

THE FIRST SCOTTS & ANDREW SCOTT

Leland Ormond Scott, Jr., a descendant of Andrew Scott, submitted a story of the first Scotts in Wayne County for publication in the *Heritage of Wayne County, NC*, published in 1982. The story is now considered a legend, but it is reported here with additional details because of its interest to many Scotts who rely on it to explain the origin of the Wilson and Wayne County Scotts.

Leland Scott, Jr. relates that the first Scotts (Frank Scott's ancestors) in America were two brothers, Talbot and Calvert Scott, who arrived off the northern coast of Virginia in 1681 and settled in Cecil County, Maryland. The brothers, who were Scotch-Irish, became merchants and acquired considerable property.¹

Talbot's son James sold part of his property after his father's death between 1719 and 1724 to James Cathey. Between 1747 and 1749, Cathey and fourteen other families, including James Scott, moved to Rowan County, N.C. from Pennsylvania and Maryland by way of the Shenandoah Valley in Virginia. Rowan County was a wilderness with plenty of game and choice farm land. The Cathey Settlement was located west of the South Yadkin River. A landmark of the settlement was Cathey's Meeting House, which was built in the early 1750s. Originally called the Lower Meeting House in 1753, the name was changed to Cathey's Meeting House in 1755. It retained that name until the mid-1760s, when it was changed to Thyatira Presbyterian Church, which still exists today.

In 1759 James Scott, William Grant, George Cathey, James Cathey, and Andrew Cathey were among the subscribers living on the Earl of Granville's lands in Rowan County. They petitioned the King and the Earl to exempt them from the obligation to pay taxes to support the Clergy of the Established Church (of England) because they were desirous to support their own ministers. Since they lived in the "Remote Wilderness," they also requested a supply of arms and ammunition and an exemption from paying quit rents for a number of years.²

As a landowner, James Scott served on county juries. In 1765 he was appointed constable in Cathey's Settlement district. Later that year he sold 225 acres on the Reedy Branch of Crane Creek to Thomas Hill for £30 proclamation money. In 1768 James Scott was listed in Jacob Laesch's list of taxpayers in Rowan County. In the 1778 Rowan County Tax List, James listed 448 acres.³

In time, several Rowan families, including James Scott's sons, Thomas and Andrew, moved eastward to Dobbs County, which later became Wayne.⁴ Since courthouse fires have destroyed the Dobbs County records, the exact date of the brothers' arrival in Dobbs is unknown. Another family that moved with them was William Grant and his wife Jane Brodie. Grant acquired 140 acres near present day Belfast on July 7, 1762.⁵ Tax records for Dobbs County in 1769 list Thomas Scott in William Grant's household. Andrew was not listed in the record.⁶

We now know that the Andrew Scott in Rowan County died in 1784 in Guilford County and his widow Isabel died in 1820 in Rockingham County (created in 1785 from Guilford). Andrew's brother, Thomas, was killed during the Revolutionary War at the Battle of Cedar Springs, SC on July 12, 1780.

A document that could lend credence to the Wayne County Scott's being from Rowan is a deed conveyed in 1803 from John McClelland and his wife Nancy of Rowan Co to Andrew Scott "of Wane [sic], NC" for \$1000, 2 tracts on Crane Creek: 1) 215¾ acres where Elisha Shamwell lived adj Joseph Huges, James McCulloh, and John Cary; and 2) 4 acres and 8 chains adj John Cleary, _____ McClelland, and Joseph Hughes. The deed was acknowledged at the Nov Court 1803.⁷ (James Scott lived on Reedy Branch of Crane Creek).

Another possible location for the origin of the Wayne County Andrew and Thomas Scott could be Craven County, NC. On Friday, January 4, 1765 Thomas (age 12) and Andrew Scott (age 11) were bound apprentice to Thomas Haslin, Esquire, until they were 21 years old to learn about navigation and the business of a sailor.⁸ Thomas Haslin was a physician and merchant in New Bern.

Could Andrew and Thomas be sons of Dr. Andrew Scott of New Bern? Dr. Scott was a native of St. Georges, MD and was "perhaps the most able and talented medical man of his day in North Carolina." He was one of the pioneers of small pox inoculation in the South. He was also master of the New Bern Masonic Lodge in 1755.⁹

Leland Scott reports that Andrew and Thomas participated in the Revolutionary War, serving under Richard Caswell at Moore's Creek in February 1776.¹⁰ This researcher has not found documentation for Andrew, but Thomas was listed on the roster.¹¹ The battle at Moore's Creek Bridge, which lasted three minutes, was known as the "Lexington and Concord" of the South because of its significance. The North Carolina patriots consisted of 1,100 men in Richard Caswell's New Bern militia and Alexander Lillington's Wilmington militia. They joined together to defeat 1,600 loyalists, mostly Scottish Highlanders who had taken an oath of allegiance to the Crown before emigrating to America and whose leading industry — naval stores— was subsidized by Parliament. This battle stimulated the independence movement and led to the Halifax Resolves adopted on April 12, 1776, which empowered North Carolina's delegates to the Continental Congress in Philadelphia to declare independence from Great Britain and recommended that independence should be declared by all the colonies. A motion in the Continental Congress was approved on July 2, and a final draft of the Declaration of Independence was submitted to the delegates on July 4.

After William Grant's death on September 23, 1773, Thomas and Grant's widow, Jane, served as co-executors of his estate. In the years that followed, Thomas and Andrew purchased large portions of Grant's land.¹² Details of the deeds are not available due to fires in the Lenoir County courthouse in the late nineteenth century, which destroyed the early records of Johnston and Dobbs County.¹³

In 1774 Andrew married Elizabeth Ritter in New Bern. She was 14 years old and the daughter of Moses and Hannah Ritter, who were Andrew's neighbors. Her obituary in the *Southern Christian Advocate* (newspaper) in 1847 indicates that she was the mother of thirteen children with only three who survived her. It is generally considered that Andrew's marriage to Elizabeth was a second marriage for him. However, no documentation has been found for the first marriage.

After the war Andrew continued to acquire property in the Stony Creek area. He is first mentioned in Wayne County as a neighbor in deeds for John Herring and John Tilton in 1778.¹⁴ In 1780 he entered a claim with the state for two tracts, which became two of the four grants he received in 1788: 1) 100 acres at the head of Mill Branch, joining his own line, Josiah Boyte, and Leavin Vinson and 2) 50 acres on Mill Branch, joining his own line, John Herring, and John Sasser.¹⁵

On October 25, 1785, Josiah Boyte sold Andrew 300 acres on the west side of Stony Creek for £48 specie. In January of the following year, Andrew entered a claim for 80 acres on Stony Creek, joining his own line, David Worrell, and Lewis Ballard.¹⁶

Andrew's land claims resulted in four grants from the State of North Carolina in July 1788 for 330 total acres.¹⁷ He obtained another grant in 1789 for 80 acres on Buck Branch. This tract joined his brother's line. In September 1789 Andrew purchased 100 acres from his brother Thomas, for £10. This tract was on both sides of Buck Marsh, near Admiral Howell's line and Clay Branch.¹⁸

The Wayne County list of taxable property for 1786 indicated that Andrew had 800 acres. Thomas Scott had 360 acres at the time.¹⁹

Andrew was active in community affairs. For example, he was one of thirteen citizens who served on the Wayne County Grand Jury on Tuesday, July 14, 1789.²⁰ In October 1789 he and several other residents were appointed to lay off and mark the most convenient way for a road to be built from Button Branch to West Point, Waynesboro.²¹ Also, in 1789, Andrew and his brother Thomas secured a £250 bond for Daniel Loftly to continue to serve as constable.²² On Thursday, October 17, 1793, Andrew and others marked a new road from William Alford's to John Handley's.²³

The first census of the United States conducted in 1790 lists Andrew in the Newbern District of Wayne County as head of household with two males younger than 16 years, two males older than 16 years (one including Andrew himself), three females, and four slaves.²⁴ The early censuses listed only heads of households and indicated the number of people living in the household within designated age, sex, and race categories. Names of family members within the household were not listed until the 1850 Census.

Five of Andrew's children are known. They are:

1. **CHARLES SCOTT**, who married Avanilla (Avy) ____ (last name unknown)
2. Council Scott, who moved to Sampson County when his father gave him 500 acres in 1813. He later sold the land and was in Sumter County, SC in the 1820 Census.
3. George Scott, who married Mary Angelina de Raoul/Rowel of WaCo. They moved to Williamsburg District (or County), SC in the 1820s and then to Autauga County, AL in the 1830s.
4. Sheany Scott, who married Ephraim Moore of Greene County
5. Another daughter (according to the 1810 census).

On January 7, 1797, Thomas sold Andrew three tracts on Buck Branch for £500: 1) 200 acres next to David Worrell; 2) a tract without acreage specified on Clay Branch near Moses Ritter's line; and 3) 120 acres on Clay Branch.²⁵ In October of the same year, Andrew sold 200 acres on the west side of Stony Creek to Stephen Howell. This tract was part of the land Andrew had purchased from Josiah Boyte in 1785.²⁶

The State of North Carolina granted two small tracts to Andrew on June 7, 1799. The first tract consisted of 17 acres next to James Worrell. The second, consisting of 30 acres, was on the west side of Buck Branch next to his 20-acre patent granted in 1788.²⁷

In December 1800 Andrew gave son Charles 230 acres on the Mill Branch.²⁸ In April 1808 he sold 120 acres to Charles for £50. This tract was on the drains of Stony Creek, Mill Branch, and the north side of Maypole Pond.

Andrew gave son George 500 acres in 1806, the land being on both sides of Buck Branch, including the plantation where Andrew lived. He reserved "peaceable possession" during his natural life and his wife during her natural life and widowhood. He also gave George a Negro girl named Chulley and one still.²⁹

On January 3, 1810, Andrew purchased 175 acres from John W. Vause and his wife, Patience. The tract was near Benjamin Howell, John Howell, Solomon Bradberry, and Andrew himself.³⁰ In October 1812 neighbor James Bradberry sold him four acres on the west side of Buck Branch for \$20.³¹ Andrew gave both tracts to son George in 1813, reserving a lifetime right for himself.³² On December 31, 1812, Andrew gave his daughter Sheany Moore and her husband Ephraim of Greene County a Negro girl about three years old.³³

In May 1815 Andrew gave son Charles 140 acres at the head of Stony Creek. This tract joined Charles' own line, George Herring, Isom Pate, Elias Pate, and William Raiford. He also gave Charles a Negro girl named Clow, age about four years.³⁴

On November 4, 1817, Andrew was murdered by Cherry, his Negro slave. Initially, a jury indicted Cherry, Ben (another of Andrew's slaves), and Abraham

(John Howell's slave) for his murder. They pleaded not guilty. Cherry was the only one found guilty by a jury at the Spring 1818 term of the Wayne County Superior Court of Law. Records of the trial indicate that Andrew was struck with an ax on his head near his right temple. He died instantly.³⁵

Andrew's son George was also indicted as an accessory to the murder. He was accused of counseling and advising the slaves to assault Andrew. However, the trial jury found him not guilty.³⁶

Cherry's attorney, Moses Mordecai, appealed her case to the North Carolina Supreme Court, which heard the case in January 1819 and upheld the decision of the county Superior Court.³⁷

Andrew's perishable property was inventoried on November 8, 1817 by Charles, administrator of his father's estate. The following list provides some insight into the life and culture of Andrew and of Wayne County.

- Livestock and animal products in Andrew's inventory included horses, saddles and saddlebags, hogs, cattle, sheep, oxen, Dunghill fowl, leather, sheep skins, cow and calf skins, raw hides, and wool;
- Garden and household items included rice, collards, hominy beans, corn, 23 pumpkins, a bottle of camphor, molasses, pitchers, crockery, pewter basins, plates, knives and forks, and other pewter dishes, 2 coffee pots and a coffee mill; sugar, a churn, a vinegar barrel, wash tubs and soap, 2 cards of buttons; fireplace accessories such as one pair of hand bellows, 2 pairs of fire dogs, 2 pairs of tongs, and 2 fire shovels; 1 loom and gear, a spinning wheel and accessories; 4 iron pots, 1 kettle, 1 Dutch oven, a frying pan, 1 skillet, and 1 ladle; 3 barrels with brandy, several hogsheads of cider, a funnel, a tablecloth, salt, wearing apparel, a wallet, and one lot of **books**;
- Furniture and other items included 3 featherbeds, a chest, 14 chairs, 1 large trunk and 1 small trunk, 2 tables, a looking glass, 2 candlesticks and 15 pounds of tallow, and 4 split baskets;
- Weapons included a shot gun, shot bag, and powder horn;
- Farm products, equipment and accessories included 5 pounds of tobacco, 30 barrels of corn, 7 barrels of short corn, flax, lumber, 4 cutter plows and gear, tools, 8 weeding hoes and 2 grub hoes, an auger, a handsaw and a crosscut saw, a cart, iron chains, a cooper's hammer, nails, a wheel barrow, and products from the fields that had been picked;
- Male slaves were Ben age about 30 years, Jim about 20 years, and Wadsden about 2 years;
- Female slaves were Fan about 40 years of age, Lucy about 30, and Fillis about 65 years.
- A slave child about 8 months was not named, nor was the gender specified.³⁸

Charles held a public sale on December 1, 1817. Men from the community who participated in the sale included Britton Scott (Andrew's nephew and son of Thomas), Council Scott (Andrew's grandson and son of Charles), George Scott (son), Charles Scott (son), and leaders of the community including Solomon

Bradbury, George Deans, Thomas Boyte, John Sasser, John Howell, James Worrell, Elisha Applewhite, John Pate, and others. Besides farm and household items, Charles bought the Negro Jim for \$38.65 and Solomon Bradbury purchased four Negroes who were not named. Elizabeth Scott, Andrew's widow and the only female on the list of buyers, purchased a mare with bridle and saddle for \$40.³⁹

In compliance with an order of the court, a group of men set off one year's support for Elizabeth and her family in December 1817. They provided her with \$90.⁴⁰

In 1819 Aaron F. Moses sued Elizabeth Scott for \$68.70, which she owed for purchases such as handkerchiefs, fabric (muslin, linen, silk, cambric, and flannel), molasses, and ribbon. He won the case and Elizabeth was ordered to pay him plus court costs of \$8.02.⁴¹

In 1820 Charles was still administrator of his father's estate. In August of that year, the Wayne County Court of Pleas and Quarter Sessions heard a lawsuit in which he and brother George were defendants. Aaron F. Moses, who was the keeper of the jail in Waynesboro, sued them for \$148.25 to cover his expenses for feeding and taking care of Negro Cherry, who had been convicted of Andrew's murder. Cherry had escaped from jail and could not be found. The jury found in favor of the defendants, Charles and George. Moses appealed the judgment to the Wayne County Superior Court, which heard the case at the Spring Term of 1823.⁴²

The brothers stated that at the time of the murder trial, Cherry was not the property of Andrew nor a part of his estate. During her trial, she was not tried as his property nor as the property of his estate. They pointed out that Cherry escaped before her sentence was imposed and she escaped due to the plaintiff's negligence. Charles and George concluded they did not owe anything to the plaintiff.⁴³ The case was dismissed for want of notice to the owner of Negro Cherry of her trial.⁴⁴

Andrew's widow, Elizabeth, moved to Sumter District, South Carolina in 1821 and lived there ten years. She then moved to Autauga Co., Alabama, where she died on December 28, 1846 at age 86. Her obituary, published in the *Southern Christian Advocate*, indicated she had become a member of the Methodist church, "when Methodism was just beginning to be known" in North Carolina and, at the time of her death, she had been a member for nearly seventy years.⁴⁵

ENDNOTES

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5. Scott, Leland Ormond, Jr. *Idem*.
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- 7 Rowan deed 18:2630, as found in Kluttz, James W. *Abstracts of Deed Books 15-19 of Rowan County, North Carolina, 1797-1807*. Cary, NC: J.W. Kluttz, 1997, p. 154 (p. 1008 of deed book).
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14. Murphy, William L. *State of North Carolina Entries of Claims for Lands within the County of Wayne, 1780-1795*. Book 1, item 118, p. 12 and item 164, p. 16.
 15. Murphy, William L., *Ibid.*, item 10, p. 1 and item 11, p. 1.
 16. Murphy, William L., *Ibid.*, item 185, p. ???
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 24. *Heads of Families at the 1st Census of the U.S. Taken in the Year 1790, NC*. Washington, DC: Government Printing Office, 1908. Newbern District, Wayne County, NC, p. 151.
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 29. Wayne County Deed Book 8:403.
 30. Wayne County Deed Book 9:218.
 31. Wayne County Deed Book 10:43.
 32. Wayne County Deed Book 10:29.
 33. Wayne County Deed Book 10:74.
 34. Wayne County Deed Book 10:198.

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