

THE SECOND MAYBURY GENERATION

Birth Order of the Maybury Children

The wills of Francis and Elizabeth Gilliam Maybury clearly establish the names of their seven children. However, Mabry researchers have long struggled to determine the ages and birth order of those seven children. Some have chosen to list them in the order in which they appear in their father's will. However, it is unlikely that the will names them in the order of their birth. Francis lists his four sons first and then his three daughters. The will of Elizabeth Maybury on the other hand names the children in a different order.

Others have attempted to "assign" ages to the children of Francis and Elizabeth Gilliam Maybury using questionable criteria such as the ages of their respective spouses, which in itself is a matter of considerable speculation. The conclusions have obviously been less than satisfactory.

When Elizabeth Maybury wrote her will in June of 1713, she appointed her brothers, John and Hinshaw Gilliam, to be trustees for her sons, Charles and Hinshaw. We can infer from this that Charles and Hinshaw were not yet 21 years of age. Charles, however, could not have been much less than 21, because it was he who presented the will for probate in Surry County Court less than three years later on February 15, 1715/16.

There are other clues which are helpful in making at least a partial determination of the ages of the seven Mabry (the most common spelling used in records of the second generation) children. One legal document which is very helpful is a deposition which Hinchia Mabry made on February 19, 1728/29 in Surry County Court.⁵⁸ It is important in this context because it provides us with Hinchia Mabry's age. But it is also interesting from the standpoint of its content, having to do with the estate of his recently deceased brother, Francis Mabry, Jr.

...The depositions of Hince Maybury aged 31 or thereabouts deposeth and saith that on the 12 day of January in the year of Our Lord One thousand and twenty eight the Deponent was at the house of Francis Maybury who lay then very sick and the same day came Christopher Tatum to visit him and the said Francis Maybury being then of sound mind and memory desired the said Christopher Tatum to take short notes of his last will and carry the same to Thomas Eldridge at his house to be by him Written in form which the sd Christopher Tatum did Accordingly and the the Deponent

accompanied him thither where the sd Thomas Eldridge wrote the Will at Large. and the Deponent saith that when he returned with the will to the House of the said Francis Maybury in order to have it signed by him that he was then become of unsound memory And further the Deponent saith not.

Signed: Henche (X) Maybury

The date of the deposition should be written for our purposes as February 19, 1728/29. If Hinchia Maybury was "31 or thereabouts" in February 1729, we can infer that he was born between February 1697 and February 1698.

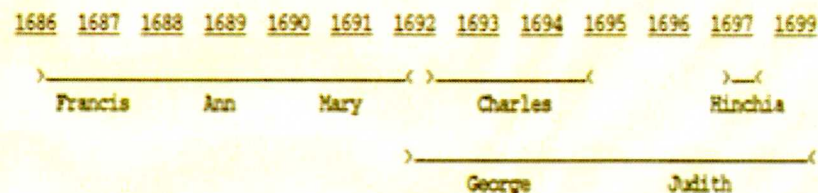
The second clue referred to earlier is the assumption that Charles and Hinchia were not yet 21 years of age when their mother wrote her will on June 6, 1713. From this it would follow that both were born after June 6, 1692. This is also consistent with our previous conclusion that Hinchia Mabry was born during 1697 or in any case no later than January 1698. Since Charles had apparently reached the age of majority when he filed his mother's will in Court on February 15, 1715/16, we can thus conclude that he was born sometime between June 6, 1692 and February 15, 1695.

Thus the possible dates of birth of Charles and Hinchia are narrowed down considerably. Assigning approximate dates of birth to their siblings is somewhat more speculative. It does seem likely that both Ann and Mary Maybury were born prior to about 1693 since both were married when Francis Maybury made his will on March 22, 1711/12. With these things in mind the language of Elizabeth Maybury's will and the order in which she makes her bequests makes a lot more sense. No less than three times in the will she refers to "my four children" (Charles, Hinchia, George and Judith). This would be a natural way of referring to her four youngest children or at least to the four who were still living at home, the implication being that Francis, as well as Anne and Mary were already married.

If we assume this to be the case it becomes possible to speculate a bit more precisely concerning a date of birth for George Maybury. We have already noted from his mother's will written in June, 1713, that he was probably unmarried and still living at home. There is also a record, which is unfortunately not documented, which says that George Maybury received a patent of 120 acres in Surry County in 1713. Hopefully, this has not been confused with the "125 acres on the Horn branch of Three Creeks" which George Maybury inherited from his father, the administration of whose estate was likely completed also in 1713. Assuming the "patent of 120 acres" to be correct, we can also assume that George Maybury was 21 years of age in 1713. If all of these assumptions are true, then it is quite likely that George Maybury was born about 1692.

We can with reasonable certainty say that Francis Jr., Ann and Mary were born between 1686 (their parents having been married late in 1685) and 1692; Charles was born between June 1692 and February 1695; Hinchia was born between February 1697 and February 1698; and George and Judith were born between 1692 and about 1699. There is a strong possibility that George was born about 1692.

The following chart is a summary of the above arguments, assumptions, reasoning and speculation concerning the dates of birth of the seven children of Francis and Elizabeth Gilliam Maybury. It is offered merely as an "educated guess" concerning their possible birth order. There will undoubtedly be new evidence or insights which will necessitate its revision.



We have available a much larger number of records concerning the second generation of Mabrys. A close examination of some of these records, and hopefully the discovery of additional records, may enable us to establish more definitive dates and possibly an accurate order of birth for the first generation of Mabrys born on American soil.

Francis² Maybury

Various dates have been given for the birth of Francis Maybury Jr. All that is known for certain is that he could not have been born earlier than 1686 and that he was likely born before 1692. The latter date is based on the assumption that he would have to have been twenty-one years of age when he received a patent of land in 1713.

Likewise it is not possible to know exactly when he was married. While the actual record of his marriage has not been found, his wife is identified in a deed drawn on 10 August 1724 as Elinor Wyche, the daughter of Henry Wyche.³³ The deed involves the transfer of 2600 acres of land from George Hunt of Charles City County to Charles Allen of Surry County. the deed describes the land as:

"being what was due to said George by last will and testament of his father William Hunt and 100 acres

purchased by George Hunt from Francis Maybury and his wife, dau. of Henry Wyche..."

There was an earlier transfer of land from Francis and Elinor Maybury to George Hunt on 20 August 1719. In that instance the parcel was described as land "William Hunt formerly bought from Henry Wyche" and the location given as "on the North side of the Nottoway River." In his will written August 1, 1712, and proved on March 18, 1714/15, Henry Wyche leaves the "land and plantation I live on" to his daughter Elinor.⁶⁶

According to his father's will, Francis Maybury Jr. was to receive the "land I bought of John Freeman and recorded in Charles City County, and also land which I bought of Thomas Busby."⁶⁷ This land may have been in that portion of Charles City County which later became Prince George County.

On 13 November 1713 Francis Maybury received a patent of 125 acres of land in Isle of Wight County.⁶⁸

On 19 August 1717 Francis Maybury was serving as administrator of the estate of George Fox according to Surry County Court Records.⁶⁹ The relationship of Francis Maybury to George Fox is not known. However, Fox may have been his brother-in-law. Francis Maybury's sister, Mary married a man named Fox.

Francis Maybury was an appraiser for the estate of Henry Snelgrove in Surry County on 24 February 1720/21.⁷⁰ On October 19th of the same year he is mentioned in proceedings having to do with the estate of John Hawthorne also of Surry County.⁷¹

Francis Maybury Jr. dictated his own will on 12 January 1728/29 from his deathbed. That he died almost immediately is shown by the fact that the will was presented for probate just over a month later on 19 February 1728/29.⁷² Depositions were made on the same day by his brother Hinchia Maybury and by Christopher Tatum, both of whom had witnessed the will. From the deposition of Hinchia Maybury (quoted above) we learn that Francis Maybury dictated the substance of his will to Christopher Tatum, who then took it to Thomas Eldridge to be written in proper form. When Tatum returned with the will ready to be signed, Francis Maybury was no longer of sound memory.

IN THE NAME OF GOD AMEN I Francis Maybury of the Parish of Southwark in the County of Surry in the Colony of Virginia being sick and weak in body, but of sound Perfect and Disposing mind and memory Praise be therefore given to Allmighty God and Calling to Remembrance the uncertain State of this Transitory life and that all flesh must yield unto Death when it shall please God to call, do make and Ordain this my last Will and Testament hereby Revoking all other Wills and Testaments by me heretofore made.

IMPRIMIS My Soul I Resign to God that gave it hoping for Pardon and Remission of all my sins through the Merits and Mediation of Jesus Christ my Saviour.

ITEM My Body I commit to the Earth from whence it was taken to be decently buried by my Executors hereafter named and for the disposition of my Temporal State I give devise and dispose of the same in the manner following.

First I desire that my Debts and Funeral Expenses be duly paid and discharged.

ITEM I devise unto my Loving Wife Eleanor during her Natural life the Plantation where I now live and all the land which I have thereto adjoining and after her decease the Remainder to my Loving Son Francis and the heirs of his body lawfully begotten.

ITEM I Give to my said Son Francis, One feather bed and Bolster and all necessary Furniture to the same Three Pewter dishes, Three Pewter Plates and my Gun.

ITEM I devise unto my Loving Son William One Tract or Parcel of Land situated and being on the South side of the Three Creeks in the County of Isle of Wight Containing two hundred and fifty Acres and to heirs of his body lawfully begotten.

ITEM I devise to the said William one other Tract or Parcel of Land situated and being in the County of Surry on the North side of the Land belonging to George Rieves containing One hundred Acres which I purchased of John Rottenberry and tho the heirs of his body Lawfully begotten.

ITEM I Give to the said William One Feather bed and bolster and all necessary Furniture to the same, three Pewter dishes, three pewter plates and my Silver dram Cup and forasmuch as I have Estate more than Sufficient to pay all Debts from the same desire that my Estate may not be Appraised.

All the Rest and Residue of my Personal Estate I give to my said Wife and do hereby appoint her Sole Executrix of this my last Will and Testament. In Witness whereof I have hereunto set my hand and Affixed my Seal this Twelfth day of January in the year of our Lord 1728.

*Signed Sealed and Published
in the Presence of*

The will is unsigned by either Francis Mabry Jr. or the two witnesses, Hinchia Maybury and Christopher Tatum, for reasons explained in the deposition of Hinchia Maybury above.

Eleanor, the widow of Francis Maybury, Jr. died in Surry County about 1735, as her estate was inventoried that year. There is no indication that Francis and Eleanor Maybury had any children other than Francis and William.

William Mabry was probably unmarried when he died in 1750 in Surry County. He left his estate to his friend, Robert Eckles, whom he also appointed to be his executor.⁶⁷

Francis Mabry III married Mary Eppes about 1737. They were administrators of the estate of Daniel Eppes Jr. in Surry County on 30 March 1733.⁶⁸ Francis and Mary Mabry had six children, who were the only grandchildren of Francis Maybury Jr. Francis III died in Bute County (later Warren County), North Carolina in 1773, leaving behind a bitter will in which he denounced his six children, leaving everything to a minor grandson, John Mabry.⁶⁹

In the name of God Amen, the fifteenth day of June 1773 I Francis Mabry of the County of Bute in North Carolina, being in perfect health, both body and mind and memory, thanks be given unto God, therefore calling to mind the mortality of my body and knowing that it appointed for all men to die do make and ordain this my last will and testament. First of all I give and commend my soul into the hands of Almighty God who gave it and my body commend to the Earth to be buried in a decent Christian burial at the discretion of my executors. Nothing doubting but at the general resurrection shall be raised in a spiritual body by the power of Almighty God and as teaching such worldly and state where with it has pleased God to bless me in this life I give demise and dispose of the same in the following manner and form. First my desire is that my household goods be sold to discharge my debts and if there be not enough that my Executors sell a tract of land lying between Little Bear Swamp and Linches Creek containing three hundred ninety five acres. Then I give to my dutiful and well beloved grandson John Mabry the plantation where I now live with all the lands there to belonging that is to say beginning at Macondses Corner on the North side of Tall River thense across and up the river to Buffelow Creek to the Line Branch thense up the branch to Parks Corner pine thense by and along the said to a line of some land I sold to Mosely then along that line to a corner thense by a line of marked trees to a corner in line of marked trees of the land I bought from Truelove thense a land that lies South East of Buffelow Creek and

North to Little Creek thense down Little Creek to Tarr River thense across and down the said river to the Pigpen Branch thense up the said branch to Parsonses line thense North to his corner thense East and north to a corner in my line thense to Macondses corner to him and his heirs forever to be by him greatly enjoyed with all my other lands Negro stock and whatever I have any title to be by him the said John Mabry and his heirs freely and quietly enjoyed forever and my will and desire is that the Negroes and stock be kept on the land and that the said John Mabry be schooled and maintained out of the profits thereof until he be 21 years of age and the remainder if any to be freely enjoyed and I appoint Capt. Joshua Mabry and Capt. Benjamin Ward my Executors to this my last will and testament, and as for Francis Mabry Jr., Anjelica Mabry, Amey Richards, Jesse Mabry, Elizabeth Mabry, and David Mabry I leave them the Sullen Selfwilled and foolish Devil to be by them jointly and severally hereafter adored as they have hereto served in their lives and I think it not unreasonable that they should be parted at their death or resurrection.

*Test: Green Hill
James Barrow
William Solomon*

Francis Mabry

One of the executors named by Francis Mabry was his cousin, Capt. Joshua Mabry, a son of Hinchia Mabry. The will was contested and his children finally received their share of the estate after it was tied up in court for several years. Jesse Mabry had become administrator by 1780. Whatever caused the bitter feelings of Francis III for his children apparently happened in a short period of time. He had given a 94 acre tract of land to his son, Francis, in 1772. And while the will does not even mention his wife Mary, she was still living, and later received one third dower from the estate which she deeded to her son, Jesse.⁷⁰

Ann² Maybury Peebles

Unfortunately, we have very little information concerning the daughters of Francis and Elizabeth Maybury. It is possible to piece together some of the basic facts about Ann. Using the process of reasoning outlined earlier, we believe that she was one of the older children, probably born between 1686 and 1692. From her father's will we know that she was married to a man named Peoples (more often spelled Peebles or Peeples in the early records) by March 1712. We can also be reasonably certain that she was born in either Henrico or Charles City County, Virginia. No further information is known about her in the

context of the Maybury family. Fortunately, we do know something more about her later years because of the extensive research done on the Peebles family by Anne Bradbury Peebles and published in her book, *Peebles Ante 1600-1962*.⁷¹ Ms. Peebles states that "David Peebles is the only one of the name of record who could have been the husband of Ann Maybury."⁷² The David she refers to apparently lived in Surry County, but owned no property there. He did, however, own land in Prince George County.

On 5 April 1709 an order was issued by Nathaniel Harrison, Justice of Surry County that a portion of David Peebles (sic) be attached to satisfy a debt to Lewis Green, who complained that David Peebles had "privately left the County" without paying 5 pounds, 7 shillings owed to him.⁷³ At Surry Court on May 2nd it was reported that "a black mare, bedding and rug" had been attached. John Green, and others were ordered to "value the goods of David Peebles attached for Lewis Green" and report to the next session of the Court. As no other reference to this matter appears, it may be assumed that David Peebles returned, paid his debt and recovered his property. The Greens and Mayburys were neighbors and were often associated in Surry County records. Lewis Green may well have been the uncle of Frances Parham who married Hinchia Maybury.

The last time Ms. Peebles found any record of David Peebles was in a record of accounts returned to a vestry meeting of Bristol Parish on 10 November 1726. It is a payment "to Mr. Richard Jones for bur'ing David Peebles."⁷⁴

The date and place of Ann Maybury Peebles' second marriage are not known. It is clear, however, that her husband was Abraham Burton. This marriage probably took place before 1740 when one of the sons of Ann and David Peebles, Jehu, was a witness to a deed by which John Duke and his wife, Rejoice, sold 200 acres on the Meherrin river to Abraham Burton. Three years later on 11 October 1743 Jehu Peebles bought 75 acres from John Walker and this time Abraham Burton was a witness.⁷⁵

On 26 June 1750 the undated will of Abraham Burton was recorded in Brunswick County. The executors were Jehu Peebles and James Maclin. The will was witnessed by Richard and Lucy Lanier and Philip Adams. Abraham Burton left his plantation to his wife Ann "and her heirs" and added:

*My will is that not one grandchild nor relative of any kind live with her to be a trouble to her person and a charge to the estate, otherwise than by a visit of 3 or 4 days or a week. That she give no gifts to hurt the estate, and sell nothing....*⁷⁶

On 28 March 1756 Ann Burton of Brunswick County and St. Andrew's Parish gave to her son, Joseph Peebles, "for love and

affection" the same 200 acres "on both sides Meherrin Branch" which her husband, Abraham Burton, purchased in 1740. This deed was witnessed by Lemuel Lanier and David Peebles.⁷⁷ There are numerous other deeds in the records of Brunswick County which attest the relationship of these families.

Mary² Maybury Fox

Mary Maybury, like her sister, Ann, is assumed to have been one of the older children of Francis and Elizabeth Gilliam Maybury. The fact that she is referred to by her married name, Fox, in the will of her father which was drawn on 22 March 1711/12, is fairly good evidence that she was born prior to about 1692, along with Francis and Ann.

No marriage or other record has yet been found to indicate the given name of her husband. Some have speculated that he may have been the George Fox, whose estate was administered by Francis Maybury Jr. in Surry County in 1719.⁷⁸ While this may well be the case, George Fox could also have been a brother or other relative of her husband.

Another connection between the Maybury and Fox families is found in the will of Mary Fox which was proved on 9 November 1795 in Mecklenburg County.⁷⁹ While this could possibly be Mary Maybury Fox, it seems unlikely as she would have been about 100 years old in 1795. Until further research is done and additional records found, we can say nothing further about Mary Maybury.

Charles² Maybury

Charles Maybury was probably born about 1693 or 1694 if we are correct in assuming that he had not attained the age of majority when Elizabeth Maybury wrote her will in June 1713. We have yet to discover the family name of his wife and when they were married. We know her only as Rebecca, from Charles' will which was written on 16 March 1749/50. The will also provides us with the names of nine children: Charles, Francis, William, Ebill, Cornelius, Elizabeth, Rebecca, Emedia and Mary. The latter is named as Mary Battle, and from other records we know that she was the wife of Thomas Battle. If Elizabeth, Rebecca and Emedia were married, their married names are not given in the will.

According to the will of Francis' Maybury, Charles and his brother Hinchia were to share "a piece of land which I entered for on Fountain Creek" to be equally divided between them "if ye entry stands good." In the event that this application for

land was not successful, their father's will provided that Charles and Hinchia should each receive enough money from his estate to buy 200 acres of land. We cannot be certain whether or not Francis Maybury or his heirs actually received the land entered for on Fountain Creek. It is possible that they did, as Fountain Creek is located in what is now Greensville County, Virginia (created in 1780 from Brunswick and Sussex Counties). Several of the descendants of Hinchia Mabry later lived in that area of Greensville County which borders the state of North Carolina.

Whatever became of the land on Fountain Creek, we also know that Charles Maybury owned other land, most of which was located in what is now know as Sussex and Southampton Counties in Virginia. On 5 September 1723 Charles Maybury received a patent of 250 acres of land on the south side of the Nottoway River in Surry County, Virginia adjoining land owned by John Gilliam.²⁰ On 24 March 1725/26 he received an additional 145 acres of new land which was described as being on the south side of the Nottoway River and on the north side of the Raccoon Swamp, adjoining his own land as well as land owned by John Guillum.²¹ Charles Maybry received yet another grant of 340 acres on March 15, 1741/42. This land was also located in the area which would later become Sussex County.

Charles Maybry (as he signed his name) wrote his own will on 16 March 1749 in Surry County, Virginia. He died within five months because the will was presented for probate in Surry Court on the 15th of August of the same year by two of his children, Charles and Elizabeth Maybry.²²

In the name of God amen The Sixteenth Day of March 1749 I Charles Maybry being Very Sick and weak in body but of perfect mind and memory Thanks be given unto god therefore Calling to mind the Mortality of my body and knowing that it is appointed for all men once to die Do make and Ordain this my Last will and Testament that is to Say Principally and first of all I give and Recommend my Soul into the hands of god that gave it and my body I recommend to the Earth to be buried in decent Christian Burial at the discretion of my Executors not Doubting but at the General Rurrection I Shall receive Hereto ne again by the mighty power of god to bless me in this Life I give dismiss and Dispose of the Same in the following manner and form--

*I give and bequeath to my Son Charles Maybry three hundred and forty acres of Land Lying in the fork between Raccoon Swamp and Spring Swamp--
I give and bequeath to my son Francis Maybury one hundred and ninteen Acres of Land lying on the South Side of hornit Swamp--*

I Give and bequeath to my Son William one piece of Land beginning at the Little Swamp running Eastward up a branch Called the nero branch about the going over to Charles Battles as high as the Old fields running a Straight Corner to the head of the Island and then to the Raccoon Swamp--

I give and bequeath to my Son Ebill the Plantation (W)here I now Live and the remainder of this Land my Wife having her Lifetime in it--

I give and bequeath to my Son Cornelius Maybry one hundred and nineteen Acres of Land Lying on the South Side of the plowman--

I Give and bequeath to my Son Cornelius an Entry of Land Containing one hundred acres Lying between Charles battles and Tobert Lands and his ____--

I give and bequeath to my Daughter Elizabeth one feather bed and furniture--

I give and bequeath to my Daughter Rebeccah one feather bed & furniture--

I give and bequeath to my Daughter Rebecca one feather bed & furniture--

I give and bequeath to my Daughter Emidie one feather bed & furniture--

I give and bequeath to my daughter (blank) one feather bed and furniture that I & my wife lyeth upon after our decease.

I give and bequeath to my daughter Mary Battle three Ells(?) of white Linnen--

I give and bequeath to my son William a horse colt--

I leave my Wife Rebeccah the Disposing of the remainder of my Stock and household goods

I Leave my Wife Rebeccah and my Son Charles Maybry Executors to my Estate to see that they have Everyone their Right According to my Will.

John Hargrove
Nathaniel Clanton

Charles Maybry
Rebeccah (+) Maybry

The above text of Charles Maybry's will was copied from a photocopy of the original entry into the Surry County Will Book by a clerk. It would seem the the clerk inadvertently repeated

the line in which Charles gave his daughter, Rebecca, the feather bed and furniture. Two lines later the name of another daughter is left blank.

When they became adults, the children or grandchildren of Charles² Maybry, like many of their cousins, moved across the border into the northern tier of counties in North Carolina. From there many moved westward into Tennessee, a few went into Kentucky, and the grandchildren of Cornelius were among the early settlers of Missouri.

Judith² Maybury

Judith Maybury was apparently unmarried when her father wrote his will on March 22, 1711/12. He refers to his other two daughters by their married names, but to Judith only as "Judith Maybury". When Elizabeth Gillian Maybury wrote her will in 1713, she refers to Judith as one of "my four children" from which we might imply that Judith was unmarried and most likely still living at home with her mother.

If this is the case Judith was probably one of the youngest of the seven children of Francis and Elizabeth Maybury. She was probably born between 1692 and 1699. Because her parents both died about the time she became an adult, there are no further records of the family concerning her. Likewise, there were few marriage records kept at that time. For these reasons we have no way of knowing whether she married, remained single, or perhaps died as a young woman.

We can only hope that some alert researcher will yet turn up a record which will tell us more about her. If she married, her name might well be given in a deed of property sold by her husband. Similarly, a thorough search of estate records for the name Judith might lead us to more information about her. Until that happens, however, we must be content to say only that she was one of the younger children of Francis and Elizabeth Maybury and that she was apparently unmarried in 1713.

George² Maybury

None of the seven Maybury children has been more perplexing to those researching the family than George. Ironically, the problem has not resulted from a lack of either descendants or of documentary evidence. George Mabry's name appears frequently in documents of Surry and later Brunswick Counties where he apparently lived until 1747, when he moved across the border to Edgecombe County, North Carolina. Thereafter we have found numerous records relating to him and his family not only in Edge-

combe, but also in Northampton, Granville, Halifax and Rowan Counties.

At least two of his descendants moved back into Virginia, but farther to the west, where many records are found beginning about 1771. Numerous Mabrys, mostly descendants of George² Mabry, are still to be found in Western Virginia today. Others went on from there to Tennessee, and Kentucky and from there on to the west and south.

While a considerable amount of research has been done concerning the descendants of Francis², Charles² and Hinchia², comparatively little has been done on the family of their brother, George². Two problems have plagued us in our attempts to identify George Mabry's children and grandchildren. The first is that of distinguishing between the records of George² and his son, George³. For example, we know from several records that George² Mabry married Sarah Williamson, the daughter of John Williamson. When the heirs of John Williamson sold 280 acres of land in Brunswick County, Virginia to George Mabry in 1742, one of the signers of the deed was "Sarah Mabry".⁹³ Yet, five years later in 1747 when George Mabry sold a different piece of land, also in Brunswick County, his wife was Martha Mabry.⁹⁴ Two conclusions are possible. Either Sarah Mabry died and George married a second time to a woman named Martha, or else the George Mabry who sold the land in 1747 was George Jr. There are other less complicated records signed by both father and son as "George Mabry Sr." and "George Mabry Jr."

The second problem has to do with the will of George Mabry written in Rowan County, North Carolina in December 1770 and offered for probate a few weeks later. Among the four sons and six daughters named in the will are names which look like the children associated with George² Mabry decades earlier. And again his wife's name is given as Martha. We can be reasonably certain that this is the will of George² Mabry, although he would have been more than seventy years of age.

If we proceed with caution, it is possible to reconstruct something of George² Mabry's earlier life from the numerous records available records. On the basis of circumstantial evidence it has been assumed that George Mabry married Sarah Williamson, the daughter of John Williamson of Surry County, Virginia. John Williamson's will was probated in 1731 naming some, but apparently not all of his children.⁹⁵ Sarah Mabry is not named. Six years later 280 acres of land belonging to the heirs of John Williamson was transferred to George Mabry, with Sarah Mabry signing the deed as one of the heirs.⁹⁶

A very careful examination of the land records has made it possible to distinguish between George Mabry Sr. and his son, George Jr. until about 1760. After that time the records are more confusing. Father and sons lived very close together in

Edgecombe and or Halifax Counties in North Carolina until about 1759. In 1762 George Mabry Sr. bought 100 acres of land from John Muscamp.⁸⁷ The same 100 acres, described as "where George Mabry now lives", was sold seven years later, in 1769.⁸⁸ Meanwhile George Mabry Jr. served on juries some distance away in Rowan County in 1767, 1768 and 1769.

It will be helpful to trace the movements and relationships of George² Mabry and his family through the records of their land transactions. I have not found a record indicating the sale of the 125 acres on the Horn Branch of Three Creeks in Surry County, Virginia, which George Mabry inherited from his father. Nor have I found any sale for the 120 acres supposedly granted to George in 1713. It is possible that this land fell into Brunswick County, which was created in 1720 from parts of Prince George, Isle of Wight and Surry Counties. George Mabry received two more land grants in Surry County, one on 5 September 1723 for 115 acres⁸⁹ and the other in 1725 for 145 acres.⁹⁰ He sold the 115 acres, described as being on the north side of the Nottoway River and the west side of the Woodyard Swamp, to William Raney on 21 June 1727 for five shillings.⁹¹

On 10 January 1735/36 George Mabry received a royal patent for 225 acres of land on the South side of the Nottoway River and the East side of Flat Swamp in Surry County.⁹² This land is probably located in modern Greenville or Brunswick County. I have not found a record of his disposal of it. The patent is typical of the time.

George the Second by the Grace of God of Great Britain, Scotland and Ireland being defender of the Faith etc. TO ALL TO WHOM these presents shall come Greeting. KNOW -- that for divers good causes and consideration but more especially for --- on consideration of the sum of Twenty Five Shillings of good and lawful money for our use paid to our Receiver General of our Revenues in this our Colony & Dominion of Virginia We HAVE given granted and conferred and by these presents for us our Heirs and Successors do give grant and confirm unto George Maybury one certain Tract or Parcel of Land containing two hundred & twenty five acres lying and being in the County of Surry and on the South side of Nottoway River and bounded as followeth to wit BEGINING at a Pine on the East Side of the flatt Swamp a Line tree of William Bridges Land then by Bridges line South Seventy degrees East Sixty nine pole to a Pine a corner of Peter Poythress's land then by Poythress's Lines North four degrees East a hundred and twenty six pole to a red oak & Hicory North forty seven degrees East seventy six pole to two Pines North fifteen degrees West ninty six pole to a red oak North eleven degrees West thirty one pole to a great pine by the side of the flatt swamp aforesaid and up the var-

ious courses of the Run of the said swamp to the beginning WITH ALL woods underwoods swamps marshes low grounds meadows feedings and residue share of all veins Mines and quarries as well discovered as not discovered within the bounds aforesaid and being Part of the said quantity of two hundred and twenty five acres of land and the Rivers Waters and Water Courses therein contained together with the Privileges of Hunting Hawking Fishing Fowling and all other rights commodities and -----ments whatsoever to the same or any Part thereof belonging or in any wise appertaining TO HAVE HOLD possess and enjoy the said tract or Parcel of land & all other the before granted Premises and every Part thereof with their and every of their appurtenances unto the said George Maybury and to his heirs and assigns forever; To the only use and Behoof? of him the said George Maybury his Heirs and Assigns forever TO BE HELD of us our heirs and successors (corner of page missing) of East Greenwich in the County of Kent in fees, summon, soccage not in Capite or by Knights service YIELDING and paying unto us our Heirs and Successors for every fifty acres of Land and so proportionably for a lesser or greater quantity than fifty acres the Fee rent of one shilling yearly to be paid upon the Feast of Saint Michael the Arch Angel and also cultivating and improving three acres part of every fifty of the tract above mentioned within three years after the Date of these Presents provided always that if three years of the said Fee rent shall at any time be in arrears and unpaid or if the said George Maybury his heirs or assigns do not within the space of three years next coming after the date of these Presents cultivate and improve three acres part of every fifty of the tract above mentioned then the Estate hereby granted shall cease and be utterly determined and thereafter it shall and may be lawful to and for us our heirs and Successors to grant the same land and premises with the appurtenances unto such other person or persons as we our heirs and successors shall think fit. IN WITNESS whereof we have caused these our Letters Patent to be made WITNESS our trusty and Well beloved William Gooch, Esq^r our Lieut Governor & Commander in Chief of our said Colony and Dominion at Williamsburg Under the seal of our said Colony the tenth day of January One Thousand Seven hundred and thirty five in the ninth year of our reign.

William Gooch

On 8 May 1737 William Poole and his wife Elizabeth (nee Watson) sold 400 acres to George Mabry. The land was described as being on the south side of the Nottoway River in Brunswick County.⁹³ The deed also provides us with the occupation of

William Poole: "Joyner". He and Elizabeth Poole were the parents of Mary Poole who married Ephraim³ Mabry, son of their neighbors, Hinchia² and Frances Parhan Mabry. This 400 acres was later sold by George Mabry and his second wife, Martha (nee Bradley) to William Gilliam on 3 November 1747 for 70 pounds. The deed was witnessed by H(inchia) Mabry Jr., G. Mabry (presumably George Mabry Jr.), and William Gilliam Jr.⁹⁴

Apparently the estate of John Williamson had not been finally settled, for on 2 December 1742 his heirs, including Sarah Mabry, sold 280 acres of land to George Mabry for 30 pounds.⁹⁵ Others signing the deed were Holum Sturdivant, John Rottenbury, Henry Ledbetter (husband of Edith Williamson), and Richard Fox (husband of Hannah Williamson). Sarah Williamson Mabry apparently died not long after signing the deed on 2 December 1742 with her siblings. Following her death George² Mabry married a second time to Martha Bradley, daughter of his neighbor, Joseph Bradley.

As he prepared to move his family across the border to Edgecombe County, North Carolina, George Mabry sold his land in Brunswick County on 3 November 1747 to William Gilliam. The deed was signed by George Mabry and wife, Martha.⁹⁶ The description of the land by "metes and bounds" is identical in both deeds except that it was estimated to be 280 acres in the 1742 deed and 200 acres in the 1747 deed.

Thirteen days later on 16 November 1747, George Mabry purchased 200 acres in Edgecombe County from William and Mary Linsey.⁹⁷ It was described as being part of 400 acres which the Linseys had bought from Moses Siveny (We will hear about the other 200 acres shortly). The deed for the 200 acres was witnessed by George Mabry Jr., Isaac Mabry and Joseph Mabry. The name of George Mabry, probably George Sr., appears as a witness to a deed from James Bradley to Robert Reynard in Edgecombe County on 4 February 1747/48.⁹⁸

Just over three months later on 16 May 1748, George Mabry Sr. bought 250 acres "adjoining the river at the mouth of a branch" from Giles Carter for 34 pounds. This time the witnesses were George Mabry, Isaac Mabry and Jno. Doyle.⁹⁹ The following day George Mabry Jr. bought 200 acres "adjoining Spring Branch" from Samuel Huckabee. This land is described as having originally been part of a patent to Moses Swaney on 15 May 1742.¹⁰⁰ The witnesses to the deed were T. Smith and Dry. Harrington. This is clearly the other half of the land which George Mabry Sr. purchased a few months earlier. Thus we know that father and son lived or at least owned land next to each other in Edgecombe County.

The next deeds worth mentioning in Edgecombe County have to do with neighbors of the Mabrys. The first on 20 November 1752 is a deed from Joseph Bradley to James Bradley for 400 acres on

the south side of the Roanoke River, adjoining Robert Reynolds and the Little Northumberland River.¹⁰¹ The selling price of five shillings may indicate that Joseph and James Bradley were father and son. The witnesses were Robert Reynard and Benjamin Bradley. The second was a deed drawn on 25 October 1753 by which Richard Smith sold 291 acres "on the south side of Geo Mabry Sr." and adjoining John Muscamp and Pork Creek to James Story for 50 pounds. The witnesses were Robert Reynard, Giles Carter, and J. Doyle.¹⁰² The likelihood that the Mabrys intermarried with some of these families will be discussed later.

The next of George Mabry Sr.'s land transactions in Edgecombe County took place on 22 September 1757 when he sold to his son Isaac Mabry, for 30 pounds, the 250 acres he had purchased from Giles Carter in 1748. The land is again described as adjoining the river at the mouth of a branch, part of an original patent to Thomas Harrington. The deed included all houses except the mill and five acres. It was witnessed by James and Susannah Mabry and Francis Williams.¹⁰³

In 1754 Edgecombe County was divided to create Halifax County. Most if not all of the land owned by the Mabrys fell into Halifax County where a few more records may be found between 1759 and 1769. One such record is a deed concerning the 200 acres which George Mabry Jr. bought in May 1748 from Samuel Huckabee. This was half of 400 acres originally granted to Moses Swaney, the other half of which George Mabry Sr. bought from William and Mary Linsey in 1747. On 19 February 1759 George Mabry Jr. sold his 200 acres to his father for 100 pounds, thus giving the entire 400 acres to George Mabry Sr.

Adding to his land, George Mabry Sr. received a grant from the Earl of Granville for 609 acres just under a year later on 2 January 1760. This land was described as adjoining other lands of Mabry, Reynolds, Dwall, Harvey and Pretty Creek.¹⁰⁴ The "chain carriers", usually friends of the grantee, were James Story and Robert Renard. This gave George Mabry Sr. two parcels of land, apparently adjoining, totaling 1009 acres. Eight days later, on 10 January 1760 he sold both parcels to John Ellis. For the 400 acre tract he received 150 pounds.¹⁰⁵ The 609 acres granted to him a week earlier brought him just 100 pounds.¹⁰⁶ Both deeds were witnessed by John Mabry, John Doyle and James Jackson.

An incomplete record in my files refers to a 1762 grant to George Mabry by Lord Granville of 700 acres.¹⁰⁷ I have not located the details of this grant or the location of the land, nor have I found any record of the sale of 700 acres by anyone connected with George Mabry. It is clear that by this time George Mabry Sr. owned land in both Granville and Halifax Counties and that the parcels, which appear from the legal descriptions to have been contiguous, were probably located on the line dividing the two counties.

George Mabrey (sic) is found on the list of tithables for Granville County for 1762. Listed with him are "Negroes Cuffy, Chansworth and Pedillah."¹⁰⁹ These slaves are named with others in the last will and testament of George Mabry eight years later in Rowan County.

The final land records relating to any George Mabry concern the purchase of 100 acres in 1762 and the sale of the same land in 1769. On 5 October 1762 John Muschamp of Halifax County sold to George Mabury of Granville County 100 acres in Halifax County along Muschamp's spring branch, part of 200 acres granted to John Muschamp, dec'd. on 20 April 1745. George Mabury paid 30 pounds Virginia money for the land and the deed was witnessed by Isaac Mabury, John Mabury and a neighbor, Benjamin Carter.¹¹⁰ George Mabry of Halifax County sold the same land "on both sides of Parke Creek and along the patent line" on 18 December 1769 to William Carter for 30 Pounds Virginia money. It was described in the deed as being the land "where said Mabry now lives". The deed was witnessed by Matthew Garrigan and James Allen.¹¹¹ The description of this land recalls the 29 acres sold in 1753 by Richard Smith to James Story which was "on the south side of Geo. Mabry Sr." adjoining land of John Muschamp and Fork (sic) Creek.

This 1769 deed is problematic, not for the information it contains, but rather for the information it does not contain. For the first time we do not know from the record itself which George Mabry, father or son, was involved in this purchase and sale of land. The name of George Mabry's wife is not given in the deed. The deed is signed with "his mark" which may or may not have been the "G" used by George Mabry Sr. to sign documents. It is recorded by the clerk in this case only as an "x". Meanwhile, at about the same time that this George Mabry remained lived on the Halifax County land, other records concerning George, Isaac, Francis and Joseph Mabry begin to appear in Rowan County, some distance away to the west.

On 22 April 1760 Isaac Mabry was involved in a Rowan County Court action vs. Francis Medcalf.¹¹² The first record we have discovered for a George Mabry in Rowan County has to do with his serving on a jury on 15 October 1767.¹¹³ In 1768 Francis Marbury was on the Rowan County tax list.¹¹⁴ George, Isaac, Hugh and Francis Mabry all served as jurors in the Rowan County Court of Pleas and Quarter Sessions on several occasions from 1767-1771.¹¹⁵ On 10 May 1769 George and Joseph Mabry appeared before the Rowan County Court to register their cattle brands.¹¹⁶ On 15 August 1770 George Mabry was appointed by the Rowan County Court "to oversee the road from John Kimbroughs to John Elliots at the Cross Roads."¹¹⁷

This brings us to the will of George Mabry Sr. which was written on 15 December 1770 in Rowan County and presented for probate in Rowan County Court on 13 February 1771.¹¹⁸ For years

it has perplexed family researchers some of whom believed it to be the will of George² Mabry, while others argued that it had to be that of George³ Mabry. The matter was all the more confusing because there are two slightly differing versions of the will contained in Rowan County records. Both are presented here for the sake of comparison.

George Mabry's Will

In the Name of god amen I george Mabry being in good health praise god and of a sound and perfect sense and Memory praise god for it Dow appointe this My Laste Will and Testament.

Item I Leave unto my Beloved Wife Martha Mabry and to hur youse Douring hur Life or Widdohood all my housall goods With three feather beads and with thear furniture and My Stock of Horses meares and all My Cattall and all My hogs and further My Will is that I leave unto My Beloved Wife During of hur Life or Widdohood seven Negros to which Cuffie and Chance Worth and fadillor a negro Wench Esis (?) and San and Littell Chance and Sall a negro garle and furthear My Will is that after My Wifes Disease or if she should Marry or Which shall happen firste.

Item I give unto My Beloved Son John Mabry fiddillor a negro Wench and to him and his heirs for ever.

Item I give unto My Beloved Son George Mabry a negro fellor Named oulde Chance Worth to him and his heirs for ever.

Item I give unto My Beloved Son Isaack Mabry a negro fellor Naimed ould Cuffa and Sam a negro Boy to him and his heirs for ever.

Item I give unto My Beloved Son James Mabry Esquire a negro Boy and Littall Chance and Sall a small negro garle to him and his heirs for Ever and My Will is that My Son James Mabry is to tacke care of My Beloved Daughtor Lusa Douring of hur Life as she is Not able to tacke Care of hur Self. And My Will is further at after My Wifes Disiase or the Day of hur marriage Which shall happan firste that all My housall goods to feathear Beads and furnature and all My Stock of horses and Meares and Cattall and hogs to Be soulde By My Son James Mabry and that mony so Raised My Son James is to pay all My Juste Debts oute of that Money so Raised and the over plush to be Equally Devided amongst My Daughtors Susanna Jackson and Burtha Cartor and Sarah William and Martha Worde and frances Ellis.

Witness My Hand and Seal this fifteenth Day of December 1770.

My Will is furthior that I give unto My Daughtor Lusa Mabry hur feathear Bead and that to be in the cear of My Son James Mabry. Witness My hand and seal on the fifteenth 1770.

John Kinbrough
Mary Kinbrough

George (G) Mabry

As Note having enny Exsecutors to this My Laste Will and Testament and now being in perfect Sense and Memary praise god for it My Will and Desiar is now and dow hear By appoyante My Son James Mabry and My Beloved Wife Martha Mabry to be My lawfull Exsecutors as Witness My hand and Seale Desembor the fifteenth Day 1770.

John Kinbrough
Mary Kinbrough

George (G) Mabry

Several years ago I exchanged a series of letters with Mr. Robert J. Mabry, who had worked on the George Mabry documents. In one of my letters I mentioned that the Rowan County will named a son George. About a week later I received a reply to the effect that a son George was not mentioned anywhere in the will. I rechecked my records which included a photocopy of an original document and found the son George clearly included. I sent a copy to my friend and received by return mail from him a photocopy of the other original document and sure enough, there was no mention of a son, George! This seeming contradiction is the result of a clerical error by the person who copied the will into the Rowan County records, accidentally leaving out a line which included one of the heirs! There are other minor differences in spelling, etc. in the two versions of George Mabry's will. The following is the second document in which the name of George Mabry Jr. was accidentally omitted.

In the Name of god amen I george Mabry being in good health praise god and of a sound and perfect sense and Memory praise god for it Dow spoiate this My Laste Will and Testament.

Item I leave unto my beloved Wife Martha and to her youse douring hur Life or Widdohood all my Housall Goods with three feather beds and with thear Furniture and my Stock of Horses and Meares and all my Cattall and all my Hogs and, further my Will is that I leave unto my beloved Wife during of hur life or Widdohood seven Nigros to which Cuffer and Chance Worth and Fidillor a Negro Winch Esie (?) and Sam and littal Chance and Sall a Negro garle as furthear my Will is

that after my Wifes disease or if she should mary or which shall happan firste. Item I give unto my beloved Son John Mabry a Negro Fellor named aulde Chance Worth to him and his Heirs forever Item I give unto my beloved Son Isaack Mabry a Negro Fellor named auld Cuffer and Sam a Negro Boy to him and his Heirs forever. Item I give unto my beloved Son James Mabry Esquire (?) a Negro Boy and littal Chance and Sall a Negro Garle to him and his Heirs forever. And my Will is that my Son James Mabry is to tacke cear of my beloved Daughtor Lusa douring of hur life as she is note able to tacke cear of hurself. And my Will is further at after my Wifes desease or the Day of hur Marriage which shall come first that all my housall Goods two feathear beads and furnature and all my Stock of Horses and Meares and Cattall and Hogs to be sould by my son James Mabry & the Mony so raised my Son James is to pay all my juste Debts oute of that money raised and the over plush (?) to be eaqually divided among my Daughtors Susannah Jackson and Bertha Carter and Sarah Williams and Martha Worde (?) and Frania Ellis. Witness my hand & seal this fifteenth Day of Disember 1770. My Will is further that I give unto my Daughtor Lusa Mabry her feather bead & that to be in the cear of my Son James Mabry. Witness my Hand and seal Desember fifteenth 1770.

John Kinbrough
Mary Kinbrough

George (G) Mabry

As note having enny exsecutors to this my laste Will and Tetanente and now being in perfect sence and Memmory praise God for it my Will and Dasiar is (?) hearby appoyante my Son James Mabry & my beloved Wife Martha Mabry to be my lawfull exsecutors. As witness my Hand and Seale Desember fifteenth day 1770.

John Kinbrough
Mary Kinbrough

George (G) Mabry

Given all the confusion and questions, it is easy to see why some believed that the will was that of George Mabry Jr. I believe, however, that the overwhelming weight of evidence is to the contrary. The sons named in the will--John, George, Isaac, and James--are the same sons who were with George Mabry Sr. in Edgecombe and Halifax Counties, except for Joseph, who is not mentioned in the will. The Rowan County will is signed with the same "G" mark used by George Mabry Sr. to sign numerous documents in Brunswick County, Virginia and Edgecombe and Halifax Counties in North Carolina. The George Mabry who wrote the will also names his wife as Martha. Again, George Mabry Sr. of Edgecombe and Halifax Counties was apparently married second to a Martha, probably Martha Bradley, daughter of Joseph

Bradley, a neighbor of George Mabry Sr. Joseph Bradley died in 1774, naming a daughter Martha Mabry in his will.¹¹⁸ It was not uncommon in those days for a widower to marry a younger woman and Martha was probably younger than George Mabry Sr. Since they were married by 1747 (perhaps a short time earlier) she could have been born as late as about 1728, but was likely born several years earlier.

Some prefer to believe that the 1770 Rowan County will is that of George Mabry Jr. However, for that to be the case we would have to assume that George Mabry Sr. died, perhaps in Halifax County, without leaving either a will or an estate record. We would also have to assume that both George Sr. and George Jr. had wives named Martha. Finally, we would have to assume that George Jr. had the same number of sons as brothers all of whom had the same names as his brothers! All of this is most unlikely.

A much more credible scenario would be to assume that George Mabry Jr., after selling his Halifax County land to his father in 1759, moved to Rowan County with his brother, Isaac. His father, George Mabry Sr., remained in Halifax County until 1769 when he sold his plantation on Parke (or Pork) Creek and went to Rowan County to be with his children. There the elder George Mabry wrote his will late in 1770 and died a few weeks later in 1771 with several of his children around him. This hypothesis is supported by the "George Mabry" records which appear in Rowan County between 1760 and 1769, which have to belong to George Jr. It is hardly likely that his father at about seventy years of age would be serving on juries, overseeing a road, etc. These are the activities of a younger man.

At the time of George² Mabry's death in 1770 Rowan County covered much of what is now western North Carolina. Indeed, more than twenty modern counties were created directly or indirectly from old Rowan County. With luck it is often possible to pinpoint the location of a family's residence using the description given in the deeds when they bought and sold their land. Unfortunately, no deeds have been found in Rowan County for any of the Mabrys. However, we do have a tax list of William Millikan's district which included that part of Rowan County which later became southern Guilford and northern Randolph Counties. Although the tax list is not dated, it is believed by experts to be from the year 1768. Three of the sons of George Mabry Sr. appear on this list: Isaac, James and George Jr. Also listed as taxable (over sixteen years of age) with George Mabry Jr. are his sons, Joseph, Benjamin and Reina and "negroes, Morris, Carry, Judah and Mary." For several reasons we can be certain that this was the household of George Mabry Jr. rather than his father. First, the elder George Mabry apparently did not sell his land in Halifax County and move to Rowan County until the following year. Second, the names of the slaves on this Rowan County tax list are different

than those of George Mabry Sr. named both in his 1770 will and in the 1762 list of tithables in Granville County. Third, the names of the sons of the two George Mabrys are different.

It is interesting to note that the list of taxables of Millikan's District of Rowan County also contains the names of virtually every person we have found associated with George² Mabry or his sons in other Rowan County records including: John Bell, Bradley and Thomas Kimbrough, John Bryan, Edward Williams, John Elliot, William and Edward Thornbury, Francis Metcalfe, John Field, Alexander Smith and Joseph Robins.¹¹⁹

We have already noted a few records in Rowan County for Isaac³, George³ and Joseph³. While Isaac and George are almost certainly the sons of George Mabry Sr., we cannot be certain about Joseph. When George Mabry Sr. bought land in Edgecombe County on 16 November 1747, the witnesses were George Mabry Jr., Isaac Mabry and Joseph Mabry. If Joseph was a son of George², it may well be that he died at a relatively early age, because no other records are found until a Joseph Mabry entered his cattle brand in Rowan County in 1769. The latter is quite likely the son of George³ Mabry.

What happened to John and James, the other sons named in the will of George Mabry Sr.? John may have remained in or near Halifax County where there are several records for "John Mabry", particularly military records. It is believed that he married Mary Harrington. James Mabry seems to have remained in Halifax County near his father, at least until 9 August 1764 when he sold his 200 acres "on the south side of the Roanoke River, adjoining Reynolds, and James Bradley" to Thomas Wilson of Northampton County for 50 pounds Virginia money.¹²⁰ James Mabry had purchased the land from Benjamin Bradley on 12 November 1762.¹²¹ He is next found on a list of list of taxables in Rowan County in 1768 where he likely remained at least until serving as the executor of his father's estate in 1771.

More research is needed concerning the Francis Mabry who was in Rowan County. It is possible that he was another son of George Mabry Sr., though he is not named in George Mabry's will in 1770. It seems more likely, however, that Francis was a grandson of George Mabry, perhaps a son of George Jr. Francis was still in Rowan County the year following the death of George Mabry Sr., according to a bill of sale for "sundry things" which Drury Guding sold to Francis Mabry on 31 July 1772.¹²² The last record of Francis Mabry in Rowan County is another bill of sale in 1776. He next appears on the tax list of Pittsylvania County, Virginia the following year, where he apparently moved along with George and Joseph Mabry.¹²³

Other records help us to trace Joseph Mabry. He was in Pittsylvania County, Virginia by 1773 where he purchased 200 acres described as being "on both sides of the South Fork of

the Sandy River" on September 23rd.¹²⁴ His name is also on the list of tithables for Pittsylvania County in 1773. His land could have been in that portion of Pittsylvania County which became Henry County in 1776-77. In 1777 he was on the list of tithables for Henry County. On 30 September 1777 the name of Joseph Mayberry appears on a list of persons who refused allegiance to King George III. The name of Joshua Mabry, perhaps, another son of George² Mabry, appears on a similar list refusing allegiance to George III a month earlier on 30 August 1777. A few months later on January 1, 1778 Joshua signed another oath, this time an oath of allegiance to the State of Virginia. Less than three weeks later on January 19th, Joseph Mabry sold 250 acres described as being "on the Crabtree fork of Snow Creek". His wife is named in the deed as "Mary", but she signed her name "Susanna".¹²⁵

Joseph lived very near the border between Virginia and North Carolina and may have had land in both states. He died in 1778, without leaving a will, and his estate was administered in Caswell County, North Carolina. On 8 September 1778 his wife, Mary, was appointed Administratrix. Surety was provided by Jno Cook and William Hubbard. Court records indicate that buyers from the estate included George and Mary Mabry and later William Stubblefield and Samuel Bethel.¹²⁶ It is also stated in the same court minutes that Mary, the widow of Joseph Mabry, had married William Stubblefield by 12 March 1779. While we do not have a complete list of the adult children of Joseph and Mary Mabry, the Caswell County court minutes show the names of two minor children, Elizabeth and Joseph Mabry, for whom John Williamson and Jere Ppiston are respectively appointed to be guardians.¹²⁷

An interesting document found in Wilkes County, Georgia provides us with the maiden name of Joseph Mabry's wife as well as the name of another of his children. In April 1797 Robert Buckner and his wife, Elizabeth (nee Mabry), filed suit against Jos. and Benj. Cook and William Stubblefield, contending that Elizabeth's grandfather, John Cook, who died in 1780, left slaves to Elizabeth and her sister, Polly, "who has since died".¹²⁸ It would thus appear that Joseph Mabry's wife was Mary Cook, daughter of John Cook, and that Joseph and Mary had another daughter, Polly, who was of legal age at the time of Joseph's death.

The fourth son of George Mabry Sr. was Isaac, who was living in Rowan County when his father died in 1771. He was likely the same Isaac Mabry who witnessed a deed from Peter and Mary Meier (Meyer) to Lanier and Williams for land in Surry County, North Carolina on 27 August 1773.¹²⁹ Surry and Rowan Counties were adjacent at that time. Isaac apparently remained there for several years because he is listed with 500 acres on the 1778 Rowan County tax roll.¹³⁰ This land appears to have been located in the Abbott's Creek area in what is now Davidson

County. A short time later he is found on the tax rolls of Henry County, Virginia beginning at least by 1782 and continuing at least through 1787.

We are fortunate to have a letter written on October 21, 1913 by Elder R. M. Mabry of Willis, Virginia in which he provides some genealogical information which he got from his own father and uncle "about fifty or sixty years ago." In the letter Mr. Mabry says:

"My great grandfather was of Irish descent and lived in North Carolina. He had several sons, one was named John and one was named Charles, I know not the names of the others. My great grandfather was named Isaac. Isaac Mabry moved to Virginia, and while in Virginia his son Charles married Elizabeth Hylton and settled in Virginia. Charles Mabry raised five boys, Joshua, John, Isaac, Samuel and Joseph by name. It is probably (sic) that Lewis Mabry was a brother of Charles Mabry."

Thus we know that Isaac³ Mabry, who moved from Rowan County, North Carolina to Henry County, Virginia sometime between 1778 and 1782, had sons, Charles, John and probably others including Lewis. The marriage of his son Charles to Elizabeth Hylton is confirmed by Virginia records and the descendants of Charles continue to this day in Carroll and surrounding counties.

Of the four known sons of George² Mabry, only George Jr. remains to be located following the death of his father in 1771. Fortunately we have some extremely interesting documents concerning him which indicate a least some degree of estrangement between George Mabry Jr. and his family and friends in Rowan County at precisely the time of his father's death. While the records are sketchy, we gain the impression that attempts by his friends to arrange a reconciliation were not very successful, resulting in George Mabry's flight across the border into Virginia where there are many records of him and his descendants.

The story begins with what to us is a rather cryptic newspaper message published on 6 December 1770, just a few days before George Mabry Sr. wrote his will.¹³¹ While there is no apparent connection between the two events, we can easily speculate that whatever the controversy was about, it must have caused a considerable amount of embarrassment to the family and perhaps hastened the death of the elder George Mabry who was well into his seventies.

"This is to give notice to all persons that may have any claims against George Mabry to come to John Kimbroughs 1st Friday in Jan and you will oblige your friend, John Bryan."

In order to understand this and the other documents which follow, one must know something about the history of North Carolina and particularly of the "back country" as Rowan and other neighboring counties were known at the time. The colony was governed by an aristocracy on the seacoast, which through power of appointment maintained tight control over judges, county sheriffs (who collected the taxes) and all other officials of the large western counties. Taxes and fees were very high, and it was common for the sheriff and other county officials to keep secret accounts, pocketing part of the taxes and fees they collected. If taxes were high, services were almost non-existent. The crime rate was high and those who had influence with county officials were practically immune to prosecution.

Thus it was in 1768 that a group of Orange County farmers formed an association called "the Regulators" pledging to pay only legal taxes and fees and to engage in vigilante style action by majority rule. Local officials sought to suppress the uprising by jailing some of the leaders of the movement, but the Regulators stormed the jails, releasing their friends and threatening their enemies with violence.

John Bryan, who signed the newspaper piece quoted above, was a friend of George Mabry Jr., the object of his efforts. Others closely associated with the Mabrys were also members of the Regulators, including perhaps, George Mabry himself. With this background, we move on to examine the other documents to see the little drama unfold. The next is a personal appeal from John Bryan to his friend, George Mabry.¹²²

Mr. George Mabry sir I understand that you have wronged Robert Jackson greatly, for in that fray you had at the race you was the first that struck as I understand and the mare that you got from Jackson he is obliged to work for by day work, instead of working for his family and the mare you let him have in favour of pretendingly is not worth ten shillings, and I did not think a man of your ability would go to use any such a poor man so villidly (villainously) as as you did him and now my desire is to you, for you to take Jackson his mare home again or six pounds. Take back your ten shilling mare again and deliver him up his note and I desire that all this may be completed by this day three weeks or you may expect what will follow. This is from your friend.

January ??th, 1771

JOHN BRYAN

The next record is somewhat more public.¹²³

The judgment of the committee is, that George Mabry is to pay Robert Jackson the sum of six pounds ten shillings proc. which money the said Jackson paid Mabry for

abuse. And likewise to pay James Garran four shillings proc. the money which Garran paid Mabry for feeding his mare. And likewise, the judgement of the committee is, that George Mabry shall in twenty days from the above date, that he the said Mabry shall bring in four sufficient freeholders and give in to John Bryan as security for his good behavior and if the said Mabry shall fail or neglect so to do, then the said Mabry shall leave the province in twenty-four days after that without fail. Wm. Field, John Field, Joseph Robins, John Bell, Alexander Smith, William Thornsbury, Edward Thornsbury. A true copy of the Judgement of the Regulators certified by me John Bryan, Capt. of the regulators.

The genuinness of this copy of the judgment of the committee has been proved by the oath of John Kimbrough, who seen the above named sign it, and who say John Bryan certify it as above; and by the oath of George Mabry, who in his oath farther declares, he was obliged to pay the money as by them awarded; they threatened to whip him and burn his house in case of refusal.

January 28th, 1771

The death of George Mabry Sr. seems to have occurred in the midst of the controversy concerning his son. The final document, more conciliatory in its tone, is an appeal to John Bryan by two leaders of the Regulators asking that the younger George Mabry be allowed to return home to bury his father.¹²⁴

Loving Friend,

Mr. Mabry has been here on his journey to leave the province. He tells me his father lies dead and he would willingly go home and bury him, besides the manner that he is leaving the province is not answering the purpose you intended. I would not have you think that we want to abolish any thing you have done but I think, at this critical time, it is better for him to return to his family and bury his father and let the matter ly over for a further hearing because the manner he accepts of the punishment is answering no purpose, it only exasperates both parties. He says that judgement past against him at the first meeting, so that he had not the liberty of getting his evidence. We cannot tell how it is, but pray dont concern with him for stopping his journey. Consider a partner is a nigh friend to part with. There was a company of people here as he went along and stopt him or else he would have pursued his journey. So we hope you will not hurt him as we were the cause. We have agreed to

set on for Newbern on Monday the 11th of next month and has great dependence on your parts. Let not private animosities disturb you at this time when the public calls us to action. Write to your friends on this occasion-- We remain your friends,

*William Butler
James Hunter, Leader of
Regulators in the
Battle of Alabance*

To Mr. John Bryan

Unfortunately we have not found any additional information concerning this controversy. Indeed, it would be interesting to know if and how the matter was finally resolved. One gets the impression that George Mabry Jr. was a stubborn man. If this was the case, his stubbornness may have driven him across the border into Virginia permanently. The meaning of the reference to Newbern in the foregoing letter is unclear. It would seem to refer to the destination, not of George Mabry, but rather of the gentlemen who wrote the letter. There is a city on the coast of North Carolina called New Bern. However, the spelling in the letter, Newbern, may indicate a town then across the border in Botetourt County, Virginia (in modern Pulaski County). Ironically, another George Mayberry, unrelated to the Virginia Mabrys, was married in Botetourt County on 5 January 1782 to Christeen Kimberline.¹³³ This George, son of Frederick Mayberry of New Jersey, was a Soldier of the Revolution who died in Alabama in 1848.

By 1775 George Mabry Jr. seems to have established himself in Pittsylvania County, Virginia where he is found on the tax list of that year.¹³⁶ The following year Henry County was created out of Pittsylvania and George Mabry's land fell into the newly created county where his name appears on several tax lists between 1778 and 1784. The name of Francis Mabry, probably a son or brother of George Jr., also appears on the 1777 tax list of Pittsylvania County. Isaac Mabry is found on the Henry County tax lists from 1782 to 1784 as well. Patrick County was made from Henry County in 1790/1 and the name of George³ Mabry is found in various records of Henry and Patrick counties until at least 1794 when he and his son, George⁴ sold their land on Rock Castle Creek.¹³⁷

Keeping all of the above in mind it is possible to prepare at least a very rough outline of the movements of some of the descendants of George² Mabry. It will remain for others to continue the research and discover more about his grandchildren and great grandchildren. It seems likely that some of them went on from Virginia into Tennessee.

Hinchia² Mabry

The last, although not necessarily the youngest, of the children of Francis and Elizabeth Gilliam Maybury was Hinchia. The spelling of his name varies somewhat in documents relating to him (Hinchia, Hinshiah, Hanchey, Hinchey, Henche, etc.) The most common spelling in his own generation was Hinchia. It is the same spelling used for a number of his descendants, several of whom include the middle name Parham. Hinchia is without a doubt a corruption of the family name of his maternal grandmother, Margery Henshaw.

Because of the deposition of Hinchia Maybury, given in connection with the estate of his brother Francis, we are able to state with a reasonable degree of certainty that Hinchia was born between February 1697 and February 1698.¹³⁸ He and his brother, Charles, were both underage when their father's will was offered for probate in Surry County in 1712, leaving each of them one half of a patent of land which Francis Maybury had "entered for" on Fountain Creek.

Likewise, the exact date of Hinchia Maybury's marriage to Frances Parham is not known, although it probably took place about 1719 or 1720. It may well have been early in 1719 as Hinchia Mabry bought a tract of land containing 100 acres from Charles Gilliam and his wife, Frances, on 19 May 1719. The land was described as being on the North side of the Nottoway River.¹³⁹ We do know that Hinchia Maybury's first wife was Frances Parham, the daughter of Ephraim Parham and Frances Green. This is proven by the will of Ephraim Parham, drawn on 7 April 1726 in Surry County, which names his wife Frances (nee Green), his daughter, Frances, wife of Hanchey Mabry, and his granddaughter, Elizabeth Mabry.¹⁴⁰ Those witnessing this will were Peter Green, John Whittington and Richard Raines. The will was probated in Surry Court on 15 June 1726. Fortunately, we do have more information on the ancestors of Frances Parham. This will be presented in chart form later in this section.

On 19 May 1719 Hinchey Mayberry of Surry County bought 100 acres of land from Charles and Frances Gilliam of Prince George County. This land was granted to Charles Gilliam on 23 Mar 1715/16.¹⁴¹

On 5 November 1724 Hinshiah Maybury received a grant of 485 acres of new land on the South side of the Nottoway River in Surry County.¹⁴² The later sale of this land by Hinchia Mabry has not been documented. With very few exceptions it would appear that Hinchia conveyed his various tracts of land to his sons.

The next record of a land purchase in the name of Hinchia Mabry was on 14 November 1737 when he bought 242 acres of land from John and Mary Brown of Brunswick County for 45 pounds.

The land was described as part of 342 acres originally granted to James Mathews on 18 February 1722 and then conveyed to John Brown on 28 October 1735. This 242 acres adjoined other land of "Hinchey Mabry, Henry Brown and John Pettway." The deed, which was proved on 2 March 1737/38, was witnessed by John Pettway, Samuel Russell, John Pollard and George (G) Mabry.¹⁴³ Hinchia Mabry was also a witness, along with his brother George and John Pettway, to the sale by Henry Browne to Samuel Russell of 200 acres in Brunswick County in 1737.¹⁴⁴

Hinchea Mabry received a land patent on 29 June 1739. While the amount of land involved is unknown, it was in Brunswick County.¹⁴⁵ Hinchia Mabry bought an additional parcel of land on 2 December 1742 from Thomas Woodward.¹⁴⁶

Beginning in 1746 and continuing for several years, Hinchia Mabry gave tracts of land to most or all of his sons, perhaps as they came of age. His son Joshua received 227 acres in 1746.¹⁴⁷ Daniel received an unspecified amount of land also in 1746.¹⁴⁸ Hinchia Mabry Jr. received 200 acres on the South Side of the Nottoway River on 3 July 1746.¹⁴⁹ Finally, his son Ephraim received 100 acres on 1 September 1747 (recorded 7 January 1747/48).¹⁵⁰

It is probable that these gifts to his sons took place about the time of the death of Hinchia's first wife, Frances (nee Parham)¹⁵¹ and may have been his way of guaranteeing their inheritance prior to his second marriage to Ann Jackson, widow of Ambrose Jackson, Sr., which occurred on 22 June 1747.

Hinchia Mabry sold 100 acres on the North side of the Nottoway River to William Hewitt on 20 January 1749 for 100 pounds Virginia money. The land, described as beginning at Marmaduke Brown's land, was part of a tract of land originally patented to Charles Gilliam on 23 March 1715. Hinchia Mabry reserved for himself and his heirs a small graveyard, described as being twenty feet square and containing the graves of his wife and child.¹⁵² The witnesses to this deed were William Gray, Christopher Mason and John Poynter. This land was bought by Hinchia Mabry from Charles and Frances Gilliam on 19 May 1719.

On 3 July 1750 Hinchia purchased 680 acres of land for 120 pounds from the heirs of Nath. Bradford and Richard Moore, who acted as heirs of John Bradford.¹⁵³ The land was part of 1220 acres granted to Richard Pace in 1724 and conveyed by Pace to John Bradford in 1733. The witnesses to this transaction were Lewis Parker, James Boisseau and Nicholas Edmunds.

In 1750 Hinchia Mabry sold or gave 200 acres of land to another son, Joel.¹⁵⁴ On 27 March 1751 Hinchia Mabry sold 180 acres of land to his sons Daniel and Nathaniel. This deed was recorded the same day it was drawn.¹⁵⁵

We do not know the exact date of death of Hinchia Mabry's second wife, Ann Jackson. That she died before 28 March 1751 is shown a judgment of the Brunswick County Court on that date. The record concerns a suit brought against Hinchia Mabry by Samuel Harwell.

This day came the parties by their attornies and thereupon came also a Jury, to wit, Richard Burnett, John Butts, Burgess Wall, John Robinson, John Steed, John Edwards, Marmaduke Daniel, John Burch, Wm Wyche, Lucas Powell, Arthur Askins and Thomas Loyd who being elected tried and sworn the Truth to speak, upon the Issue joined, brought in a Special Verdict in these words, to wit, "We of the Jury upon our oath do find that Dinah mother of the negro Boy in the Declaration mentioned above belonged to Anne Jackson late of Brunswick County whilst Sole. We find that the said Anne Jackson whilst Sole and whilst the said Dinah was pregnant with the aforesaid negro Boy called Doctor and a negro Boy called Mingo made a gift to Abigail Harwell wife of the Plf Samuel Harwell in the following words, to wit, the Child that the negro wench Dinah now goes with I give to my Grand Daughter Abigail (the now wife of the Plf) and what the said negro wench now goes with if it be hers I give to my said Grand Daughter Abigail and it to be hers for this Time as it is and it shall suck six months. We find that after the Gift made in manner aforesaid by the said Anne Jackson, the said Anne Jackson did intermarry with Hinchia Mabry the Def, to wit, on the twenty second day of June in this Year of our Lord one thousand seven hundred and forty seven. We find that after the intermarriage aforesaid the said Hinchia Mabry in Right of his said Wife possessed himself of the said negro wench Dinah. We find that after the said Hinchia Mabry became possessed of the said negro wench Dinah, to wit, on the first day of July in the year of our Lord one thousand seven hundred and forty seven aforesaid the said negro wench was delivered of the said negro Boy doctor and the aforesaid negro Boy Mingo at one Birth. We find that afterwards, to wit, on the Sixth day of November one thousand seven hundred and forty seven Hinchia Mabry the Defendant did deliver the aforesaid negro Boy Mingo to Samuel Harwell (commonly called little Samuel Harwell) the father of the Plf's wife Abigail to the use of said Abigail. We find that after the Delivery of the aforesaid negro Boy Mingo the said Abigail did intermarry with Samuel Harwell the Plf who in right of his said wife became possessed of the said negro Mingo. We find that the Plf before commencing his Suit for the said negro Boy Doctor did demand the said negro Boy Doctor of the Defendant and that he refused to

deliver him. We find that the said Defendant Hinchia Mabry is possessed of the negro Boy Doctor in the Declaration mentioned and hath been possessed of him from his Birth. Hither and if upon the whole matter the Law go with the Plf we find for the Plf twenty two pounds 10 shillings Damages but if the Law thereon arrising be for the Defendant" and it is ordered that the Cause be discontinued 'til the next Court for the matters of Law arising thereupon to be argued.¹⁵⁴

By 1 January 1752 Hinchia had married a third time to Ann Clack Courtney, a widow.¹⁵⁷ She is thought to have been the daughter of the Rev. James Clack, who was born in Wiltshire, England and died 20 December 1723 in Gloucester County, Virginia. The date of this third marriage to Ann Clack Courtney is not known, but took place on or before 1 January 1752 when Hinchia and Ann Mabry signed a deed selling 578 acres to Clack Courtney for 150 pounds. The land was a patent to Ann Courtney.¹⁵⁸

The name of Hinchia Mabry Sr. next appears in the records of Brunswick County in 1755 when he was one of the executors in the estate of his son, Hinchia Jr.¹⁵⁹ The other executors were Joel Mabry, son of Hinchia Sr., and Richard Hill.

The death of Hinchia Mabry Sr. occurred sometime in 1761. The fact that his son Joshua was appointed to be administrator of the estate on 28 July 1761 tells us that Hinchia died without leaving a will.¹⁶⁰ The inventory and appraisal of Hinchia Mabry was returned on 27 Apr 1762 in Brunswick County Court by John Maclin, Edward Goodriche, and Frederick Maclin.¹⁶¹

Inventory of Henchey Mabry

In obedience to an order of the Court made ____ of ---- to appraise the estate of Henchey Mabry decd in current money, being first sworn, have appraised the same as follows:

1 Negro man Shagg	120	0	0
do Ton	80	0	0
do (boy) Nero	80	0	0
do nan Orto	55	0	0
do Jimms	85	0	0
1 negress Dinah	55	0	0
do Sara	50	0	0
do Shilley	50	0	0
do Bett	40	0	0
do nan Pippon	40	0	0
do David	40	0	0
do Hunter	38	0	0
do Hall	25	0	0
do Archer	18	0	0
1 bay Horse Norman	20	0	0

do Molley	15	0	0
do Jenna	15	0	0
do Dolley	10	0	0
do (white) Frolicky	12	0	0
do (sorrell)	7	0	0
64 hd Hogs	31	0	0
33 hd Cattle, Bulls	33	10	0
14 hd Sheep	5	0	0
3 Goats	15	0	0
A buckskin	12	6	
Bed & furniture	6	0	0
do	6	0	0
do	5	0	0
1 chest	7	6	
do	5	0	0
1 table	1	0	0
Lumber	0	12	6
6 jugs sider	0	16	0
2 potts	0	6	0
1 Gun & hammer	1	10	0
1 Razor & Strap	0	5	0
1 looking Glass	5	0	0
1 box Iron/3 heaters	5	0	0
1 trunk	2	0	0
12 Chairs	11	2	6
Hand iron & Tongs	0	14	6
20 Pewter plates/8 dishes & 5 spoons	3	16	0
Doz Knives/Forks	0	15	0
Basin & plate	3	0	0
Bedstead & rug	2	7	6
Desk	2	10	0
Whipsaw & tiller	1	13	0
1 Crosscut saw	0	10	0
1 grindstone	5	0	0
1 flay	5	0	0
Anvil iron	15	0	0
Misc Iron	3	3	0
Locks & hammer	7	3	
1 pr Halyards	10	0	0
1 bridlesaddle/halter	1	20	0
1 Saddle/bridle	12	6	
?Roop	17	6	
Potthook & rollers	1	12	6
2 potts	8	0	0
Brass kettle	2	0	0
1 ?gerovs	3	8	
1 Sifter	1	6	
2 tables	1	0	0
Cart & Wheels	4	10	0
3 Hives	11	0	0
90 bbl Corn	18	0	0
160 bu Oats	8	0	0

140 bu Corn	35	0	0
1 cart		2	6
60 bu Oats	3	0	0
Tubs		14	0
1 pr wheels		10	0
Cotton		10	0
Baskets/Tubs		3	0
Casks/Tubbs		13	0
Some Tallow		10	0
1 Pot of fat		10	0
2 baggs		4	0
65 bu Corn	16	10	0
Cane & fodder	3	5	0
1 sheep & some wool		13	0
11 hd Cattle, leather, brushes & sheep Shears	12	10	0
Total	Li,079	11	9

Signed: John Maclin
Edward Goodriche
Frederick Maclin

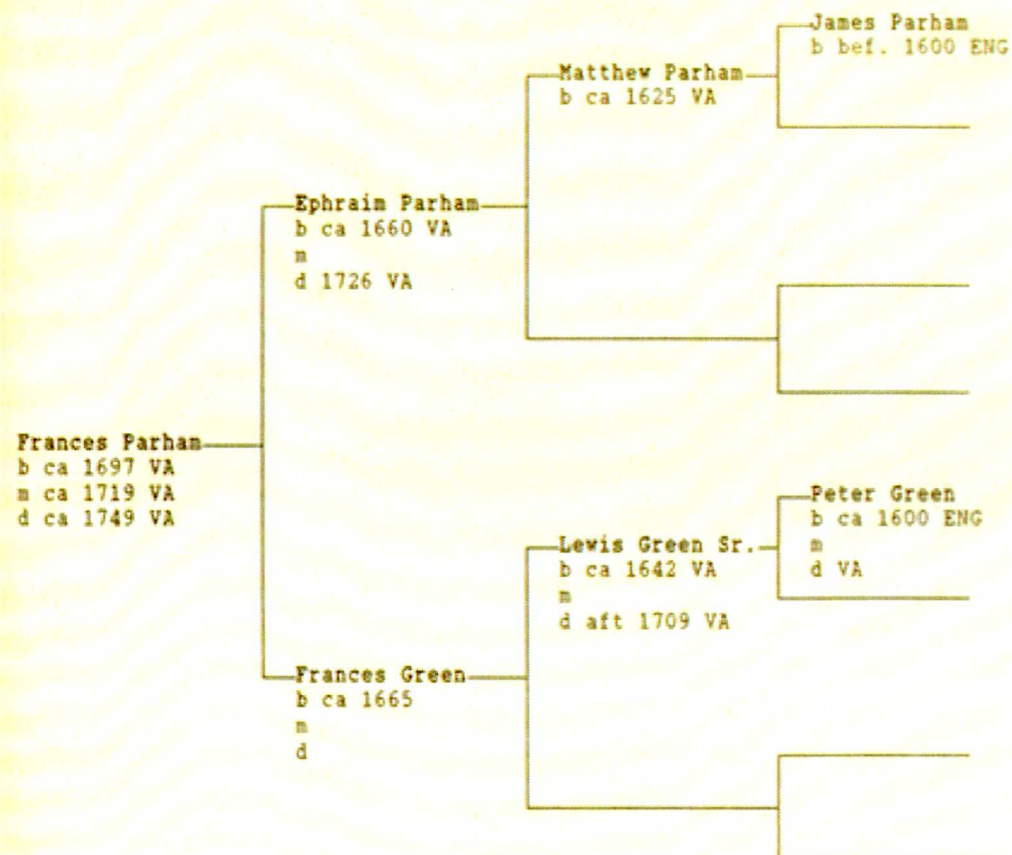
Several other necessary transactions were necessary to complete the probate of Hinchia Mabry's estate. One of these was a deed of gift from Joshua Mabry to his son Daniel for seven negroes.¹⁶²

We know the names of eight of the children of Hinchia Mabry. It is possible that there may have been more, although no additional names have been found. On the basis of the documents available we can reconstruct the family with the following approximate dates:

Elizabeth ³	b ca 1721; m John Pettway
Hinchia ³	b ca 1723; m Celia Evans ca 1747; d ca 1755
Joshua ³	b ca 1725; m Lucretia Jones; d 1791 in North Carolina
Ephraim ³	b ca 1727; m Mary Poole, daughter of William Poole; d 1789 in Georgia
Nathaniel ³	b ca 1730; m Susannah; d 1794-95 Virginia
Daniel ³	m1 Elizabeth Jones; m2 Mary Smith, a widow
Joel ³	b ca 1732; m Winnifred Matthews; d 1784
Ann ³ (Jeanne)	b ca 1752; m Henry Jackson Jr.; d 1783

Hinchia Mabry's first wife, Frances Parham was undoubtedly the mother of the first seven children. His second wife, Ann Jackson, was the mother of his daughter, Ann (called Jeanne in her mother's will).

ANCESTORS OF FRANCES PARHAM





Southeastern Virginia in 1755 showing many of the rivers and streams mentioned in the deeds of the immigrant, Francis Maybury and his descendants.

