1		2		21	Holden, Job	1	2	3			Goodman, Luke	1		1		2	
Allen, Drury	2		2		12	Holden, James	1					Soles, Joseph	2		1		7	
Newell, Thomas	2		4			Holden, Famus						Imrlt, Elms	1		1		4	
Liles, Benjamin	1	2	5			Ilines, Betsy			4			Carter, William	1					
Clark, Thomas	1		1		56	Singletary, Benja	2					Alford, Amy	1	2	3			
Mills, Jane	1	1	1		3	Willis, Henry	1	1	1			Moony, William	1		8		7	
Skipper, James	1		2			Hewit, Ezekiah	3		2			Beck, John	1	2	4		4	
Wheeler, William	1		2			Hewit, Robert	1		1			Reaves, Solomon	1		5		3	
Heghemeth, John	3		3			Hewit, Samuel	1		1			Hickman, Samuel	1	1	3		3	
Potter, James	1	3	3			Gause, Bryant	1		3		18	Sugs, Ezekel	1		2		2	
Potter, Mills	1	3	1		2	Stanley, Thomas	1	4	2			Gooden, Jonas	3		3		3	
Leonard, Samuel	2	1	2		2	Stanley, Samuel	1	2	3		1	Arnold, Elmor			1		3	
Carrol, John	1	1	3			Tharp, Charles	1		5		3	Simmons, Ann	2		2		2	
Simpson, Elisha	1	3	4			Hewit, Reuben	1		2			Simmons, John	1		2		2	
Leonard, Henry	1	1	3			Robinson, John	1	3	3			Norris, Frederick	1		2		2	
Sparksman, William	1	1	1			Hewit, David	1	3	3			Norris, William	1		2		2	
Williams, Margaret	2		2			Dudley, Jeremiah	1	1	1		3	Norris, Jerutia			2		2	
Barrow, Huzzy	1		3			Ivey, Lewis	1	1	6			Benson, Nathan	1	1	2		2	
Mills, Benjamin	1	1	3		9	Jones, William	1		1			Marlow, Nathan	1	1	1		5	
Leonard, Elinor	3		5		10	Holden, Benjamin	1		3			Simmons, Thomas	3		1		3	
Gause, Benjamin	1	2	3		4	Hawkins, Dennis	1	2	3		46	Sims, William	1	3	3		3	
Aderson, John	3		7		2	Daniel, Robert	1	2	3		14	Duncan, Elias	1	1	3		3	
Mills, William	1	2	1			Tharp, Samuel	2	1	3			Mooney, John	2	2	3		2	3
Sullivan, Edward	1	3	2		4	Smith, Jeremiah	1		1		7	Stevens, Alexander	1	1	1		6	3
Holms, John	1					Gause, John	1	1	1		1	Counsel, Hardy	1		1		3	
Sillers, James	2	5	3			Fosters, Electus Medus	1		1		15	Simmons, John	1		1		2	
Potter, Miles	1					Sullivan, Martha	2	3	2		2	Smith, Simon	1		2		2	
Harris, Richard	1	3	2			Craig, Benjamin	1	3	3		3	Clark, Benjamin, Junr	1	3	1		2	
Sparksman, Levi	1	3	1		1	Craig, Lewis	1		3			Hardy, Andrew	1	1	2		3	
Sparksman, Richard	1		1			Jones, John	1	2	3			Soles, Mackinne	1	1	3		1	
Johnson, John	1	2	1			McCre, Griffith	2	1	2		8	Powel, Abraham	1	3	2		2	
Young, William	1					McKensec, George	1	1	3		30	Powel, Jacob	1	1	1		3	
Holms, Joseph	1					Clark, James	1	2	2		19	Cox, John	1	2	3		2	
Hays, John	1	3	4			Drew, John	1	2	1			Connel, Edward	2	1	3		4	
Taylor, John William	1					Gause, Nedam	2	4	1		5	Williams, Benjamin	1	1	2		2	
Robbins, Benjamin	1	1	1			Goodman, Henry	1	2	1			Soles, Benjamin	1	1	1		1	
Robbins, Arthur	3	2	3			Franks, Sarah	1		1		18	Williams, Moses	1	1	2		1	
McMurray, William	1	1	2			Roberts, Patty	1	2	1		16	Mills, John	1	2	3		3	
Greer, John	1	2	3			Gause, William	2	3	3		37	Grissel, John	1	2	2		17	
Moore, Mary	1	3	3		5	Clark, Henry	3	3	3		19	Simmons, Moses	1	2	2		4	1
Bell, James, Senr	1		2		9	Taylor, Mary	1		2		3	Russ, Francis	1	1	2		2	
Daniel, Stephen	2	3	3		8	Comeers, John	1		4			Simmons, Isaac	1	2	1		5	
Woodside, Robert	1	1	5			Wills, Henry	1	2	2			Stevens, Joshua	1	2	2		2	
Grissel, Reuben	1	1	3		5	Sillars, Mathew	1		2			Abbot, William	2		1		1	
Gause, Charles	1	1	4		15	Sillars, Elisha	1		3			Cannaday, John	1		7			
Swain, David	1		1			Malsby, Samuel	1	3	2			Gore, Jonathan	1	3	5		5	
Bell, James, Junr	1	2	4		3	Quince, Richard	1		2		40	Wingate, Sarah	1	1	1		7	
Folks, Shadrick	1	2	3			Weathers, Thomas	1		3		23	Stevens, Mathew	2	2	4		4	
Wescut, John	1	1	1			Lord, William	1	1	3		15	Rhoads, John	1		3		3	
Galloway, Nathaniel	1	1	1			Rulks, Samuel	3	1	3		6	Reaves, Mark	1	2	1		1	
Umphry, Joseph	1		2		3	McAlester, Archibald	1		1		70	Rhoads, Mary	1		1		1	
Galloway, Sarah	1	2	3		1	McAlester, James	1		1		13	Rogers, John	1	1	7		7	
Long, Henry	1	2	3			Wear, George	1		1		21	Smith, James	1	1	3		2	
Cains, John	1	1	5		9	Davis, Thomas	3	1	3		35	Thomas, John	3	1	1		2	
Goodman, Henry	1	4	1			Supper, Isaac	1	2	3			Lay, John	2	3	3		3	
Sellars, Simon	1	1	2		1	Supper, Clemon	1		2			Gore, James	1	1	2		2	
How, Sarah	1	2	2		20	Elkson, Samuel	2		2			Ellis, Mary	1		1		2	
Goodman, William	2	1	3		3	Elkson, Benjamin	2		6			Smith, John	1	3	3		3	
Bell, Samuel	1	2	3		1	Supper, Jesse	1	1	1			Cox, Elijah	3	2	5		5	
Gibberd, Rebecca	1	2	4			Rutterland, Reddon	2		1		2	McKeather, Alexander	1	1	1		1	
Pelpe, Martha	1	1	1		1	McKethern, Gillard	1	1	2			Cox, Elisha	2	1	2		2	
Wescut, Jeremiah	2	1	1			Howard, George	1	1	6			Norris, Thomas	1		2		2	
Price, Solomon	1	1	3			Ward, John	3	2	4			Smithart, John	1	3	3		4	
Sellars, Mathew	2	1	5		2	Hickman, Thomas	1	1	1			Jordan, Thomas	3	3	3		3	
Hammer, Solomon	1	1	1			Hickman, Samuel	1		2			Smith, John	3	3	3		2	
Bell, Nathaniel	1	1	1			Runnels, William	1	2	3		3	Simmons, Benjamin	1	3	1		3	
Besley, Oxford	1		2		1	Solio, Silvenus	1		1			Simmons, John	1	1	3		3	
Morgan, William	1	2	2			Mansfield, William	2	2	3			Sellars, Mathew	1	1				

HEADS OF FAMILIES—NORTH CAROLINA.

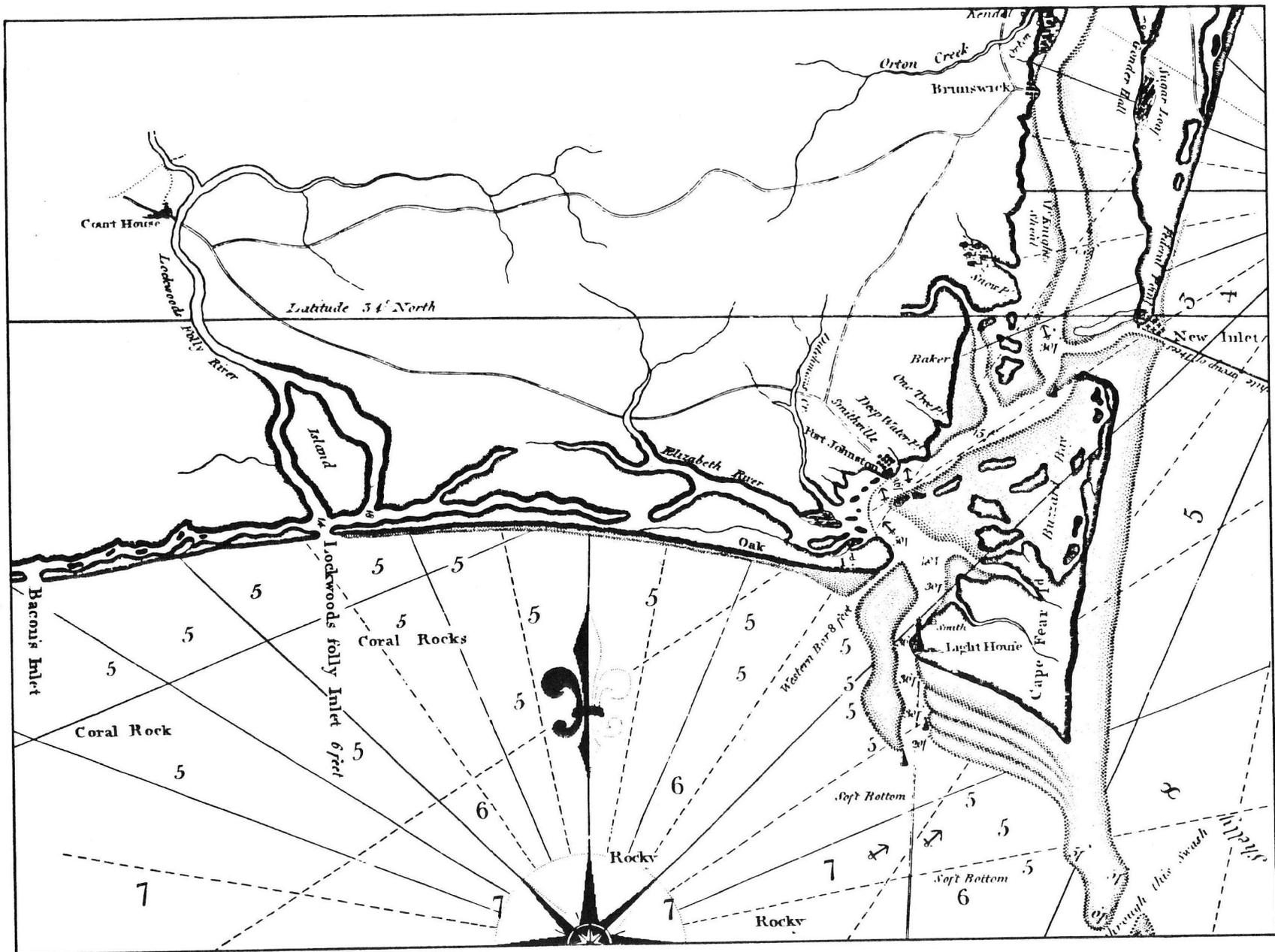
WILMINGTON DISTRICT, BRUNSWICK COUNTY

NAME OF HEAD OF FAMILY.	Free white males of 16 years and upward including heads of families.	Free white males under 16 years.	Free white females, including heads of families.	All other free persons.	Slaves.	NAME OF HEAD OF FAMILY.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, including heads of families.	All other free persons.	Slaves.	NAME OF HEAD OF FAMILY.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, including heads of families.	All other free persons.	Slaves.
Stanley, Margret.....			2		2	Alston, Francis.....	2	2	2		60	Dry, William.....	1				2
Minks, Lucretia.....		5				Howel, James.....	1					Ward, Frederick.....	2				6
Murrel, William.....	1					Egle, Joseph.....	1	3	1		26	Smith, Benjamin, Esq.....	2	14	2		221
Gore, William, Esq.....			2			Moore, Alfred.....					48	Richards, Nicholas.....	1	3	1		
Deupree, Lewis, Esq.....	1				34	Flanican, William.....	1		5			Hall, John, Esq.....	2	1	4		43
Neal, Thomas.....	1	2		1	20	Watters, Sarah.....		1	3		26	Grange, John.....	2				39
Vernon, Elinor.....	1	1			13	Vines, Samuel.....	1	2	4			Taylor, Bolomon.....	1	3	3		
Rundleson, Archibald.....	1	3			3	Turner, Amy.....	1		2		12	Keator, Sarah.....	1	1	3		
Betts, William.....	2	3			5	Graves, Benjamin.....	1		5			Boon, John.....	1	3	5		
Richardson, Elizabeth.....			2		2	Holms, Moses.....	3	1	1		1						

The following should shed some light on census-taking methods in 1790 — which was the first year a census was taken.

President Washington passed through Wilmington on Sunday, the 24th of April, 1791, and made the comment in his diary as follows . . .

"Wilmington is situated on the Cape Fear River, about 30 miles by water from its mouth, but much less by land. It has some good houses pretty compactly built. The whole under a hill; which is formed entirely of sand. The number of Souls in it amount by the enumeration to about 1000, but it is agreed on all hands that the Census in this State has been very inaccurately and shamefully taken by the Marshall's deputies; who, instead of going to Peoples houses, and there, on the spot, ascertaining the Nos.; have advertised a meeting of them at certain places, by which means those who did not attend (and it seems many purposely avoided doing it, some from an apprehension of its being introductory of a tax, and others from religious scruples) have gone with their families, unnumbered. In other instances, it is said these deputies have taken their information from the Captains of Militia Companies; not only as to the men on their Muster Rolls, but of the Souls, in their respective families; which at best must in a variety of cases, be mere conjecture whilst all those who are not on their lists — Widows and their families, etc. pass unnoticed."



Price and Strother map, 1797, showing courthouse located at Supply, N. C.



Courthouse at Southport (Smithville), February, 1865



Section from Samuel Lewis' map of 1795 showing courthouse at Supply, N.C.

