

# CHARLES SCOTT

Charles is a son of Andrew Scott and the exact date of his birth is undetermined. An analysis of census records indicate he could have been born between 1770 and 1775. He married Avanilla ("Avy") \_\_\_\_\_ (last name unknown) and they had at least six children (not necessarily in birth order):

1. Martha Scott, who married a Crawford (first name unknown)
2. **BENAJAH SCOTT** (born 1800 Wayne County; died 1856 Wilson County)  
married Zilpha Ammons (born about 1804, died May 12, 1862)
3. Jennet Scott; who never married and was living with brother Britton in the 1850 Wayne County Census
4. Council Scott (born August 24, 1808, died February 27, 1863 Wayne County),  
he was a Methodist circuit rider  
married Annie Pate in 1830
5. Andrew Scott (born 1811)  
married Dicey E Hamm
6. Britton Scott (born 1817, died before December 1886 when an inventory and account of sales of his estate were reported to the Wilson County court)  
married Lany Davis

The earliest official record for Charles Scott was the 1800 Federal Census where he was listed as a householder between the age of 16 and 26. A female between the age of 16 and 26 lived with him. This person was probably his wife, Avy. The census also indicated that a female child under age 10 lived in his household. Charles also had one slave.<sup>1</sup>

In December 1800 Charles' father, Andrew, gave him 230 acres on the Mill Branch.<sup>2</sup> Two years later, Charles paid his father £50 for an additional 120 acres that joined the earlier tract. This land was located on the drains of Stony Creek on the north side of Maypole Pond and Mill Branch.<sup>3</sup>

In 1815 Charles' father gave him 140 acres on the head of Stony Creek next to Charles' own land, George Herring, Isom Pate, Elias Pate, and William Raiford. He also gave him a Negro girl named Clow who was about four years old.<sup>4</sup>

The State of North Carolina granted Charles 54 acres on Bull Poquoson in June 1819. William Raiford, Charles himself, and George Herring were the neighbors listed in the patent.<sup>5</sup>

After his father, Andrew, was murdered in November 1817, Charles was appointed administrator of his estate. At a public sale of his father's property, he purchased such items as a hunting saddle, another saddle and saddlebags, a yoke of oxen, hogs, 3 sleighs, corn, beans, 15 pounds of tobacco, 23 pumpkins, cider, brandy, all the wearing apparel, a bedstead, and **2 books**. He also acquired the slave Jim for \$38.65.<sup>6</sup>

In 1820 Charles and his brother George were sued by A.F. Moses, keeper of the Waynesboro jail, to recover his costs for keeping and feeding the Negro Cherry, who had been indicted for the murder of Andrew Scott. She had escaped and was never found. Moses initially sued in the Wayne County Court of Pleas and Quarter Sessions, asking for \$148.25 and court costs. When he was unsuccessful in the lower court, he appealed the case to the 1823 Spring Term of the Wayne County Superior Court.

In their defense Charles and George responded that Cherry was not the property of their father nor was she part of their father's estate at the time of her trial. They reminded the court that she had escaped before her sentence was handed down, and her escape was due to A.F. Moses' negligence. They concluded they did not owe the plaintiff any money. Jurors in the higher court agreed.

On December 17, 1831, Charles gave three of his sons adjoining tracts of land on the Mill Branch, consisting of 191 acres each. In each deed, he reserved a lifetime right to the land for himself.

Nearly three weeks later, on January 2, 1832, Charles wrote his will. It was probated at the May Term of the Wayne County Court of Pleas and Quarter Sessions. He bequeathed to wife Avy a bed and associated furniture, a cow and calf, a spinning wheel, loom, and cards, 4 chairs, 1 dish, 1 plate, a case of knives and forks, 1 pine chest, and wooden ware. At her death or marriage, this personal property was to go to Britton. If he should die before he has a child, the property was to go to Council and Andrew equally.

Britton, Council, and Andrew each were given the horses they were using, a bed and associated furniture, a cow and calf, and a sow and pigs. Britton was also given a walnut chest, a walnut table, and the clock.

Daughter Jennet received one bed and furniture, a cow and calf, and \$100 to be paid to her by Council, Andrew, and Britton after Charles' debts were paid. Daughter Martha Crawford was bequeathed a cow and calf and the other things (not listed) that her father had already lent her.

It is notable that son **BENAJAH** did not receive any of his father's property. However, he was bequeathed one large earthen dish and one "smoothing plain." Two grandchildren, Charles and Avy Pate, were to be granted \$5 each when they came of age or married.

Charles stated it was his wish that his sons Council, Andrew, and Britton keep the property together that was not given away until his debts were paid, then they should divide it equally among themselves or sell it and divide the money equally. He named Council and Andrew his executors.<sup>7</sup>

## ENDNOTES

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1. 1800 Census, Wayne County, NC, as found in U.S. Department of Commerce. *1800-1840 U.S. Census: Wayne County, NC*. Washington, DC: Government Printing Office, 1908, p. 241.
  2. Wayne County Deed Book 7:144.
  3. Wayne County Deed Book 9:74.
  4. Wayne County Deed Book 10:198.
  5. Wayne County Deed Book 11:201.
  6. "The Sale of the Parishable [sic] Property of Andrew Scott (Deceased) sold at Six Month Credit Commencing on the First day of December 1817." Wayne County Record of Estates, 1782-1937. C.R. 103.508.138. "Scott, Andrew" Folder. North Carolina State Archives.
  7. Wayne County Will Book 6:350.