

Peter Pettypool (son of Seth and Martha Pettypool) of Virginia and the Carolinas

17 May 1727 – post 1782 (?)

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Roots in Virginia's Southside

May 1727 – Peter Pettypool was born on a Saturday, the 17th of May 1727 into the growing family of Seth and Martha Pettypool; he joined children who had preceded him in 1721 (Elizabeth), 1723 (Sarah) and 1725 (John). We know these details because the birth of "peter Son of Seth and Marth Pittypool"¹ was recorded by the rector for Bristol Parish, the religious administrative unit serving the area approximately covering the colonial counties of Henrico, Prince George and Dinwiddie Virginia. These counties are some of the "Burned Record counties" of Virginia.² We are fortunate, therefore, to have any records at all as most colonial documents from this region have not survived the depredations of time, courthouse fires and the many military battles, especially during the Civil War, fought here over the years.

Like many second and third generation colonial Virginians, Peter's father moved his family south and west in the mid 18th century as the Southside Virginia frontier opened for settlement. It appears that Peter spent his early childhood in Prince George County. We may presume this because the last child of Seth and Martha whose birth was recorded in the Bristol Parish register

1 Churchill Gibson Chamberlayne, *Births from the Bristol Parish Register of Henrico, Prince George and Dinwiddie Counties, Virginia, 1720-1789* (Baltimore, Maryland: Genealogical Publishing Company, 1980), 77.

2 Virginia, Library of. "Burned Record Counties (VA NOTES)." Guide.
http://www.lva.virginia.gov/public/guides/va22_burnedco.htm, accessed 5 May 2012.

was born in late 1733 (Anne), at which time Peter would have been 5 years old.³

Subsequent to this record and until Peter comes of age, we are largely reliant on remaining deed and court records for estimating the location of Seth Pettypool family members. These court records⁴ and land patents⁵ indicate that Seth and family lived in the early 1730s along Namozine Creek, the stream forming the border between lower Amelia and Upper Prince George counties.

They were likely resident in Brunswick County by the late 1730s when Seth lived close enough to his sister, Ann Massey, to serve as witness to the 1739 will of her husband, Richard Massey.⁶ When Lunenburg County was cut off from Brunswick in 1746, the family lived far enough west in Brunswick to subsequently be considered residents of Lunenburg, and it is here in Lunenburg County that we first capture glimpses of Peter Pettypool the adult.

December 1747 -- As colonial Virginia men could not endorse deeds or transact other legal business until attaining the age of twenty-one, a first appearance in court records is generally an indication of having reached that legal benchmark. Such is not the case for Peter. He is short of his twenty-first birthday when first mentioned, as follows, in Lunenburg County court orders:

8 December 1747

Our Sovereign Lord the King	Plaintiff	
against		On an Indict-
ment		
Peter Petty Pool	Defendant	

The said Defendant not being arrested, It is ordered on the Motion of Robert Jones, Jun. Attorney for Our Sovereign Lord the King that an Alias Capias Issue against the said Defendant Returnable to the next court.⁷

3 Chamberlayne, *Births from the Bristol Parish Register*, 79.

4 Amelia Co. Va. Order Bk., 1735-46, 93, 15 Feb. 1739/40.

5 Nell Marion Nugent, *Cavaliers and Pioneers: Abstracts of Virginia Land Patents and Grants, Volume 3* (Richmond, Virginia: The Virginia State Library, 1979), 414, 11 April 1732.

6 Brunswick Co. Va. Will Bk. 2, 14.

7 Lunenburg Co. Va. Court Orders, 1746-1748, 346.

"Alias Capias Issued" is a term used in the practice of criminal law and means that there will be a second warrant issued for an arrest. In this instance, it appears as though Peter has been accused of initiating or participating in some activity that has brought him to the attention of Robert Jones, Jun., the official in Lunenburg County acting as the prosecuting attorney or as a "District Attorney" would in contemporary society. Moreover, Peter has failed to show up the first time he was summoned to court. Since there is no further reference to this case in subsequent Lunenburg court orders, we cannot know what offense prompted the potential indictment. This will not, however, be the last time that Peter runs afoul of colonial judicial authorities. In the meantime, he is mentioned in other contexts that are commonplace for men of his age and station.

Coming of Age

June 1748 through June 1752 -- Lunenburg County has been spared much of the record loss experienced in Virginia counties located to its east. Fortunately, lists of tithes (a census of taxable male family members and bound laborers) are available for the early years after Lunenburg's formation. These lists were to be returned by June 10 of each year. In the absence of indications otherwise it is assumed that this requirement was met. Of particular interest are the lists for 1748-1752, the ending date of 1752 being the point at which Lunenburg was subdivided and Halifax County created from a portion of it to the west. Except for the returns of 1751 (for which several returns appear to have been lost), Peter Pettypool appears in each of these annual lists.

In June of 1748, having just turned 21, Peter is found living in the household of his father.⁸ Seth and family are living south of the Meherrin River, in the district of then Lunenburg County that is bounded on the west by Butcher's Creek and on the south by the North Carolina line. This is in territory that will later be cut off as Mecklenburg County when Lunenburg was divided for the final time in 1765. In June 1749,⁹ Peter's situation

8 Landon C. Bell, *Sunlight on the Southside: Lists of Tithes, Lunenburg County, Virginia, 1748-1783* (Philadelphia, Pennsylvania: George S. Ferguson, 1931), 71.

9 Ibid., 104.

remains the same. Now aged 22, he is once again enumerated as a taxable male in his family of birth.

By June of 1750,¹⁰ the tax list shows that Peter is not part of any larger family unit, pays tax only for himself and is enumerated in a district different from others of his birth family. It may be inferred that he has formed his own household unit. Since these lists are not a true census in that they ignored women and children, it is impossible to say whether this household included a wife. It would not be unreasonable to assume that it did as a man of age 23 would be a prime candidate for courtship and marriage in 18th century Virginia. Although none of the remaining lists for 1751 include Peter, he does appear in the list for 1752.¹¹ In this 1752 list he is the only male of his immediate Pettypool family to remain in Lunenburg County. His father, Seth, and his brothers appear to have lived far enough west in Lunenburg County to now be considered residents of the newly created Halifax County, which was cut off from Lunenburg in 1752.

This reading of the information supplied by these Lunenburg tax lists concurs with an emerging picture of Peter's family that can be pieced together from other sources. Jumping ahead a bit, in September 1774 Peter's putative son, Seth, is chosen by his maternal grandmother, Catherine Journey, to be one of the executors of her estate.¹² Seth could only have served in such a capacity had he been at least 21, that being the legal age required for assuming such a responsibility. Accordingly, Seth's birth likely would have occurred no later than 1753, a date that fits well with Peter's forming his own family in the early 1750s in Lunenburg County.¹³ Records from other sources show that Peter continued to live and presumably farm in Lunenburg County for most of the decade of the 1750's.

10 Ibid., 147.

11 Ibid., 182.

12 Lunenburg Co. Va. Will Bk. 2, 415.

13 James Furman Poole presents data in a Seth Petty Pool biography that align reasonably well with my own conjecture about Seth's birth date based on the Catherine Journey will. His estimates use federal census records and suggest a birth year of circa 1754. (See James F. Poole, "Seth Petty Pool and Family of Laurens County, South Carolina, Circa 1754-1837," p. 39, *The Pettypool Family in America* (<http://www.pettypool.com/Laurens/SethPetty/SPP-Summary.pdf>, accessed 2 April 2012).

Early Adulthood – The Virginia Years

1753 and June 1756 -- During the decade of the 1750s the promise of cheap land in Virginia's frontier counties drew many Virginians to make what were called "land entries" for acreage in the western portions of the original Brunswick County. This territory would later be divided into today's Halifax, Pittsylvania, Henry, Franklin and Patrick counties.¹⁴ Seth Pettypool and his elder sons, John and Peter, all appear in these records making entries for land on or near Aaron's Creek, the ultimate home farms of Peter's father and his brother, John. The relevant extant records for Peter follow:

[1753 Feb. 15th] 175
(Void Pr. D.) **Peter Poole** 400 Ac joining ye upper lines of the last Entry when run.¹⁵ [the preceding entry was for acreage on Aaron's Creek]

[1756 Jun. 24] 239
Peter Pettipoole 400 Ac joining the county Line Beginning at Parishes upper Corner.¹⁶

From the assumed chronology (the entry book itself shows rather inconsistent dating conventions), these two entries for Peter appear **not** to refer to the same 400 acres. What is important to know is that these entries were but the first step in the process of receiving clear title to land. In order to attain ownership, the person "entering" the land was subsequently required to settle and improve it. Otherwise, the entered land was subject to voiding of the entry. Such improvement was, by law, supposed to happen within six months of the entry although there was apparently only lax enforcement of this requirement.

Presumably neither the 1753 nor the 1756 entry ever culminated in ownership as there is no subsequent reference to Peter's selling the entire 400-acre tracts or even portions of such tracts during the time he was known to have resided in Virginia.

14 Marian Dodson Chiarito (Transcriber), *Entry Record Book, 1737-1770 (Land entries in the present Virginia Counties of Halifax, Pittsylvania, Henry, Franklin and Patrick)* (Nathalie, Virginia: New Papyrus Publishing, 1984), Introduction (no page number).

15 Ibid., 139.

16 Ibid., 190.

In fact, as we shall see, all references to Peter's ownership of Virginia land during this era are centered in Lunenburg County.

August 1757 -- Until 2 August 1757, the Lunenburg records are silent on the matter of which Lunenburg tract or tracts were held or being worked by Peter. In the summer of 1757 when Peter is 30 years old, the first known deed documenting land ownership is recorded for him.

2 August 1757

Seller: Katherine Gwin of Lunenburg

Buyer: **Peter Pety Pool**

Consideration: 7 pounds current money of Virginia

Certain tract or parcel of land situated lying and being in County aforesaid on the branches of Hurricane Creek containing 100 acres of Land being part of 290 acres granted to Thomas Nance by Patent dated the 27th day of July in the year 1753 Bounded as followeth: Beginning at William's corner pine near Johnson's old path thence along his line South 80 degrees East 78 Poles to a poplar on a branch. Thence down the branch 14 Poles to three small oaks. Thence new Lines North 137 Poles to Read oak by a small Meadow North 70 degrees West 112 Poles to three white oaks and a pine [illegible] in William's Line. And thence along his line South to the first Station.

Catron Gwin [her

mark]

Recorded 2 August 1757

Clem^t Read¹⁷

The deed for property along Hurricane Creek situates Peter firmly in north-central Lunenburg, territory to the north and east of land acquisitions associated with his father and brothers during this period. Although no unambiguous answer has been forthcoming, it is interesting to speculate the reasons for Peter remaining in this part of Lunenburg while the rest of his family moves on. If the assumption about recent family formation is correct, perhaps he has made connections in Lunenburg through the family of his putative wife, Elizabeth Journey.

Also of interest is the size of Peter's holdings. In *The Evolution of the Southern Backcountry: A Case Study of Lunenburg County, Virginia 1746-1832*, Richard R. Beeman uses a combination of sources to calculate the distributions of landholdings

¹⁷ Lunenburg Co. Va. Deed Bk. 4, 1754-1757, 527.

among the citizens of Lunenburg for several calendar years.¹⁸ Beeman's chart for the year 1764 most closely aligns with Peter's years of residence in Lunenburg. According to Beeman's charts, the majority of families in the Lunenburg County of this period did own some land although Peter's tract of just 100 acres puts him among the twenty percent of smallest landholders in the county.

April 1758 -- Maintaining the public roads in colonial Virginia, necessary for ensuring that tobacco would arrive in a timely manner at market, was a county responsibility. Male citizens living on or near the roads were assigned the annual task of clearing and repairing roads in their immediate vicinity, as is described in this 1758 Lunenburg "road order."

4 April 1758

Barnabus Wells is appointed Survey of the road leading from the great owl Creek the Best and Convenientist way to Breedloves fork of the Juniper, and it is ordered that he together with the Male Labouring Tithables, to wit, James Roberts Senior, James Roberts J. Barney Wills, Thomas Thornton, Thomas Shelborne, Benjamin Wilks, Argil Baxton, William Irvin, **Peter Petty Poole**, Thomas Crenshaw, Cornelius Crenshaw, James Haily, John Haily, Edward Haily And John Wells do assist him in Clearing and Keeping the road in Repair According to Law.¹⁹

Great Owl Creek and Juniper Creek drain from the west into the North Meherrin River in now central Lunenburg County. Confirming Peter's continuing residence on the tract bought in 1757, maps show that Hurricane Creek also drains from the west into the North Meherrin River and lies between the two creeks mentioned in the road order.

May 1758 -- A court order from the same spring as the road order tells of a less benign reaction by the county justices to the almost 31-year-old Peter.

3 May 1758

18 Richard R. Beeman, *The Evolution of the Southern Backcountry: A Case Study of Lunenburg County, Virginia 1746-1832* (Philadelphia, Pennsylvania: University of Pennsylvania Press, 1984), 174.

19 Lunenburg Co. Va. Court Orders, 1757-1759, 69.

It appearing to the Court that **Peter Petty Pool** hath lately been Guilty of profanely [illegible] and swearing foul oaths, it is therefore considered Accordingly at Court that he immediately make his [illegible] by the payment of twenty shillings Current Money, or that he give good and sufficient Security for the Payment thereof of the Paying of the next Levy for the Parish of Cumberland in this County according to the force, form and Effect of an Act of Assembly in such Case made It provided and it further ordered that the s^d **Pool** do pay the Costs of these Proceedings.²⁰

Not content to offend the court with mere profanity, Peter is charged with additional misbehavior at the same session.

It appearing to the Court that **Peter Petty Pool**, David Lyles, David Hoskins, Andrew Crofford and Samuel Taylor have lately been Guilty of playing Cards at the Court House It is therefore Considered by the Court Accordingly that they **Peter Petty Pool**, David Lyles, David Hoskins, Andrew Crofford and Samuel Taylor be each of them fined five pounds Current Money to be levied by Distress and Sale of their respective goods and to the benefit of the Poor of the Parish of Cumberland in this County according to the force, form and Effect of an Act of Assembly in such Case made provided and it further ordered that the sheriff do immediately take the s^d **Peter Petty Pool**, David Lyles, David Hoskins, Andrew Crofford and Samuel Taylor into his custody and their keep them until they severally enter into recognizance with goods sufficient Security that is to say they the s^d **Peter Petty Pool**, David Lyles, David Hoskins, Andrew Crofford and Samuel Taylor each in the sum of Ten Pounds Like Money with Conditions that they the s^d **Peter Petty Pool**, David Lyles, David Hoskins, Andrew Crofford and Samuel Taylor each of them shall be of good Behavior toward his Majesty and his Liege People for the space of one whole year and Day now ensuing and it is also ordered that the s^d **Peter Petty Pool**, David Lyles, David Hoskins, Andrew Crofford and Samuel Taylor pay the costs of these Proceedings.²¹

On this particular Wednesday Peter has now been charged for using irreverent and foul language **and** for gambling at the courthouse – quite an accomplishment for a single day at court! Summing all potential fines, Peter is liable for five pounds, twenty shillings. When we recall that he spent seven pounds for 100 acres of land only one year earlier, such a fine would seem to represent substantial possible damage to his financial well being. All is not lost, however, for at the same session the accused parties find well-placed “gentlemen” to serve as their attorneys.

20 Ibid., 82.

21 Ibid., 82.

Peter Petty Pool, David Lyles, David Hoskins, Andrew Crofford and Samuel Taylor by Clement Read Junr and Paul Carrington their attorneys came into Court and pray Judgment this Day passed against them for Card playing by this Court may be arrested for the following reasons, to wit, because the Court hath no Cognizance of that Matter but that it is properly triable before a single Magistrate, that they and each of them played for their Amusement and Diversion and not for Money or other Valuable Things for which Reasons and many others Appearing in the Proceedings they and each of them pray on before, whereupon comes Leonard Claiborne Junr in Behalf of the Poor of the Parish of Cumberland and saith that the Judgment aforesaid ought not to be arrested for the reasons aforesaid and that not withstanding that Matter is properly triable before a single Magistrate the Court have cognizance thereof Whereupon hearing the argument and Debate on both sides, it is the Opinion of the Court that they have not Cognizance of that Matter but that it is properly triable before a single Magistrate therefore it is considered by the Court that the aforesaid Judgment be reversed and that the said **Pool**, Lyles, Hoskins, Crofford and Taylor go here without Day.²²

Clement Read, Junior and Paul Carrington were young lawyers from politically and socially well-connected Lunenburg families. Read's father, Clement Senior, served as a Burgess in the Virginia Assembly for several years and was the first clerk for the newly organized county of Lunenburg and remained so for 17 years.²³ "Conflict of interest" prohibitions must have been difficult to enforce, if they were even recognized, in a largely illiterate Southside society with few available attorneys. However, it must surely have been a boon to Clement Junior that his father, as court clerk, could so easily know of and perhaps direct those in legal need to his attorney son. Paul Carrington also was well placed. He had studied law with the senior Read, went on to practice in several Southside counties and became the King's attorney for Charlotte and Mecklenburg counties.²⁴ There is no record of how much it cost Peter and his friends to hire these gentlemen to successfully plead their cause before the Lunenburg court, but Peter has yet to hear the last of Clement Read, Junior.

22 Ibid., 86.

23 Lyon Gardiner Tyler (Editor), *Encyclopedia of Virginia Biography, Volume 1*, (New York: Lewis Historical Publishing Company, 1915), 312.

24 Ibid., 204.

Other business conducted by the Lunenburg court during this particular session produces evidence that charges such as were lodged against Peter and his friends apparently did not disqualify them to act in judgment of others. Curiously, inserted between the court order that Peter and his friends be fined for their misbehaviors and the subsequent pleading by their attorneys to excuse them, Peter, David Hoskins, Andrew Crofford and David Lyles are all called by the sheriff to serve on a jury to decide disposition of another case.²⁵ Although it is impossible to know whether the recording of the day's events accurately reflects the sequence of their misbehavior in preceding their impaneling as jurors, it appears that such moral transgressions did not exclude Lunenburg citizens from full participation in all phases of the court day proceedings. In fact, historians of Lunenburg County of the 1740's and 1750's have remarked on the general lack of concern for the gentility and decorum that characterized the more established eastern counties of the same era.²⁶

December 1758 -- Whether it is a continuation of the May 1758 incident or some new disagreement, Peter and his fellow card player, David Lyles, meet once again at the Lunenburg court on a Tuesday in early December of 1758.

5 December 1758

Peter Petty Pool	Plaintiff	
against		In Trespass
David Lyles	Defendant	

For Reasons appearing to the Court this suit is ordered to be Dismissed and it is considered that the said Defendant recover against the said Plaintiff his Costs by him about his defense in this Behalf expended²⁷

David Lyles likely is a near neighbor of Peter. A nineteenth century map of Lunenburg County that displays most of the major watercourses shows a "Lyles Creek" emptying into the North Meherrin River just below and immediately adjacent to Hurricane Creek, the site of Peter's tract. In colonial legal language the phrase "In Trespass" could refer to a variety of injurious acts alleged by the wronged party. In this instance the Lunenburg justices find Peter's allegations, whatever their substance, without

25 Lunenburg Co. Va. Court Orders, 1757-1759, 84.

26 Beeman, *The Evolution of the Southern Backcountry*, 45.

27 Lunenburg Co. Va. Court Orders, 1757-1759, 128.

merit. They not only deny Peter's charges; as the loser in this suit Peter pays the costs Lyles accrued in defending himself against said charges.

June 1759 -- The next time Peter appears in Lunenburg records, the tables have been turned, and it is Peter who is on the defense. This time, however, his foe is the estimable Clement Read, Junior. We read:

5 June 1759

Clement Read Jun^r Plaintiff
against On a Pet.
Peter Petty Pool Defendant

The Parties having agreed the Differences [illegible] between them, therefore this suit is Ordered to be Dismissed and it is considered that the Petitioner recover against the Defendant his costs by him in this Behalf expended ²⁸

As in the order of December 1758, we have been deprived knowledge of the substance of the charge made by Read, the plaintiff. The phrase "On a Pet." is an abbreviation for "On a Petition" and usually means, in the colonial context, that a plaintiff is suing a debtor in a distant county without actually having to appear in person. Perhaps, in this instance, Peter had defaulted on money owed Read for Peter's defense in the May 1758 incident. However, by the time the above case comes to trial, the debt apparently has been settled amicably. Whatever the debt was for and however the mutually acceptable agreement came about, again as loser in the suit, it is Peter who must pay for any costs associated with Read's prosecution of the case.

December 1762 -- In winter, 1762, a Lunenburg County deed records the sale of Peter's 100- acre tract on Hurricane Creek. Peter is 35 years old.

15 December 1762

Seller: **Peter Petty Pool** and his wife **Elisabeth Petty Pool** of Lunenburg County.
Buyer: Anthony Fullilove
Consideration: 25 Pounds Current Money

Tract or parcel of land Lying and being in the County aforesaid on the Branches of Hurricane Creek Containing one hundred

28 Lunenburg Co. Va. Court Orders, 1759-1761, 1.

Acres of land Being part of 290 acres granted to Thomas Nance by Patent dated 27 July 1753 bounded as followeth: Beginning at Williams' corner pine near Johnsons old path thence along his line South 80 degrees East 78 poles to a poplar on a branch thence down the branch 14 Poles to three small oaks thence north 137 Poles to a Read oak by a small meadow North 70 degrees West 112 Poles to three white oaks and a Pine Fac'd in Williams' line and thence along his line south to the First Station.

Peter Petty Pool (Seal)

Recorded 14 July 1763 Elisabeth relinquished right of dower.

William Taylor CSC²⁹

In the five years since its purchase in August 1757, the value of the Hurricane Creek tract has more than doubled. Bought for seven pounds, Peter has realized an 18-pound profit from the sale of this property. It is presumed that the increase in value resulted from clearing and improving the land as well as possible addition of a family dwelling and/or outbuildings for agricultural use.

The North Carolina Years

February 1763 -- Peter presumably uses a portion of the Hurricane Creek sale to finance the purchase of a 100-acre tract along Aaron's Creek in Granville County, North Carolina. This plot, for which he pays 43 pounds, is located south and upstream from tracts belonging to his father and brothers on the same creek just across the border in Halifax County, Virginia.

7 Feb 1763

Joseph Harrison to **Peter Poole**

This Indenture made this day which is seventh day of february in the Year of our lord One thousand seven hundred sixty three between Joseph Harrison of the Province of North Carolina and County of Granville of the [one] part and **Peter Pool** of the same Province and County aforesaid of the other part Witnesseth that the said **Peter Pool** for and in consideration of the full and just Sum of forty three Pounds warranted Money of Virginia to him in hand paid by the said **Peter Pool** thereunto hereof the said Joseph Harrison doth hereby acknowledge hath Granted Bargained and Sold and by these Presents doth give Grant bargain and

29 Lunenburg Co. Va. Deed Book 9, 1763-1764, 188.

deliver Confirm unto the said **Peter Pool** his heirs and Assigns forever one certain Track or Parcel of Land Situated Lying and being in the Province and aforesaid containing one hundred Acres of Land more or less Lying on the [illegible word] of Aarons Creek. Beginning at the Creek Drury Smith's Corner on a Mapole thence West running the Line Sixty Seven poles to the Corner on a White Oak thence North one hundred and Sixty Six Poles to a Corner on White Oak on the south side of a Branch thence down the branch to the Creek to a Pine thence up the Creek to first Station together with all the Privileges and Appurtenances thereunto belonging or in any wise appertaining To have and to hold the above said Lands and Premises with the Appertenances unto the said **Peter Pool** his heirs and assigns forever to have and to hold use occupy possess and enjoy the same one every part and parcel there of to him the said **Peter Pool** his heirs and Assigns forever to the only proper use both of him the said **Peter Pool** his heirs and Assigns forever against him the said Joseph Harrison his heirs and Assigns Or against the claims and [illegible phrase] of all other persons whosoever shall and will by those Presents Warrant and [forever] defend Witness whereof the said Joseph Harrison hath here set his hand and Seal the day and Year first above as written

Joseph Harrison [Seal]

Henry Phillip Hart (??) Luke Landers Granville County Feby Court
1763

Joseph Harrison Acknowledges this Deed to be his Act and Demand on motion it was ordered to be Registered

Teste Dan^l Wel-
don CC

Truly Registered Sam^l Benton Pub R³⁰

What might have been Peter's motives for the move at this time are not known although soil exhaustion was a commonplace problem for tobacco growers in the Southside as it was in all areas of settled Virginia. It had long been recognized that without a long fallow rotation, six to eight years was the limit of highest productivity for tobacco growing, even in the most fertile of creek and river soils.³¹

Interestingly Peter does not use the proceeds from the Hurricane Creek sale to enlarge the size of his holdings, a typical tactic for men hoping to increase the size of their operation and thus their income. Perhaps he was unsure that he could supply the labor needed to utilize a holding larger than 100 acres since small planters who could not afford the costs of enslaved labor-

30 Granville Co. N.C. Deed Book F, 1762-1763, 135-136.

31 Lorena S. Walsh, *Motives of Honor, Pleasure and Profit: Plantation Management in the Colonial Chesapeake, 1607-1763* (Chapel Hill, North Carolina: University of North Carolina Press, 2010), 614.

ers had to depend on family labor. Although there is no definitive confirmation, subsequent records imply that Peter and Elisabeth may have had no more than two children who survived childhood, neither of whom would have been fully grown in 1763. Nor is there evidence, at this time, of the presence of bound laborers in Peter's household.

November 1763 -- Court records from both his old Virginia home county and from his new North Carolina county of residence help fill in, at least partially, the next chapters in Peter's life story. Thus, we find this Lunenburg County court order.

11 November 1763

Thomas Tunks	Plaintiff	
against		In Case
Peter Pettepool	Defendant	

The Sheriff having made return that the Defendant is no Inhabitant therefore this Suit abates³²

As he is "no Inhabitant" the clerk's entry for this suit confirms that Peter no longer resides Lunenburg County.

February 1765 -- Legal issues with ensuing financial consequences follow Peter to his new county of residence.

5 February 1765

Roberts vs **Pettipool**

In the action of Trover As Between Richard Roberts Plt and **Peter Pettipool** Deft a Jury being elected Tried and sworn the truth to speak upon the issue joined upon their oath do say that the Deft is guilty in manner and form as the Plt against him declared and they do assess the Plt damages by Occasion therof to Four pounds Ten Shillings proc [proclamation] money³³

32 Lunenburg Co. Va. Court Orders, 1763-1764, 281.

33 "Proclamation Money." Dictionary of American History. 2003. *Encyclopedia.com*. (May 20, 2012). <http://www.encyclopedia.com/doc/1G2-3401803405.html>. "Proclamation money was coin valued according to a proclamation issued by Queen Anne on 18 June 1704 and in effect until 1775. Colonists and colonial governments reckoned their accounts in pounds, shillings, and pence but used a variety of coinages in their daily exchanges, including the Spanish pieces of eight and the French silver "dollars" (ecus). Under the proclamation, the various colonial valuations of

Wherefore it is considered by the Court that the Plt recover agst the Deft the damages aforesaid in form aforesaid Assessed with costs³⁴

In an "Action of Trover" a plaintiff sues to recover the value of personal property that has been wrongfully possessed by the defendant for his own use. Unfortunately, the court minutes do not reveal the nature of the personal property that Peter is fined for illegally possessing and converting to his own use. The property must have been something of consequence, however. A fine of four pounds 10 shillings converts to approximately \$720 in contemporary money based on the retail price index.³⁵ As another relative indicator of the damages assessed, recall that only 8 years earlier, Peter had spent seven pounds to buy 100 acres of land.

April 1765 -- Spring 1765 again finds Peter in Lunenburg County. Prior to this court date he has been called back to Lunenburg at least eight times to assist as a defense witness in a lawsuit brought against George Crymes.

11 April 1765

On the Motion of **Peter Pettipool** a witness for George Crymes at the Suit of Alice Stuko [spelling uncertain] It is Ordered that the said Crymes pay him for fourteen days Attendance and six times going and returning twenty six miles to the Old Court House and twice coming and returning forty six Miles to this court House and eight shillings for [illegible] according to Law³⁶

Although there are no independent indications of kinship or other close relationship between Crymes and Peter, nineteenth century Lunenburg County maps show the presence of a Crymes Mill near the point where Hurricane Creek dumps into the North Meherrin River. Accordingly, Peter and Crymes likely had been close neighbors.

Spanish pieces of eight, the most common coins in the American colonies, were superseded by a uniform valuation of six shillings. This attempt to unify the silver currency of the colonies failed in practice."

34 Granville Co. N. C. Court of Pleas and Quarter Sessions, 1754-1770, 119.

35 These figures were calculated using a system developed by historical economist John J. McCusker for converting money from the past into present sums based on the Internet calculator found at www.eh.net/ehresources/howmuch/dollarg.php.

36 Lunenburg Co. Va., Court Orders, 1764-1765, 46.

August 1766 -- For the second time since his move from Lunenburg Peter finds himself the defendant in a suit in the Granville County North Carolina court.

5 August MDCCLXVI (1766)

Jones Ju^{nr} vs **Pettipool**

In the suit on Pet and Summons Between Robert Jones Junr. Plt and **Peter Pettipool** Deft the Deft failing to appear on the Plt motion Judgment is granted him agst the Deft for Three pounds Ten Shillings procl [proclamation] money with Costs³⁷

As this is another suit designated "on petition" by the court clerk, it is assumed that the action reflects Jones' attempt to recover money from a debt, probably from a loan to Peter. Presumably Peter subsequently satisfied the action required by this plaintiff since there is no further mention of the case in later sessions of the court.

April 1769 -- Next mention of Peter in Granville County court records again involves a criminal charge although this time the individual accused is a bonded laborer belonging to Peter, the slave called Sipior.

1769, North Carolina Granville County. At a Court Cal'd and held for the Trial of Sipior A Negroe Man Slave the property of **Peter Pettypool**, this 20th Day of April 1769

Present: Robert Harris, James Yancey, Reuben Searcy, David Mitchel, Justices. Memucan Hunt, John Walker, Samuel Sneed, Joseph Williams, Freeholders.

The aforesaid Justices and Freeholders being Summoned and Qualified – Proceeded to Examine Witnesses as Well on behalf of our Sovereign Lord the King as the Prisoner at the Bar, says that he is guilty of felony for which he stands Charged and that the Sheriff take him to the Public whipping Post and give him fifteen lashes well laid on upon his bair (sic) Back & then to be Discharged on paying fees.

Ro't. Harris, James Yancey, Reuben Searcy, David Mitchel, Justices. Memucan Hunt, Joseph Williams, John Walker, Samuel Sneed, Freeholders.³⁸

37 Granville Co. N. C. Court of Pleas and Quarter Sessions, 1754-1770, 154.

38 Thomas McAdory Owen, *History and Genealogies of Old Granville County, North Carolina, 1746-1800* (Greenville, South Carolina:

As has been the case in so many of the court records transcribed thus far involving Peter, details about the nature of Sipior's prohibited behavior are missing. Was this a crime against property or person? Was Sipior acting on his own or at the behest of another? Whatever the facts of this unfortunate incident, the presence of Sipior suggests that Peter's financial condition appears to have improved since the 1750s. Unless he received Sipior as an unrecorded gift, Peter has acquired sufficient monies by the mid 1760s to purchase a laborer.

April 1769 -- In addition to Sipior's trial Peter conducts other business at the April 1769 Granville County court. Nearing his 43rd birthday, he registers the sale of the 100 acres of Aaron's Creek property he had purchased in February 1763.

April term 1769

Pettypool to Sanford

This Indenture made this [left blank in original] Day of [left blank in original] in the Year of our Lord One thousand Seven hundred & Sixty Nine between **Peter Pettypool and Elizabeth** his Wife of the County of Granville & Province of North Carolina of the one part and Robert Sanford of the said County & Province of the other part Witnesseth that the said **Peter Pettypool** for and In consideration of the sum of Sixty Pounds Current Money of Virginia to him in hand Paid by the said Robert Sanford there [illegible word] whereupon Doth Acknowledge to the said Robert Sanford his Heirs thereof and therefrom Doth forever [illegible word] Discharge hath Granted Bargained & Sold & by these Presents Doth Give grant Bargain Sell Deliver & Confirm unto the said Robert Sanford his Heirs and Assigns forever one Certain Tract or Parcel of Land Situate lying and being in the County & Province aforesaid Containing one hundred Acres be they the same more or less lying on the upper side of Aarons Creek. Beginning at the Creek [illegible word] Drury Smith's Corner Maple thence Running West the said line Sixty Seven poles to the Corner on a white oak thence North one hundred and Sixty Six Poles to a Corner white oak on the south side of a Branch thence Down the Branch to a line on the Creek thence up the Creek to the first Station together with all the Privileges and appurtenances thereunto belonging or in any wise appertaining To have and to hold the above said land and Premises with the appurtenances to the said Robert Sanford for his heirs and Assigns forever to have & to hold use Access Possess & Enjoy the same with every Part & Parcel thereof to him the said Robert Sanford his heirs etc. forever to the only Proper

Old Historical Press, 1993), 229-230.

use of him the said Robert Sanford his heirs & Assigns forever against him the said **Peter Pettypool & Elizabeth** his Wife Heirs or Heir of their Heirs Executors administrators etc. as also against the claims or Demand of any other Person or Persons whatsoever they the said **Peter Pettypool & Elizabeth** his Wife their Heirs etc. shall and will warrant and forever defend free and Clear of all Incumberances to him the said Robert Sanford his Heirs & Assigns forever in Witness whereto the said **Peter Petty Pool & Elizabeth** his Wife hath hereunto set their hands & Seals this Day and year first above Written Sealed and Delivered

in Presents of

James Yancy	Relinquishment of right	his
Ambross James	if Dower was given up in	Peter
Pettypool (Seal)		
His	Presents of one	
Mark		
John P Petty Pool	James Yancey	
Mark		her
		Elizabeth Pettypool
(Seal)		
		Mark

Granville County at April Court of 1769 was this Deed Duly proved by the oath of Ambrosse James one of the Subscribing Witnesses thereunto & on Motion order to be Registered
 Teste Sm^l Benton CC

Truly Registered Sam^l Benton P.R.³⁹

The sale of this property has again proved profitable for Peter. Although not a large gain (and not adjusted for possible inflation), the sale price of 60 pounds paid by John Sanford for Peter's 100 acres has yielded an increase of 17 pounds over the 43-pound 1763 purchase price.

Backcountry South Carolina

February 1772 -- Because there is a break of three years in the available recorded history of Peter's landholding, it is not clear how Peter supported himself, and any dependents, in the interval between the Granville County transaction and the next documentary evidence, which is from April 1772. As there is no record that he knew a trade other than farming, he may have

³⁹ Granville Co. N.C. Deed Book H, 1765-1768, 506-507.

cultivated rented or leased property. It is also possible that he bought property in either a Virginia or North Carolina jurisdiction for which we don't currently have documentary information. In any event, a transaction from winter 1772, as Peter was nearing his 45th birthday, suggests a move even further south in North Carolina, to an area, parts of which later became South Carolina.

April term 1772

This Indenture made this twenty seventh day of Feby in the twelfth year of the Reign of our Sovereign Lord George the third by the grace of God of Great Britain France Ireland, King, defender of the faith In the year of our Lord God One thousand seven Hundred and seventy two Between John Howell of St. Paul's Parish and Province of Georgia of the one part and **Peter Patty Pool** of Tryon County and Province of North Carolina of the other part Witnesseth that for and in consideration of the sum of Seventy Pounds sterling Money of Great Britain by the s^d **Peter Patty Pool** to the said John Howell in hand paid for the sealing and delivery of these presents for the absolute purchase of a certain tract of land containing two hundred and two acres of land situate lying and being in Tryon County Province of North Carolina on Black Walnut Creek otherwise Called Mitchels Creek being Branch of Fair Forest Beginning at a white Oak and runs S. 18 E. 45 Chains to a stake thence S. 72 W. 45 Chains to a stake thence N. 18 W. 45 Chains to a stake and from thence to the first station with the s^d premises the said John Howell to him his heirs & assigns by grant under the broad seal of the province of North Carolina, bearing date the twenty sixth day of March in the year of Our Lord 1755 and the said John Howell to the said **Peter Patty Pool** doth hereby grant release & convey the s^d Tract of Two hundred and two acres together with [...] Houses, out houses buildings and improvements timber & timber trees on the said tract of land Being Orchards ways waters Fishings, fouling feeding priviledges, hereditaments whatsoever hereunto in any wise or manner appertaining or belonging and the Reversion and reversions, Remainder and remainders of rents leases and profits thereof and the Said John Howell doth hereby relinquish all his state right title interest property claim & demand whatsoever thereunto of in and to the same To have and to hold the said tract of land with all the improvements appurtenances and hereditaments whatsoever hereby granted unto the said **Peter Patty Pool** and assigns forever to the only use and behoof of the said **Peter Patty Pool** his heirs and assigns forever And the said John Howell his heirs and assigns doth convey the s^d Land Freely clearly and clear of all incumberances whatsoever the one half of all gold and silver mines excepted to the use of his Majesty and his successors forever & Lastly that the said John Howell and all and every other person or persons lawfully or equitably claiming or claim any Estate title or Interest of in or to the before granted Premises by from or under them or either of them from time to time and at all times hereafter upon the reasonable request and at the proper cost and charge in the Law of him the Said **Peter Patty Pool** his heirs & assigns shall & will make, acknowledge & execute or cause to be made Ack^dexecuted all & every said acts & acts devices & assurances in the Law whatsoever for the more absolute conveying all and singular the premises hereby intended to be granted & to the use of the **Peter Patty Pool** his heirs and assigns or his or their council learned in the Law shall be devised or advised & required In Witness whereof the said John Howell doth to these presents set his hand and seal the date & year above written.

western Carolinas.⁴² Many of those migrating were among Virginia's poorer families.⁴³

September 1774 -- The next document bearing on Peter Pettypool's life history is significant because of his omission. The document in question is the will of his probable mother-in-law, Catherine Journey.

I, Catherine Journey of the Parish of Cumberland and Lunenburg Co, sick and weak of body, ordain this my will.
To my daughter, **Elizabeth Petty Poole** - all my wearing clothes.
To my granddaughter, **Cathrine Petty Poole**, my saddle
To my son John Journey - I lend him my Negro woman Phebe and my Negro boy Charles, during his natural life, and after his death, to my grandson William Journey son of my son John Journey. John is, out of my estate, to buy a sound, healthy Negro girl under age 10, and of the value of 20 £, within the space of 8 years, for the only use of my daughter, **Elizabeth Petty Poole**. Also given to John Journey, my bed and all my household goods and furniture, to discharge all my just debts, after which, the rest I give to his heirs.
Executors: son John and grandson **Letts Petty Poole**. [erroneous transcription of Letts for Seth]
Signed Sept 8, 1774 by Catherine Journey (+ her mark).
Witnesses - Richard (X his mark) Crews, Ann (| her mark) Crews, John Stokes.⁴⁴

Elizabeth Journey's attribution as Peter Pettypool's wife and Seth and Catherine Pettypool as his children has a basis in the following lines of circumstantial but convergent evidence.

- Peter's wife, a woman called "Elisabeth," relinquished dower rights upon the sale of their Lunenburg property to Anthony Fullilove in 1763.
- Peter was the only Pettypool man known to have a wife called Elizabeth in this early period in Lunenburg.
- There is a Pettypool man called Seth (probably named for Peter's father, Seth), son of Catherine

42 David Hackett Fischer & James C. Kelly, *Bound Away: Virginia and the Westward Movement* (Charlottesville, Virginia: University of Virginia Press, 2000), 142.

43 Leslie Scott Philyaw, *Virginia's Western Visions: Political and Cultural Expansion on an Early American Frontier* (Knoxville, Tennessee: University of Tennessee Press, 2004), 32.

44 Lunenburg Co. Va. Will Book 2, 415.

Journey's daughter Elizabeth, as identified in Catherine Journey's will of 1774.

- There is a Seth Pettypool of seemingly similar age to the person named in Catherine Journey's will who is found in the same general area of the 1770s South Carolina backcountry as Peter Pettypool.⁴⁵

Although the weight of evidence strongly implicates Peter as husband and father to the Pettypool grandchildren cited by Catherine Journey in her 1774 will, there are some unresolved discrepancies in this account of Peter's family. Catherine's choice of her grandson, Seth Pettypool, as one of her executors suggests that he resides close enough to Lunenburg County to undertake this task as an active participant in September of 1774. Similarly, Catherine's will addresses her daughter, Elizabeth, as though she resides near enough to easily receive her mother's "wearing clothes." The will makes no reference to Peter, and the 1772 Tryon County deed suggests he may have been already resident in or near present day South Carolina by 1774. What are the implications for Peter's family configuration? Might Peter and Elizabeth have been living separately by the time Peter acquires the Tryon County land in 1772? Unless Peter was spectacularly unlucky in so frequently drawing the attention of colonial authorities, the cumulative evidence regarding his behavior

⁴⁵ There is no unassailable evidence placing Seth Pettypool (putative son of Peter) in South Carolina before about 1785. There is, however, evidence that as early as 1773 a likely candidate had claimed (though did not yet own) a tract on Rocky Creek, another branch of Fair Forest Creek. (See Russell, Judy G. "The claim game." *The Legal Genealogist*. Web. 26 Nov. 2012, <http://www.legalgenealogist.com/blog/>, accessed 26 Nov 2012, for a discussion of the significance and implications of the terminology used in citing adjacent landowners in these South Carolina land title registrations). One such document from 5 May 1773 (Joel Farmer, Plat For 200 Acres In Ninety-Six District; South Carolina Department of Archives & History, S213184: Colonial Plat Books (Copy Series); <http://www.archivesindex.sc.gov/onlinearchives/Thumbnails.aspx?recordId=107262>, accessed 18 Nov 2012) names "Seth Petty poole" as a claimant of land and a "John Lyles" as owner of land adjacent to Farmer. Recall that Peter Pettypool lived in Lunenburg County, Virginia in the late 1750s on a creek that was adjacent to Lyles Creek. Peter also was involved in several Lunenburg court cases in which a David Lyles was either a defendant or co-defendant. Thus, the near association of this "Fair Forest Creek" Seth with a member of the Lyles family provides some additional circumstantial credibility for the proposition that Peter was this Fair Forest Creek Seth's father.

and activities suggest a rebellious, perhaps difficult personality. Although marital separation was apparently uncommon in this era, both Elizabeth and her son, Seth, **could** have remained near the Virginia Southside as their husband and father seemingly migrated south into the Carolinas in the early 1770s. We may never gather sufficient information to address these issues with certainty.

1779 -- South Carolina "jury lists" supply information about Peter Pettypool's residence in the late 1770s. These lists, deposited in the South Carolina Department of Archives and History in Columbia, South Carolina, were originally copied from tax lists for each of the seven districts into which South Carolina was divided during this period in its history. A South Carolina law of 1769 had required that tax lists be used to provide lists of citizens who could be called to serve "in civil causes, grand and petit jurors..."⁴⁶ As we would expect, given his purchase of land on Black Walnut Creek (a branch of Fair Forest Creek) in 1772, "Peter Pettypooles" appears on the petit jury list as a resident of the Spartan division of Ninety-Six District.

The Revolutionary War Years

1780-1783 -- As did most adult Pettypool men of his generation, Peter participated in the defining political event of his era – the American Revolutionary War. As a citizen of backcountry South Carolina, he had chosen, perhaps inadvertently, to settle in an area that came to be associated with a strong pro-British or loyalist sentiment.⁴⁷ Culminating a long series of indecisive military engagements, Revolutionary battles during 1780 and 1781 in the South Carolina backcountry deteriorated to an especially cruel and protracted "civil war" between native-born

46 Ge Lee Corley Hendrix and Morn McKoy Lindsay, *The Jury Lists of South Carolina, 1778-1779* (Greenville, South Carolina: Self published, 1975), Forward (no page number).

47 Thanks to Mr. James Furman Poole of Gilbert, South Carolina for directing the author to Ramsay's *History of South Carolina: From Its First Settlement in 1670 to the Year 1808, Volume 1*, (Google ebook, 1858), accessed 15 June 2012. Dr. Ramsay (1749-1815) provides recollections of South Carolina Revolutionary War hostilities from having been witness to and personally involved in the events of the American Revolution. See p. 137 for the reference to the sympathies of those residing between the Broad and Saluda rivers.

militiamen.⁴⁸ Individual families apparently either felt it necessary or were compelled to choose allegiance to either loyalist or patriot militias. Peter appears to have aligned his interests with the loyalists.

The probable last mention of Peter so far found in South Carolina records occurs on a list required by an ordinance passed on 17 March 1783 by the South Carolina Fifth General Assembly.⁴⁹ This ordinance, one of those passed at the conclusion of Revolutionary War hostilities, instructed local South Carolina patriot militia commanders to return lists of men from their districts who had been loyal to the British. The combined list presumably was drawn up to single out those individuals whose estates would be subject either to confiscation or a punitive levy at the close of hostilities.

Unfortunately, as with many other facets of Peter Pettypool's story, the documentation supporting his loyalist leanings is not entirely unambiguous.⁵⁰ As for so many colonial Pettypool men, use of alternative surname variants can prevent positive identification. In the present instance, there are both a "Peter Pettypool" and a "Peter Pool" on the list of 120 men from the Upper or Spartanburg District identified as loyalist by the patriot commander for that district, Colonel Thomas Brandon. Moreover, Brandon's enumeration is one of several returns required by the 1783 ordinance that are no longer available in original form at the South Carolina State Archives. As a consequence, Brandon's list can be accessed only from a general index to the returns that was transcribed in the middle of the 20th century by Susan Padgett, an Archives employee.⁵¹

48 Jerome J. Nadelhaft, *The Disorders of War: The Revolution in South Carolina*, "Chapter Three, Cruelty and Retaliation: The Revolution in Mind, Heart and County" (Orono, Maine: University of Maine Press, 1991), pp. 45-69.

49 James Furman Poole, "Additional Peter Militia Records" email message from jpoole@pettypool.com to author, 8 July 2012. Making use of documents from the South Carolina State Archives, Mr. Poole has exhaustively studied and summarized available evidence regarding Peter Pettypool's loyalist activities and post-revolutionary fate. The author gratefully appreciates Mr. Poole's review and interpretation of these documents, and his analysis heavily informs the present narrative.

50 Ibid.

51 *Forfeited Estates: Officer's Returns of Persons who have Gone Over to the British: Lists of Loyalists, General Index to Returns Made by Regimental Commanders*; typewritten manuscript; transcribed by Susan Padgett, ca 1945-1950. Document S126170.

Happily for our purposes, Ms. Padgett left behind annotation documenting her supposition that the two men in question are the same person.⁵² Given the assumed equivalence of “Peter Pettypool” and “Peter Pool,” we find Peter among those appearing in the rosters derived from loyalist military personnel records as follows:

Pool, Peter Served from 14 June 1780 under Capt. Shadrack Lantry and Maj. Daniel Plummer, in the Fair Forest Militia. He was in the battle of Kings Mountain. Pool evacuated Fort Ninety Six with Lt. Col. John H. Cruger. From 21 August to 20 October 1781 he served under Capt. John Fanning in the Independent Troop of South Carolina Volunteer Horse. He served from 13 November 1781 to 31 December 1782 under Col. William Balentine in the Second Camden Militia.⁵³

What the Revolutionary War experience might have meant for Peter as a participant “on the ground” cannot be easily known. Despite one’s true convictions, the heightened emotional atmosphere engendered by the hostilities in the South Carolina backcountry likely would have made neutrality hard to claim.

At least one later historian has speculated that the loyalist leanings of settlers in the area that included Fair Forest Creek may have arisen because of the sentiments of some locally prominent influential men who set the tone for their respective districts. Thomas Fletchall and Zacharia Gibbs, both committed loyalists and settlers on or near Fair Forest Creek, went on to command loyalist militias during the Revolutionary hostilities.⁵⁴ Indeed, Peter could easily have been present at a meeting called in 1780 when a group of six South Carolina loyalist militia battalions were camped near Fair Forest.⁵⁵ Plummer’s battalion, in which Peter served in 1780 (as confirmed by the Moss rosters

South Carolina Department of Archives and History, 12.

52 James Furman Poole, “Additional Peter Militia Records” email message from jpoole@pettypool.com to author, 8 July 2012. After reviewing all available evidence on this issue, James Furman Poole also accepts that “Peter Pettypool” and “Peter Pool” are likely the same person.

53 Bobby Gilmer Moss, *Roster of the Loyalists in the Battle of Kings Mountain* (Blacksburg, South Carolina: Scotia-Hibernia, 1998). Thanks again to James Furman Poole for calling the author’s attention to these rosters.

54 Robert Stansbury Lambert, *South Carolina Loyalists in the American Revolution* (2nd Edition), <http://www.clemson.edu/cedp/cudp/pubs/lambert/lambert.pdf>, accessed 15 June 2012. See pages 23–35, 58–60, 78, 100–101.

above), was one of those represented. The following report of the results of this meeting captures the intense pro-British fervor that motivated backcountry loyalist leaders and was seemingly intended to coerce allegiance among the local population, presumably including Peter.

...Ferguson called a convention of the Loyalist militia to enter into a new covenant and agreement of allegiance. Five days after the battle of Musgrove's Mills, while he was encamped at **Fair Forest** in the Brandon settlement, the meeting took place.

At this meeting the North Carolina battalion and the six South Carolina militia battalions- Cunningham's, Kirkland's, Clary's, King's, Gibb's, and **Plummer's**- were represented, and the following agreement was entered into: -

'That every man who does not assemble when required in defense of his country in order to act with the other good subjects serving in the militia, exposes his comrades to unnecessary danger, abandons the Royal cause, and acts a treacherous part to the country in which he lives; and it is the unanimous opinion that whoever quits his battalion or disobeys the order of the officers commanding is a worse traitor and enemy to his King and country than those rebels who again in arms after having taken protection and deserves to be treated accordingly; and we do therefore empower the officers commanding in camp, as well as the officers commanding our several battalions of militia, from time to time to cause the cattle and grain of all such men as basely fail to assemble and muster as required in times of public danger, or who quit their battalion without leave, to be brought to camp for the use of those who pay their debt to the country by their personal services; and we do also empower the said commanding officers, and do require them, that they will secure the arms and horses of such delinquents and put them in possession of men who are better disposed to use them in defense of their country, and that they will bring such traitors to trial in order that they may be punished as they deserve and turned out of the militia with disgrace...'

'It was also unanimously resolved by every officer and man now in camp of all the above-named regiments that whenever a man shall neglect to assemble, and to do his duty in the militia when summoned for public service, shall be made to serve in the regular troops, it being the unanimous opinion of every man present that it is the duty of all who call themselves subjects to assist in the defense of the country one way or the other.'

55 Edward McCrady, LL.D. *History of South Carolina in the Revolution* (New York: Russell & Russell, 1901, reissued 1961), 711-712. James Furman Poole discovered this description of the results of the 1780 meeting at Fair Forest and brought it to the author's attention.

Note: this paper was found by Colonel Sevier at King's Mountain in the possession of a Tory colonel. Ramsey's *Annals of Tennessee*, 216; *Kings Mountain and its Heroes*, 143.⁵⁶

At present no indication regarding Peter's reactions to the resumption of peace has been found, and he does not appear post 1782 in any other known South Carolina documents. Thus, he disappears from our view with Brandon's 1783 list at the age of 56. Might he have perished post 1782 from war wounds or the hardships endured by loyalist military survivors? If he survived, might he have been one of the unfortunate backcountry residents who experienced some form of retaliation by the patriot victors? Could his land and property have been confiscated? Could he have chosen exile from South Carolina to Georgia, East Florida or even more distant destinations with other British sympathizers?^{57,58} We simply do not know.

Some Further Thoughts about Peter

Biography is both fascinating and fraught with pitfalls. Characterizing someone from a great distance in time or place exposes the biographer to all types of potential biases. Can available documentary records even faintly represent the fullness of an historical individual's "lived" reality? Can we correctly interpret the motives and needs of someone living in a society removed from us by almost 250 years? Can we rid ourselves of the familiar historical, psychological and sociological explanatory models we unconsciously employ to make sense of our contemporary world and find ones that are more appropriate for understanding the behavior of those who preceded us? These concerns are particularly an issue for those individuals who have not left documents in their own hand, self-references that might help

56 Ibid.

57 Ibid., 186. Although most departing South Carolina loyalists chose East Florida, some found refuge in maritime Canada, Great Britain, Jamaica and the Bahamas.

58 James Furman Poole, "Addl speculation on Peter Pettypool in Union Cty SC," email message from jpoole@pettypool.com to author, 27 February 2013. James Furman Poole has systematically investigated the post-revolutionary activities of some influential loyalist and patriot figures from the Fair Forest region. He discovered that Major Daniel Plummer, Peter's commanding officer in the Fair Forest Militia, chose to evacuate to East Florida. Mr. Poole regards this as a circumstantial clue that, if he survived, Peter also may have fled to East Florida.

us understand what they would include if fashioning their own narrative. Given the opportunity, how might Peter have told the story of his own life, explained his choices, justified his behavior? Which of the events described above might he acknowledge as being important markers in his life story?

Recognizing these limitations, I will try in two ways to provide a frame for interpreting those events in Peter's life to which we do have access. One frame is larger than the other and both raise as many questions as they answer. The first frame, the work of the many late 20th and early 21st century historians of Chesapeake and Southside Virginia history, allows a comparison of Peter's social and economic behavior with that of the "average" citizen of his time and place. For a smaller and perhaps more relevant frame, I also compare Peter's actions to those of his other family members, more specifically his three known brothers.

Within both comparative systems, Peter shows up as something of an "outlier". His land holdings during the early part of his life are comparatively smaller than those of his contemporaries. Householders in Lunenburg County during the 1750's, the time of Peter's residence there, were trading in parcels averaging over 300 acres per transaction.⁵⁹ Based on what is known, Peter never held more than 100 acres during his time in Virginia. At the time of his last known land purchase in backcountry South Carolina, made when he was in his mid 40's, he acquired slightly more than 200 acres in what was then a frontier market of undeveloped land. Was this behavior with regard to the holding of land, which many have used as an indicator of economic robustness in colonial America, a product of choice or necessity?

As compared to others in his family, Peter held and therefore probably worked less land than any of his three known brothers. Both he and his older brother, John, made entries during the decade of the 1750s for land surveys of 400 acres along Aaron's Creek in frontier Halifax County, Virginia. Only John seems to have followed through with the granting process. Within ten years John re-sold his tract for a nearly 200 pound profit. Peter, by contrast, continued to reside in Lunenburg during much of the 1750s, voided at least one of his options on Aaron's Creek property and appears not to have followed through with the patent process for any Aaron's Creek acreage.

⁵⁹ Beeman, *The Evolution of the Southern Backcountry*, 64.

Peter's younger brothers, Seth Jr. and William, also acquired properties along Aaron's Creek, settled down permanently and reared large families. Again, by contrast, Peter seems to have moved more frequently -- ultimately leaving behind the family into which he was born with a move to backcountry South Carolina. He also came to the attention of judicial authorities in ways his brothers avoided. Also unlike his brothers, who produced many heirs, Peter appears to have fathered only two known children. Did he avoid large properties in prime growing regions because he didn't have the family labor to work the tracts or the disposable income to buy sufficient bonded labor? With only one apparent male heir to provide for, perhaps he didn't feel any need for additional acreage. The acquisition of a bound laborer in the 1760s, the slave Sipior, a strategy that might have allowed for larger agricultural returns, seems to have brought trouble along with any possible financial gain.

Peter's brothers also either left wills or made their wishes for partition of their property known to their heirs. To date no probate instructions have been found for Peter. Perhaps he didn't feel the need to provide instructions as he left behind only one male heir, who, accordingly, would inherit under colonial law unless specifically excluded. Finally, Peter joined with the loyalists in his district of residence (noted at the time as a stronghold of loyalist sentiment) and fought on the side of the British in the Revolutionary War. All available evidence suggests that his brothers were politically neutral or professed allegiance that lay with the colonial Revolutionary patriots. Thus, in his politics, as in other arenas, Peter seems to have been a man who, either by fate and/or by choice, tread a divergent and perhaps more difficult life path compared to many of his contemporaries.