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N.C. Nov 15, 1777

To his Excellency Richard Caswell Esquire
Governor and Commander in Chief in and over
the State of North Carolina

The Petition of
Mary Lewellon, humbly Beseeching, that
your Excellency will be pleased to extend your
abundant humanity toward your Petitioner's
unfortunate Husband, who stands condemned
to die at Execution, on Tuesday the thirtieth
of this present Instant, for the Crime of High
Treason; your Petitioner does not presume
at an endeavour to lessen his guilt, but
appealing to your Excellency's Clemency,
and tenderly merciful Disposition, most
humbly begs to be indulged while she
fondly refers to the honesty and integrity,
of the life and Character, of her Husband,
before his entering into this detested Con-
spiracy, as well as to remind your Excellency
that should he fall under his present
sentence (which Heaven avert) the Con-
fiscation of his estate being, a positive

Consequence, your disconsolate Petitioner
and her Children will not only have to
combat shame, and Disgrace but also
the keenest poverty.

Oh Sir to Heart
and burst asunder and overwhelmed

sorrow how much harder to be born must
be the Burthen of woe when aided and
aggravated by Extremity of poverty.

Yet could the Confiscation take
place, and the life of the unhappy mis-
guided Criminal be spared; could he
be permitted to return once more to
the Arms of his afflicted wife and
Children, the Forfeiture of his small
fortune would be an offering too incon-
siderable to cost one Tear one Sigh

With a Heart too full for
further utterance your Petitioner bowed down
with sorrow prostrates herself before your
Excellency and in silence pleads for mer-
cy

Mary Sewellin

To his Excellency Richard Caswell Esquire Governor... [of] the State of North Carolina

The Petition of Mary Lewellen... that your Excellency will be pleased to extend your abundant humanity toward your Petitioners unfortunate Husband, who stands condemned to die at Edenton, on Tuesday the thirtieth of this present Instant, for the Crime of High Treason; your Petitioner does not presume... to lessen his guilt, but appealing to your Excellency's Clemency, and tenderly merciful Disposition, most humbly begs to be indulged while she fondly refers to the honesty and integrity, of the life and Character, of her Husband, before his entering into this detested conspiracy, as well as to remind your Excellency that should he fall under his present sentence (which heaven avert) the Confiscation of his estate being, a positive Consequence, your disconsolate Petitioner and her Children will not only have to combat shame, and Disgrace but also the keenest poverty... Yet could the Confiscation take place, and the life of the unhappy misguided Criminal be spared; could he be permitted to return once more to the Arms of his afflicted wife and Children, the Forfeiture of his small fortune would be an offering too inconsiderable to cost one Tear one Sigh With a Heart too full for further utterance your Petitioner bowed down with sorrow prostrates herself before your Excellency and in silence pleads for mercy

Mary Lewellin

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JULY 10, 2024

Gourd Patch Conspiracy (E-131)

E-131

The Gourd Patch Conspiracy, sometimes called the Llewellyn, Lewelling, or Lewellen Conspiracy, was a failed uprising against North Carolina's Patriot government in the summer of 1777. A group of farmers from Martin, Tyrrell, Pitt, and Bertie Counties organized themselves using secret codes, hand gestures, and signs and met in a pumpkin patch to craft a clandestine plot. Their aim? Assassinate North Carolina's first governor, overthrow the state government, and protect the Protestant religion. In the end, their plot was discovered and the ring's leader, John Lewelling (c. 1715-1794), was the first man ever granted clemency by the State of North Carolina. Governor Richard Caswell, by granting Lewelling clemency, radically strengthened the office and powers of the state's chief executive, turning North Carolina's relatively weak executive office into a station that could restore order and mete out justice in a system of checks and balances. The trial and ensuing pardon also demonstrated that the state could withstand the first major test of its newly established legal system.

During the colonial era, the British Empire only had one state-supported religion: Protestantism... or Anglicanism, but when the American Revolution broke out, this tie between church and state was severed. When the North Carolina Constitution was written in December 1776 it did not include any state religion, which only made more devout Anglicans increasingly uneasy... John Lewelling, a farmer in Martin County, grew convinced that their eternal salvation was in jeopardy if the state government continued to welcome Catholics, and declared that the new religious toleration policies meant "the Country was like to become subject to Popery..."

"Gourd Patch Conspiracy (E-131)," July 2024. N.C. Department of Natural and Cultural Resources

In either late December 1776 or March 1777, John Lewelling... approached James Rawlings, a local lay reader in the Anglican Church, for his help in organizing a secret religious society designed to protect and promote Protestant values in the Albemarle region... The society had humble, peaceful beginnings, but there was one thing that made it notable: it was a secret. Men could only join the society by invitation, and the group's activities were not discussed openly. After all, as Lewelling believed, there was a conspiracy of pro-Catholics and atheists afoot in the Albemarle area, so they'd need to keep their group a secret lest the anti-religion North Carolinians in power squash it. Like any good secret society, the Gourd Patch conspirators used a complicated system of secret signs and passwords to identify one another. Recruits received a special stick with three notches cut into it, with instructions to present the stick to a fellow society member...

The stick was termed a “sign of a secret,” and that along with secret phrases such as “be true” and holding up three fingers helped members identify each other. By July 1777, there were more than fifty-four individuals associated with the group.

To “keep out popery” and protect the Protestant religion, John Lewelling told his new adherents to oppose the state military draft, as he feared that the militia might help the state government diminish the importance of religion in the state. By the summer of 1777, as the state became more insistent in collecting oaths of loyalty from its citizens, the Gourd Patch conspirators wanted to take further action.. One member, Henry Culpeper, stated that he heard John Lewelling declare “they should be obliged to kill all the heads of the Country and it must be done in the night.”

Lewelling hatched a plot to lead his followers on a raid of a powder magazine in Halifax so that they would have enough ammunition to oppose state authorities by force. Moreover, he planned to kidnap or assassinate the governor by timing his raid with Governor Richard Caswell’s upcoming visit to the city. To distract the militia at Halifax, Lewelling recruited David Taylor, a Chowan County slave patroller, and tried to convince him to foment an uprising among the local enslaved population to draw the militia out of town. David Taylor initially agreed to do as Lewelling asked. In early June 1777, however, Taylor changed his mind and went to the authorities to tell them what he knew of Lewelling’s plot...

Later that month, a further blow to the conspiracy came when Pitt County officials arrested William May, another associator, who implicated William Tyler, his recruiter. Tyler was then arrested, and rumors abounded that Tyler had had a membership list and the organization's secret constitution on his person when he was taken into custody.

As news of May and later Tyler's arrest circulated, Lewelling and other conspirators met at the gourd patch, likely a location in Martin County near the Conetoe Swamp in the vicinity of Lewelling's home... On about July 16, 1777, thirty armed Gourd Patch associators, likely headed by John Lewelling, went to Tarboro and tried to seize the powder magazine there. Lt. Col. Henry Irwin and the local militia quickly disarmed and arrested the entire group. Lewelling and other key leaders were charged with treason and men who were less involved in the plot were charged with misprision of treason.

Trying the Gourd Patch Conspirators was a groundbreaking test of the state's new legal system... In May 1777 the North Carolina General Assembly passed legislation officially defining the charges of treason and misprision of treason...

The upcoming trial would be the first case since the new law, and the first in the Edenton District of Oyer and Terminer since the court had reopened from its pause when the American Revolution has broken out. It was also the first time a trial was titled "The State vs," rather than "The King vs." in the Edenton District.

The first associator to go on trial was the plot's ringleader. Using depositions from several co-conspirators as well as a long list of witnesses, James Iredell, the state's prosecutor and future supreme court justice, put John Lewelling on trial for his life. On September 20 the court's found Lewelling guilty of high treason. His execution was scheduled for September 30, 1777.

In November, Lewelling's case came before the state house and senate, where the decision of what to do with Lewelling highlighted tensions between the new executive and legislative branches...

Some feared that by allowing the governor a pardoning power, he might become too much like a king. Numerous petitions were made advocating for mercy towards Lewelling. One such petition was made by Col. William Williams, an intended victim of the conspiracy, and another by Lewelling's wife Mary Lewelling, who was accompanied by intended victim and her neighbor, Nathan Mayo. Ultimately, based on the numerous petitions received, Governor Caswell granted Lewelling a pardon, the first of its kind for the state. While the pardon does not survive, later evidence such as census records and Lewelling's 1794 will demonstrate that he, like most other members of the Gourd Patch Conspiracy were granted clemency.

As it turned out, there were no assassinations and no executions. Still, the events in a rural Martin County pumpkin patch had an important effect on North Carolina's new government. By granting a pardon, Caswell strengthened the power of the executive and defined one of the governor's roles in the new government... The Gourd Patch Conspiracy had been thwarted, but the event taught state leaders that in the future they'd need a mix of authority and compromise to keep the state together.