

# Bucklesberry, Back in the Day

## Trouble in Paradise

Some claim Bucklesberry is as close to paradise as you can get. The late Council S. Wooten, long-time attorney and friend of the community, believed it. In 1886, he wrote, “There is no country that is blessed with a more fruitful soil...or fanned by softer breezes, or canopied by a purer sky than the goodly land of Bucklesberry.”

Mr. Wooten also had flattering words for the people of Bucklesberry, characterizing them as hospitable and generous. In particular, he portrayed the Suttons, one of the first families of Bucklesberry, as a “thrifty, prosperous, industrious and honest population.” All great character traits, for certain.

But cherubim and angels, they were not. Born sinners like the rest of the human race, Bucklesberry folks made their share of mistakes. Naturally, there was trouble in paradise from time to time. One example is an 1809 warrant served on John Sutton. Found in the Clellan Sutton Collection of Bucklesberry papers, the warrant reads:

“State of North Carolina Lenoire County } To the constable given here you are commanded to summons John Sutton for to appear before me or some Justice of the Peace for said county within thirty days from the date hereof to show cause why he duly paying Slade Gatlin the sum of twenty one pounds two shillings and duly. Assumpsit and this shall be for a lawfull warrant given under my hand & seal the 1 of Feb 1809 Jno Gatlin, J.P. [signature]. And that of the written warrant prepared against the defendent for the sum twenty one pounds two shillings recd and book the 1 of Feb 1809 Jno Gatlin, J.P. [signature]. Stay of Execution } agreeable to law by giving Benjamin & John Sutton. Benj Sutton his X mark. Recd five pounds in part the 1 Feb 1809 Slade Gatlin [signature] John Sutton [signature]”

The central figure in the warrant was John Sutton. The challenge is determining which John Sutton he was. Three had been born in Bucklesberry by 1809. We can rule out the John Sutton who first arrived in the mid-1700s, since he died before 1773, some 35 years before the warrant was issued. Another John Sutton (1758–1830), brother of Benjamin Sutton (1752–1837), whose name also appears in the warrant, possibly could have been the one.

But this John Sutton was most likely Benjamin’s son, John (1779–1858), who was about 30 years old at the time. His younger age may have placed him at higher risk for legal trouble. In addition, the appearance of Benjamin’s name alongside that of John’s in the Stay of Execution indicates he apparently was mediating for John. It is more believable that Benjamin intervened on behalf of his son rather than his brother.

John Sutton's ability to sign his name suggests he was literate and provides added support that he was Benjamin's son, not his brother. Benjamin was unable to sign his name on the warrant, instead providing his X-mark to signify agreement to the terms of the Stay of Execution. Benjamin's brother, John, may also have been illiterate, and similarly would have been unable to sign his name, offering further support that he probably was not the John in the warrant.

The two others named in the warrant, John Gatlin and Slade Gatlin, were brothers. John, the elder, was the Justice of the Peace who issued the warrant to John Sutton, which explains the abbreviated title, J.P., twice included with his signature. Younger brother, Slade, to whom John Sutton was indebted, was the postmaster in Kinston. John and Slade were merchants and operated a store in Kinston.

The exact nature of John Sutton's misdeed is unknown. But the legal term, *Assumpsit*, in the warrant provides a clue. It typically had to do with recovering damages for breach of contract. Perhaps John Sutton was a customer at the Gatlin brothers' mercantile store and had racked up a huge bill. Maybe his account had ballooned out of control, and he was either delinquent in paying or had refused to pay altogether. What we do know, is that the debt was no small amount. Twenty-one pounds and two shillings equates to about \$1,700.00 in today's economy, according to Eric Nye, University of Wyoming.

A stay of execution is often associated with suspension of the death sentence for a convicted criminal. But in this warrant, it was probably an order by Justice John Gatlin that allowed John Sutton to avoid a legal consequence, such as imprisonment. But this required that John make immediate payment of about one-fourth (or five pounds) of what he owed to Slade. This is where John's father, Benjamin, appears to have intervened for his son. John simply may not have had the funds.

Unfortunately, the final outcome is unknown. Chances are John avoided jail time. With the help of his father, he probably paid his tab in-full to Slade Gatlin without further incident and did so in fairly short order. Slade Gatlin died on July 13, 1809, a mere five months after the warrant.