

## **Roberts, John** <sup>[1]</sup>

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## **Roberts, John**

by Stephen E. Massengill, 1994

### **Ca. 1760 or 1765–1823**

John Roberts, planter, legislator, and militia officer, probably was born in the [Bogue Sound](#) <sup>[2]</sup> area of [Carteret County](#) <sup>[3]</sup>. His parents were William and Jemima (Jamima) Roberts, who owned a well-stocked, 400-acre plantation at the time of William's death (ca. 1786). Nothing is known about the early life and education of the son. Revolutionary War pay vouchers indicate that one John Roberts of Carteret County saw brief service in that conflict. Whether it was the subject of this sketch is unknown. In any case, by the early 1800s he had acquired an estate of more than 400 acres and owned one slave.

Roberts was elected to the House of Commons in 1804 and served twelve consecutive terms. He was chosen to represent Carteret County in the North Carolina Senate in 1816. Roberts had an undistinguished career in the house. He chaired no committees and rarely received important committee assignments; he did serve on such committees as divorce and alimony, military land warrants, privileges and elections, and claims. As a member of the senate, however, he was elected to the powerful finance committee. While in the House of Commons Roberts introduced local legislation concerning boundary lines, the county court, battalion musters, and the establishment of an academy. His fellow representative from Carteret County in 1808 and 1809 was [Jacob Henry](#) <sup>[4]</sup>, whose eligibility was questioned during the 1809 session because of his Jewish faith. During the ensuing debates Roberts, among others, spoke in favor of Henry, who was able to retain his seat.

During the [War of 1812](#) <sup>[5]</sup> Roberts's voting record on military issues generally demonstrated his support for the prowar, [Republican](#) <sup>[6]</sup> faction. Although he failed to vote on several war-related questions, he supported a resolution on Christmas Day 1812 for the governor to borrow \$10,000 to procure necessary munitions of war. On the previous day he had been recommended by the Assembly and commissioned a lieutenant colonel in the Sixth Division, Second Brigade, of the North Carolina militia in Carteret County. Placed in charge of the militia at Fort Hampton, he was commander during the British alarm of 1813–14. Governor [William Hawkins](#) <sup>[7]</sup> rewarded Roberts with a commission as assistant paymaster general for his district in May 1814. Evidence of his increasing popularity among his colleagues in [Raleigh](#) <sup>[8]</sup> were his appointment and commission as brigadier general on 18 Dec. 1815.

With his military promotion and his election to the senate in 1816, Roberts reached the apex of his public service. His brief term in the senate was a stormy one, and his hopes of further political gain were dashed in December 1816, when the General Assembly received a petition of inquiry into his conduct as assistant paymaster during the war. Soon afterwards several petitions followed from militiamen who complained about not receiving their pay from Roberts.

A joint legislative committee found evidence of forgery and fraud and adopted a resolution requesting Governor William Miller to bring a suit against Roberts and to initiate court-martial proceedings against him. Another resolution declared him ineligible for office and vacated his seat in the senate. On 31 December Roberts reluctantly submitted his resignation as brigadier general and as a justice of the peace.

Court-martial proceedings were brought against him in 1817, but Roberts was able to secure his discharge from military arrest; he was ordered to appear at the Wake County Superior Court during the spring term of 1818 to answer to the charges filed against him by the state. Governor Miller issued a writ against him and his securities on the \$5,000 bond entered into by Roberts for performance of his duties as paymaster. After numerous delays the court finally decided in favor of Roberts at the spring term of 1822. But Attorney General William Drew, who represented the state, obtained an appeal to the state supreme court because a key piece of evidence had been rejected by the jury. In July 1822 the high court decided that the evidence in question, an account settled with the comptroller showing payroll information, should have been presented to the jury. Therefore, the prior judgment was reversed and a new trial was ordered for the fall term of 1822.

The case was continued from the August term because poor weather prevented the appearance of key witnesses; the sheriff of [Wake County](#) <sup>[9]</sup> was ordered to hold Roberts in his custody until the spring term of 1823. This sudden reversal was greatly distressing to Roberts. In fact, the whole lengthy trial had been a great drain on his physical, emotional, and financial well-being. Roberts had hired some of the finest attorneys in the state for his defense including John D. DeLacy,

James F. Taylor, [Frederick Nash](#) <sup>[10]</sup>, [Henry Seawell](#) <sup>[11]</sup>, and Thomas Ruffin. Before his trial he had owned well over 1,000 acres in Carteret County, but the mounting expenses of his litigation had caused him to mortgage much of his holdings.

Roberts, apparently a broken man, made one last attempt to get the charges dismissed. In November 1822 he submitted a lengthy petition to the General Assembly describing his poor health and the horrible living conditions in the Wake County jail. His memorial asked the Assembly to request Governor [Gabriel Holmes](#) <sup>[12]</sup> to drop all actions against him and release him from prison. Although guilt or innocence had not been established, the General Assembly apparently believed that Roberts had suffered enough and passed a resolution granting his request; Holmes pardoned the former general on 3 December. Roberts never fully recovered from his ordeal, and court records in his home county suggested that he was dead by March 1823.

Roberts seems to have married, but the name of his spouse could not be determined. He had two daughters, Esther (m. Joseph Davis) and Vashti (Vasti) (m. Lot Holton).

Roberts held the position of justice of the peace in 1805–6 and from 1809 to 1816. He also served as an over-seer of the poor at St. John's Parish in [Beaufort](#) <sup>[13]</sup> from 1806 to 1813. In February 1813 he was appointed commissioner of wrecks for Carteret County. He had held the post of trustee of Swansboro Academy in 1810. Roberts likely died in Carteret County, but his place of burial is unknown.

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**Origin - location:**

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[Beaufort](#) <sup>[32]</sup>

[Onslow County](#) <sup>[33]</sup>

[Swansboro](#) <sup>[34]</sup>

[Wake County](#) <sup>[35]</sup>

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