

THE VIRGINIA MABRYS

FRANCIS MAYBURY AND ELIZABETH GILLIAM

While many persons can trace their ancestry back to one of the Mayberrys who immigrated to New England in the eighteenth century, it is clear that the great majority of those with Mabry ancestors are descended from Francis Maybury who immigrated to Virginia sometime between 1672 and 1679 and married the widow, Elizabeth Bevin (nee Gilliam), in 1685 in Henrico County, Virginia. It is this family that will be the major focus of this volume concerning the Mabry family in America.

Before the Revolution the children and grandchildren of Francis and Elizabeth Maybury migrated across Southside Virginia and into both North and South Carolina. The next generation were among the first settlers of Kentucky, Tennessee and Georgia. Succeeding generations went on to Alabama, Mississippi, Louisiana and Texas before the time of the Civil War. With the improvement of transportation and communication the Mabrys spread to still more states. At the present time there are undoubtedly descendants of Francis and Elizabeth Maybury in every state.

Traces of Earlier Mabrys in Virginia

Among Mabry researchers there appears to be complete agreement that Francis Maybury was the first to establish the family in America. There are a few instances, all in Virginia, where the name is found prior to the coming of Francis Maybury. However, those persons seem to have died shortly after their arrival in the Colony or perhaps returned to their country of origin. Nevertheless it is important to note their presence in the event that future research may provide more satisfactory answers to their fate.

The earliest record of this type is a passenger list for the ship "Southampton" which arrived in Virginia in 1622. One of the passengers named is Gilbert Marburie, age 32.⁹ No further records have been found for this individual. It has been my experience that the presence of an 'r' in the first syllable, as in Marbury, Marberry, etc., almost without exception denotes a family other than Mabry. Only rarely have I found a Mabry record spelled with an 'r' in the first syllable and this has usually occurred only when the Mabry and Marbury families happened to be in the same location for a time.

Another Marbury name appears in a 1643 document. On May 22nd of that year Wm. Storey received a headright grant for 250

acres in Upper Norfolk County, Virginia on May 22, 1643 in return for his having paid for the transportation of five persons to the Colony. One of those five persons was a Richard Marbery.⁶ Again, it is unlikely that there was any relationship between Richard Marbery and the Mabry family. Nevertheless, there is another record which ought to be kept in mind which may or may not be significant. Forty seven years later, on October 23, 1690, Benjamin Eggleston received a headright grant of 595 acres in James City County, for the transportation of twelve persons: Edwd. Mouchin, Tho. Day, Tho. Coney, Anth. Corbin, Wm. Hertton, And. Yewren, Price Corbin, Mill. Maybey, Diana Jones, Jno. Lever, Math. Newman, Anne Hussey (or Hastey).⁷ We cannot say for certain whether the "Mill. Maybey" on that list was a Mabry or not. But it seems at least possible in light of the fact that the land granted was described as being "near br. of Chickahomony Riv., called the great run, where Francis Storey liveth." There is certainly a relationship between Wm. Storey and Francis Storey in these two headright grants, and thus there could be a relationship between Richard Marbery and Mill. Maybey. The name Newman in the later grant may or may not relate to the Samuel Newman who owned land next to Francis Maybury in Charles City County.

There is a "tradition" mentioned by one Mabry researcher⁸ that "the first Mabry arrived in America in 1650 aboard the "Green Lyon", under Capt. Mark Beasle." To my knowledge this statement is undocumented and has not been confirmed with any other evidence such as a passenger list.

The first documented reference to the presence of a Mabry anywhere in the Colonies is a deed which was drawn on May 4, 1668 in Surry County, Virginia. The deed has to do with the sale of land by John Warren to James Reddick, apparently as part of the settlement of the estate of his father Robert Warren of Surry County. The deed was witnessed by John Mabery.⁹ No further reference has been found to this John Mabery in Surry or any surrounding county. Nor is there any evidence that he left any descendants in Virginia or elsewhere.

There is a tradition in one family of a John Mayberry who was born in Scotland before the Revolutionary War. He is said to have come to the Colonies in a ship called the "Golden Willow", landing in Virginia. According to the story he remained here for several years and then returned to Scotland where he died at the age of 114. He is also said to have been the father of four sons: James, Theodore, Robert, and Thomas. It is the descendants of his son James who have continued the tradition until the present time.¹⁰

Although it does not seem very likely one wonders if this might be the John Mayberry who witnessed the deed in Surry County in 1668. However, there is no evidence that any of his sons remained in Virginia. At this point we can only conclude

that this John Mabery either died shortly after 1668 or else returned back across the Atlantic.

Just over six years later on September 29, 1674 a Capt. Scarborough, Edmund Scarborough and Mrs. Tabitha Brown received a headright grant of 8000 acres for the transportation of one hundred persons into the Colony. One of those on the list was a William Mabry.¹¹ Again no additional records of this William Mabry have been found anywhere in Virginia and we have no idea what happened to him.

There is one other record, a generation later, of a Mabry arriving in Virginia about whom no further records have been found. On October 24, 1701 Peter White was granted 355 acres of land on the Mattopony River in King and Queen County for the transportation of himself, his wife, Susannah, Eliza. Mowbery, Eliza. Kettley, Teague Norton, Wm Smith and Jasper Peal. No further record has been found of this Elizabeth Mowbery.¹²

Francis Maybury the Immigrant

It is thus not until 1679 that it is possible to document the arrival of the first Mabry immigrant to the Colonies for whom there is a continuing record. On October 1st of that year John Pleasants and Jno. Haddellsey were granted 548 acres on the north side of the James River in Henrico County for the transporting eleven persons into the Colony: Fra. Mawbury, Melch. Richardson, Math. Moch, Mary Clarke, Saml. Anderson, Henry Turner, James Wells, Susan Perrott, Jno. Kempton, and Abraham Goff.¹³

There can be very little doubt that Fra. Mawbury is Francis Maybury whose records are found in Henrico, Charles City, and Surry Counties over the next thirty five years. Because headright grants were made to encourage immigrants from England, it is more than likely that England was the place of Francis Maybury's origin. The spelling as "Mawbury" in the grant is another indication that he came from England. Had he come from Ireland the name would probably have been spelled Mayberry, or some variant thereof.

Because of the 1679 date on the headright grant it has been assumed by some that Francis Maybury actually came to Virginia in that year. However, the system of headright grants included a number of provisions which render such an assumption questionable to say the least. These grants were transferable from one party to another and were often used as much as seven years after the actual date of the arrival of the immigrant. It is thus possible and even likely that Francis Maybury arrived in Virginia several years earlier than 1679, perhaps as early as 1672. Therefore, until more definitive evidence can be found we can assume only that he arrived in Virginia sometime between 1672 and 1679.

Sometimes the persons who received their Atlantic passage under the headright system were members of the family of the person who paid the cost of their transportation. But, more frequently those who came could not afford to pay for their own passage and thus signed on as "indentured servants" to someone who was willing to pay for their transportation. They were then required to work for that person for a specified period of time, up to four years in Virginia, in order to earn their passage. It is likely that Francis Maybury came under this condition and that he served as an indentured servant to John Pleasants and/or Jno. Haddellsey.

Following their period of service such indentured servants were sometimes given a tract of land by the person who brought them to the Colony. They were also eligible to use the system themselves, paying for the passage of others in return for which they received both the labor and fifty acres of land for each person so transported. Francis Maybury did just this as we shall see below.

Francis Maybury and Elizabeth Gilliam

Records pertaining to the affairs of those who inhabited this section of the Virginia Colony are relatively extensive. Nevertheless it is not possible on the basis of existing evidence to produce anything like an adequate biography of Francis Maybury. Nevertheless enough information does remain that we are able to piece together many of the important facts about his life. While no actual marriage records have been found, it is possible to prove the marriage of Francis Maybury to Elizabeth Gilliam. Evidence is also available documenting two previous marriages of Elizabeth Gilliam. Land patents give an indication of the means and location of the Mayburys. The name of Francis Maybury appears a few times in the records of Surry County as a witness to legal documents. Most important, however, are the wills of both Francis and Elizabeth Maybury which provide important information about their children and estate.

Over the past forty years many persons have shared in the task of researching the Mabry family, particularly that of Francis Maybury and his descendants. The information developed has been reproduced in several forms and shared with others interested in the family. Some of the early Mabry material was not well documented and often contained statements and assumptions which have since been proven to be false. One such assertion is the often repeated statement that "Francis Maybury was born in Virginia about the year 1650." This assumption was made on the basis of the two previous marriages of Elizabeth Gilliam, the ages of her children by those marriages, and a second assumption that Francis Maybury and Elizabeth Gilliam were of roughly the same age. It may well be that Francis was born about 1650; in fact it seems very likely. However, it is clear that he was not born in Virginia. The presence of his

name on the list of persons transported to the Colony in the 1679 headright grant cited above is convincing evidence that he immigrated to Virginia, most probably from England, sometime between 1672 and 1679.

As if it were an indisputable fact, a number of persons researching the Mabry family have passed on the statement that "Francis Maybury and Elizabeth Gilliam were married in Henrico County on September 1, 1685." Unfortunately, this is not true. The statement can be traced to the book, Marriages of Henrico County 1680-1808, by J. H. Lindsay.¹⁴ As the author states clearly in the book, there are no marriage records in existence from this early period of Henrico County. It was therefore necessary to go through volumes of deeds, wills and other County records in order to "reconstruct" a list of couples known to have been married on the basis of such secondary evidence. For example, when a parcel of land was sold it was often a requirement that both husband and wife sign the deed. Wills and estate records likewise often name the spouse of a married son or daughter. It is such "inferred marriages" that are listed in the Lindsay book. The date of such documents is thus not the date a marriage took place, but rather an indication that the persons were known to have been married at the time the document was written.

Thus in the case of Francis Maybury and Elizabeth Gilliam, we should say that they were married by September 1, 1685. The actual date of their marriage could not, however, have been much earlier than September 1, since the will of Elizabeth's previous husband was written less than four months earlier on May 11, 1685! This will and other documents concerning the estate of William Bevin are helpful to us at this point. First is an entry in the Henrico Record Book concerning the estate of William Bevin: "*To Fra. Maybury as marrying ye relict (widow) of Will. Bevin, dec.*"¹⁵ On the same page of the Henrico Record Book under the date February 1, 1685/86 is the following:

*Whereas Wm. Bevin late of this county of Henrico in Virginia, dec'd, did by his last will and test. make and app't Eliz. his wife his whole and sole Exr., who has since married unto Francis Maybury....*¹⁶

The will of William Bevin was written on May 11, 1685 and recorded on February 1, 1685/6 in Henrico County, naming a son-in-law (step son), John West; sons, William and Matthew; a daughter, Elizabeth; and his wife, Elizabeth.¹⁷ For those who are not familiar with the problem of dates related to the change from the Julian to the Gregorian calendar in 1752, an examination of these documents will create some confusion. Prior to 1752 most European countries and the American Colonies used the old Julian calendar which celebrated the New Year on March 25th rather than January 1st. Under that calendar the days from January 1st through March 25th were considered to be

a part of what we would now think of as the previous year. Therefore, documents dated between January 1 and March 25 prior to the adoption of the Gregorian calendar in 1752 can be problematic. For example when the calendar change is not taken into consideration the christening of a baby might well appear to have taken place prior to its birth! And in the case of the estate of William Bevin, a literal reading of the documents could lead one to the conclusion that his will was filed for probate several months before he wrote it! Thus we write the date the will was presented in court as February 1, 1685/86 to indicate that while the original document is dated February 1, 1685, it was actually, from the perspective of the new calendar, recorded on February 1, 1686.

The Social and Political Climate

Francis Maybury was in the Virginia Colony for several years before he married Elizabeth Gilliam in 1685. While we cannot be certain, it is likely that he was an indentured servant, probably in Henrico County, and that he had to work up to four years for those who paid his passage to America. What was the Virginia Colony like when he arrived? The population reached only about fifty miles inland from the Atlantic shore. Its political center was Jamestown, on the James River, only a few miles downstream from the place where Francis Maybury first settled.

Sir William Berkeley, who had earlier governed the Colony, began an unhappy second administration as Governor in 1660. Having lost his former benevolence, he became a high-handed and autocratic despot during the years which followed. The colonists lost the right to elect representatives to the House of Burgesses; new taxes were imposed by the Governor against the will of rank and file Virginians; and in 1670 an act was passed which limited the vote to freeholders, even though a per capita tax was still required of all persons. The economic burden was made all the more difficult to bear by the low price of tobacco, the main crop of the Colony.

Under such conditions it is not surprising that a popular rebellion against the authoritarian rule of Governor Berkeley developed in April of 1676. The leader of the rebellion was Nathaniel Bacon who had settled in Henrico County in two years earlier. Bacon, an aristocrat who had been educated at Cambridge, took up the cause of the common people. He began by demanding that the Governor give him a commission to take military action against marauding Indians. But Berkeley, who operated a very profitable fur trade with the Indians, refused and declared Bacon a rebel. Many people in Surry county sided with Bacon, forcing the Governor to call an election in 1676, the first in fifteen years! The popular Bacon was elected to the House of Burgesses, whereupon he was pardoned by the governor. Bacon took full advantage of the situation by demanding

legislation to redress the grievances of the people. In the months which followed, the right to vote was returned to all; measures were passed to insure frequent election to the vestries of parishes as well as the auditing of public accounts. Long terms of office were done away with along with excessive fees and the sale of liquor. Reflecting the sentiment of Bacon and many of his followers, trade with the Indians was also banned.

Under increasing pressure, Governor Berkeley reluctantly signed the commission authorizing Bacon to proceed against the Indians. Bacon, however, concentrated his attacks not against the Indians, but against the government itself. Berkeley fled to the Eastern Shore, returning only to see Jamestown stormed and burned by Bacon and his followers. Bacon then issued a proclamation to the effect that the colonists should continue their defense of freedom even against England, should its government continue to support the unjust policies of Berkeley. Bacon began on a tour of the Colony, during which he died of a fever. His followers, emboldened by his success, continued the revolt by petitioning the government with a list of 21 grievances in 1677.

Such was the political climate into which Francis Maybury and many others came in the late 1670s. "Bacon's Rebellion" as it came to be known in the history of Virginia, was a foreshadowing of the American Revolution which was to take place exactly one hundred years later. We have no way of knowing what part, if any, Francis Maybury may have played in these events.

We do know, however, that Francis Maybury, like many of his neighbors, took part in another practice which unfortunately came to be an accepted part of the economic and social fabric of life in America for the next two hundred years. The use of the "indentured servant" as a means of providing labor for the struggling plantations of the colonies was undoubtedly a step toward the acceptance of the permanent servitude of blacks imported from Africa. Perhaps an intermediate step, based on the same racist assumption that persons of another race are inferior, was the taking of Indian slaves. The immigrant ancestor of "the Virginia Mabrys" was no exception as may be seen in the last bequest of his will, probated in June 1712.¹⁸

Item: I give & bequeath unto my Loving wife Elizabeth one Indian man Named Robin and one Indian boy Jack and a mulatto Girl & all the rest of my personal estate of what nature or quality whatsoever...

Most of the families closely associated with the Mayburys were also slaveholders or soon would be. These included the Eppes, Gilliams, Wyches, Parhams and Pettways all of whom were intermarried with the Mayburys. A year following her husband's death Elizabeth Maybury wrote her own will which included a

provision by which the Indian slaves, formerly owned by Francis Maybury, were passed on to her sons, Charles and Winchia.¹⁹

Item I give and bequeath to my son Charles Maybury my Indian slave named Robin to him and his heirs forever, also one featherbed and furniture, curtaines and vallance excepted, as also my riding horse named Paul and one well fixt gunn.

Item I give and bequeath to my son Hinshaw Maybury, my Indian slave named Jack to him and his heirs forever, also the featherbed and furniture as to my son Charles, as also one gray mare about a year old and now running with my old mare, and one well fixt gunn.

The Family of Elizabeth Gilliam

The life of Elizabeth Gilliam, like that of her third husband, can be reconstructed only in a broad outline. We are fortunate, however, in that we know a little more about her ancestry. Reference has already been made to her second husband, William Bevin, who we may assume died very shortly after making his will on May 11, 1685. It is not certain when Elizabeth and William Bevin were married. We can say that it was prior to November 6, 1679 when they as husband and wife acknowledged a deed to James Francklyn in Henrico County.²⁰

Elizabeth Gilliam's first husband was a man by the name of West. Again the date of this marriage is not known. It must have been before 1674 because their son John West is known to have been born about that year. On February 1, 1693/4 John West made a deposition²¹ in the Henrico County Court concerning his mother:

John West, age 20 years sworn saith that in June last all 12 months ago Deponent heard Doct: Irby say that he would not exceed 1400 pds of Tobac. for curing Elizabeth Maybury and her Daughter of ye Distemper & further your deponent saith not.

Signed: John West

The will of Elizabeth Maybury was written on June 6, 1713 and offered for probate at a Court held at Southwark in Surry County on February 15, 1715/16. In addition to her children by Francis Maybury, she names her sons, John and Francis West and a daughter, Elizabeth Paine, who was a widow at the time the will was drawn.²² It is not clear whether Elizabeth Paine was her daughter by her first marriage to Mr. West or her second marriage to William Bevin. It may well be that she was the daughter of the second marriage, however, because William Bevin in his will mentions a daughter Elizabeth, along with his step son, John West, and his own sons William and Matthew.²³

Elizabeth Gilliam Maybury is mentioned along with her husband Francis Maybury, in matters relating to the estate of her mother, Margery Briggs (nee Henshaw), in 1688. This was a court order granting administration of the estate of Margery Briggs to John Gilliam, Hinshaw Gilliam and Francis Maybury, the latter being "in right of Elizabeth his wife."²⁴ John and Hinshaw Gilliam were brothers of Elizabeth.

Some Mabry family researchers concluded that the father of Elizabeth Gilliam was Capt. (or Capt. Lieut.) John Gilham whose estate was probated in January and February 1651/52 in Norfolk and Lower Norfolk (now Princess Anne) Counties. However, most have agreed that he was her grandfather, her father being his "eldest son John" who is mentioned in the estate proceedings. This view is supported by the theoretical reconstruction of the Gilliam family found in The Mecklenburg Signers and Their Neighbors by Worth S. Ray.²⁵ Unfortunately, neither interpretation can be fully documented.

Capt. John Gilham apparently died in Norfolk County late in 1651 as his estate was in probate early in 1651/52. On January 15, 1651/52 Mary White, age about 17, was witness in the estate proceedings to the effect that Capt. Gilliam left his rapier and a gold ring to his eldest son, John Gilham and everything else to his brother-in-law and Executor, Roger Fountayn.²⁶ We do not know the identity of Mary White. An inventory of the estate was filed on March 12 1651/52 in Lower Norfolk County and includes the names of Capt. Sibsey, Tho Goodrich, John Taylor, Simon Barrow, Henry Porter, Frances Land, Wm. Singleton and Richard Lipscombe.²⁷

The earliest known record of the Gilliam family (usually spelled Guilham, Gilham, etc.) is that of John and Thomas Guilham, ages 21 and 18 respectively, who sailed from Gravesend in England bound for Virginia on August 21, 1635 aboard the ship "George".²⁸ They were quite likely brothers. That John and Thomas Guilham were unable to pay for their own transportation to the Virginia Colony is shown in a patent of land granted to Joseph Royall in Henrico County on August 20, 1642, who had paid for the transportation of John and Thomas Gilliam and ten other persons.²⁹

There is another version of this story passed on by an early Mabry researcher. This one says that Capt. John Gilliam was sent by the King of England to survey the Virginia Colony. It also states that John Gilliam came on a ship named "Constance", rather than the "George", and that his brother who came with him was Devereaux, rather than Thomas. Like the earlier version of the story, he is said to have settled near Norfolk about 1635. The only documentation found thus far relating to this second account is in the Mecklenburg Signers, which gives the brother's name as William Devereaux Gilliam.³⁰ Hotten does list a Wm. Guilham who came to Virginia on the "Constance" in

1635, but makes no mention of his middle name or of any other Guilham coming with him.²⁶ Still another source relates that the John Gilliam who lived in Norfolk County was a shipbuilder. While these varying interpretations are a source of confusion, they are not necessarily contradictory.

Much of the confusion may have come from the assumption made by most researchers that Capt. John Gilham who died in 1651/52 was the same John Guilham who came from England in 1635. A closer look at the known facts will reveal that the immigrant was more likely his son, John Guilham, Jr.

We have no indication of the age of Capt. John Gilham at the time of his death. If he was the John Guilham who immigrated in 1635 at age 21, then he would have been only about 36-37 years of age at the time of his death in 1651/52. The fact that he appointed his brother-in-law, rather than his son to be his executor, could lend credence to this view. However, if this were the case, then his son, John Gilham, Jr. could hardly have been old enough to be the father of Elizabeth Gilliam, whose son, John West, was born about 1674.

It would be much more credible to assume that the John Guilham who came from England to Virginia in 1635 was John Jr., the father of Elizabeth. Whether his father, Capt. John Gilham came earlier or later is of little importance. This view is strongly supported by additional records of John Gilham, undoubtedly Elizabeth's father, between 1655 and 1673: John Gilham seems to have been a witness in a curious court record in Charles City County in 1655²¹; John Gilham was assessed 26 pounds "per roll tobbo" on 27 Oct 1656²²; the name of John Gilham is mentioned in the estate of a Mr. Fall's estate in 1659²³; in 1663 John Gilham was paid a bounty for killing "a wolfe" in Charles City County²⁴; and on 21 July 1664 John Gilham bought 1300 acres of land from Edward Hill²⁵.

Thus, it would appear that Elizabeth Gilliam's father was John Gilham, Jr., born in England about 1614, the son of Capt. Lieut. John Gilham, who came to the Virginia Colony either before or following his son's arrival in 1635. John Gilliam, Jr. married Margery Henshaw and had at least three children: John, who married Sarah Briggs; Capt. Hinshaw who married Fortune Flood; and Elizabeth who married 1. Mr. West, 2. William Bevin, and 3. Francis Maybury. That this John Gilliam died about 1673 or a short time earlier is shown by the following deed drawn in Henrico County on October 1, 1687 by Henry Randolph II.²⁶

To all to whom these presents shall come Greetings; Whereas Henry Randolph, late of this county of Henrico, deceased, did, by virtue of the General Court bearing date ye 21 of September 1671, make out and patent a tract formerly deserted by Mr. John Guilham

as by ye patent for ye same dated at James Citty ye May 17, 1673 may plainly appear; and the said Randolph did assign over ye said land unto Mrs. Margery Guyllan, relict of ye said John, her heirs and assigns forever on 16 July 1673, but before ye same was acknowledged in Court or ratified accordingly did depart this life., Now I, Henry Randolph, son and heir of ye before mentioned deceased Henry Randolph, out of filial duty and reverence I bear to ye memory of my said deceased father, do grant unto Margery Briggs, late relict of ye aforesaid John Guilham and assignee of Mr. Henry Randolph and assign forever that piece, parcel and tract of land situated, lying or being in Bristol Parish in ye county of Charles Citty on ye southside of Appamattox River as in contained herein ye bounds in ye before mentioned patent granted ye said Henry Randolph.

This appears to be the same land granted to John Gilliam, deserted by him, and then assigned to Henry Randolph on September 5, 1663.²⁷ Land records establish the fact that the Randolph family lived adjacent to the Mayburys and the Randolph name is often associated with the Mayburys and Gilliams in the records of Henrico County. Although no evidence has been found, it is possible that the two families may have been related by marriage. The above deed, however, does serve to prove that the mother of Elizabeth Gilliam was Margery who married Henry Briggs following the death of her first husband, John Gilliam.

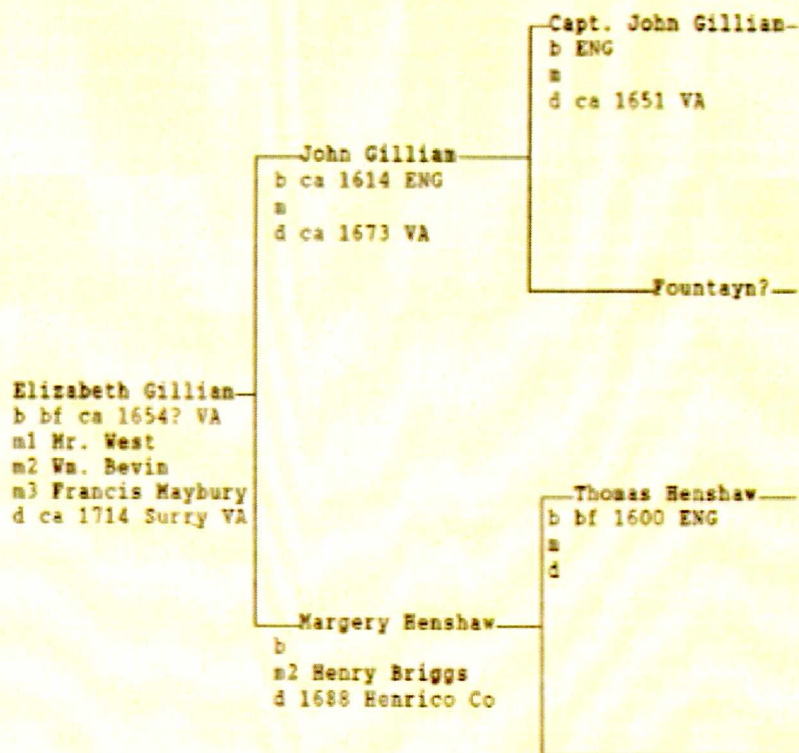
It is probable that Margery was the daughter of Thomas Hinshaw, who was born in England before 1600 and was living in Otterdam in Surry County by 1638 when his already well established property was mentioned as "adjoining" a new patent of land to Captain William Brocas.²⁸ A Thomas Hinshaw, presumably the same, was granted land in this part of Virginia under the second charter of King James I on May 23, 1609.²⁹

One reason for the suggestion that Margery was a Hinshaw is the frequent use of Hinshaw as a given name in the Gilliam and Mabry families. This apparently began with the naming of the son of John and Margery Gilliam, Captain Hinshaw Gilliam. It was later used as a given name by several related families and was used for several generations by the Mabrys. It has been spelled in a various ways...Hinchia, Hinchey, Hanchey, etc.

Margery was married second to Henry Briggs between March 1677/78 and October 1681. This is shown by two Surry County deeds one of which, drawn in 1677, names Henry Briggs' wife as Mary while the other, drawn in 1686, gives his wife's name as Margery.³⁰ Henry Briggs died in Surry County in 1686. His will, written in 1681, names his children, all apparently by his wife, Mary.³¹

Margery Gilliam Briggs died in Surry County in 1688. The order by which Francis Maybury was made administrator of her estate along with his brothers-in-law has already been cited. On May 29, 1688 the administrator's bond was made by Francis Mabery and John Gilliam of Charles City County and by Hinshaw Gilliam, Thomas Blunt and James Jordan of Surry County in the amount of 30,000 pounds of tobacco.⁴² On July 2, 1689 John Gilliam, Hinsha Gilliam and Francis Mayberry reported their progress in settling the estate... "paid 4572, due to collect 11782, total 16354 pds."⁴³

Ancestors of Elizabeth Gillian



Additional Records of Francis Maybury

It is not known just how long Francis and Elizabeth Maybury remained in Henrico County following their marriage in 1685. Francis served as a jury member there on April 26, 1686. He was apparently still there in the fall of 1691 because his name appears in connection with the inventory of the estate of Thomas Davis in Henrico County.⁴⁴

Inventory of Thomas Davis appraised 28 Nov 1691 by order of court Oct 1st last, Value 765 lbs. tobacco By William Dodson, Francis Mayberry, George Hunt, and Henry Vaden. Presented in Court by Thomas Totty and his wife, late relict of Thomas Davis, Recorded 1 Dec 1691.

A few months later on April 29, 1692 he received a head-right grant of 440 acres for the "importation" of nine persons into the Colony.⁴⁵ Paying for the transportation of others into the Colony was a common way of adding to one's own land holdings.

FRANCIS MAYBURY, 440 acs., Henrico Co., in Bristoll Par; on N. side of Swift Creek., 29 April, 1692, p. 216. Beg. at land formerly Mr King's, but now Mr Henry Randolph's; on Saml. Newman; to Mr. Willm. Pride, &c. Imp. of 9 pers: Elinor Buckley, Mary Watson, Fra. Burnham, Mary Burnham, Mary Butler, her child Margt Querk, Margt. _____at, John Oneal's; Susanna Symonds.

It is doubtful that Francis Maybury ever lived on this land. Rather, the records would seem to indicate that he sold it to Ralph Jackson. Ralph Jackson later gave it, along with an adjoining parcel formerly owned by Samuel Newman, to his daughter Elizabeth and her husband, John Perkins, on August 1, 1699.⁴⁶

It is clear from the quitrent rolls of Henrico County that Francis Maybury owned 347 acres there.⁴⁷ However, he is also shown with 347 acres on the 1704 quitrent roll of nearby Prince George County. The listing of Francis Maybury on the Prince George roll was an error as is shown by a deposition he made before a Court in Surry County on July 3, 1705, no doubt soon after he received his tax bill!⁴⁸

At a Court held at Southwark for the County of Surry 3 July 1705. Present: Major Arthur Allen, Mr Sam Thompson, Mr Wm Cock, Mr Ethelread Taylor.

Francis Maberry complaining to this Court that whereas the last years hee entered himself with others of his family in the list of tithables of this County whereof hee is an inhabitant and accordingly pays his dues, notwithstanding which the Sheriff of Prince George County did seize and carry away his tobacco on pretext of his being an inhabitant thereof (tho not listed there), which being considered by this Court, Ordered that the said Maberry continue to list himself and others his tithables in this County, And if occasion bee, that hee acquaint the Court of Prince George with this Court's proceedings therein.

Prince George County had been created from Charles City County in 1703. It is possible that the list of "tithables" in the newly formed County was hastily prepared from the rent rolls of Charles City County resulting in the error. Just when Francis and Elizabeth Maybury moved south to Surry County is not known. We do know that he was there by 1705 when the above deposition was made. All further records of him including his will are to be found in Surry County.

One wishes that it were possible to locate additional records which would tell us more about the life of the first Maybury generation. However, given the conditions of Colonial Virginia and the fact that nearly three centuries have passed since then, it is amazing that we are able to find so much.

No mention has been made thus far concerning the records of the established Church. Many of the vital records of the day were kept in Parish registers, vestry books, etc. and indeed many of these records are available for the parishes of the Virginia Colony. However, no reference has yet been found in any of them concerning Francis Maybury or Elizabeth Gilliam. The earliest church records found thus far have to do with the baptism of the children of their son, Charles Maybury as found in the Register of Albemarle Parish. Thus it is not possible to say whether or not Francis Maybury had any relationship with the Church. His grandchildren, however, were among the earliest members of the Methodist movement in America. Indeed the fourth Methodist chapel built in Virginia was Mabry's Chapel located on what is now County Highway 651 in Greensville County. Information concerning it comes from the journals of Thomas Rankin and Francis Asbury, who were appointed by John Wesley to be the first "superintendents" to oversee the growing Methodist movement in the Colonies. Rankin held a quarterly conference at Joel Mabry's home in July 1775. He described the first meeting house as an arbor built over the yard to accommodate hundreds of people. Four months later on November 12th and 23rd, Bishop Asbury preached to four hundred people at Mabry's house, the first of many visits there. A new meeting house was constructed on the property by May 28, 1780 when Bishop Asbury preached there again. Following the formal organization of the Methodist Church in 1784, Asbury often visited Mabry's chapel and presided over the Virginia Annual Conference there in November 1794. His journal entry for April 4, 1804 describes a further expansion of the chapel to "sixty by twenty five feet...and a gallery added for the blacks."⁴⁴

An Intriguing Irish Connection

One of the most intriguing records bearing the name of Francis Maybury in Surry County is the last will and testament of George Randell, written on February 10, 1710/11, to which Francis Maybury was a witness.⁵⁰ The relationship between the Mayburys and the Randells is not known. George Randell may

simply have been a neighbor. However, it is possible that Randell may have been another spelling of Randolph, a family with whom the Mayburys had close ties at least as neighbors and perhaps in other ways as well.

Thus it may or may not be a coincidence that a few years later the Randell and Mabry names were again linked in a legal matter, this time a power of attorney involving Samuel and Mary Randell of Corke, Ireland which was witnessed by William Maybery Jur.⁵¹ This document is all the more interesting because it had to do with the Randell's interest in the settlement of an estate which involved property in Virginia.

Samuel Randell of the City of Corke, merchant and Mary Randall alias Pope my wife, appoint our well beloved friend, m. Thomas Wills of Bristoll, merchant, our attorney to receive whatsoever be to us due in Virginia and also to sell and dispose of what plantation and lands lying at our near Pope's Creek in Westmoreland County in Potomac River in Virginia.

Witnessed by:
Jonathan Rannells
William (X) Brewer
William Maybery Jur.
Essex Boshier

*Signed: Samuel Randell, Junr.
Mary Randall*

Further research has shown that two of the witnesses to this power of attorney, William Maybery and Essex Boshier, came to Virginia very shortly thereafter where they proved the document in the Courts of Essex and Westmoreland Counties. This is presumably the same William Mabry who is listed as an immigrant to nearby Maryland in 1716. The power of attorney was proved in Westmoreland County by William Maybery on March 27, 1717⁵² and by Essex Boshier in Essex County on April 6, 1717.⁵³ As near as can be determined it was used in relationship to the estate of a wealthy merchant by the name of Pope whose permanent home was in Bristol, England, but who died in Virginia where he also owned land. Perhaps he was the father of Mary Randall. While research turned some interesting relationships with the well known Washington Family of Virginia, no connection could be found with the Mayburys of Henrico and Surry Counties. Additional research is needed to explore not only the possible relationship of the Irish and Virginia Randalls, but also the possibility of a relationship between the Virginia Mayburys and those of Ireland/England.

The Will of Francis Maybury

Just over a year after he witnessed the will of George Randell, Francis Maybury himself was very ill. Knowing that his death was not far away he wrote his own last will and testament on March 22, 1711/12, naming his wife, Elizabeth as his Execu-

tor. We assume that the will was written in 1712, three days before what was then the end of the calendar year. We do not know the exact date of his death. It was, however within the following three months, perhaps early in June, because his wife, Elizabeth Maybury, acting as Executrix, presented the will for probate at a Court of Surry County held at Southwark on June 18, 1712.⁵⁴

In the name of God, Amen: I, Francis Maybury of ye County of Surry & ye upper Parrish. Being weak in Body but of sound & perfect memory (praise be God) do make & ordain this my Last WILL and Testament, hereby making void & revoking all other WILLS heretofore made in manner & force following. Viz.

Item: I bequeath my soul into the hands of God that gave it to me in hopes of Eternal happiness through the merits of my Blessed Saviour Jesus Christ & my Body to the ground to be decently buried according to the Discretion of my Executor hereafter Nominated:

Item: I give & bequeath unto my son Francis Maybury a parcel of Land which I bought of John Freeman as it is recorded in Charles City County. I also give my said son Francis a parcel of Land I bought of Thomas Husby as it is recorded in ye said County.

Item: I give & bequeath unto my son George Maybury a piece of Land, quantity one hundred & twenty-five acres, which lies on the Horn Branch at the three Creeks.

Item: I give & bequeath unto my two sons Charles Maybury & my son Hanchey Maybury a piece of Land which I entered for upon Fountain Creek & if ye Entry stands good to be equally divided between them and if it be not good to have as much out of my Estate as will take up four hundred acres of Land between the two Sons.

Item: I give and bequeath unto my Daughter Ann Peoples one ewe and Lamb.

Item: I give & bequeath unto my Daughter Mary Fox one ewe and Lamb.

Item: I give & bequeath unto my Daughter Judith Maybury one ewe and Lamb.

Item: I give & bequeath unto my Loving wife Elizabeth one Indian man Named Robin and one Indian boy Jack and a mulatto Girl & all the rest of my personal estate of what nature or quality whatsoever hereby making and Nominating her the whole & sole Executrix of this my Last Will & Testament in Witness whereof I have

hereunto set my hand and seale this two and twentyeth day of March Anno Dom. 1711.

Signed seald & Declared Francis Maybury
in presence of us
Tho' Wynne
Henry Bedingfield
Robert Wynne

The precise date of Francis Maybury's death is not known, although it could not have been more than a few weeks after he signed his will. We have already noted that the will was presented in Surry County Court at Southwark by his widow, Elizabeth, on June 18th of the same year. Two months later on August 20th, Elizabeth was back in court to present her inventory of his estate.⁵⁵ The inventory included the personal property of Francis Maybury, his land having been conveyed to his heirs in his will.

An Inventory of Francis Maybury's Estate:

a parcel of Joyners tools
a parcell of Coopers tools
a parcell of Carpenters tools
a parcell Shoemakers tools
five slayes
Eight sett of Harnis
a loom and shetell
one warping frame and warping Cox and Tempell
two guns and two shott bags
four beds
thirteen blanketts
a hammock
one Rugg
two pillows and pillow gears (?)
one pare of sheets
one Long tabell and form (?)
a parcell feathers
two Indian Slaves
one Indian Mulatto five years & half to serve
a meell bag & Wollett
one ?alers go??e
one box Tri? heater (?)
one pare feretongs spitt & dripen pann
three bedstads & Cords
two hids (?) & two Matts
two Chests & three basen (?)
one trunk
one Cabaard
one spice mortar & pessell
three Linen Wheals
one willin Wheel
three frying panns

One possnet
 five pare of Cards
 two Cradell sticks
 one pare of Snoufors (?)
 two hackney Saddles
 one side sadle
 two bridells
 ??? horses one mare and a filly
 Seven Cows and six? Calves
 seven heifers
 five Stears
 one bull
 five and twenty Sheep
 five barels
 one powdering tubb
 one bear barrell
 one Rundlett
 two washing tubs
 five pailles
 one Dursen of Dishes
 six plaits
 one Dursen of milk pans
 one Chourn
 one butter pott
 one Iron pessell
 one pewter poringer
 one Silver dram Cup
 three Gold Rings
 one pewter bottell
 four glass bottels
 two bibles
 a salter & primer
 two Iron Wedges
 three Iron potts
 one Iron Cittell
 one Brass Cittell
 three pares of posthooks?
 two pare of pottracks
 one plow Chain
 two dursen & a half of pewter spoones
 seven pound & a half of toe? thread
 Ten pound & half of Cotten in ye seed
 one pound & half of pict Cotten
 two bread trays
 six stooles
 one Chair two meel sifters
 one grindell stone
 one harchett
 one trowell
 one brass shiner
 one wodden Ladell
 one pare of small stayards?
 one pare of toe? Cards

one hominy? sifter & two riddels?
 one brass Cask
 one small tabel
 two and twenty ??? ?????
 Empty Hogsheads
 three pares of knitting needles
 one paper box and grailer?
 twenty six geese & Ganders ???????
 one pare of marking Irons
 one ?lax brake
 one rower?
 a small parcell of tand Leather
 one ??????? harrows (?) teeth
 two axes
 one sundial
 seven weeding hows
 six hilling hows
 two napkins
 two towells
 one brass pot lid
 one cheese hoop (?)
 two pares of specticalls
 one parsell of candells
 a smallparcell of pottery
 one cart and wheels
 two sets of ??? ??????
 a cutting knife
 one warming pan
 one Copper Tobacco box
 one knife
 one pare of spitt (?) boots
 one hat
 two coats
 one new coate
 two pares of briches
 three shirts
 one pare of shoos & stokins
 one tin cup
 one tin tankard
 two Indian bascets
 one pare of sisers ??
 one Interloom (?)
 two combs
 ??? three hogsheads of Tobacco
 two iron spindels & wheris (?)
 one Iron spindall & axeltree of a linen wheel
 two thou hogsheads more
 a parcell of woll
 a roling pin
 a small parcell of powder & shot

her
 Elizabeth "E" Maybury
 mark

Elizabeth Maybury's Will

Elizabeth Maybury wrote her own will on June 6, 1713 and it was presented for probate in Surry County Court held at South-wark on February 15, 1715/16 by her son Charles Maybury, one of the executors.³⁸ The will is interesting because of the detail it offers concerning the personal property and household items that Elizabeth left to her children. It is also important from a genealogical point of view because it, like the will of her late husband, provides the names of their children, as well as the names of her own children by previous marriages. It also gives us some additional clues concerning the ages of the May-bury children, such as the fact that her sons Charles and Hinshaw had not yet reached the age of majority.

In the name of God, Amen: I Elizabeth Maybury, widow and relict of Francis Maybury, late of Surry County, deceased, being weak of body but of sound mind and memory, do make this my last Will and Testament in manner following, that is to say:

Item First I bequeath my soul to God that gave it me, believing remission of sins and everlasting life by the merritts death and passion of Jesus Christ, my Lord and only Saviour.

Item I give and bequeath to my son Charles Maybury my Indian slave named Robin to him and his heirs forever, also one featherbed and furniture, curtaines and vallance excepted, as also my riding horse named Paul and one well fixt gunn.

Item I give and bequeath to my son Hinshaw Maybury, my Indian slave named Jack to him and his heirs forever, also the featherbed and furniture as to my son Charles, as also one gray mare about a year old and now running with my old mare, and one well fixt gunn.

Item I give to my son George Maybury one featherbed and furniture as to my sons above men'd, also one young horse named Dearich, as also one long gunn now in my house, also to my said son three cows and the largest iron pott and hooks and racks that I have now in my house.

Item I give to my daughter Judith one bed I commonly lye on, with all the furniture thereto belonging, one Indian girl called Nan now about five year, to serve my old mare, one iron kettle, one pr pott racks, also my pewter & three cows.

Item I give and bequeath to my two sons, Charles and Hinshaw, to each of them three cows, and my will is

that all the rest of my cattle be equally divided by my two brothers, John and Hinshaw Gilliam, between my four children above mentioned, as also my sheep except five, which are to be first set apart for my son Francis Maybury desire (?) also may be divided amongst my four children above by my two bothers, John and Hinshaw, or the survivors of them.

Item I give to my son Francis Maybury over and above the five sheep, all my carpenters, coopers, and joyners tools, and one long table and form and one silver dram cup.

Item I give and bequeath to my daughter Eliz. Paine, widow, my largest gold ring.

Item I give to my son Francis West my smallest gold ring.

Item I give to my daughter Mary one pr. of Womens

Item I give to my daughter Ann all my weaving tackle.

Item I give and bequeath to my son John West one gold ring I formerly lent him and now in his possession, also one pound and a half of drest flax, also one cowbell without a clapper.

All the rest of my estate of what nature or quality soever after my just debts and funeral expenses are first satisfied and paid, I give to be equally divided amongst my four children, Charles, Hinshaw, George and Judith, and the division to be made by my brothers, John and Hinshaw Gilliam, whom I leave as trustees to my two sons, Charles and Hinshaw Maybury, and I do appoint my two sons to be sole, Executors of this my Last Will and Testament, hereby revoking all other or former wills by me made. In testimony whereof I have hereto set my hand and affixt my seal, this 6th day of June Anno 1713.

My will is that all my wearing linnen be equally divided between my two daughters Judith and Ann.

Elizabeth Maybury

Signed, Sealed, and Published
in the Presence of
Henry Walthall
John Bolling
Susan Featherstone

Charles Maybury presented the inventory of his mother's estate in Surry Court on 21 March 1715.⁹⁷ The list of items is very nearly identical to that of in the estate of Francis Maybury two and a half years earlier.

Inventory of Elizabeth Maybury

An Indian boy named Jack
 one Mallatto Girl
 thirty three head of cattle
 twenty seven head of hoggs
 three horses and two Mares
 four feather beds and bedsteads with all furniture
 only? Curtins and Vullin?
 three Gold rings
 twenty sheep
 twenty ??? gese and Ganders
 ??? poltry?
 two chests
 three small boxes
 one trunk
 one table and forme?
 one Cubbard
 one ????
 four sets? of harnis and slays
 4 parcel of Carpenters Coopers and Joyners tools
 two mens saddles Three bridles
 ???? womans saddle
 one ??? of horse harnis
 five Iron? pots
 two Iron cittles
 one brass cittle
 ????
 five plates
 one tankard
 one Dozen and a half spoons
 one silver cup
 two frying pans
 one warming pan
 two pare of pt racks?
 one iron hook
 one pare of hillyards
 a ????? ????? and ?????
 one box iron
 two heaters
 one ?????? Goose
 a pare of wheals and cart
 one harro
 five spinning wheels
 four pare of Cards?
 one hatchet
 two Guns
 four Chairs

one pare of fire tongs
 one Iron Spitt
 five axes
 ten hoes
 four pails
 two bear casks
 five ????
 ??? Salt
 one powdering tub
 bread tray
 one Sundyal
 two bibles
 two primers
 one meal Sifter
 a small parcell of Shoemakers tools
 two ??? of leather
 two hides
 one trowell
 onf Raiser
 one Cross Cut saw file ????
 one bag ??? ??? of ???
 one iron pessel
 two Washing tubs
 six barrels of Corn
 seven fletches? of Bacon
 twenty pound of Cotton
 six pound of Wool
 one dripping pan
 two Iron wedges
 two Cow bells
 five ?????
 one homener sifter
 ???????
 one brass ??????
 one branding iron
 brass pot

At a Court held at Southwark
 for the County of Surry
 March the 21st 1715

Charles Maybury

The above recited inventory of the estate of Eliz Maybury Dec'd thus presented by Charles Maybury one of the Exrs of the last Will and Testament of the said Deced was ordered to be recorded and recorded by G. Allen.



A map showing land grants along the James River including several names associated with the families of Francis Maybury and Elizabeth Gillian.



A map showing land grants along the James River including several names associated with the families of Francis Maybury and Elizabeth Gillian.