

Lewelling, John ^[1]

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Lewelling, John

by Claiborne T. Smith, Jr., 1991

ca. 1715–94

John Lewelling, [Tory partisan](#) ^[2], was born in Norfolk County, Va., into a family of small landowners and boatwrights. He was the only son of William Lewelling, of the western branch of the Elizabeth River, whose Norfolk County will dated 28 Jan. 1751 was probated the following year. William devised his home plantation to his wife, Frances, for life with reversion to his son, John. Frances continued to appear on the tax lists of the western branch precinct from 1754 until 1767. After that date she and her daughters joined John Lewelling, who had moved to North Carolina some years earlier. The will of Frances Lewelling, now damaged and barely legible, was probated in [Martin County](#) ^[3], N.C., in January 1775. It mentions her five children: John, Amey [or Anneys?], Chloe, Lydia, and Abbey, and her grandchildren, William Manning and William and Fanny Culpepper. James Sherrod and Etheldred Andrews were appointed executors. Of the daughters, nothing is known of Amey and Abbey. Chloe married Thomas Grimes and Lydia married Robert Sherrod. The names Culpepper, Manning, and Sherrod later appear among those involved in John Lewelling's Tory plot.

After his father's death in 1752, John Lewelling bought additional property in Norfolk County. He was still residing in Virginia in 1759 when he sold land, but he seems to have moved to North Carolina early the next year, for on 19 Nov. 1760 John Lewelling, shipwright, and his wife Mary, of [Tyrrell County](#) ^[4], sold a lot in the town of Portsmouth. It is not known if Lewelling continued to ply his trade as a shipwright after moving to North Carolina. He settled on Conetoe Swamp, then in Tyrrell but after 1774 in Martin County. Here in 1765 he made his first purchase of land, buying from Thomas Staton 100 acres on the north side of Conetoe. On 21 Aug. 1772 Nathan Mayo and his wife Jillian of [Halifax County](#) ^[5] and John Sherrod of Tyrrell, for five shillings, deeded John Lewelling of Tyrrell 399 acres on Conetoe. The small sum involved in the transaction suggests that the parties were related in some way either to John or to his wife. Her identity is not known. Thought not a large landowner, Lewelling attracted the attention of the colonial government and was appointed a [justice of the peace](#) ^[6] for Tyrrell in 1772. He was confirmed in the position by the new state government in 1776.

In the summer of 1777 a Tory conspiracy came to light in eastern North Carolina. On 16 July [Colonel Henry Irwin](#) ^[7], then at Tarboro, wrote to Governor [Richard Caswell](#) ^[8] about its existence and reported he had thwarted an attempt to take over the town. The Whig leaders did not immediately grasp that the ringleader of the plot was John Lewelling of Conetoe Swamp. It was first blamed on William Brimmage, an avowed [Tory](#) ^[9] and former judge of the [court of admiralty](#) ^[10] in the colony who had married into the West family of [Bertie County](#) ^[11] and owned property there. Brimmage was incriminated by some of the conspirators who had been arrested. He was tried at [Edenton](#) ^[12] but was exonerated when no evidence of his complicity was found. The affidavits for the later treason trial for the Lewelling conspiracy, held in [Edenton](#) ^[12] in the fall of 1777, provide the main source of information about the plot. John and his cohorts planned to seize the powder magazine in Halifax, kill the governor and the leading Whigs in the surrounding counties, and incite an uprising among the slaves. In Lewelling's own words, the scheme was started in Virginia and forwarded to him on Conetoe, "from whence it extended into South Carolina, Haw River, and in short all the southern parts of the continent."

Lewelling appears to have been influenced by contacts in his native Norfolk County. John Wilson, county lieutenant of Norfolk, informed the Council of State for Virginia on 20 June 1777 of a conspiracy to form a dangerous insurrection in his county. On 6 September the council was again informed of unrest in the counties of Norfolk and Princess Anne. Although the Virginia records reveal no concern among the conspirators there over the [Church of England](#) ^[13], Lewelling at his trial ascribed his religious concern as the motive for his actions. He was dissatisfied with the constitution of North Carolina, which had been adopted the year before, feeling it would destroy the Church of England and, with French assistance, introduce popery into the state. He drew up a constitution of his own, apparently a quasi-religious document of which no copy survives, and termed his leading lieutenants "churchwardens," based on the parish officials of the former established church. Lewelling's attitude has led some to consider his conspiracy to be a manifestation of [Anglican](#) ^[13] loyalty in North Carolina. Numerous affidavits of his fellow conspirators, however, show no such ecclesiastical concern. Rather, they reveal that Lewelling was the focus of discontented persons who for many diverse reasons, including resentment over the military draft, opposed the [Revolutionary War](#) ^[14].

The Lewelling plot was poorly planned, and the threat to the new state was soon over. On 6 Aug. 1777 General [Allen Jones](#) ^[15] wrote to [Thomas Burke](#) ^[16] that many of the conspirators were already in jail. They were first imprisoned in

Halifax and then taken to Edenton under armed guard to stand trial in the superior court of the Edenton district. There is no record of the trial but affidavits taken for use therein have survived. The presiding judge was John B. Beasley and the prosecuting attorney was James Iredell. Lewelling was the only conspirator found guilty of treason, and he was sentenced to be hanged. The events that followed are of as much interest as the plot itself. Almost immediately many began to wonder if the death penalty was justified. Thomas H. Hall ^[17] of Tarboro, later the able congressman from his district, wrote Governor Caswell ^[18] on 23 Sept. 1777 that John Lewelling had been convicted at Edenton the previous Saturday of high treason. Hall requested a pardon, calling his actions his "first deviation from rectitude and virtue" and referring to the almost exemplary fairness of his former character. Other petitions followed, even including one from Judge Beasley. Tradition says that Lewelling's neighbor, Colonel Nathan Mayo, one of the Whig leaders he had planned to kill, escorted Lewelling's wife Mary to Hillsborough where she personally interceded with the governor for her husband's life. However, Governor Caswell was uncertain as to his powers of executive clemency as provided by the constitution. Nevertheless, on 15 Nov. 1777 he asked the court for a reprieve and two days later made the same request of both houses of the legislature, asking for a joint ballot in case they did not agree.

Meanwhile, in Edenton the execution date was set for 24 November. The House of Commons ^[19] on 19 November sent a message to the senate saying that the sentence should be carried out and suggesting that Lewelling be kept under strong guard. The senate then sent a message to the governor reminding him of his powers under the constitution and commenting that the legislative, executive, and judicial powers of government should be forever separate. Caswell eventually granted the pardon, although the document, the first example of executive clemency in the state, has not survived.

The remainder of Lewelling's life was uneventful. On 11 Mar. 1778 he received a state grant for 619 acres on the north side of Conetoe along Tearful Branch. This was a confirmation of title for his land which had been forfeited during the conspiracy trial. His household at the time of the 1790 census included himself, two males under sixteen, three females, and twenty slaves. He is said to have lived to be eighty, dying in 1794. His wife Mary survived him until 1808. His will made in Martin County on 2 Oct. 1793 was probated in Edgecombe ^[20] the following year. A recent change in the line between Martin and Edgecombe counties had placed Lewelling's Conetoe homestead in the latter county. Listed in the will were his wife's daughters Mary Bowers, Chloe Bowers (and her husband William), Clary Southerland (and her husband John), Charlotte Staton (and her husband Arthur), Grace Mooring (and her husband John), Anneys Moore (and her husband William), and Susannah Mooring (and her husband James); and his wife's son, John Lewelling, but afterwards also mentioned as his own son. A son William, active with his father in the 1777 plot, had died earlier without issue. Lewelling named his former enemy, Colonel Nathan Mayo, as one of his executors. Susannah Lewelling, after the death of her first husband, James Mooring, married successively Frederick Mayo and Nathan Mayo, Jr., sons of the colonel. John Lewelling's descendants and those of his sisters used the name Lewelling, spelled in the more conventional form Llewellyn, as a given and middle name for many generations, commemorating an ancestor the family tradition remembered as a stubborn Loyalist and devout Episcopalian ^[21] who successfully defied the state.

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