

REV. WAR FORT FOR DESERTERS, BEAUFORT CO., 1779

Found in the New Bern District Criminal Action Papers, DSCR 206.326.1; NC Archives, Raleigh, NC

Contributed by Roger Kammerer.

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A true Bill Richd. Ellis Foreman

State of North Carolina Newbern District}

At a Superior Court of Law begun and held for the District of Newbern at the Town of Newbern in the said District, on the fifteenth Day of November in the Year of our Lord One Thousand Seven Hundred and seventy nine before the Honourable Samuel ASHE, Samuel SPENCER, and John WILLIAMS Esquires Judges of the Said Court.

The Jurors for the State upon their Oath present, that Edward VAN DANIEL, Appulton SQUIRES, Benjami ROSS, Elijah ROSS, Arthur VAN DANIEL, James VAN DANIEL, Francis ROSS, Thomas GARRET, John VAN DANIEL, Benjamin HARRIS, and William HARRIS, all late of the County of Beaufort in the District aforesaid Yeoman, being Subjects of the said State, residing within the same, and under the protection of its Laws, not having the fear of God in their hearts, nor having any regard for the duty of their Allegiance, but being moved and seduced by the instigation of the Devil, as false Traitors and Rebels against the said State, entirely withdrawing that cordial love, and that true and due obedience, fidelity, and allegiance, which every Subject of the said State should and of right ought to bear towards the said State, and contriving and intending to disturb the peace and endanger the public safety of the said State, on the tenth day of November in the year of our Lord one thousand seven hundred and seventy nine and in the fourth year of the Independence of said State, at the County aforesaid, in the District aforesaid, with a great number of other Traitors and Rebels (whose names are as yet unknown to the said Jurors) being armed and arrayed in a warlike and hostile manner, to wit, with Guns, Clubs, and other weapons as well offensive as defensive, with force and arms did falsly and traitorously prepare, order, wage, and levy War against the said State, and in order thereunto did falsly and traitorously with force and arms on the day aforesaid, and at the County aforesaid, in the District aforesaid, erect and build a fortification in military form, and on the day aforesaid and for several days following with force and arms did defend themselves therein, and maintain it as an asylum for all Deserters from any of the Regiments of the United States, or from the Regiment of this State, or from a Body of the Militia at any time draughted by order of any Act or Acts of the General Assembly of the said State, there is to be protected by force of arms from any lawful Authority that might be sent to apprehend them, and also for the further traitorous purpose and design to avoid paying any of the public Taxes which as Subjects of the said State they were in duty, bound to do, and to resist by force of arms any lawful authority used to compel them, and did in fact on the said tenth day of November and for several days following abet, harbour, and maintain with force and arms at the fortification aforesaid, to wit with Guns, Clubs, and other military weapons, four several Deserters in part execution of the design abovementioned against the duty of their Allegiance against the Peace and Dignity of the said State, and also against the form of the Act of the General Assembly in that case made and provided

Jas. IREDELL, Atty. for the State