

Analysis of North Carolina Colonial Records: Perquimans Precinct Court

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The Perquimans Precinct Court records for 1693 through 1705 reveal a few surprising trends in North Carolina history.¹ Court records of fifty-five families indicate that this far northeastern corner of North Carolina was settled only by small families with very few or no slaves. Families, indentured or free, often remained together. The majority of court cases involved small repayments of debts in cash or pork, payment in commodities being common during this time. Also, the court gave careful consideration to orphans. Perhaps the most surprising trend was the considerable autonomy possessed by women in the area.

Those wishing to settle in Perquimans County were granted “rites” or rights to tracts of land based on the number of persons in their household. Records from this twelve-year period reveal that most of the families settling in the area had only a few members. Edward Mayo’s family of thirteen persons was the largest recorded. Three of the persons are classified as unnamed negroes; the rest of the family is named. As his children are listed separately, the remaining named persons could be indentured servants bound to Edward Mayo.² The second largest family unit comprised ten persons; their record is listed as follows: “George Deere has proved his rights being Jeane Crittchell and John Dear and by Hannah Harrison, Edward Harrison, Hannah Harrison, Joseph Willimas Wm ffyan Hannah ffyan Mercy ffyan Elizabeth ffyan Lydia Harrison.”³ This trend is repeated throughout all of the court records when heads of household applied for their land. In what eventually became North Carolina, families and small farmers migrated and settled together, and were allowed to keep their family names. Joining together allowed the patriarchs to gain a larger piece of land. However, most families remained small with very few servants listed. This trend could explain why northeastern Carolina developed few

¹ In fact, the Carolina colony was not formally split into North Carolina and South Carolina colonies until several years after the records addressed here.

² Minutes of the Perquimans Precinct Court, February 5, 1694. *The Colonial and State Records of North Carolina*, 1:392-396. *Documenting the American South* (Chapel Hill: University Library, The University of North Carolina at Chapel Hill, 2004). <https://docsouth.unc.edu/csr/index.php/document/csr01-0202>.

³ Minutes, February 5, 1694, 1:395.

large plantations. Settlers could only plant what they could physically work themselves. Through the surveyed records, it appears the farms remained small and the families only raised what they wanted or needed, so they did not have a need for many slaves and servants.

Most of the families that settled in the Perquimans area only had one or two slaves or servants. Only two Indian boys are mentioned as part of an individual's family. The record of the largest number of families applying for land dates from February 1694. Seven families claimed nine persons in their household, while the average household of the fifty-five recorded families comprised only four or five persons, including servants, negroes, and hired hands. These are listed separately in the court records of those applying for "rits"—yet another spelling of *rights*—to land. Considering that settlers received land based on the number of members in their household, it is noteworthy that most of the families had so few children, hired servants, or enslaved persons. The relatively small households may be explained by the harsh living conditions: life near the Great Dismal Swamp was hard and isolated from any town, and disease and mosquitos may have caused many to avoid the area. It was also not ideal for large-scale farming.

According to one interesting record, "Daniel Hall proved two rits one for his transportation and one for his freedom"⁴; this record does not indicate if Daniel was a freed slave or an indentured servant. No other mention of Daniel's name was recorded. Several records from the same court document mention persons proving their "Rite for transportation into this County"⁵; however, nothing else is mentioned concerning freedom. The transportation rit could be the amount of years in service in exchange for transportation from another country or colony. Given the location near the Great Dismal Swamp, where according to newspaper articles of the time communities of slaves were known to have lived, men could have earned enough to purchase their freedom. One historian recounts that "[r]un-away Negroes have resided in these places for twelve, twenty, or thirty years and upwards, subsisting themselves in the swamp upon corn, hogs, and fowls, they raised on some of the spots not perpetually under water...; yet these have been perfectly impenetrable to any of the inhabitants of the country around."⁶ Regardless of his position before coming to Perquimans, Daniel was granted two rits. A rit, or rite, was a right to parcels of land, which could be bought, sold or given to someone else. The Perquimans area was apparently favorable to persons of all color being able to buy, sell, and trade. This was highly unusual for the time elsewhere in the colonies.

The Precinct Court heard mostly cases of small value, often under ten pounds or just a few shillings. Only one or two cases involved anything significant. Several of the cases involved pork, which must have been a highly valued meat. In January 1697, Samuel Pricklofe was paid with five pounds of pork.⁷ In January of 1699, a payment of two hundred and fifty pounds of pork was made to pay off a debt.⁸ "As much pork as will fill a

⁴ Minutes, April 11, 1698, 1:493.

⁵ Minutes, April 11, 1698.

⁶ Alan D. Watson, *African Americans in Early North Carolina: A Documentary History*, in series: *Colonial Records of North Carolina* (Raleigh: Offices of Archives and History, NC Department of Cultural Resources, 2005).

⁷ Minutes, January 11, 1697-January 13, 1697, 1:478-485.

⁸ Minutes, January 9, 1699-January 10, 1699, 1:520-522.



Price-Strother Map of North Carolina, 1808, detail showing Perquimans County with the Great Dismal Swamp to the north and Albemarle Sound to the south. *North Carolina Collection*, North Carolina State Archives, UNC Libraries. <https://dc.lib.unc.edu/cdm/singleitem/collection/nmaps/id/1214/rec/4>

barrel” was given to another plaintiff.⁹ There are many records of pork payments rather than payments of money, as many inhabitants lived in small families and subsistence farming was the way of life. Also of note, currency at this time was not used in many transactions; many deals were arranged using commodities or a bartering system.

Provisions for orphans were also a concern of the court, which appointed guardians.¹⁰ If guardians were found mistreating their charges, they were brought before the court and charged, as in the case of Abraham Warren and two orphans in his care. He was accused of having imposed “immoderate Correction & deprived them of Competent Sustenance.”¹¹ The care and evident concern for the health and well-being of orphan children are a testament to the colonists’ religious sincerity and concern for all members of their community. Of the documents surveyed, several mentioned the care of orphans and who will take responsibility for them. These records also inform the reader of the high mortality rate in the area.

Women of Perquimans County appeared to benefit from many freedoms. According to the court documents, women owned property, servants, and businesses.

⁹ Minutes, January 9, 1705, 1:617-619.

¹⁰ Minutes, January 9, 1699-January 10, 1699, 1:520-522.

¹¹ Minutes, October 9, 1705-October 10, 1705, 1:624-627.

Women were allowed to bring lawsuits against men or women, as well as bring their own grievances before the courts. When a husband sold his property, his wife also had to agree to the sale. Several records indicate that women, as in the case of both Sarah Grey and Tabitha Haskett,¹² were the ones who owned property. Some women who filed lawsuits won in court, as in the case of Sarah Johnson, who received seven hundred pounds of tobacco in repayment.¹³ Over fifty-five women are mentioned specifically by name in the court records. Women played crucial roles in the colonial life of the Carolinas. The court actions and roles of women of the time reveal they were valued as more than property, had specific rights to legal recourse, and played an integral role in establishing and governing the community.

The most extreme case heard by the court was that of Juliana Lakar, who was suspected of killing Alexander, an Indian and her servant. The next court records reveal that Alexander the Indian was not killed but was asserting a grievance against Juliana Lakar. He claimed she did not perform her contract to grant his freedom after he fulfilled his twelve years of servitude.¹⁴ The court ruled in favor of Juliana Lakar and required Alexander to pay court fines and fees. The fact that the proceedings took place is surprising, as is the fact that Alexander was equipped to pay the fines levied against him. Life in Perquimans was very different than in other colonies. Women and Indians both had ways of earning money and of bringing grievances before the courts.

The courts did not always rule in favor of the women. In twelve years of court records, the only person recorded to have received a whipping was a woman, Ellinor Mearle. She confessed to committing fornication and adultery, and the court ordered “punishment by receiving Ten Stripes on her Back well laid on & pay Costs.”¹⁵ While women were afforded much liberty in owning property and bringing lawsuits, promiscuity was not tolerated. In a society where women were scarce and therefore more valued, the standards of behavior were higher as well.

According to the document headings, the Perquimans Precinct Court appears to have met yearly in various homes throughout the county. The records allow one to see what life might have been like. Many of the defendants were brought before the court for small debts; this is especially interesting considering the North Carolina Charter provision that granted debt forgiveness for those who chose to settle in the Carolinas. Perhaps many of the Perquimans cases were long-time creditors trying to gain their money back, or maybe the discharged debtors never learned how to manage their money and so returned to a life of debt. Women may have enjoyed more freedoms as wives because there were not enough women and therefore they were more valued, as evidenced by the harsher punishment received for crimes against marriage. The influence of Quakers could also have contributed to the value placed on women and the lack of large plantations with hundreds of slaves. The trends observed in the court records and proceedings allow the reader to identify with the struggles and victories of the families who settled in the Perquimans area.

¹² Minutes, January 9, 1705, 1:617-619.

¹³ Minutes, January 11, 1697-January 13, 1697, 1: 478-485.

¹⁴ Minutes, October 9, 1705-October 10, 1705, 1:624-627.

¹⁵ Minutes, October 9, 1705-October 10, 1705, 1:624-627.