

## BERTIE COUNTY'S COLONIAL MILITIA

by  
Gerald W. Thomas  
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Introductory comments: Two of England's legacies for the American colonists were a fear of standing armies and a reliance upon the citizens as soldiers (i.e., militia) for defense and security. In colonial America each able-bodied freeman was considered a soldier to be called to duty in times of crisis, rebellion, or invasion. The leaders of each British colony were responsible for instituting defensive measures. North Carolina leaders legislated the formation of militia regiments commanded by appointed colonels in each precinct (subsequently county). Regiments were comprised of companies (commanded by captains) which were formed in districts delineated by local officials. Potential militia service was an acknowledged aspect of life in colonial North Carolina.

The author's intent in preparing this paper was to present a history of Bertie County's militia regiment during its colonial era (1722-1775) and a putative roster of members of the regiment. However, the author quickly found that a meager few military records exist for the Bertie regiment during the cited timeframe. North Carolina's published colonial records contain only three documents providing limited information on the regiment. In addition, a return for the regiment during the 1760s identifies twenty-nine officers and a 1770 record provides the names of five men who were appointed officers. No company muster rolls which would list members (officers, non-commissioned officers, and rank and file soldiers) of the Bertie regiment exist. Therefore, the author researched non-military records, including general assembly minutes, county court minutes, wills, and estate files, to identify individuals who served as regimental officers. Using such sources, the author prepared the following history and roster of the Bertie County militia regiment from the formation of the precinct to the start of the Revolutionary War.

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On October 2, 1722, the North Carolina colonial assembly convened at Queen Anne's Creek in Edenton, Chowan Precinct. Twenty individuals from seven precincts (Beaufort, Chowan, Craven, Currituck, Hyde, Pasquotank, and Perquimans) comprised the assembly's membership. During the eighteen-day session, the assemblymen concluded that the part of Chowan Precinct lying to the west of Chowan River was sufficiently inhabited to warrant the formation of a distinct and separate governmental unit. Thus, the assemblymen passed an act that formed Bertie Precinct and defined the new precinct's eastern boundary as the Chowan River; the northern, as the North Carolina-Virginia border; the southern, as Albemarle Sound and the Moratock River (present-day Roanoke River), including both sides of the river and its tributaries; and the western as extending "as far as the limits" of the government. The region encompassed by Bertie Precinct was immense—covering areas wholly or partly included in the present-day counties of Edgecombe, Halifax, Hertford, Martin, Northampton, and Tyrrell.<sup>1</sup>

When Bertie Precinct was formed, the colony of North Carolina was under the control of descendants of the eight Lords Proprietor. In March 1663 King Charles II had granted a charter to eight influential Englishmen who had assisted him in regaining the throne of England. The territory in American which was granted to the group was immense, essentially encompassing the geographical area included today in North Carolina, South Carolina, Georgia, Alabama, Tennessee, Mississippi, and parts of Florida and Louisiana. The territory was to be known as "Carolina," in honor of Charles I. From 1692 to 1712 the colonies of North Carolina and South Carolina existed as one unit of government, under the overall leadership of the Governor of Carolina and a deputy governor. Throughout this two-decade period, North Carolina had its own assembly and council. North Carolina and South Carolina became distinct colonies in 1712, each with an appointed governor and council.<sup>2</sup>

The Lords Proprietors' (and subsequently their descendants), in exercising control over the governmental affairs of North Carolina, commissioned colonial officials and granted certain authorities to the governor and his council. Defense and security of the colony was predicated on the organization of militia units within the precincts. Consequently, Bertie's appointed leaders were responsible for organizing the freemen within their jurisdiction into a military unit.<sup>3</sup> Precedent for organizing "citizen soldiers" dated back almost six decades to the founding of the province.

The 1663 charter from Charles II to the Lords Proprietor stipulated that the Lords Proprietors appoint military officers within the province. The king also granted the proprietors authority to build fortifications as they deemed necessary and to furnish arms, munitions, and habiliments of war for the safety and welfare of the province. An agreement dated January 7, 1665, between the proprietors and the commander of the king's military forces, provided that the provincial governor constitute and train companies of soldiers for the safety and defense of the province, to suppress rebellions, and to "make war" with Indians, strangers, and foreigners as circumstances warranted. The assembly was authorized to nominate and appoint military officers who were subordinate to the governor. Also, each able-bodied man was to arm himself with a "good" firelock or matchlock musket, bullets, gunpowder, and provisions to sustain himself for six months. The Lords Proprietor issued their Fundamental Constitutions of the Carolinas in March 1669 which further provided that all "inhabitants and freemen" of the province – aged seventeen years to sixty – were required to bear arms and serve as soldiers whenever the council found it necessary.<sup>4</sup>

In 1711 the assembly, in reaction to attacks on colonists by Tuscarora Indians, passed a measure which required all men aged sixteen years to sixty years to fight or pay £5 in lieu of military service. The Tuscarora War erupted on September 22, 1711 and continued until February 11, 1715. The General Assembly convened on November 17, 1715, nine months after the conclusion of the conflict. Lawmakers positioned that North Carolina had endured a "long ... tedious War" with the Tuscarora partly as a result of the "remissness of the People & disobedience to their officers['] commands." The assemblymen passed an act that reconfirmed certain provisions of the 1711 measure but modified the range of ages for militia service to include individuals aged sixteen years to sixty years. Each militia captain was to prepare a comprehensive list of the freemen residing within his district from which his company was to be organized. Each captain was to provide one copy of his list to the governor (i.e., the commander in chief of the province's militia) and one copy to the colonel of the regiment. Thereafter, each captain was to prepare a new list annually in October and submit it to the governor and the colonel. However, certain members of colonial society – clergymen, physicians, surgeons, members of the office of the Lords Proprietors, members of the General Assembly, justices of the peace, clerks of court, attorneys, marshals/sheriffs, and constables – were exempted from military service, except during a "time of danger" when they could be commanded to serve by the governor. The law did not mandate that militia commanders were to hold periodic musters and drills. The statute became effective in January 1716.<sup>5</sup>

Records documenting the organization of Bertie Precinct's militia regiment during the 1720s do not exist. Likewise, no rosters of officers, muster rolls or returns have survived for the regiment during its early years. Presumably, a regiment was organized within a few years after the precinct was formed and possibly its initial commanding officer was Col. William Maule, a veteran of two wars. Maule served in the War of Spanish Succession (1701-1714) during which he was twice captured by French forces. He arrived in Virginia about 1710 and subsequently commanded North Carolina troops in 1712 and 1713 during the Tuscarora War (1711-1715). By 1726, Colonel Maule's health likely was declining as he prepared his will in the spring of that year. He died before the end of the year at the approximate age of thirty-seven years.<sup>6</sup>

In 1729 seven of the eight Lords Proprietors sold their interests in North Carolina to the Crown and North Carolina transitioned from a proprietary colony to a royal colony. Little changed in the administration and governance of the province except who appointed colonial officials.<sup>7</sup> No impact resulted to the province's militia as the provisions of the 1716 law remained in effect.

George Burrington was appointed the first governor of North Carolina under royal authority. Burrington, who traveled to England in 1729 and secured the governorship, had previously served as governor of the province in 1724 and 1725. (He had been removed from office by the Lords Proprietors.) On December 14, 1730, the Board of Trade – the British government's agency principally concerned with matters of the American colonies – instructed Burrington to "take care that all Planters[,] Inhabitants and Christian Servants [in North Carolina] be well and fitly provided with arms and ... be [en]listed under good officers." Also, the board instructed that armed residents be "mustered and trained" as often as "thought" necessary so that they "may be in a better readiness for the defence of the ... Province." The board cautioned Burrington to not conduct musters and remote marches of the militia so frequently that they would become "unnecessary impediments to the [personal] affairs of the inhabitants." Burrington was sworn in as the governor on February 25, 1731.<sup>8</sup>

Burrington, who only a few years previously had been the commander in chief of the North Carolina militia, quickly found that the province's citizen soldiers were in disarray. He began visiting each of the precincts and became "intolerably [sic] plagued with settling the Militia." On November 2, 1732, Burrington wrote to Alured Popple, secretary of the Board of Trade, that his work was incomplete, partly due to a "terrible sickness" he had suffered, but he intended to "soon ... finish the remaining part." Two months later Burrington reported to British officials that he had endured "much fatigue in settling the Militia." Hampered by the deaths of two colonels (unidentified), the governor had eventually obtained lists of the members of the various precincts' regiments. He concluded that five thousand men were enrolled in the militia while an additional one thousand individuals were not on the rolls. According to Burrington, the province's militia "had been totally neglected" during Sir Richard Everard's governorship (1725-1731).<sup>9</sup>

Amidst the disarrayed state of the provincial militia, Thomas Pollock Jr. – a justice of the peace in Bertie Precinct, the precinct's treasurer, and a member of the General Assembly – was appointed colonel by the early 1730s. The Bertie militia regiment had been organized and officers appointed. Barnaby McKinnie and James Millikin were majors and at least ten captains – John Boade, Needham Bryan, Thomas Bryant, Benjamin Hill, John Holbrook, Simon Jeffries, Francis Pugh, John Spiers, Peter West, and George Wynns – had been commissioned. Colonel Pollock's tenure as commander of Bertie's militia regiment, however, was short-lived as he died prior to July 1733.<sup>10</sup>

Robert West [II] succeeded Pollock as the commanding officer of the Bertie regiment. He was first mentioned in Bertie Precinct court records as a colonel in May 1732. West served as the commanding officer of the regiment for approximately three decades. During his tenure as colonel, West also served as a justice of the peace (1730s – 1760s) and as a member of the General Assembly (1762).

British officials removed George Burrington as governor of North Carolina and Nathaniel Rice briefly served as the acting chief executive. Gabriel Johnston was appointed governor in 1734 and soon determined that improvements were needed in the province's militia. On January 17, 1735, Johnston addressed the Upper House of the General Assembly. He emphatically recommended that the legislators pass a law to strengthen and enhance the militia to defend the province and assist magistrates in the execution of laws. Johnston considered the enactment of a law a matter of "great importance." Three days later the assemblymen committed to "take care" to put the provincial militia on a "footing as may best answer the purposes" sought by Johnston. However, despite the commitment, the assembly passed no militia law during the session which concluded March 1, 1735.<sup>11</sup>

Johnston next appealed to the Upper House during the General Assembly's September – October 1736 session. The governor noted that militiamen were not attending musters as frequently as necessary. He attributed the absenteeism to the fact that penalties provided in the militia law were so slight and inconsequential as to not motivate the citizens. Johnston concluded that without a new statute to address the issue, there was no avoiding the "inconvenience." Again, no new militia law emanated from the assembly.<sup>12</sup>

The governor had become frustrated with the over the lack of action to revamp the militia. An individual who had come to the province from England disclosed that British authorities had "a design" to send an independent company of soldiers to North Carolina. On April 30, 1737, Johnston wrote to the Board of Trade that he was satisfied with the prospect, noting that "our Assembly will never ... put the Militia in any tolerable footing." He questioned how lives and properties could be preserved in a society where the militia could not be raised. He opined that if the situation was not "soon remedied," detrimental effects would occur.<sup>13</sup>

Finally, during the assembly of 1740, North Carolina lawmakers moved to enact a new militia law. At the time Britain had been at war with Spain over colonies and trade since October 1739 and a wider conflict appeared imminent among European countries. Governor Johnston, on February 5, 1740, once again addressed the members of the General Assembly. During his remarks he informed the lawmakers of the "great appearance of a war breaking out in Europe." In consequence thereof, Johnston alerted the assemblymen of the absolute necessity to "revise and reform" the province's militia law. A bill was introduced, however, when the legislative session ended on February 27 no law had been passed. The assembly reconvened on July 31, 1740, and immediately Johnston reminded the members that it was "high time" that the province had a "good Militia when the war is brought to our very door." Spurred to action, within days the lawmakers were deliberating a bill for the "better regulation of the Militia." Finally, during the session (which concluded on August 22) the assembly repealed the 1716 militia statute and enacted a new law.<sup>14</sup>

The new law was substantively the same as the 1716 statute. It retained the range of ages (sixteen years to sixty years) for freemen to be liable for militia service as well as the requirement for captains to annually compile lists of the persons residing within their districts who were subject to militia duty. Ministers of the Church of England, members of the General Assembly, attorneys, physicians, surgeons, and other select occupations continued to be exempt from service but could be specifically called into service by the Governor. Colonels were to annually muster their regiments for training and exercising with arms. Captains were to muster their companies twice a year. Each militiaman was to provide for himself a "good gun," powder, shot, and a sword or cutlass. The law also provided that any militiaman who was disabled in service to such an extent which prevented him from being able to support himself was to be supported by the provincial government. Additionally, such a person was to be provided "one good Negroe" (i.e., slave) to assist him. The wife and family of a militiaman killed in public service were to be supported by the government. Furthermore, the new law increased penalties and fines to be levied for non-conformance with certain provisions and provided for new fines for other infractions. For example, any captain who failed to prepare a list of individuals liable for militia service in his district was to be fined £10 (verses £5 under the old law). Captains who failed to issue warrants for punishing members who failed to show for musters were to be fined £20 (verses £10). The law provided for the imposition of a £5 penalty for any militiaman who failed to appear at a muster with a good weapon, ammunition, etc., or an exempt person who similarly failed to appear with his weapon and other required equipment when called by the governor. Also, captains who failed to muster their companies twice a year were to be fined £5.<sup>15</sup> Clearly, the province's lawmakers, in passing the act with increased and new penalties and fines, placed the onus for improving the efficiency and effectiveness of the

militia on the captains (i.e., company commanders).

Despite the enactment of the militia statute, Governor Johnston still felt that the law contained “notorious” defects which needed to be remedied. One “oppressive” issue to certain citizens was the failure of officers to call general musters. As a result, some militiamen voluntarily attended musters of regiments outside the counties of their residence. A bill to amend the 1740 law was introduced in the November – December 1744 assembly session. However, the bill was “tabled.”<sup>16</sup>

During June 1746, the General Assembly passed another law to better regulate the militia. Various provisions were the same as the 1740 act, but one provision required captains to muster their companies four times a year (verses two times per the previous law) and ensure that the members of their units were appropriately armed. Captains who failed to comply with the provision were to be fined £5. Also, colonels were required to muster their regiments at least once annually or face a fine of £20. The law was to remain in effect for three years. During the September – October 1749 legislative session, the General Assembly extended the law for five additional years. Lawmakers again extended the effective date of the law to October 16, 1759 during the February–March 1754 session.<sup>17</sup>

Col. Robert West’s effectiveness in commanding the Bertie County militia cannot be determined due to the lack of records. Obviously, organizing, training, and commanding planters and farmers as soldiers during the 1730s and 1740s was an imposing task. Presumably, the Bertie regiment suffered from the issues and problems raised by Governors Burrington and Johnston.

Bertie County court records indicate that Benjamin Hill, an influential merchant and justice of the peace who resided near Potecasi Creek (present-day Hertford County), held the rank of colonel at least from May 1734 through November 1741. No military records exist regarding Hill’s appointment. Possibly, the organization of the Bertie militia was divided into two units with Colonels West and Hill each in command of a unit, particularly given the large geographic region covered by Bertie County.<sup>18</sup>

During Robert West’s tenure as commander of the Bertie regiment, another influential county resident – Peter West – also held the rank of colonel. Court records indicate that the latter West was a colonel for at least two years – November 1739 through November 1741. He had served in the Bertie regiment as a captain earlier during the 1730s. Peter West died in Bertie County in 1751.<sup>19</sup>

A 1754 return for the Bertie regiment indicates that the unit was comprised of eight companies totaling 720 men and a troop of mounted militia comprised of forty-four individuals (764 total militiamen). A similar return for 1755 reveals that the regiment was comprised of 838 members – an increase of seventy-four individuals, or almost ten percent from the previous year. The mounted component of the regiment still totaled forty-four members. By July 12, 1756, the regiment’s strength had increased to 946 persons – the number of “horse troops” remained constant. The Bertie regiment accounted for 7.3 percent of the province’s total militia forces (12,931 men) in 1756. Less than half of the province’s citizen soldiers were armed.<sup>20</sup> The significant increase (almost twenty-four percent) from 1754 to 1756 in the Bertie regiment’s strength was attributable to North Carolina’s efforts to strengthen its defenses as a result of the ongoing French and Indian War.

By the fall of 1756, North Carolina’s leaders determined that the provincial militia needed to be “well disciplined” for the defense of the country “against the common Enemy at this critical Juncture.” Arthur Dobbs was governor at that time. British colonists had been pitted against French colonists in North America since 1754. The North American conflict, which flared as a result of competition for land between Great Britain and France, was a component of the Seven Years War in Europe. Between 1755 and 1757 North Carolina focused on enhancing its frontier defenses. The 1756 militia law authorized field officers and company commanders to call out their units to confront French forces should they invade North Carolina. The call-outs could be made without prior orders from Governor Dobbs, the commander in chief of the provincial militia. To improve discipline and training, each captain was required to muster his company five times a year and ensure that each member of the unit was appropriately armed. Regiments were to be mustered only once annually. Further, the law permitted Dobbs to appoint troops of “light horse” cavalry in counties where he deemed necessary.<sup>21</sup> No Bertie County militiamen were deployed from the county to serve during the French and Indian War (1754-1763).

Thomas Whitmell Jr. was appointed colonel of the Bertie militia regiment by 1763. Whitmell served as the regiment’s commanding officer throughout the 1760s and into the 1770s as relations between the American colonies and Great Britain continually deteriorated eventually leading to the Revolutionary War (April 1775–September 1783). A return of militia officers under Colonel Whitmell’s command (ca. 1767) lists three regimental officers (Whitmell, colonel; Robert West [III], lieutenant colonel; and Thomas Pugh, major) and twenty-six company-level officers – ten captains, eight lieutenants, seven ensigns, and one cornet (the lowest officer rank in a cavalry troop).<sup>22</sup>

As commander of the Bertie regiment, Whitmell was responsible for preparing Bertie County militiamen to potentially march against fellow North Carolina citizens. During the 1760s – as relationships between the American colonies and Britain worsened – yeomen farmers in the backcountry of North Carolina, known as the Regulators, rebelled against royal officials. The Regulators, dissatisfied elements of the colony’s Piedmont region, were suspicious and resentful of political leaders from the eastern region of the colony. By the mid-1760s the Regulator movement was well established and gaining momentum. Bertie County’s militiamen seemed destined to help quell the unrest. Governor William Tryon designated the county’s militiamen to potentially assist in subduing the turmoil associated with the insurrectionary Regulator movement then taking place within the backcountry region of the colony. On April 27, 1768, Tryon—in response to appeals by his friend Edmund Fanning, an Orange County militia officer, royal judge, and target of the Regulators’ ire—directed the commanders of a number of militia regiments, including Thomas Whitmell, to be ready to march with such numbers of men and officers as might be required by Fanning or the commanding officer of the Orange County militia. The governor, also a target of the Regulators’ ire, was preparing to suppress “in the most effectual manner” the “several riotous and tumultuous Assemblies” taking place in Orange County. The Orange County Regulators believed Judge Fanning epitomized political corruption. Eventually, the crisis eased and the assistance of the Bertie County militia was not required.<sup>23</sup>

However, the Regulators subsequently rekindled their ire and their movement gained momentum and followers. Finally, on March 19, 1771, Governor Tryon ordered the militia commanders of twenty-nine counties to raise volunteers “to march against the Insurgents.” Tryon called for 2,550 militiamen, of whom he designated fifty to be drawn from Bertie County’s regiment.<sup>29</sup> On April 3 Tryon ordered Colonel Whitmell and the commanders of eight other counties to march to Hillsborough the forces they previously had been ordered to raise. Tryon directed that each detachment be marched “by the most convenient route” to Hillsborough and to arrive by May 6. There, the units were to join other North Carolina detachments that Tryon had ordered to the rendezvous. The county commanders would receive further instructions once they and their men reached Hillsborough.<sup>24</sup>

Ten days later Tryon transmitted funding warrants to Whitmell and seven other colonels, recipients of the governor’s April 3 instructions. The warrants (all except one in the amount of £150) were to be drawn upon the colony’s treasury and the funds were to be used to pay bounties to the militiamen and defray other expeditionary expenses. The county detachments were to provide their own provisions until they reached Hillsborough. Once they reached the rendezvous location, Thomas Hart, an Orange County merchant and militia officer who had contracted with Governor Tryon, was to furnish rations to the troops.<sup>25</sup>

The Regulators, growing increasingly agitated, threatened to disrupt the colony’s assembly in New Bern. Governor Tryon called out elements of the province’s militia, totaling about a thousand men (substantially less than the 2,550-man force he had ordered to be readied for action in March) and marched to the heart of the Regulator country. On May 16, 1771, the governor’s force soundly trounced armed Regulators at Alamance Creek in Orange County (now Alamance County), about eight miles south of present-day Burlington. The battle climaxed over a decade of social unrest, violence, and disorder and ended the so-called War of Regulation. Although twice placed on alert to potentially march to the Piedmont, in the end Bertie County’s militiamen were not involved in quelling the Regulators.<sup>26</sup>

Despite additional laws enacted in 1771 and 1774, North Carolina militia regiments continued to be largely ill prepared for combat. The Revolutionary War ignited in Lexington, Massachusetts on April 19, 1775, when Massachusetts minutemen and British regulars engaged each other. The war would not formally conclude until September 3, 1783, when officials from the United States and Great Britain signed the final peace treaty. During the war, eleven companies of militiamen wholly or partly formed from the Bertie County regiment were detached and marched to South Carolina, the Piedmont, and Virginia in defense of their newly established country. The members of another county militia company were drafted into the North Carolina line and sent to New York. Following more than a half century of largely inactive service during the colonial period, Bertie’s militiamen experienced the horrors and tragedies of combat during the nation’s War for Independence.<sup>27</sup>

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During the colonial period, a regiment was the highest echelon unit of North Carolina’s militia. Regiments were organized at the county level and generally comprised of eight to ten companies. There were no brigades of regiments and no general officers. Colonels, as commanders of regiments, received their orders from the governor.

The individuals who served as officers in the Bertie militia regiment were predominantly men of influence and high social standing. Most of the individuals who served as officers also served in other governmental (provincial and precinct/county) capacities, including as members of the General Assembly, members of the governor’s council, Bertie Precinct/County justices of the peace and law enforcement officers. For example, all eight individuals who were appointed to the rank of colonel also served during their lifetimes as justices of the peace. Sixteen militia officers (including five colonels) were members of the General Assembly as well as justices of the peace. The following table presents the names of persons who served as officers in the Bertie militia regiment from 1722 to 1775 and other governmental positions they held as identified by the author. As previously noted, due to the lack of pertinent records and limitations in available records, the table does not include the names of all individuals who served as officers in the regiment during the specified timeframe. Dates are of the records which include information indicating that the identified individuals were militia officers and do not necessarily represent the actual periods the individuals served. For example, the author found records which indicated that John Boade was a captain in 1733 and 1734. Boade may have served over a longer period of time.

IDENTIFIED OFFICERS OF THE BERTIE COUNTY MILITIA REGIMENT  
AND OTHER GOVERNMENTAL POSITIONS HELD  
DURING THE COLONIAL PERIOD  
1722 – 1775

OFFICER	RANK(S) AND APPROXIMATE DATE(S) HELD	OTHER GOVERNMENTAL POSITION(S) AND APPROXIMATE DATE(S) HELD
Bevin, Andrew	Lieutenant: ca. 1767	
Boade, John*	Captain: 1733-1734	Bertie justice of the peace: 1728-1735
Brown, Arthur	Captain: ca. 1767-1774	Bertie justice of the peace: 1765-1774 Bertie sheriff: 1774-1775
Brown, John	Captain: ca. 1767	Member of General Assembly: 1740 Bertie justice of the peace: 1743-1761 Bertie sheriff: 1747
Bryan, Edward	Captain: 1757	Bertie justice of the peace: 1748-1749
Bryan, Needham**	Captain: 1732-1749	Bertie justice of the peace: 1731-1748
Bryant, Thomas	Captain: 1733-1740	Indian Commissioner: 1732 Bertie justice of the peace: 1725-1740 Member of General Assembly: 1736-1740
Burke [first name not given]	Captain, 1758	
Burns/Barnes [first name not given]	Captain 1767-1769	
Campbell, John	Captain: 1753	Member of General Assembly: 1754-1760, 1769-1775 Bertie justice of the peace: 1757-1775
Clark, Christopher	Captain: 1775	
Davis, William	Lieutenant: 1770	
Edwards, Titus	Cornet: ca. 1767	Bertie constable: 1755-1760 Bertie deputy sheriff: 1767 Bertie patroller: 1767-1772
Everett, Charles	Captain: ca. 1767-1775	Bertie patroller: 1768 Bertie constable: 1775
Freeman, John	Captain: ca. 1767-1774	Bertie justice of the peace: 1766-1775
Freeman, Moses	Lieutenant: ca. 1767	Bertie constable: 1772-1774

Freeman, William	Captain: 1768	
Gray, William	Captain: ca. 1767	Bertie justice of the peace: 1758-1774 Member of General Assembly: 1760-1768
Hardy, Humphrey	Lieutenant: ca. 1767	Bertie justice of the peace: 1774-1775
Harrell, Adam	Ensign: ca. 1767	
Harrimond, Henry	Captain: 1764-1774	
Hill, Benjamin	Captain: 1731-1733 Colonel: 1734-1741	Bertie justice of the peace: 1757-1746 Member of General Assembly: 1738-1746 Bertie clerk of court: 1741-1742
Hill, John	Captain: 1754	Bertie constable: 1739 Bertie justice of the peace: 1749-1763 Bertie sheriff: 1751-1754 Indian Commissioner: 1753 Member of General Assembly: 1760
Holbrook, John	Captain: 1732-1734	Bertie justice of the peace: 1724-1739
Howell, John	Captain: prior to 1764	Bertie constable: 1741-1743
House, Alexander	Captain: 1771	
House, Thomas	Ensign: ca. 1767	Bertie patroller: 1768 Bertie constable: 1775
Hunter, Hardy	Ensign: ca. 1767	Bertie constable: 1763-1765 Bertie patroller: 1767-1768
Hunter, Henry	Ensign: ca. 1767	Bertie justice of the peace: 1748-1760
Jacocks, Thomas	Captain: 1763	
Jones, James	Captain: 1758-1760	
Jeffries, Simon	Captain: 1733	
Kinchen, Peter	Captain: 1740	
King, David	Captain: ca. 1767	
King, Michael	Ensign: ca. 1767	
King, William	Lieutenant: ca. 1767	
Knott, Absolom	Ensign: 1770	
Knott, William	Lieutenant: 1770	
Lancaster, Micajah	Ensign: ca. 1767	
Lewis [first name not given]	Captain: 1764	
McDowell [first name not given]	Captain: 1742	
McKinney, Barnaby	Major: 1726-1731	Assistant justice of North Carolina General Court: 1822, 1725, 1726 Member of Governor's Council: 1725 Member of General Assembly: 1722-1723 Bertie justice of the peace: 1724-1728
Maule, William	Colonel: 1724-1726	North Carolina deputy surveyor: 1710-1713 North Carolina surveyor general: 1714-1723 Judge of North Carolina vice admiralty court: 1724-1725 Member of governor's council: 1724-1725 Bertie justice of the peace: 1724-1725 Member of General Assembly: 1725-1726
Millikin, James	Major: 1731-1733	Bertie justice of the peace: 1731
Moore, James	Captain: 1732	
Moore, James	Captain: ca. 1767 Major: 1775	Bertie justice of the peace: 1759-1770 Bertie sheriff: 1771-1774
Pollock, Thomas Jr.	Colonel: 1731	Member of governor's council: 1722-1731 Bertie justice of the peace: 1724-1728 Member of General Assembly: 1731 Treasurer for Bertie Precinct: 1732
Pratt, John	Captain: 1732	Bertie justice of the peace: 1739 Bertie sheriff: 1739-1741
Pugh, Francis	Captain: 1732-1733 Major: 1734 Colonel: 1736****	Indian Commissioner: 1732 Bertie justice of the peace: 1732-1734
Pugh, Theophilus	Captain: 1734	
Pugh, Thomas	Captain: 1765 Major: 1767 Colonel: 1775	Bertie sheriff: 1761-1762 Bertie justice of the peace: 1756-1770 Member of General Assembly: 1762-1765
Reed, Christopher	Ensign: 1770	
Rhodes, Thomas	Lieutenant: ca. 1767	Bertie constable: 1774-1775
Scolley, Samuel	Captain: 1740-1742	
Sparkman, William	Captain: ca. 1767	
Spiers, John	Captain: 1727-1735	Member of General Assembly: 1723 Bertie justice of the peace: 1726-1732 Indian Commissioner: 1732, 1736
Standley, David	Lieutenant: ca. 1767	Bertie justice of the peace: 1765-1775 Bertie deputy sheriff: 1766 Bertie sheriff: 1766-1769 Member of General Assembly: 1771-1775
Standley, Jonathan	Captain: ca. 1767-1769	Bertie justice of the peace: 1763-1772
Sutton, John	Major: 1734	Bertie deputy clerk of court: 1723-1724 Bertie constable: 1733 Crier of Bertie court: 1734****
Sutton, Thomas	Ensign: ca. 1767	
Vann, Edward	Captain: ca. 1767	
Watson, John Jr.	Lieutenant: ca. 1767	Bertie constable: 1768-1769, 1774 Bertie patroller: 1771-1772
West, Peter	Captain: 1732-1736 Colonel: 1739-1741	Bertie constable: 1724 Bertie justice of the peace: 1727-1745
West, Robert [II]	Colonel: 1732-1758	Indian Commissioner: 1732, 1736 Bertie justice of the peace: 1732-1739
West, Robert [III]	Lieut. Colonel: ca. 1767	Bertie justice of the peace: 1760-1762 Member of General Assembly: 1762
Whitmell, Thomas Jr.	Colonel: 1759-1775	Bertie justice of the peace: 1734-1744, 1774 Indian Commissioner: 1736, 1753 Inspector (warehouses, quitrents, etc.): 1739-1744 Bertie sheriff: 1745-1747, 1763-1764 Member of General Assembly: 1754-1760 Bertie constable or deputy sheriff: 1758
Whitmell, Thomas [III]	Captain: ca. 1767	
Williams, Rowland	Captain: 1739-1740	Bertie justice of the peace: 1735-1741
Wolfenden, John	Captain: 1770	
Wynns, Benjamin*****	Captain: 1756-1759	Bertie constable: 1736 Bertie deputy sheriff: 1741 Bertie deputy clerk of court: 1744-1747 North Carolina deputy surveyor: 1745-1746 Bertie clerk of court: 1752-1762 Member of General Assembly: 1754-1760 Bertie justice of the peace: 1756-1759

Wynns, George	Captain: 1727-1733	Bertie justice of the peace: 1724-1735 Member of General Assembly: 1729-1735
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\* Surname is also recorded in colonial records as "Boude."

\*\* Surname is also recorded in colonial records as "Bryant."

\*\*\* Francis Pugh was deceased by May 1736.

\*\*\*\* A crier was a person who made public announcements in court.

\*\*\*\*\* Benjamin Wynns resided in the area of Bertie County which became part of Hertford County in 1759. Wynns served as Hertford County's first clerk of court from 1760 to 1764. He represented Hertford County in the General Assembly (1771-1772, and 1774) and served as the colonel of the Hertford County militia regiment (1772-1776).

## NOTES

1. John L. Cheney Jr., ed., *North Carolina Government, 1585-1979: A Narrative and Statistical History* (Raleigh: North Carolina Department of the Secretary of State, 1981), 33 (hereafter cited as Cheney, *North Carolina Government*); Walter, Clark, ed., *The State Records of North Carolina*, 16 vols. numbered 11 through 26 (Raleigh: State of North Carolina, 1895-1906), 23:98, 100-102 (hereafter cited as Clark, *State Records*); David Leroy Corbitt, *The Formation of the North Carolina Counties, 1663-1943* (Raleigh: Division of Archives and History, North Carolina Department of Cultural Resources, 1987, 2000), 25, 65.

2. "Colonial Period Overview," NCPedia, <https://www.ncpedia.org> (hereafter cited as "Colonial Period Overview"); "Creating the Carolinas," *U. S. History Online Textbook*, <http://www.ushistory.org/us/5c.asp>.

3. "Colonial Period Overview;" Joanne C. Carpenter, "Quitrents," NCPedia.

4. William L. Saunders, ed., *The Colonial Records of North Carolina*, 10 vols. (Raleigh: State of North Carolina, 1886-1890), 1:29, 75, 83, 86, 187, 205 (hereafter cited as Saunders, *Colonial Records*).

5. Clark, *State Records*, 23:29-31; Louis P. Towles, "Militias, Colonial," NCPedia.

6. Charles B. Lowry, "Maule, William," NCPedia; Dennis F. Daniels, "Thomas Pollock," NCPedia.

William Maule was born in Scotland ca. 1690. Upon arriving in Virginia, he became associated with Thomas Pollock, one of the province's largest and wealthiest landowners and soon-to-be-governor (appointed September 12, 1711). Pollock recommended Maule to John Lawson, surveyor general of North Carolina. Maule became Lawson's deputy and assisted in the first attempt to delineate the North Carolina - Virginia boundary. During 1712 and 1713, Maule effectively commanded the North Carolina volunteers during the Tuscarora War. In 1714 he was appointed surveyor general, a position which enabled him to accumulate more than 16,000 acres of land, much of which was situated in western Chowan Precinct (subsequently Bertie Precinct in the area encompassed by present-day Hertford County). Maule served on the governor's council (1724-1725), as a judge of the vice-admiralty court (1724-1725), a Bertie Precinct justice of the peace (1724-1725), a member of the General Assembly from Bertie (1725-1726).

7. "Colonial Period Overview."

8. Dennis F. Daniels, "George Burrington," NCPedia; Robert J. Cain, "Board of Trade," NCPedia; Saunders, *Colonial Records*, 3:90, 112-113.

9. Saunders, *Colonial Records*, 2:368-369, 3:429, 433.

10. Cheney, *North Carolina Government*, 36; Saunders, *Colonial Records*, 2:526, 570, 670, 676, 818, 3:404, 546, 578, 285.

11. Saunders, *Colonial Records*, 4:75, 78.

12. Saunders, *Colonial Records*, 4:225, 228.

13. Saunders, *Colonial Records*, 4:249-250.

14. Saunders, *Colonial Records*, 4:470, 477-478, 480, 483, 504, 509, 512, 534, 535, 552, 553; Clark, *State Records*, 23:151; <http://www.ncpublications.com/colonial/editions/Acts/militia.htm>.

15. Saunders, *Colonial Records*, 23:151; <http://www.ncpublications.com/colonial/editions/Acts/militia.htm>.

16. Saunders, *Colonial Records*, 4:732-733, 741, 745-746.

17. Clark, *State Records*, 23:244-247, 317, 330, 25:266-267.

18. Weynette Parks Haun, comp., *Bertie County, North Carolina, County Court Minutes, 1724 thru 1739, Book I* (Durham: the compiler, 1976), 52-60, 101-104 (hereafter cited as Haun, *Court Minutes I*); Weynette Parks Haun, comp., *Bertie County, North Carolina, County Court Minutes, 1740 thru 1743: 1758 thru 1762, Book II* (Durham: the compiler, 1977), 1-4, 6, 8-9 (hereafter cited as Haun, *Court Minutes II*).

Benjamin Hill died in Bertie County in 1753, at the approximate age of fifty-six years. J Bryan Grimes, *Abstracts of North Carolina Wills* (Raleigh: E. M. Uzzell, State Printers, 1910), 164 (hereafter cited as Grimes, *Wills*).

19. Haun, *Court Minutes I*, 101-107; Haun, *Court Minutes II*, 6-9, 12, 14-16, 18-20; Grimes, *Wills*, 398.

20. Saunders, *Colonial Records*, 5:161-163, 575-576, 603-604.

21. R. Jackson Marshall III, "French and Indian War," NCPedia; Clark, *State Records*, 23:440, 25:331, 334-337.

22. Transcript, Officers of the Bertie Militia Regiment, ca. 1767 by Joel S. Russell, [www.rafert.org/colonial/StateMilitia1767.htm](http://www.rafert.org/colonial/StateMilitia1767.htm).

23. Gerald W. Thomas, *Rebels and King's Men: Bertie County in the Revolutionary War* (Raleigh: North Carolina Department of Cultural Resources, Office of Archives and History, 2013), 10-12 (hereafter cited as Thomas, *Rebels and King's Men*).

24. Thomas, *Rebels and King's Men*, 13.

25. Thomas, *Rebels and King's Men*, 13.

26. Thomas, *Rebels and King's Men*, 13-14.

27. Clark, *State Records*, 23:787-788, 931, 940-945; Thomas, *Rebels and King's Men*, 222, 115-116, 168-169.