

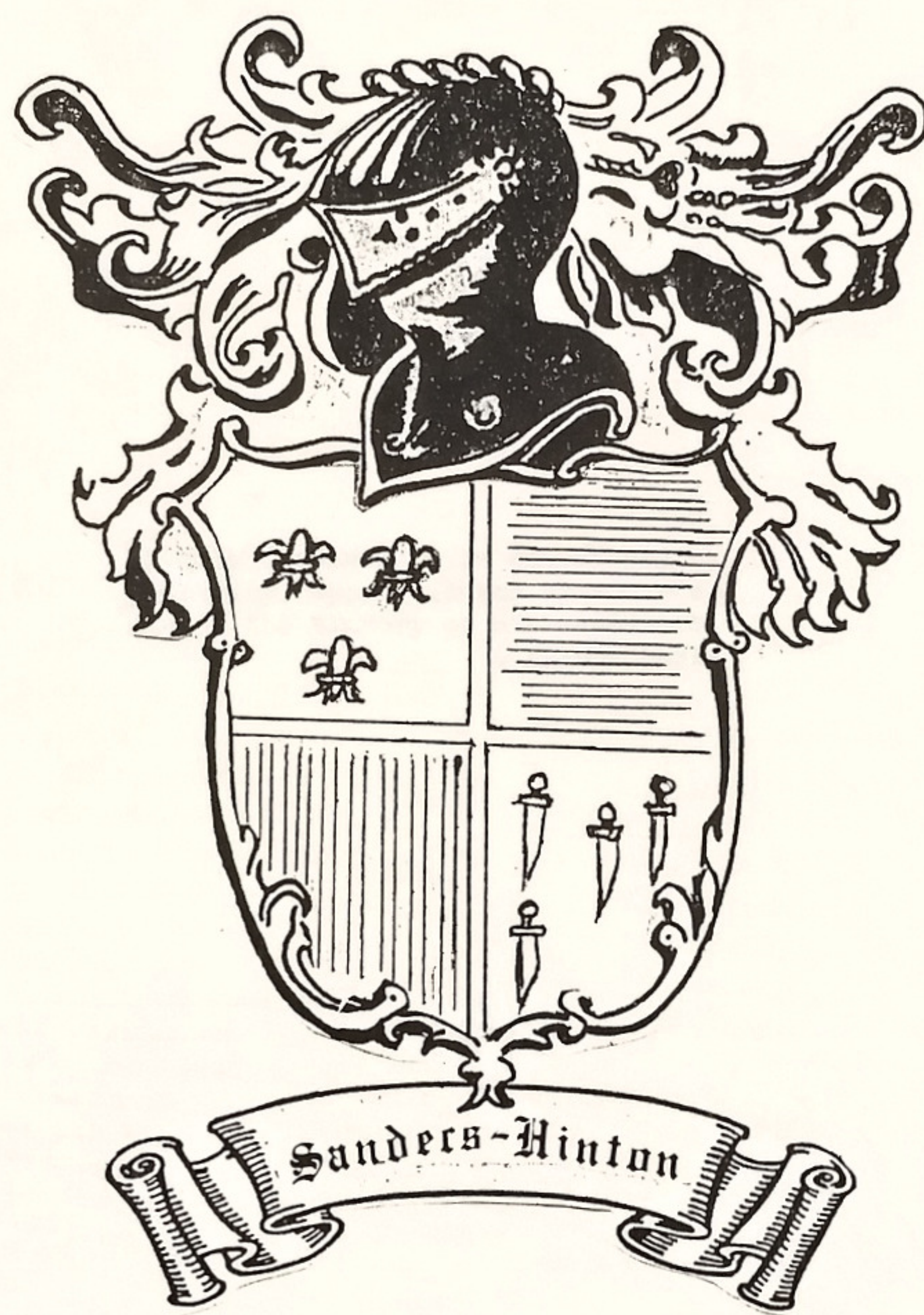
**HINTON FAMILY RESEARCH**

**FINCH**



JOHNSTON COUNTY HERITAGE CENTER  
SMITHFIELD, N.C.





*"As long as love remembers,  
They shall not die."*



He only deserves to be remembered by  
posterity, who treasures up and pre-  
serves the history of his ancestors.  
- Edmund Burke



Thomasville Ga.  
March 15<sup>th</sup> '56

Dear Randolph:

First, my apologies for the paper but I am to take advantage of to-night's opportunity to write this has to be it!

And with that out of the way, please tell me if I was dreaming in thinking you said you have other copies of the wills of George and Nedra Powell. This is what I had just mind, but after mailing the other material I became distressed for fear I was mistaken.

Please tell me frankly, for it is all in order, and I can mail any time.

Some ten days ago I wrote Mr. William S. Powell telling him of my interest in our either proving or disproving the William who came over with John Smith as our ancestor and expressing the hope that he shares that interest.

I enclosed some early Powell names I found in a Virginia Index of wills and inventories and their dates - many Powells in Virginia.

The records of Elizabeth City County, it is stated, were lost which is unfortunate. I understand it was Elizabeth City County in which lived our John Powell lived - John who was member of House of Burgesses prior to 1702.

One record states that John Powell and wife Catherine owned property in Elizabeth City County in



# Magna Carta

by  
John S. Wurts Part VII

Following the English ancestry of Sir Charles and Sir Robert Needham, there is the following from which I quote excerpts - enough for you to get the significance if any, W.B.

"Lady Alice Needham ... known to have been born in 1655-6 (1655-6) ... married in 1689 William Bryan styled Marquis of Thomond ... They came in 1689 to the Isle of Wight County Virginia eventually settling in 1722 on a farm on Albemarle Sound Pasquotank County North Carolina where he is buried. He was high sheriff and justice of the peace for Bertie County and member of the Assembly for Pasquotank County.

Two descendants of this family received the nomination for President of the United States - General Joseph Lane and the Honorable William Jennings Bryan. ... Needham Bryan called Colonel born in the Isle of Wight County Feb. 23rd 1690 died Jan. 2nd 1770.

He came with his parents to North Carolina about the year 1722 and lived at Snowfield in Bertie County until 1767. He was justice of the peace for Bertie County 1732 1739 1743 1746. He was member of the assembly from Johnston County from 1750 to 1759. His will dated Sept. 23rd 1767, probated 1770, mentions wife Sarah and sons Needham and William. Had no children by his



Needham - Bryan Co.,  
second and third wives; Susannah Harwell ... and  
Sarah Woodruff. His first wife (mother of his  
children) whom he married Nov. 16<sup>th</sup> 1711 was  
Anne Rambeau. He and his three wives are  
buried at Snowfield, Bertie County North Carolina.

William Bryan born at Snow Hill, Bertie County 1724  
died Nov. 28<sup>th</sup> 1781 - brother of Needham Bryan Jr.,  
Elizabeth Bryan Williams and Rachel Bryan Whitfield.  
William Bryan was appointed a Colonel in the  
Johnston County militia April 4<sup>th</sup> 1776. He married  
"in Johnston County N.C., 1744 Elizabeth Smith."

• In quote - Sudolph there then follows the names  
of the ten children of William Bryan above and  
wife Mary Smith Elizabeth Smith. I'll not give  
the names of these children not knowing whether  
the families of Needham and Bryan have any  
significance for us.

How-ever, what follows interests me further.  
Two of the Bryan sons removed in the 1790s to  
Burke County Georgia. Burke County Georgia is an  
adjoining county to Jefferson County which county  
my great grandfather William Powell first settled in the  
early 1800s.

• I naturally wonder if there were some connection  
with the Needham - Bryan families, and whether  
this were the reason for g. grandfather William  
Powell coming to Georgia, and also the reason



for Isaac Powell having a son <sup>Needham - Bryan Conn.</sup> Needham.  
And so unless you are sure there is no  
Needham - Bryan connection, please make suggestions  
as to how we may determine whether there is  
such a connection.

As you know proof of such connection would <sup>probably</sup> give  
our English lineage and in addition eligibility  
for membership in Magna Charta. I am sure this  
would interest others in entering into the search.

If you think well of it (unless you are sure  
there is no connection) you might type this from  
Magna Charta and send to Mr. William S. Powell.

I mentioned in my letter to him that I had  
seen the name William C. Powell in Magna Charta  
but I had not at that time seen this on the  
Needham - Bryan family. William C. Powell is given  
as having some of the same royal ancestry as  
the Needham - Bryan line, if that means anything.  
The lineage record of William C. Powell is not given  
in this volume - only a citation as to his royal ancestry.

I shall add the following excerpts on Lewis Bryan also (son  
of William and Elizabeth Bryan) since his records <sup>probably</sup> are available.  
"Lewis Bryan b. at Springfield, Johnston Co, 1743-<sup>there</sup> d. 1782.

Member of the Commons for Johnston Co, in 1779 and  
fought as a private in the War for Independence, ... Married in  
1769 Nancy Hinton, sister of Sarah Hinton who in her  
first cousin Needham Bryan. Nancy Hinton was daughter  
of Grizelle Kimbrough and John Hinton, Colonel in the war  
for Independence, who was also descended from  
kings and queens."



1688, and, I believe, earlier.

And now I would like to ask - if you do not already know, please try to learn whether there were any Needhams in our Powell line - allied family by the name of Needham.

You will remember that Isaac Powell, 1732 - 1781 had a son Needham.

My interest in the name was aroused by some-thing I have seen in the Magna Charta Series, Vol. VII, I enclose a portion of this, dealing with the name Needham.

Unless you know there is no Needham - Bryan connection, it might be well for you to copy this from Magna Charta and send to Mr. William B. Powell. It would give an excuse for your adding a little further prodding to that I gave.

I am most anxious for us to get busy on our Powell quest. If by summer we have some-thing definite on which to proceed (as not ~~to~~ require too many hours of research) I can look for further data in Congressional Library & D. A. & R. Library in Washington - if I go east this summer - as now plan -

Please let me know whether to return the George and Cedar Powell wills. I cannot now remember how I got the idea I was not to return those two - I can send any time. Just let me know, and make suggestions as to Powell search.

Give in bed, ~~too~~ late  
let me hear - Hurriedly - Wickma B -



Tuesday - Feb. 28<sup>th</sup>

Dear Rudolph:

I was already feeling conscience stricken enough at not having returned your Powell material, but when I, for the first time, last night opened and read your letter of Jan. 21<sup>st</sup>, I feel worse at my delay.

Your letter had gotten mixed with some opened and read mail that I was keeping for reference, and your letter found unopened last night.

Please forgive me. It is practically impossible to having typing done here, and Jim dislikes it so he refuses to do it for me.

As I write you, we have been unusually busy - I have been without a maid much of the time, my maid having been out with a new baby.

Then too (and most of all) it is our new duties Jim and I have accepted.

He is the newly elected president of our Thomas County Historical Society, accepting the office with the promise that I help him, feeling as he does that he does not have the time to give it all the thought it requires. And so we have been busy with plans for the year's work. (over)

In addition, I have agreed (over)



to be regent of our Thomarville Chapter of  
D.R.P. While I do not go in office  
until March, I have been busy giving thought  
to Committee Chairmen, Officers etc.

I have not even written your cousin of whom  
you wrote and whose letter you sent me.

I have been waiting for time to write him  
in full, and include in my information  
suggestions <sup>of research</sup> we might follow in determining  
the first William -

Hurriedly, and more later -

William -

Did not mail material Saturday as I had  
hoped because of unexpected out of town guests -

W.



## BRIAN, BRYAN(T)

This was originally a well-known personal name along the coast of Brittany, France. It is derivative of some full name compounded with "Bri" meaning "dignity, esteem."

One of the most famous kings of Ireland was called Bhrian Borohma (Brian the Tribute). He was killed in the battle of Clontarf in 1014.

The O'Brians and O'Briens of Ireland claim descent from him. The name was brought to Northern England, and possibly Scotland, by the Noremen from Ireland. In Old Norse, the name is spelled Brjan.

Radulfus filius (son of) Brien is listed in the 1066 Domesday Book as living in Essex, England. The single name Brien is found in Cheshire in 1088, again in Suffolk in 1114, and as Brient in Warwickshire in 1130.

In Scotland, Linaldus fillius Brian and Bernard filius Brien were living during the reign of William the Lion, 1165-1214.

In Virginia, Edward Bryan arrived in 1620 and a dozen or so named Brian and Bryan(t) had arrived by 1660. Land grants were made to John Brian or Bryant, John Bryan and Robert Bryan in the period 1652-60 for bringing new settlers to the colony.

John Bryan(t) was in Taunton, Mass. in 1637. Stephen was in Plymouth in 1643 and Abraham was in Reading in 1644. Alexander was in Waterton, Conn., after 1639.

One Brian, five Bryans and six Bryants were officers in the American Revolutionary Army.

Among the officers from Johnston County, N. C. were  
William Bryan, b. 10-23-1724 d. 11-28-1781  
m. Elizabeth Smith Col PS  
Needham Bryan, b. 1725 d. 1784 Col PS  
m. (1) Nancy Smith (2) Charlotte Moore

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On April 17, 1976, a chapter of the National Society of the Daughters of the American Revolution was founded in Smithfield, N. C. It was named "The Smith-Bryan Chapter" in honor of William and Needham Bryan (brothers) and John and Samuel Smith (brothers) early leaders of Johnston County who served in the Colonial Assembly and the Revolutionary Congress. It was chartered, April 16, 1977. National Number 2148. Organizing Regent, Mrs. F. Denton Lee, Sr.



## NEEDHAM BRYAN FAMILY LINE

Reprinted below is a copy of a letter from Judge Loverd Bryan to his nephew, General Clement Ansolm Evans. This was donated to the Johnston County Room by Mrs. Warren W. Quillian, 6925 Veronese St., Coral Gables, Florida, 33146.

Lumpkin, Ga.  
April 24, 1882

To Rev. Clement A. Evans  
Atlanta, Ga.

My dear Nephew:

Your kind letter came to hand a few days ago, and I now sit down to the agreeable task of answering, to the best of my knowledge and memory, the many questions you propound. This is as I have stated an agreeable task, for the knowledge that I have now grown to be an old man, being now in my 78th year, admonishes me that whatsoever I know of interest to my family, I ought to communicate now. And let me say further, that it is with peculiar pleasure that I make this, my last communication, perhaps, on this subject to you, more than anyone else, for my feelings are strangely drawn out towards you when I remember you as the only son of my oldest and favorite sister, and then as my dutiful ward.

The facts below in reference to the genealogy of the Bryan family may be gathered from many sources, now extant, hence, so far as they go, may be taken to be correct. They are taken from the records kept by the Rev. Lewis Whitfield, who was born in the year 1767, corroborated by the statements of Mrs. Grizelle Hines, who had while in life a singular memory of all the facts relating to the family.

According to Whitfield, - NEEDHAM BRYAN, of Bertie, was the oldest known member of the family. His wife a Miss Curtis. He it was that emigrated from Ulster. Family tradition says that he was a Colonel in the Irish Coalition against Cromwell. Having lost all in the conquest of Ireland by Cromwell, he came to America and settled in North Carolina. Needham Bryan had by this wife three children - Rachel Bryan, William Bryan, Jr. & Needham Bryan. Rachel married William Whitfield of Nansemond County, Virginia. They moved and settled at a place called "Whitehall" on the Neuse River in Wayne County, N. C. William Bryan married Betsy Smith, daughter of old Colonel Jim Smith of Johnston Co., N. C. and settled near Smithfield in that county. The sons and daughters of William Bryan, Jr. were Lewis, Arthur, Hardy, Blake, and John, Elizabeth, Esther, & Savannah. William Bryan married Betsy Gray in Bertie and lived in his grandfather's (Needham Bryan's) old place. Arthur Bryan married Betsy McColours, or McCullers, and had one son, John Arthur Bryan. Hardy Bryan married Winnie McCullers, had twelve or fifteen children and lived near Smithfield, N. C. William Washington Bryan, Gen. Hardy Bryan and David Bryan were three of his sons. Blake went to Georgia and married E. Betsy Blackshear, sister of Gen. David Blackshear,



NEEDHAM BRYAN FAMILY continued -

and half sister of Colonel Wm. Bush and John Bush, Rev. J. Tooke's grandfather. The descendants of Blake Bryan are numerous and are known as the "Blackshear Bryans". I will mention them again.

John Bryan married Patsy Hinton, daughter of James Hinton and Delilah Hinton (his wife) - who live near Raleigh. James Hinton, father of Patsy, was brother to Major John Hinton and son of old John Hinton of . . . . ., whose wife was a Kimbrough. After John's death his widow married Rev. Lewis Whitfield and died a few years before him. Patsy had three Bryan children, viz-Bython, who married Julia Smith, sister of Edwin Smith, of Johnston County, N. C., and died in 1838 leaving his wife without issue; Nancy, who married James H. Smith, son of Edwin above, and nephew of Bython's wife. They were living in 1840 in Tuskegee, Mason County, Alabama and have three daughter, Martha, Julia, and Ann, and a son named Bython, and two or three more sons names not known.

Elizabeth married Josiah Sasser and had a son, William Sasser, Josiah died and Elizabeth married William Blackman, and had a daughter, who first married William Stephens, August 28, 1792, all of Johnston Co., N. C. and had by Stephens two sons, Josiah Stephens & Edmond Stephens; and then married Benjamin Bryan, June 14, 1800, and had Benjamin, William, Reba, Loverd, Penelope, and Sidney. William Bryan's children live in Bibb and Dooley counties, Ga. Their names are Wm. B., Lucy and Penelope. Reba married Willard Boynton, of Stewart County and had Benjamin J. Boynton, Willard and Hinton, Jefferson & Clarence, and daughters Mary and Floretta. Mary married W. T. Parks and Floretta married J. K. Barnum. Penny Bryan married Joe Boynton and had a son Sidney, (George W. Bryan was a son of Sidney Bryan), she afterwards married Robert Wimberly. ---Elizabeth Bryan, widow of Josiah Sasser, and of William Blackman, married, third, Probit Colyer and both died. Her son William Sasser, had Lewis Sasser and Lewis had Pater, James, Harry, Ingram, Bryan, Susannah, and Penelope.

Esther Bryan (daughter of Wm. Bryan, Jr. and Betsy Smith) married Jonathan Smith son of Colonel Samuel Smith of Johnston County, N. C.

Susannah (Referred to above as Savannah) married John Bush, half-brother of General David Blackshear. John Bush had a daughter, Elizabeth who married . . . . Tooke, and had a son, Rev. John T. Tooke. James (?) J. Tooke married Sarah Wimberly, a daughter of Colonel James Wimberly and granddaughter of Blake Bryan.

Needham Bryan, son of William and Rachel married Nancy Smith, sister of Betsy Smith, William's wife, and had sons, Needham and Tudor, and daughters Winifred and Nancy. Nancy, Needham's wife, died and he then married a daughter of Colonel Joe Moore of Sampson County, N. C., and had a daughter Charlotte and a son Rigdon.

Needham Bryan, son the second Needham Bryan, married Sallie Hinton, sister of Major Jack Hinton and daughter of Colonel John Hinton of Wake Co., N. C. in 1777. Genesis of Wake Co., N. C. by Marshall Delancey Haywood in the N. C. booklet Vol. 5, p. 14 No. 1 July 1905. Also Nat. D. A. R. Nos. 60, 178 and 60, 180.



NEEDHAM BRYAN FAMILY concluded -

References for the Bryan Royal Line - King of Thomond; Browning's Americans of Royal Descent Second Edition. Burke's Genealogical and Heraldic Dictionary of the Peerage and Baronetage and Knight published in London 1898 pp. 78, 791, 792, 1107, 1109, 1388, 1389.

The Royal Line Traced by Mrs. --- Henly, a reliable genealogist of Tenn.

War of 1812 of Judge Kedar Bryan

Member of House of Commons 1797 and 1798. See John H. Wheeler's History of N. C. Vol II Chapt 49, p. 402 also Nat. N. 2055 Nat. Society United Daughters of 1812. Also D. A. R. Nat. No. 60178 and 60180.

\* \* \* \* \*

This note was given to my cousin, Miss Louise Brown, many years ago, by a winter visitor in Ft. Lauderdale, Fla. Louise - who is quite feeble - thinks the lady who wrote it is dead, thought 'twas interesting - if not authentic or helpful.

Mrs. Warren W. Quillian (Rosabel Brown)

Dear Marg,

I trust that you have my letter with the General Numbers for which you asked. Am enclosing your last new member. About the naming of The Lady Alice Needham Bryan Chapter, Col. Dames 17, Century. The organizing members of which I was a member did that. As one of the members is a direct descendant of Lady Alice, and she had rather a romantic story which appealed to us, and I, for one knew about her. Lady Alice Needham was the Daughter of Sir Robert Needham, an Irish Peer, and she was born as I remember about 1624. She married William Bryan against her father's wishes and they eloped to Virginia. I think she died there about 1673. The descent is in one of volumes of Wurtz's Magna Charta, but I do not have time to search which one.

Love,

Celia



Special Court for Trials of Negroes  
1764-1780

State of North Carolina)  
Johnston County )

At a Special Court held for the Tryal of  
Negro (Jenny) the property of the late Lewis Bryan Des<sup>d</sup> Charged with the  
Poisoning of Needham Bryan, his Father & family at the Court House of the  
said County on Wednesday the eighth day of November A. D. 1780.

Present		
Nathan Williams )		Ben Williams, Jr.)
James Lockhart )		Wm Avera )
Jesse Tyner )	Justices	Aaron Vinson )
Richard Warren )		John Whitley )
		Freeholders

Who being legally summonsed appeared & qualified & proceeded to the Tryal  
of the said Negro Jenney, who being called to the bar and the said Court  
& charged denied the same.

Whereupon the Court proceeded to the examination of Negros Juno Patt Beck  
and Treacey together with the Testimony of Patty Lynch & James Bagget  
evidences against the said Negro Jenny & after Considering the same & the  
circumstances belonging -- are of the opinion that she (the said Negro  
Jenney) is Guilty of the poisoning so laid to her charge as aforesaid and  
do accordingly order & sentence that the said Negro Jenney be carried back  
to the place of Confinement & thence to be taken to the ground of the  
Court green. On Saturday the eithteenth of this Instant (November) be-  
tween the hours of twelve & one of the Clock in the afternoon & there to  
be bur<sup>n</sup>t to Death by a Stake. & that the Sheriff of this County see that  
the said sentence be carried into execution. At the said time the Court  
taking the value of the said Negro under consideration do value her to  
five thousand pounds cur.

Certified under the hand & Seal of the said Justices & Freeholders  
respectfully. this eighth November A. D. 1780

By order	Nathan Williams	Se	Ben Williams Jr.	Se
	James Lockhard	Se	Wm Avera	Se
C. C.	Jesse Tyner	Se	Aaron Vinson	Se
	Richard Warren	Se	John Whitley	Se



The two articles that follow appeared in THE SMITHFIELD HERALD in 1915. The first article appeared in the October 5th edition and the second in October 12th. Both articles were by Miss Mattie Pou.

## JOHNSTON COUNTY TRADITIONS

### No. 1 The Spy

While The Herald is publishing the series of interesting articles on the early history of Johnston County, the writer thinks your readers may like to know some little bits of tradition, handed down through many generations, which throw light upon the manners and customs of that far off day.

One story is, that during the Revolutionary War, Cornwallis' army camped a mile across the river, and cleared that portion of the plantation of Mr. J. W. Stephenson, through which the road now runs. The land was then owned by William Bryan, whose wife Elizabeth (or Betsy) was a daughter of Jonathan Smith, who donated the site of Smithfield, and for whom the town is named. They lived in a house which stood near the old graveyard on the Stephenson farm.

Betsy must have been a suffragette of the most pronounced type, and her militant tactics were eminently successful. One morning a young man came to her door, weary and hungry, asking for food, and for the privilege of resting awhile. It was contrary to custom of that hospitable age to turn away a stranger merely because he was unknown, so Betsy received him courteously, and gave him a good breakfast. She thought she detected something suspicious in his situation and behavior however, and as her husband was absent in the army (in which he held the rank of Colonel) she determined to take the matter into her own hands. So after he had eaten sufficiently, she offered to show her guest to a quiet place where he would rest, and she must have looked particularly innocent and guileless, for he speedily fell into the trap. In her house was a little back room, with only one door, and a high small window, which opened on a shed roof. Ideal place for a undisturbed repose! She showed the stranger to this retreat, and as he entered and closed the door, she bolted it on the outside. After she supposed he was asleep, she climbed on the shed and fastened the window. She then sent a servant in haste to Smithfield for the town officers. They came immediately, arrested the man and searched him. Finding papers which showed conclusively that he was a British spy, they sent him at once, under a strong escort, to the nearest camp of the Continental army.

The story ends without telling us whether or not he suffered the death penalty usually meted out to spies.

### No. 2 The Stolen Pocket Book

Another incident of the Revolutionary War, which has been remembered, took place at the William Bryan homestead.

As was the custom with planters in those days, Col. Bryan kept a store in his yard and while Cornwallis's army was encamped near him (just across the road, the story goes) he often sold articles to the British soldiers.

One day, as night was falling, a private entered the store to make some purchases. Col. Bryan must have been at home on furlough, for he waited on the customer himself. The soldier had traded a good deal, and finally



No. 2. The Stolen Pocket Book - continued.

was buying something which Col. Bryan was drawing from a barrel. Now "the oldest inhabitant" who told me the story, declares that she never heard what he was drawing from the barrel. She says it might have been sorghum syrup. But in passing it may be remarked that at that period the most upright church members usually owned their own stills, and the still was sometimes bequeathed to the favorite son as a final supreme token of affection.

Be that as it may, Col. Bryan was intent upon his work, "drawing something from a barrel," and in stooping over disclosed to his customer's eyes a pocket containing a good fat pocket book. They say that war dulls the moral sense, and doubtless it was true in the case of this poor trooper, for he slipped the pocket book!

Col. Bryan missed it soon afterwards, and knowing his late customer must have been the thief, he reported the matter to Cornwallis. A search revealed the booty still on the person of the criminal, and the General returned it to the owner.

Cornwallis then set about to make such an example of this thief that all the other soldiers should be warned effectually against stealing. So he seems to have borrowed a leaf from the penal code of the Indians.

The tradition is that he ordered the company, to which the man belonged, to be drawn up in double line, and armed with hickory switches. The culprit (stripped to the waist), was then made to run between them, and every member of the company was commanded to strike him. Pretty rough on the victim; but it showed the British abhorrence of dishonesty. And now while England is fighting the battle of humanity against the most formidable army the world has ever known, it is good to remember the high sense of honor, which made the British commander punish so severely, a crime committed by one of his own men against their common enemy.

It may be interesting to know that the store alluded to above is still standing. The house which was William and Betsy Bryan's home, was torn down, and portions of it used by their grandson, Bythan Bryan, in building his own home in 1821. This is now the residence of Mr. W. C. Harper, his father, the late Dr. Harper, having purchased it from Mrs. Anna Maria Pou, a great-granddaughter of William and Betsy Bryan. The store was moved intact, and joined to the new house as a dining room.

+ + + + +

According to my records, Elizabeth Smith; b. in 1724 probably in Middlesex Co., Va. was the daughter of John Smith who amassed considerable property, as witnessed by the land grants issued to him. He owned at one time or another more than five thousand acres, almost all of which lay along the banks of the Neuse River in Johnston County, N. C. She married in N. C. in 1744/5 William Bryan. They lived at Springfield, two miles west of Smithfield, N. C. She died about 1792. Jonathan Smith, her nephew, did have a daughter Elizabeth but I do not know who she married.

Barbara H. Fitch



## BRYAN, BLACKMAN

It has been said that "the family tree of the Bryans bends beneath the weight of its royal ancestry" (Armstrong, Notable Southern Families, II, 33). The name Bryan has its variants in Bryant, Brian, and O'Brien. The O'Brien family is descended from Milesius, King of Spain, through the line of Heber, third son of the monarch. The founders of the family were Brian Boroimhe, or Boru (926-1014), King of Ireland, and Moriartach O'Brien, last king of Ireland of the race of Brian Boru, 1089. Through their descent from Comac Cas, son of Olliul Olum, King of Munster, 177, and his consort Sabia, daughter of Con Kead Caha, or Con of the Hundred Battles, King of Ireland, 148, the blood of both Heber and Heremon is united in the family. The titles of the chiefs of the sept were Prince of Thomond and King of Cashel and Munster, and their possessions were located in the present-day counties of Cork, Limerick, and Clare--then known as O'Brien's country. This territory had been in the possession of the O'Brien sept from the time of Heber, and most of the kings of Munster were of the O'Brien branch. In 1565 Sir Henry Sidney, the Lord Deputy, changed the name of O'Brien's country to that of Clare, after its Anglo-Norman grantee (Smallwood, Some Colonial and Revolutionary Families of North Carolina, I, 347).

William Smith Bryan was a landholder in County Clare at the time of the British invasion under Cromwell. For taking the side of Ireland, he was transported to Virginia as a "rebellious subject" in 1650 with his family, goods and chattels, consisting of a shipload. Supposedly, he was the son of Sir Francis Bryan (Armstrong, Notable Southern Families, II, 33). William Smith Bryan settled in Gloucester County and had eleven sons, the eldest of whom was Francis--who returned to Ireland in 1667 and endeavored to recover his hereditary titles and estates. He failed and died 1694. Morgan Bryan (in Norfolk County, 1693), John Bryan, Lewis Bryan (in Nansemond County, 1689), and the brothers James and William Bryan are thought to have been sons of William Smith Bryan. James Bryan was a large landowner in Isle of Wight County. In 1683 he patented 315 acres between "Kingsdale Swamp and the main Blackwater River"; in 1689, 762 acres; and in 1702, 100 acres on the "south side of the main Blackwater River, beginning at the mouth of a branch of Nottoway Swamp." The fact that no note of the arrival of William Bryan can be found in early records makes it seem possible that he was indeed one of the eleven sons of William Smith Bryan (ibid., II, 51).

James and William Bryan had certainly moved southward from Isle of Wight County into North Carolina by 1713. On July 22, 1714, William Bryan and John Dew were witnesses to a deed in which John Green sold Ralph Mason 200 acres on the north side of Moratuck (Roanoke) River. On July 10, 1715, William Bryan and John Nairne were witnesses to a deed in which Henry Wheeler sold Richard Washington 950 acres of land on the south side of Meherrin River. Then, on February 12, 1718/19, John Council of Nansemond County, Virginia, deeded John Britt 400 acres, "part of my land" on the



north side of Meherrin River. Witnesses were William Card, William Bryan, Jr., James Bryan, Sr. (Hathaway, North Carolina Historical and Genealogical Register, I, 295, 628, 629).

Hodges Council made his will 1699 in Isle of Wight County. Ca. 1675 he had married Lucy, daughter of John Hardy of Isle of Wight County. He was possibly a son of John Council, who married 1666 the widow of Richard Jeffries. Hardy Council, one of Hodges' sons, made his will 1749. At the time he was about 71 years old; thus his birth date was ca. 1678 (Boddie, Seventeenth Century Isle of Wight County, p. 216). One of Hodges Council's daughters, Christian, married Edward Bryan of Craven County. A Hardy Council was a jurymen in Bertie County in 1740.

**[** William Bryan, Marquis of Thomond, was born 1655 in Virginia and eventually ventured, as did his brother Francis, to Ireland. He married 1689, either in Ireland or in England, Lady Alice Needham (Whitfield, Whitfield, Bryan, Smith, and Related Families, II, 6). That same year (1689), William Bryan returned with his bride to Virginia, where they resided in Isle of Wight County before settling ca. 1713 on Albermarle Sound in Pasquotank Precinct (later County), North Carolina. William Bryan was as equally well descended as his wife and, after taking up land in North Carolina, proceeded to become a leader in the political and civil affairs of his community and colony. He was a justice of the peace, sheriff, and delegate for Pasquotank County in 1739 to the colonial assembly. He died possibly in 1742 or 1746 (ibid., II, 6) and was buried in Pasquotank County. The children of William and Alice Needham Bryan were:

- ★ 1. Needham Bryan (1690-1770).
- 2. John Bryan, born January 2, 1692.
- 3. William Bryan.

Needham Bryan was born February 23, 1690, in Isle of Wight County or Nansemond County, Virginia. He died January or June 2, 1770, in Bertie County, North Carolina. He married (1) on November 16, 1711, Anne Rambeau, (2) on August 14, 1732, Susanna Harrell, (3) on June 20, 1753, Sarah Woodward.

In 1713 Needham and Anne Rambeau Bryan sold one James Noeboy 170 acres lying near the Nansemond and Isle of Wight boundary line. In 1721/22 Needham Bryan patented 640 acres of land in the then new precinct of Bertie, North Carolina. To this property on Little Roquist--later called Jodson Creek, he gave the name Snowfield. There he and his three wives were buried.

Needham Bryan was active in many areas of public service. In the Bertie County records his name was often noted. For many years he was chairman of the Court of Pleas and Quarter Sessions



and was justice of the peace in 1732, 1739, 1745. He was listed as a jurymen in Bertie County in 1740 and was serving as sheriff in 1745. From 1750 to 1759 he represented Bertie County in the colonial assembly. In 1729-1730 he was a church warden for Society Parish.

Anne Rambeau was born 1695. She died March 16, 1730, in Bertie Precinct. Needham and Anne Rambeau Bryan were the parents of these children:

1. Rachel Bryan (1723-1780), married 1741 William Whitfield.
- \* 2. William Bryan (1724-1781).
3. Needham Bryan (1726-1784).

William Bryan was born October 31, 1724, at Snowfield and married 1744 or 1745 Elizabeth Smith in Johnston County, whence he migrated ca. 1740. He died November 28, 1781, in Johnston County on his plantation known as Springfield, located two miles west of Smithfield.

William Bryan was justice of the peace in 1756 and in 1762 was serving as sheriff, for which service he was allowed ten pounds. Two years later he, with Jesse Lane, was added to the Commission of the Peace and Dedimus for Johnston County by action of the Council sitting at Wilmington. In 1770 Benjamin Williams, John Smith, Jr., William Bryan, Esquire, were appointed commissioners to contract workman for construction of a courthouse, prison and stocks for the use of Johnston County (State Records, XXIII, 821). In the so-called War of the Regulation leading to the Battle of Alamance, May 16, 1771, William Bryan took the side of the governor and Crown. On February 20, 1771, he was a colonel in the militia with Governor William Tryon (Colonial Records, VIII, 500-501). On Wednesday, May 1, 1771, the Johnston County militia assembled at Colonel Bryan's place in preparation for the forthcoming showdown with the Regulators (ibid., VIII, 659).

At a meeting of freeholders at Johnston Courthouse on August 12, 1774, William Bryan, Needham Bryan, Jr., Samuel Smith, Sr., John Smith, Samuel Smith, Jr., Henry Rains, and William Ward were appointed to "a Committee to correspond with the Committees of the other Counties in this province, when, and as often as they shall think convenient...." At the same time, William Bryan, Needham Bryan, Sr., Samuel Smith, Sr., and Benjamin Williams were selected to attend the First Provincial Congress to meet August 25, 1774, at New Bern (ibid., IX, 1031-1032). The first meetings of freeholders, while primarily for the election of delegates to the Provincial Congress, assumed something of the nature of the county safety committees as afterward constituted by the Congress. The meeting in Rowan County on August 8, 1774, was the first--the Johnston County meeting was the second--of the local committee meetings, and that in Chowan County on October 15, 1776, the last (Whitaker,



The Provincial Council and Committees of Safety in North Carolina, p. 28). The resolves of the Johnston County meeting included expressions of the principles underlying America's position with special stress on the right of colonials to free legal trials and the illegality of trials beyond the seas (ibid., p. 34). These preliminary bodies, issuing instructions to delegates and formulating opinions as to policy, political and economic, may be classed in function with the regularly constituted safety committees (ibid., p. 9). For their part, the committees of correspondence "became the first nucleus of the power and authority of the respective communities in the management of local affairs in antagonism with the established government" (Ashe, History of North Carolina, I, 420). The First Provincial Council (October 18-22, 1775), and the Second Provincial Council (December 18-24, 1775) as well, met at Johnston Courthouse.

During the American Revolution, William Bryan held positions of trust in the state legislature and in the army. He was a delegate for Johnston County to the Third Provincial Congress (August 20-September 10, 1775) at Hillsborough (Colonial Records, X, 165). He was appointed April 4, 1776, a colonel in the Johnston County militia by the Fourth Provincial Congress at Halifax. On the same day, the Provincial Congress declared for independence. Colonel Bryan was charged with enrolling men and supplying them with arms. Addressing a provincial congress meeting at New Bern, he suggested that a group of cavalry be sent to "take a turn through our country" as the most effective way of silencing several "obstinate persons" who were suspected of being "great Tories in their hearts" and of spreading sedition in the minds of the people. The militiamen were of too little dependence to permit him to silence the Tories by their use. On June 12, 1776, in his capacity as colonel, William Bryan complained:

I have drafted a number of men from this county, some of whom refuse to march; Congress having made no provision for arms, I have endeavored to borrow or hire guns, though in vain. I then ordered the Captain to send out Sergeants to press guns, but the people hid their guns...and are hiring substitutes for themselves.

On June 29, 1776, he had occasion to ask the state government for help, for his men, though drafted pursuant to the order of the congress, refused to serve. As a reply, he received a resolution:

That the said William Bryan issue his warrant for the recovery of Fines pursuant to the Militia Law and Resolution of Congress, and that Needham Bryan, late Sheriff of Johnston County, be empowered to execute the same.



In 1778 William Bryan was a justice of the peace for Johnston County. On November 23, 1778, he wrote Governor Richard Caswell confessing the weakness of the patriot cause in his area and seeking instructions:

Sir: I have received yours of the 17th inst., wherein you directed me to send a Drum and Colors; we have not so much as a stand of Colors in this county. I have ordered a Drum down with our last draft which I expect will march this day. You also directed me to send forward those men who did not march in the first draft. It is not in my power to get them--some run clear off, and others lie off in the Rebellion and swear to kill any persons that shall offer to enlist them. Some that was balloted last spring to go to the Northward and some that was drafted in our first detachment to march to the assistance of South Carolina, I understand has embodied themselves and lies on and about the line that divided Johnston and Nash Countys [sic] and so plays in both Countys [sic]. We have had some apprehended and put in jail, but they broke jail and took them out. I should be glad to have some instructions what I must do with such lawless people. I have some reason to think myself in danger of my life every day, as one of the deserters has swore damnation to himself if he does not kill me on sight.... Now, if some method cannot be taken with such fellows, I cannot think myself safe in transacting the public business of this County and should be glad of some instructions from your Excellency.

On February 11, 1779, William Bryan petitioned the House of Commons for leave to resign his command as colonel of the militia and his office of justice of the peace. He was granted by the state the sum of 271 pounds, 12 shillings, and 11 pence in payment for an equal sum of his own spent on the public account (Whitfield, Whitfield, Bryan, Smith, and Related Families, II, 10).

William and Elizabeth Smith Bryan were the parents of these children, all born at Springfield:

1. Lewis Bryan (November 24, 1745-1782).
2. William Bryan (July 8, 1747-September 14, 1800).
3. Arthur Bryan (1749-1792).
- ★ 4. Elizabeth Bryan (1751-1845).
5. Hardy Bryan (1753-ca. 1820).
6. Blake Bryan (June, 1757-ca. March, 1820).
7. Esther Bryan (1760-1800).
8. Susanna Bryan (November 28, 1763-ca. 1820).
9. John Bryan (January 14, 1765-1815/1820).
10. Mary (Polly) Bryan (born March 26, 1767).



Elizabeth Bryan, daughter of William and Elizabeth Smith Bryan, was born May 2, 1751. She married (1) on December 10, 1770, in Johnston County Colonel Josiah Sasser of Wayne County, (2) in 1784 Colonel William Blackman of Johnston County, (3) Probert Collier. In 1843, when 91 years of age, she moved with her sons to Oglethorpe, Georgia, where she died 1845. She was buried in Twiggs County, Georgia.

In January, 1782, the Wayne County Court of Pleas and Quarter Sessions met at the home of Mrs. Elizabeth Sasser. At that time the will of Josiah Sasser was probated, and Mrs. Sasser qualified as executrix. Her children were:

1. Mary Sasser (born ca. 1772).
2. Lewis Sasser (born 1774).
3. Blake Bryan Sasser (born 1776).
4. William Sasser (born 1778).
- ★ 5. Elizabeth Bryan Blackman (ca. 1787-1811).

William Blackman, the second husband of Elizabeth Bryan, was born ca. 1740. His grandfather Bennett Blackman was in Johnston County by 1754, and his father Stephen Blackman was there as early as 1747. On June 17, 1765, Stephen Blackman of Dobbs County, executor of the will of Bennett Blackman, deceased, of Johnston County sold Henry Jernigan part of a patent of Bennett Blackman dated March 30, 1754 (Johnston County Transcript 1, 131-132). On April 3, 1765, Stephen Blackman deeded the same Henry Jernigan a parcel of land on Mill Creek and referred to Bennett Blackman's patent granted April 23, 1763 (D. B. E-1, 95-97). Stephen Blackman of Dobbs County, on September 28, 1770, conveyed to William Blackman of Johnston County 276 acres of land on the south side of Neuse River for 9 pounds proclamation money (Transcript 1, 232).

Stephen Blackman appeared on the 1784 tax list for Sampson County with 288 acres of land and 2 slaves; William Blackman in 1784 in Johnston County listed 1184 acres, 1 free poll, and 9 black polls. For the 1790 Census, Johnston County, William Blackman enumerated 2-2-5-0-20, thereby indicating that he was a planter of means. He served in the American Revolution and was afterward a colonel in the Johnston County militia. On January 5, 1793, Stephen Blackman of South Carolina, "son and heir of Bennett Blackman" sold William Blackman for 5 shillings 150 acres on Mill Creek, south side of Neuse River (D. B. S-1, 332-334).

Soon after the last deed was made, William Blackman died in Johnston County. "An inventory of the personal property of William Blackman dec'd" included 22 slaves. Widow Elizabeth Bryan Blackman was appointed administratrix of the estate (Johnston County, Inventories and Settlements of Estates and Wills, 1761-



1795, pp. 104-106, 145). "An Account of Sales of the Estate of William Blackman dec'd" was rendered March 19 and 20, 1793 (ibid., pp. 163-169).

Elizabeth Bryan Blackman, daughter of Colonel William and Elizabeth Bryan Blackman, was born ca. 1787 in Johnston County and there died August 2, 1811. She married 1805 Isaac Williams of Johnston County (Whitfield, Whitfield, Bryan, Smith, and Related Families, II, 22); Isaac Williams married (2) in December, 1816, Susanna Lee in Johnston County. ]

Bennett Blackman m. Blanche  
d. 1765 J. Co., N.C.

Stephen Blackman

Wm. Blackman m. Eliz. Bryan

Eliz. B. Blackman m. Isaac Williams

Nathan Wms. m. Martha Averett

Mary E. Wms. m. Sidney B. Smith

Mary Rebecca Smith m. Willis A. Sanders

Mary Esther Sanders m. F. Morpheus Hinton

Barbara N. Hinton m. Jasper L. Finch  
Nov. 18, 1942



BRYAN - Williams

WILLIAM BRYAN -

Thought to have been born in Ireland about 1655 or '60. He emigrated from Ireland about 1689 or 1690. He married in England or Ireland Lady Alice Needham (dau. of Sir Robert Needham, Viscount of Kelmorey) in 1689. After living in Virginia for a while, he moved to Pasquotank County, N. C. in 1722. William Bryan was a justice of the peace, sheriff, and delegate for Pasquotank County to the colonial assembly in 1739. Possibly he died in 1742 or '46.

Children: 1. Needham Bryan  
2. John Bryan; b. Jan. 2, 1692; lived in Isle of Wight County, Va.  
3. William Bryan

NEEDHAM BRYAN -

Needham Bryan was born Feb. 23, 1690, in Isle of Wight, or Nansemond, County, Va. He died January, or June 2, 1770, in Bertie County, N. C. He married (1) on Nov. 16, 1711, Anne Rambeau, (2) on Aug. 14, 1732, Susanna Harrell, and (3) on June 20, 1753, Sarah Woodward.

In 1713 Needham and Anne Bryan sold to one James Noeboy 170 acres of land lying near the Nansemond and Isle of Wight boundary line. The consideration was 1800 pounds of tobacco. (MS., Deed Book, Isle of Wight, Bk. 2, pp. 265, 266.) In 1721 or '22 Needham patented 640 acres of land in the new precinct of Bertie, N. C. (MS., Deed Book, Windsor, N. C., A, p. 232. Records of Susan Bryan Martin indicate that Needham Bryan bought Snowfield from John Gray, Jan. 7, 1736.) On this property on Little Rocquist Creek - later called Jodson Creek, he spent the rest of his days. He and his three wives are buried there.

Needham Bryan was active in the public service of his adopted state. In the Bertie County records the name Needham Bryan is often noted. For many years he was chairman of the court of Pleas and Quarter Session and was justice of the peace in 1732, '39, and '45. In 1745 he was also sheriff and commissioner for Bertie Co. From 1750-59 he represented Bertie in the colonial assembly held at New Bern. In 1729-30 he was a church warden for Society Parish. (Colonial Records of N. C., II, 305: see also N. C. H. & G. R.)

Anne Rambeau was born in 1695. She died March, 1730. Susanna Harrell died June 14, 1752. Sarah Woodward died June 19, 1776.

Children: 1. Rachel Bryan; b. June 10, 1723, d. Nov. 1780; m. William Whitfield (2) in 1741.  
2. William Bryan; b. 1724  
3. Needham Bryan; b. 1726



Bryan - Williams

WILLIAM BRYAN

William Bryan; b. Oct. 31, 1724, d. Nov. 28, 1781 (Ashe, History of N. C. I, 523: Johnston Co., Inv. & Settlements of Estates, 1781-95, p. 16.). In 1744 he married Elizabeth Smith, dau. of John Smith, Sr., in Johnston County, N. C. He died in the same county.

Like his father, William Bryan was active in public affairs. In 1756 and 1762 he appears as justice of the peace.<sup>1</sup>

In the struggle leading to the Battle of Alamance, May 16, 1771, William Bryan took the side of the governor and crown, but four years later, he was found with those patriots fighting for American Independence.<sup>2</sup>

April 4, 1776, he was appointed colonel in the Johnston County militia and charged with enrolling men and supplying them with arms.<sup>3</sup>

Feb. 11, 1779, William Bryan petitioned the House of Commons, North Carolina, for leave to resign his command as colonel of the militia and his office of justice of the peace. He was granted by the state the sum of 271 pounds, 12 shillings, and 11 pence in payment for an equal sum of his own spent on the public account.<sup>4</sup>

- Children:
1. Lewis Bryan; b. Nov. 24, 1745, in Johnston Co., m Oct. 26, 1769, Sarah Hinton, dau. of Maj. John Hinton and Sallie Smith of Raleigh, N. C.
  2. William Bryan. b. 8 Jul 1747
  3. Arthur Bryan. b. 12 May 1749
  4. Elizabeth Bryan. b. 2 May 1751
  5. Hardy Bryan. b. 4 June 1753
  6. Blake Bryan. b. 12 (or 21) June 1757
  7. Esther Bryan; b. June 22, 1760, d. 1800 ca.; m. Jonathan Smith.
  8. Susanna Bryan. b. 28 Nov. 1763
  9. John Bryan. b. 14 Jan 1765
  10. Mary or Polly Bryan; b. March 26, 1767.

(Sketch based indirectly on the Bible in 1856 in the possession of James L. Bryan.)

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1. Saunders, N. C. Colonial Records, V, 657; VI, 739, 1065.
  2. Wheeler, I, 54-59.
  3. Wheeler, II, 219.
  4. Saunders, XIII, 611, 709, 725.
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ELIZABETH BRYAN -

Elizabeth Bryan was born May 2, 1751. She married (1) on Dec. 10, 1770, in Johnston County, N. C., Col. Josiah Sasser, of



BRYAN - WILLIAMS

Wayne County, N. C.; (2) Col. William Blackman, in 1784; (3) *another Eliz. Bryan*  
Probert Collier. In 1843 when ninety-one years of age, she moved with her sons to Oglethorpe, Ga., and died there in 1845. She was buried in Twiggs County, Ga.

- Children:
1. Mary Sasser.
  2. Lewis Sasser.
  3. Blake Bryan Sasser.
  4. William Sasser.
  5. Elizabeth Bryan Blackman, m. ISAAC WILLIAMS.

ELIZABETH BRYAN BLACKMAN

Elizabeth Bryan Blackman was born possibly about 1787. In 1805 she married Isaac Williams. She died Aug. 2, 1811.

Isaac Williams was born in 1775 the son of Col. Nathaniel Williams and Sarah Averitt. Though Col. Williams was born in Mecklenburg County, Va., in 1735, he served in the North Carolina Line during the Revolutionary War and died in 1796 in Johnston County, N. C. Isaac Williams died Jan. 13, 1830. His will was recorded at Smithfield, Johnston County and probated in February, 1830.

- Children:
1. Nathan Williams
  2. Mary Williams, m. Robert Snead
  3. Susan Williams
  4. Elizabeth Williams

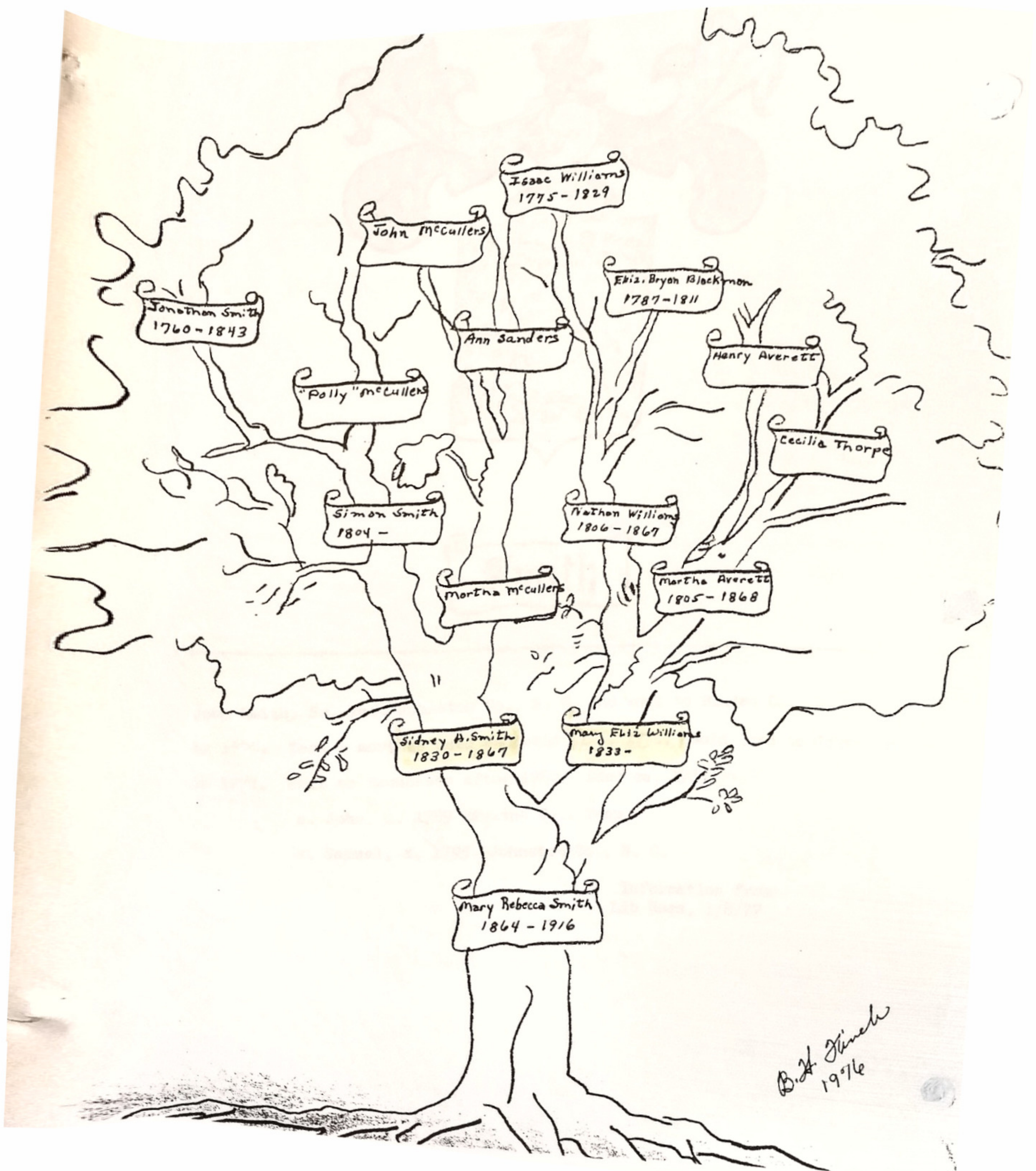
NATHAN WILLIAMS

Major Nathan Williams was born April 17, 1806. He married Nov. 24, 1829, Martha Averett\*. He died Oct. 14, 1867.

- Children:
1. Isaac Henry Williams; b. 1830, d. 1861; m. June, 1857 Julia Jane Smith. (No issue.)
  2. Mary Elizabeth Williams; m. Sidney A. Smith.
  3. John Bryan Williams; b. Jy. 23, 1837, d. Mar. 3, 1907. m. Ann Little Skinner, dau. of Dr. Chas. Skinner and Susan E. Little of Warrenton, N. C.
  4. Esther Ann B. Williams; b. 1839, d. 1854.
  5. Nancy Rebecca Williams; b. Feb. 16, 1842, m. (1) Henry F. Grainger, lawyer in Goldsboro, N. C.  
(2) *Wesley M.* Roby, a Methodist Minister.

\*Martha Averett (1805-1868) was the daughter of Henry Averett and Cecilia Thorpe. The family name is variously spelled: Avera, Avery, Averett, Averyette. It is thought the family originally came from France and were Huguenots settling in Halifax Co. Most of the family moved to Western North Carolina after the Revolution.  
(Marshall)





B. H. Stinebaugh  
1976





Smith

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John Smith, Sr. left Johnston Co., N. C. and went to Bladen Co., N. C.  
by 1770. Took a mortgage deed on David Mims, 1770. Sold land to John, Jr.  
in 1772. Went to Tennessee after 1780. Died ca. 1783/94.

s. John, d. 1789 Hawkins Co., Tenn.

s. Samuel, d. 1795, Johnston Co., N. C.

Information from  
Lib Ross, 1/8/77



COURT RECORDS OF THE JOHN SMITH, SR. ESTATE

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(STATE SEAL)

Tennessee State Library and Archives  
Nashville, 3 Tennessee

Knox County, Tennessee. Superior Court Record Book B.  
1797-1804. Part 2, pp. 288-291.

Samuel Smith Administrator &c

against

In Equity  
Original Bill.

Ann Bryan & Others the heirs and  
Legal Representatives of John Smith Senr.

To the Honorable the Judges of the Court of Equity for the District of Hamilton in the Territory of the United States of America south of the River Ohio— The Bill of Samuel Smith Administrator and One of the Heirs of John Smith Senr. deceased— against— The Heirs or legal Representatives of Ann Bryan late of Johnson County North Carolina deceased, the heirs &c of Elizabeth Bryan late of Johnson County North Carolina, deceased, the Heirs &c of John Smith Junr. late of the County of Hawkins North Carolina now the territory of the United States south of Ohio, deceased, the Heirs of Alexander Smith late of Cumberland County deceased, John Hinton and Pheruba Hinton of Wake County and Jane Phelps relict of Thomas Phelps Deceased of Rowan County Defendants—

Humbly complaining sheweth to your Honore your Orator Samuel Smith Admr. and one of the Heirs of John Smith Senr. deceased that the said John Smith Senr. departed this life about the month of February 1793 not having made any will or Testament as your Orator believes, that Orator being the only surviving son of the said John Smith obtained letters of Administration on the Estate of the said Deceased from the Court of Jefferson County, that the said John Smith Senr. at the time of his decease was possessed of personal Estate of



[John Smith, Sr. Estate, continued]

considerable value, which your Orator has taken into possession and by Order of said Court has exposed the same to public sale, that the amount of the said sales is ten thousand five hundred and forty two and One half Dollars, out of which sum all just claims against said Estate are to be discharged and the remainder to be distributed agreeably to Law among the several heirs of said Intestate—

Your Orator further sheweth that the said John Smith Senr. had six children (Exclusive of your Orator <sup>Samuel</sup>) viz Anne (who was married to Needham Bryan now deceased), Elizabeth (who was married to William Bryan now deceased), John, Alexander, Jane (intermarried to Thomas Phelps now deceased) and Pheruba married to John Hinton; that the said Anne, Elizabeth, John and Alexander died during the life of said Intestate having each left children as legal Representatives to claim in the room of the deceased Parent; that your Orator, Jane Phelps and Pheruba Hinton are the only surviving children of the said Intestate— And your Orator further sheweth that each of the said children (your Orator included) during the life of said Intestate have been advanced with portions by him in a greater or less degree, and your Orator doth not know to what sum each of said children or their legal Representatives are entitled by Law, until it can be ascertained what sum or sums have been advanced to each in the life time of said Intestate, which your Orator believes can only be done in this Honorable Court of Equity where the parties may be compelled to answer and Account on Oath— Your Orator admits that he hath received in advancement from the said Intestate in his life time each, negroes and Other property agreeable to the schedule annexed to this bill and further states that the said schedule which (he prays may be taken as part of this Bill) doth contain to the best of his knowledge information and belief an Account of the several sums of money, negroes and other property advanced



[John Smith, Sr. Estate, continued]

by said Intestate in his life to the parties in the bill contained and also the amount of the purchase made by said parties at the sale of said Estate by your Orator as Administrator.— To the end therefore that Justice may be done to the several heirs of the said Intestate, and that your Orator may know to whom and in what proportion he is to pay the surplus of the said Estate after deducting all Just charges and disbursements your orator prays that the said Jane Phelps, John Hinton and Pheruba Hinton his wife, and the heirs or legal representatives of the said Anne Bryan, Elizabeth Bryan, John Smith Junr. and Alexander Smith deceased may be made parties to this Bill, and that they and each of them may be compelled by process of this Honorable Court to make true full and perfect answer to all and singular the matters and facts in this Bill of Complaint contained not only as to their positive knowledge and rememberance but also as to the best of their information knowledge and belief as far forth as respects their interest in said Estates and more particularly whether they each of them or their deceased parent whom they represent have not received certain parts or portions in Advancement from the said Intestate in his life time— Did they not severally receive the sums of money, slaves or other property in like manner from the said Intestate? Of what age and sex and what Estimated value were the slaves and at what time where they so given? What the estimated value of the other property? Did the children of the said Ann Bryan, Elizabeth Bryan, John Smith, Junr. and Alexander Smith or either of them since the Decease of their parent thro whom they claim receive any slaves or other property from the said Intestate of what kinds and to what amount estimate-value? What parts or portions has the said John Smith Senr. given to any of his Grand Children during the life of his, her or their parent— That the surviving children and the legal Representatives of



[John Smith, Sr. Estate, continued]

the deceased children of the said Intestate may fully and fairly account each for him self with our Orator respecting the premises; that your Orator may by a Decree of this Honorable Court be directed to whom and in what proportion to distribute the surplus of the Estate of the said Intestate— And that those of the Heirs of the said Intestate (if any) who at the sale of said Estate have purchased more than they are entitled by law to hold as their part or portion may be compelled by Decree of this Honorable Court to pay the same into the Hands of your Orator to the use of those who may be entitled to receive the same agreeable to law, may it please your Honor to Grant your Writs of Subpoena commanding the said John Hinton and Pheruba Hinton, and Jane Phelps and the Heirs or legal representatives of the said Anne Bryan, Elizabeth Bryan, John Smith Junr. and Alexander Smith deceased at a certain day and under a certain penalty therein to be inserted to appear before this Honorable Court then and there to answer the promises and to stand to and abide such Order and Decree therein as to your Honors shall see Agreeable to Equity and good conscience and your Orator shall ever pray.

A. Roane, Atto)

Samuel Smith maketh Oath that the facts set forth in this Bill of Complaint that are of his own knowledge are true and those not of his own knowledge he believes to be true— And that he hath not exhibited this Bill thro fraud or collusion with all or either of the Defendants or any other person or persons, but only to be indemnified and to pay the monies of the Estate of John Smith Senr. Deceased in his hands to such persons as this Court shall order or adjudge the same to belong—

Sworn to this third day of June 1794 Before )  
David Campbell one of the Judges of the Territory )  
of the United States South of the River Ohio )  
David Campbell )

Let Subpoenas issue agreeable to the prayer of the Bill

David Campbell



[John Smith, Sr. Estate, continued]

A schedule of the money, slaves and other property given in advancement to the children and Grand children of John Smith Senr. Decd. by him in his life time agreeable to the Best information of Samuel Smith Administrator:

SAMUEL SMITH

- 1775 2 negroes a male and female, about 50 years of age each  
1782 2 negroes a male and female about 35 years of age each  
1782 1 negro girl about 12 years of age  
" 4 negro children 3 females and one male from the age of 8 to 2 years old belonging to the same family  
" 1 horse  
" 1 still  
" 1 Ditto  
" 1 mare and colt  
" 1 small Woods horse  
" Do Do  
" Cash 9.0.0.  
" 5 cows and calves  
" 2 sows and piggs  
" 1 feather bed and ca.  
" 2 iron pots  
" 3 bushels of salt  
" 10 barrels of corn  
1778 2 negro girls about 8 years old each given to the daughters of Sd. Samuel Smith  
1789 A girl about 13 or 14 to a daughter of sd. Saml Smith

THOMAS and JANE PHELPS

- 1789 6 negroes  
" In Virginia Currency £300.0.0  
" 2 feather beds and furniture and other household furniture  
" 1 negro girl given to the daughter of Jane Phelps



[John Smith, Sr. Estate, continued]

JOHN SMITH  
1789 1 Negro man  
" 1 do  
" 1 boy  
" Cash £ 66.12.0  
" Do £ 150.0.0  
" 40 head cattle  
" 10 head horses different kinds  
" 5 feather beds and furniture & other household furniture  
" 4 negroes given to the children of Jno. Smith before  
his death  
" 3 negroes since his death

ALEXANDER SMITH

1789 1 negro man  
" 1 do woman  
" 1 do boy  
" 40 head of cattle  
" 11 head horses  
" 1 feather bed & furniture & other household furniture  
" 9 negroes given to the children of Alexr. Smith since  
his decease

NEEDHAM & ANN BRYAN

1789 Cash £ 25.0.0  
" 2 Negro girls to the children of Anny Bryan since her  
decease

WILLIAM & ELIZABETH BRYAN

1789 2 tracts of land  
" 1 mare  
" 1 negro girl given to the daughter of E. Bryan previous  
to her decease



[John Smith, Sr. Estate, continued]

JOHN & PHERABY HINTON

- 1765 1 Negro girl about 15 or 16 years of age  
1767 1 negro boy 7 or 8 years of age  
1 small horse  
2 cows and yearlings  
1 feather Bed and furniture  
2 iron pots  
1 pewter Dish & bason  
1 small chest  
1770 1 negro girl 4 or 5 year given to the son Pheruba  
Hinton

[ . . . to be continued in the next issue.]

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North Carolina  
Johnston County

To the Honorable the Judges of the Superior Court of Law & C c for the District of Hamilton south of the River Ohio— In pursuance and answer to a Bill issued from said court wherein Samuel Smith admr. of the estate of John Smith, Srn ? (decd.) is plaintiff against the heirs of Elizabeth Bryan (decd.) I have caused to come before one of the justices of the county aforesaid Blake Bryan, son of the aforesaid Elizabeth Bryan, who being sworn on the Holy Evangelists of almighty God, saith that he knows as to his own positive knowledge of no property of any kind? or value being given at any time by his Grandfather John Smith Senr. to his parents or to himself and further he saith not.

Blake Bryan

Sworn to the 24th. of Sept. 1794  
Isaac Powell, J.P.

North Carolina  
Johnston County

To the honorable the Judges of the Superior Court of Law & C c for the District of Hamilton south of the river Ohio in pursuance and answer to a bill from said Court wherein Samuel Smith Admr. of the estate of John Smith (decd.) is plaintiff against the heirs of Elizabeth Bryan (decd.) I have caused John Bryan Jr. to come before me, one of the Justices of the Peace for the county aforesaid, and being sworn on the Holy Evangelist of Almighty God saith that he knows of no property being given at any time by the aforesaid John Smith to his parents or him self as to his own positive knowledge. This Deponent further sayeth that at the death of his father he was very young and further sayeth not.

Jno. Bryan

Sworn to the 24th Sept. 1794  
Isaac Powell, J.P.

NORTH CAROLINA  
Johnston County

To the Honorable the Judges of the Superior Court of Law and Equity for the District of Hamilton in the Territory of the United States of America south of the river Ohio— In pursuance and answer to a bill issued out of said court at the



[John J. Smith, Sr. Estate, continued]

instance of Samuel Smith Admr. of the Estate of John Smith Senr. (decd.) against the heirs of Elizabeth Bryan (decd.) I have caused to come before me Elizabeth Blackman, one of the heirs of the said Elizabeth Bryan, and being sworn on the Holy Evangelists of Almighty God saith that some time in the year 1764 her grandfather John Smith Senr. gave her one negro girl named Miley about 10 years old at that time and did execute a deed of gift to this deponent for said girl and further saith that she never acknowledged the gift of said girl as a present from her parents and further this deponent saith that some time after that year, she understood that a certain Woods mare 4 years old was given by her Grandfather to her mother and father and further she saith that she knows of no other property being given to her parents at any time.

Sworn to the 20th day of Sept. 1794

Jno. Bryant, J.P.

North Carolina  
Johnston County

To the honorable Judges of the Superior Court of Law & C for the District of Hamilton South of the River Ohio. In pursuance and answer to a bill issued from said court wherein Samuel Smith Admr. of the estate of John Smith Senr. (decd.) is plaintiff against the heirs of Elizabeth Bryan (decd.), I have caused to come before me one of the Justices of the Peace for the county aforesaid, Hardy Bryan, and being sworn in the Holy Evangelists of Almighty God saith that he heard his Mother Elizabeth Bryan mention that about the time of her marriage with his father William Bryan (decd) his grandfather John Smith senr. offered a certain tract of land (the number of acres he never knew) or a negro man by the name of Duke and as it was optional with his mother, she made choice and did take a small woods horse about 3 or 4 years old, given by his Grandfather to his father in his presence, and that his Grandfather told him to get the horse out of the woods and give the same to this deponent and further saith not.

Hardy Bryan

Sworn to the 24th. day of Sept. 1794  
Isaac Powell, J.P.



[John J. Smith, Sr. Estate, continued]

State of Tennessee, Hamilton District  
Superior Court of Equity, April Term 1797

To answer of William Smith Administrator of the estate of John Smith Jnr. deceased in behalf of himself and the rest of the heirs of the said John Smith Junr. deceased to the bill of Complaint of Samuel Smith Administrator on the estate of John Smith senr., deceased, or onto so much thereof as he is advised is material for him to make answer unto, he answereth and saith that he has been informed and verily believed that John Smith Junr. before his death settled with John Smith Senr. and paid him for all the demands he had against him except part of the price of one negro and particularly for all the articles complained for in his Bill of Complaint & except the seven negroes said to be given to the grandchildren of the said John Smith Senr. deceased, but your respondent does not know what sum remained unpaid for the one negro above mentioned and as to the seven negroes mentioned is advised that John Smith Junr. heirs and representatives is not liable or subject to pay & account for as such gift was not according to the line of descent or statute of Distribution and Respondent saith that there is no matter or thing in the Plaintiffs bill that is traversed or denied that is true— And your Respondent humbly prays that the following part thereof be taken as a cross bill and that the administrator or legal representatives of John Smith Senr. deceased may by decree of this honorable court be compelled into the hands of the administrator of John Smith Junr. deceased the value of six negroes which the aforesaid John Smith Senr. unjustly and---took from the estate of John Smith Junr. deceased brought a suit at law and judgement was given at law in favor of the heirs and representative of John Smith Senr. when in equity and good conscience it ought to have been rendered in favor of the heirs and representatives of John Smith Junr. the value of the six negroes which was so unjustly taken by the aforesaid John Smith Senr. which your respondent saith was reasonably worth two thousand dollars. Now may it please your honors to order and decree that the administrator of John Smith Junr. their ratiabale part of the estate of John Smith senr. and moreover to pay unto the estate of John Smith Junr. the value of the six negroes which John Smith senr. unjustly took from the estate and out of his possession and that the judgement of law respecting the said six negroes be set aside, reversed, and made void, and that then pray decree of your honors your respondent be discharged your honorable court together with his reasonable costs.

Wm. Smith

William Smith maketh oath that the matters and things as set forth in the above answer and cross bill that is set forth to



[John J. Smith, Sr. Estate, continued]

be of his own knowledge is true and those that is not set forth to be of his own knowledge he believes to be true.

Wm. Smith

Sworn to and subscribed this 22nd.  
day of April 1797 Before S. Mitchell C.&M.E.

State of Tennessee, Hamilton District  
Superior Court of Equity April Term 1797

The answer of Gideon Smith to the bill of Complaint of Samuel Smith, administrator on the estate of John Smith dcscd. or unto so much thereof as he is advised is material for him to make answer unto, he answereth and he saith that he is not able to say with any degree of certainty what property or whether any was ever given by John Smith Senr. to John Smith Junr. but knows that John Smith Junr. deceased furnished John Smith Senr. (decd.) with large quantities of grain at different times for his support and does not know or believe that John Smith Senr. ever paid his [son?] for anything for the same, and as to the seven negroes complained for in the plaintiffs bill, your respondent believes them to have been the property of John Smith Junr. as he knows he raised them and that they were in his possession at the time of his death, after which his grandfather, John Smith senr., took the negroes from the estate of John Smith junr. deceased and gave them in the following manner, to wit: One negro fellow named Bresco to William Smith, One negro fellow named Lemmon to Breatean[?] Smith, One negro fellow to your respondent named Orange, and your Orator believes one negro girl named Treasey to Ferribee Smith, two others the negroes named taken as aforesaid your respondent believes was sold by the Administrator of John Smith, deceased; as to the other matters and things charged in the Plaintiffs bill of complaint so far as is within the knowledge of your respondent is not true. Your respondent therefore prays that you will order & decree his ratifiable part of the estate of John Smith, Senr. deceased which he is entitled to under the Statute of distributions and that then he be dismissed with his reasonable costs.

Wm. Cooke, Atto.

Gideon Smith maketh oath that the matters and things set forth in this Answer to be in his own knowledge are true and those that are not said to be of his own knowledge he believes to be true.

Tes. G. Mitchell

Gideon Smith

[To be concluded in the next Newsletter]



COURT RECORDS OF THE JOHN SMITH, SR. ESTATE

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[This concludes the records taken from the Knox County, Tennessee Superior Court Record Book B. 1797-1804, Part 2, pp. 288-291 "Samuel Smith, Administrator, against Ann Bryan & Others the heirs and Legal Representatives of John Smith, Sr."]

Hamilton District in the Territory of the United States of America south of the River Ohio—

The answer of Farquard Campbell and Elizabeth his wife, surviving executors of the last will and testament of Alexander Smith deceased, to the bill of complaint of Samuel Smith, Administrator of the Goods and Chattles & Ca. which were of the estate of John Smith Senr. deceased— These defendants now and at all times here after saving and preserving to themselves all legal benefits & advantage that may be had and taken to the many errors, uncertainties, and insufficiencies of the complaints said bill of complaint for answer to the same bill or to so much thereof as they are advised it is material and necessary for them to answer to; they admit that John Smith Senr. in the bill named did depart this life on or about the time stated in Bill intestate; & that complainant obtained letters of administrations on his estate as in bill set forth, they also admith that the said John Smith senr. deceased at the time of his death left a daughter named Jane who had been married to Thomas Phelps & another daughter named Pheruba, the wife of John Hinton, also a son named Samuel Smith, the complainant, living; and that besides the said two daughters & son who survived him, he had a daughter Anne, who had married Needham Bryan; Elizabeth, who had married William Bryan; a son John and one named Alexander who died before him, all of who have left issue. These defendants also say the said testator did previous to his death make and publish in due form of law his Last will and testament in writing and therein constituted David Smith, Bryan Whitfield & Elizabeth his wife then executors. That said Elizabeth Smith (now Elizabeth Campbell) and David Smith proved the said will in due form of law in the county court of Cumberland County where the said Testator resided at the time of his death and took upon themselves the execution of the said will by qualifying themselves in due form of Law. The said Bryan Whitfield never qualified as Executor nor hath acted as such but hath declined to do so. These defendants further say that they intermarried with each other the 25th of March in the year 1782, whereby the said Farquard Campbell became as he is advised Executor in right of his said wife— As to the gifts made by the late John Smith Senr. for the advancement of his family, the said Farquard Campbell knows nothing but the said Elizabeth his wife saith that her former husband, Alexander Smith, had sundry slaves, horses,



cattle, beds and furniture when she married him and she heard from him and doth believe that he had a negro man about forty years of age, a woman about 13 years of age & a boy from the said John Smith Sr., his Father, the boy however appeared to have been purchased as there is among the papers of the said late Alexander a bill of sale stating the consideration paid for him to be one hundred pounds. She further states that the woman was given in the year 1758 and the man about 1756. She admits of the cattle, horses and household furniture set forth in the schedule in the bill of complaint—As to the negroes and other property charged in the bill to have been given to the children of the said late Alexander by the said late John his father, these defendants are advised that it does in no manner concern them, being in no part relative to the estate of their testator, but they humbly submit to the court whether the children of the said Alexander should not be made parties and answer for themselves at which these defendants are ready to aver, etc. without that, these Defendants pray to be dismissed herewith the costs &c.

Farquard Campbell

Elizabeth Campbell

Sworn to before us this 27th. day of August 1796

E. Draughon, J.P.

Saml. Williams, J.P.

State of North Carolina  
Wake County

The answer of John Hinton and Pheraby Hinton his wife to the bill of Complaint of Samuel Smith Administrator of the John Smith Sr., deceased, against the heirs of the said John Smith—These defendants reserving to themselves all advantages that have arisen or that may hereafter arise to the errors uncertainties be contained in the Plaintiffs bill of complaint. For answer hereto or as much thereof as they are advised is material to make answer unto, answereth and saith that these defendants were intermarried about June 1793. That they received of their deceased father John Smith Senr. a negro girl by the name of Hager about 15 years of age, that about the year 1767 they also received a negro boy by the name of Jod about 7 years [old], One small horse (of the inferior kind) 2 cows and yearlings, one feather bed and furniture, two small iron pots, one gallon pewter bason & middle pewter dish. 8 silver tea spoons & silver tea tongs & one small pine chest



with articles contain the whole schedule delivered to these defendants in the life time of the deceased [who] gave to their son John a negro girl by the name of Tamer, a girl about 4 or 5 years, which negro these defendants never considered as their own property, but as a gift of the grandfather to his grandson, and how far this honorable court will consider the gift of the grandfather to their son John an advancement to them they carefully submit— The negroes received by these defendants were as likely to their age as was common, but what their real value at the time they do not recollect. The small horse they value at Ten dollars, the cows and yearlings of common value, the bed and furniture tolerable good, the other articles the price is well known. These defendants further say and wish that the prayer of the plaintiffs bill may be granted not doubting but this honorable court will do equal justice to them and the several parties concerned and that these defendants will receive by the decree of your Honors all such part as in equity they are entitled to and hereby humbly submit.

Sept. 30th, 1794 by virtue of Dedimus to us directed from the Territory of the United States South of the River Ohio, Hamilton District— This day appeared before us John Hinton and Peraby Hinton his wife, who being sworn saith that the several facts contained in their answer within their knowledge are true, and that those not within their knowledge they believe to be true.

John Hinton  
Pheraby Hinton

Thomas Robertson, J.P. (SEAL)

Wm. Hinton, J.P. (SEAL)  
State of North Carolina  
Rowan County

State of North Carolina  
Rowan County

To the honorable the judges of the Superior Court of Law and Equity for the District of Hamilton in the Territory of the United States South of the River Ohio— In pursuance of and Answer to a bill issue out of the said court at the instance of Sameul Smith Senr. deceased, I have cause Jane Phelps to come before me and being sworn by the Holy Evangelists of Almighty God sayeth that some time in Sept. 1760, she received of John Smith Senr. a negro girl 10 years old, likewise one tract of land at 400 pounds, 2 pots, 1 bason, 1 dish and six



plates and some spoons, 1 feather bed and furniture and feathers for a bed. She sayeth on her oath she knoweth not of any other articles she had received at any other time. Given under my hand this 4th day of October 1796.

Jane Phelps

John Easkes, Regr.

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State of North Carolina

Sampson County

I, Kedar Bryan, son and legal representative of Ann Bryan, deceased, mentioned in the petition of Samuel Smith, administrator of the estate of John Smith, Senr., deceased, of the State of Tennessee and County of Jefferson, in answer to the said Bill and Petition, do declare that I do not know that the said John Smith, deceased, did ever give my mother, Ann Bryan deceased, any property at all of any kind. But have often heard my father, Needham Bryan, in his lifetime say that the said John Smith, deceased, never gave my mother but twenty-five pounds currency as mentioned in said schedule. And I also declare that the said John Smith, deceased, did give me jointly with my wife, she also being deceased, one likely negro girl being about 10 years of age, and I have understood that he also gave my sister a negro girl about 10 or 11 years of age, but I don't know it of my own knowledge, my sister living at a considerable distance from me. The property given me and my wife jointly was given in the year 1776. That the gift to my sister was previous to the removal of the said John Smith to Tennessee. Witness my hand this 15th day of February 1802.

State of North Carolina

Sampson County

This day came before me Kedar Bryan who made oath that this is true to the best of his knowledge and belief. Feb. 15, 1802

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And at September term 1803, it was ordered by the Court that the cause be continued and set for hearing at the next term.

And now to wit, at March term 1804 on Friday, being the eleventh day of March, the said cause came on to be finally heard and it appears to the Court the death of Samuel Smith the complainant was suggested at October Term 1795 in abatement of this suit, and that the said suit has not been revived by the representatives of the said Samuel Smith nor by the Representatives of John Smith Senr. deceased. It is therefore the opinion of the court that the said suit remain abated.



## SMITH

John Smith, born in England; died in Smithfield, N. C.  
married in 1708, Elizabeth Whitfield. (1690-1777) NSCDA, pg. 243.

Children: 1. Samuel Smith, Sr., m. Edith Whitfield.  
2. John Smith.  
3. Elizabeth Smith, m. William Bryan.  
4. Nancy Smith, m. Needham Bryan.  
5. Pharabee Smith, m. Major John Hinton.  
6. Alexander Smith, m. Elizabeth Whitfield, about 1762.  
7. Mary Smith, m. Col. Ben Williams whose nephew and  
namesake became governor of N. C.

John Smith was a member of the Committee of Safety, and of the Provincial Congress in 1775; was appointed major by the Provincial Congress on Sept. 9, 1775, and lieutenant colonel on April 2, 1776. Johnston County Court met in his house on March 12, 1770, and the Provincial Congress also met in his house. He was appointed to procure arms for troops on April 19, 1776.

John Smith, born in England, 1690, came first to Isles of Wight County, Va. Moved to N. C. about 1740 settling in Johnston Co.

John Smith: No break in his public service from 1746 to 1779. Died in Smithfield 1780. Was appointed Justice of the Peace in Johnston County in 1746. (Vol. 4 page 8.4-1038 N. C. Colonial Records)

\*Note: Gov. Ben Williams was the heir of Col. Ben Williams because he survived all of his relatives.

Samuel Smith was born 27 May 1709 in Isles of Wight Co., Va. In 1736, he married Edith Whitfield daughter of Bryan Whitfield. He died 14 September, 1783 in Johnston Co., N. C.

Children: 1. John Smith, m. Mary Exum.  
2. Jane Smith, m. Joel Williams.  
3. Samuel Smith, Jr., m. (1) Sally McCullers (2) Zilphia Blackman.  
4. Edith Smith, m. \_\_\_\_\_ Folsom.  
5. David Smith, m. Charity Whitfield.  
6. Nancy Smith, m. Simon Turner.  
7. Mary Smith, m. \_\_\_\_\_ Dempster.  
8. Elizabeth Smith, m. Capt. William Walton.  
9. Jonathan Smith, m. (2) Winifred (Polly) McCullers.  
10. Alexander Smith, m. Pherebee Pool.

Samuel Smith was a member of the Provincial Congress at Hillsborough in August, 1775; member of the committee to elect representatives to the Continental Congress, August 12, 1774; member of the North Carolina Committee on Correspondence in 1774; and senator from Johnston County in the Assembly of 1779. (Children named in will dated 17 February 1779, probated Nov. Ct. 1783.)



Jonathan Smith was born 27 March 1760. He first married Esther Bryan. In 1803, he married Winifred McCullers daughter of John McCullers and Mary Jones McCullers.

Children: 1. Elizabeth Smith.  
 2. Esther Smith; d. unmarried.  
 3. Edith Smith, m. William Turner.  
 Second marriage.  
 4. Simon Smith, m. Martha McCullers.  
 5. Jonathan Smith.

Simon Smith was born 20 March 1804. On 22 August 1829, he married Martha McCullers. They lived in Panther Branch community of Wake County, N. C. in 1850.

Children: 1. Sidney A. Smith, m. Mary Elizabeth Williams.  
 2. Sarah C. Smith.  
 3. Elizabeth J. Smith.  
 4. Adolphus E. Smith.

Sidney A. Smith was born around 1830 in Wake Co., N. C. On 17 July 1855, he married Mary Elizabeth Williams daughter of Major Nathan Williams and wife Martha Averett. (Believed to have d. 1886 or 1868.)

Children: 1. Nathan Williams Smith, b. 1856.  
 2. Simon Herbert Smith, b. 1861.  
 3. Mary Rebecca Smith, b. 4Jun1864; d. 1Nov1916.  
     m. 25Nov1881 Willis A. Sanders.  
 4. Sidney A. Smith, m. Hattie <sup>? Mattie</sup>  
     m. Mary Elizabeth Williams dau. of Nathan Williams  
     and w. Martha Averett

Mary Rebecca Smith and children on page 4 of the Williams family group.

Mary Esther Sanders daughter of Mary R. Smith and Willis A. Sanders was born 3 June 1901 in Johnston Co., N. C. On 5 December 1920, she married Morphus Hinton at the Edenton Street Church in Raleigh (Methodist). He was the son of Charles W. Hinton and his wife Nancy M. Strickland of Johnston Co.

Children: 1. Barbara Nell Hinton, b. 1921, m. Jasper L. Finch (1918 - 1987)  
 2. William S. Hinton, b. 1924, m. Marjie A. Little.  
     d. April 18, 1999      d. April 9, 1993



STATE OF NORTH-CAROLINA, )

*Wake* County. )

KNOW ALL MEN BY THESE PRESENTS, THAT WE,

*Simon Smith & John M. Cullen*  
are held and firmly bound unto *Sam. Cullen* Esquire, Governor, &c.

or his Successors in office, in the full sum of Five Hundred Pounds, current money, to be paid to the said Governor, his Successors or Assigns, for the which Payment well and truly to be made and done, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents. Sealed with our Seals, at dated this *22<sup>d</sup>* day of *August* Anno Domini *1827*

THE Condition of the above Obligation is such, that whereas the above bounden *Simon Smith* hath made application for a Licence for Marriage to be celebrated between him and *Mary Ann M. Cullen* of the County aforesaid : Now in case it shall not appear hereafter, that there is any lawful cause or impediment to obstruct the said Marriage, then the above obligation to be void ; otherwise to remain in full force and virtue.

Signed, Sealed and Delivered }  
in the presence of }

*J. G. King*

*For Simon Smith Seal*  
*John M. Cullen*  
*John M. Cullen Seal*



In the name of God, Amen: I Sidney A. Smith being of sound mind and disposing memory and feeling the uncertainty of human life, do make this my last will and testament in form following, to-wit:

I do hereby proposing full confidence in Maj Nathan Williams of Johnston County and State of North Carolina, my will and desire is that he should be the guardian of my two children Nathan Williams Smith and Simon Herbert Smith the former of whom is now in his sixth year and the latter in his first year, to have and to hold the custody and guardianship both of their respective persons and estates until they shall lawfully arrive at the full age of twenty one years. And lastly I do hereby constitute and appoint my trusty friend Maj Nathan Williams my lawful executor to all intents and purposes to execute this my last will and testament.

In witness whereof I, the said S. A. Smith do hereunto set my hand and seal this 22<sup>nd</sup> June 1862.

Signed, sealed & delivered by the said S. A. Smith to be his last will & testament in presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

Sidney A. Smith  
L. R. Macdell  
Geo. F. Sanders

North Carolina  
Johnston County } Court of Pleas & Quarter Sessions, Aug. Term 1867.  
Before R. R. Himmant, R. A. Hutton, and Robert Mullins, Esquires, Justices of said Court, the foregoing paper writing purporting to be the last will and testament of Sidney A. Smith, deceased, is exhibited for probate in open Court, and the due execution thereof by the said Sidney A. Smith, is proved by the oath and examination of L. R. Macdell, one of the subscribing witnesses thereto. It is therefore considered by the Court, that the said paper writing and every part thereof is the last will and testament of the said Sidney A. Smith, and the same is ordered to be recorded and filed. And thereupon, on motion, Mrs. Mary E. Smith, is appointed administratrix with the will annexed, of the said Sidney A. Smith, and enters into bond in a penalty of \$800 with H. R. Smith and J. T. Macey as sureties, which is approved by the aforesaid Justices.

W. T. Macey



*Sidney A. Smith - will 22 Jan. 1862 probated Aug. Term 1867*

ELECTION HELD AT WINDER HOSPITAL, RICHMOND, VA.

At an Election opened and held at Winder Hospital, Richmond, Va.  
July 28th, 1864, under the superintendence of Surgeon F. Floulkes C. S.  
Army, and under orders from Surgeon A. G. Lane Commandant of the Post,  
the following named soldiers, residents of Johnson County, cast their  
votes as follows:

<u>NAME</u>		<u>FOR GOVERNOR</u>
P. Dinkins	)	
D. M. Peeding	)	
W. M. Jones	)	
G. B. Parker	)	
F. Wilcox	)	
J. R. Carrell	)	Total Votes:
B. R. Marringale	) 13	Vance - 755
A. D. Herritage	)	Holden - 19
J. Spivey	)	774
A. McCloud	)	
S. Faircloth	)	
<u>S. A. Smith</u>	) 47 <sup>th</sup> Reg. - Co. D	
S. Ellis	)	

The undersigned, freeholders, being appointed by Surgeon A. G. Lane,  
C. S. Army, and duly qualified according to law, to open and hold an election  
in Winder Hospital hereby certify that the above is a correct list of the  
voters and statement of the votes polled in this box by soldiers who reside  
in said County.

Frank V. Foulkes

W. G. Stanford

J. M. Durham

proved: A. G. Lane, Surgeon in Charge  
Winder Hospital

Source: North Carolina State Archives  
G. A. Service Records  
Box 2 (Nov.-Dec. 1864)

*Johnson County*  
NEWS LETTER  
Volume 18 - No. 3  
September 1992

See - Vol. 14 - No. 4 Page 61  
December 1988

*The Roster of Conf. Soldiers  
of Jo. Co., N.C. with Notes by  
William N. Rose, Jr.*



MAJOR SAMUEL SMITH

by- Hugh Johnston

In 1756 Major Samuel Smith was granted 671 acres in Johnston County adjoining himself. On May 29, 1759, Absalom (A) Tyler of Cumberland Co., Planter, sold Major Samuel Smith of Johnston County for E54 Proclamation Money 330 acres on both sides of Middle Creek adjoining Major Samuel Smith, James Sanders, Williams, and a branch (granted to Tyler on October 13, 1756); witnessed by Joel Williams, John Harrell, and John (B) Brewer. On May 21, 1770, Samuel Smith, Sr., Merchant, sold Samuel Smith, Jr., Planter, for E54 Proclamation Money 330 acres bought from Absalom Tyler as described above; witnessed by David Smith and Jonathan Smith.

On August \_\_, 1770, Samuel Smith, Sr., sold Samuel Smith, Jr., for E50 Proclamation Money 233 acres on both sides of Middle Creek (from said Smith's patents dated April 20, 1745, and May 11, 1746); witnessed by Jonathan Smith and Edward Jones.

On June 26, 1777, Samuel Smith, Sr., sold Samuel Smith, Jr., for N. C. formerly surveyed for the former E1000 current/money 765 aced in five tracts/on both sides of Neuse River on Fawn

/Branch: (1) 200 acres surveyed on August 5, 1742; (2) 140 acres surveyed on October 12, 1751; (3) 200 acres surveyed on March 17, 1750; (4) 100 acres surveyed on June 4, 1744; and (5) 125 acres surveyed on November 28, 1755; witnessed by Jonathan Smith, Alexander Smith, and David Bell.

On August 24, 1779, Samuel Smith, Sr., deeded to his son, Samuel Smith, Jr., for love: (1) 350 acres north of Great Buffalow ("Honeycut's place" granted to said Samuel on November 10, 1756); and (2) 180 acres south of Burnt Stocking Branch on Mocoso Swamp ("Tarlton's Place" granted to said Smith on May 8, 1775); witnessed by Alexander Smith and John Turner.

The preceeding records indicate that Samuel Smith, Sr., was a Major of the Johnston County Militia as early as 1756. About April 22, 1776, Samuel Smith was First Major of the Johnston County Regiment, but this must have referred to Samuel Smith, Jr. The younger Samuel Smith was State Senator from Johnston County in 1794/1800 and again in 1806.

Although no will for the first Samuel Smith appears in the index to volume 1 of the Johnston County Wills, the late Colonel Fred A. Olds listed in An Abstract of North Carolina Wills the probate of such a will in 1783 with the following legatees, apparently all the children of the aforesaid Samuel Smith, Sr.:

1. John Smith
2. David Smith
3. Jonathan Smith
4. Alexander Smith
5. Jane Smith
6. Edith Smith
7. Samuel Smith, Jr.
8. Eleanor (Elizabeth?)

Not Listed:

Nancy  
Mary

\*\*\*\*\*

The will was made 17 Feb. 1779

Prob. Nov. Ct. 1785

Exec: Samuel Samuel Smith, David Smith

Wit: Col. John Sanders, Sam<sup>l</sup>. Williams, William Taylor, John Carroll.  
Samuel Smith (signed)

Jonathan Smith received all negroes in his charge; 1/9 part of estate.

Son Simon resided in Panther Branch, Wake County, N. C.

His son, Sidney A. Smith, practiced law near Garner, N. C.  
Served in the Confederate Army; died June 8, 1867.

B.N.F.



Williams - Smith - Sanders

MARY ELIZABETH WILLIAMS

Mary Elizabeth Williams was born April 24, 1833. She married (1) July 17, 1855, SIDNEY A. SMITH and (2) Robert B. Smith, Nov. 20, 1872 - John B. Williams, M. G. (Will dated June 6, 1884 - Johnston Co.)

Children: Those by the first husband under their father.

4. Martha W. Smith (Mattie); b. Sept. 10, 1874, d. May 14, 1953. Married Claude Hill son of Zachariah Hill and Virginia Whitley.

SIDNEY A. SMITH

Sidney A. Smith was born 1830 ca. died June 8, 1867 (R. R.) He was the son of Simon Smith and Martha McCullers. Grandson of Jonathan Smith and Winifred McCullers. On July 17, 1855, he married Mary Elizabeth Williams at her father's residence with Paul I. Carraway as minister.

- Children:
1. Nathan W. Smith; b. b. June 1856 m. Susie Baker
  2. Mary R. Smith, b. June 4, 1864; m WILLIS A. SANDERS.
  3. Sidney A. Smith; m. Hattie \_\_\_\_\_. Two sons, Richard and Willis.

MARY REBECCA SMITH

Mary Rebecca Smith was born June 4, 1864 in Johnston Co., N. C. She died Nov. 1, 1916. On Nov. 25, 1881 at the home of her mother Mary E. Smith, she married Willis A. Sanders son of John Fletcher Sanders and Martha Edmundson.

- Children:
1. Alma Gray Sanders; b. Oct. 27, 1883, d. Mar. 19, 1957.
  2. Martha Elizabeth Sanders; b. Nov. 2, 1885, d. July 4, 1955.
  3. Edgar Baird Sanders; b. Dec. 24, 1887, d. Sept. 6, 1955.
  4. Julia Wms. Sanders; b. June 26, 1893, d. April 18, 1966.
  5. Lucy Lee Sanders; b. June 7, 1895, d. Nov. , 1934.
  6. Willis Vance Sanders; b. Dec. 11, 1899, d. Nov. 8, 1947.
  7. Rufus Herbert Sanders; b. April 10, 1900, d. Aug. 20, 1900.
  8. Mary Esther Sanders; b. June 3, 1901, d. July 22, 1972.
  9. Eunice Smith Sanders; b. June 27, 1903, d.

WILLIS A. SANDERS

Willis A. Sanders was born May 27, 1855 in Johnston County, N. C. He and his wife are buried at Mount Zion Methodist Church near where he and his wife lived until her death. The church is located on highway 50 near Garner. Willis died in Raleigh, N. C. on July 25, 1934.



THE OLD SMITH-WILLIAMS PLACE  
built ca. 1830



Major Nathan Williams (1806-1867) who married Martha Averett on 24 November 1829 was among the leading citizens of the county who on 22 December 1860 signed the so-called Johnston Resolves, registering their initial opposition to secession. He lived to see the Civil War brought dangerously close to his plantation. Although the house was not destroyed, the cotton gin and other out-buildings were burned. The architect who built the house around 1830 moved to Georgia. In 1937, his son was living and able to give details on the construction of the house and similar ones built in N. C.

When I was a young girl my mother, Mary Esther Sanders, took me to see the home and I took the above picture then. We went to the battlefield behind the house and saw trenches and battle-scarred trees. The trenches had been dug for protection by the soldiers.

Mother's sister who was 16 years older than mother was with us. She told me and mother about a secret hiding place in the attic near the chimney. Aunt Lizzie (or "Sis" as we called her) showed me where the spring house had been to keep the butter and milk cool in the summer.

Bentonville Battleground is located 3 miles off U. S. 701 between Smithfield and Newton Grove. In March of 1965, Bentonville Battleground was officially dedicated as a state historical site, commemorating the battle fought between Sherman's troops and our boys in gray. There is a museum with programs and guided tours available to the public. In the immediate vicinity is the Old Harper House which was used as a hospital for the Union and Confederate soldiers in 1865. On a secondary road behind the site is our great-grandmother's home. Mary Elizabeth Williams (1833-1884) married (1) Sidney A. Smith, my great-grandfather and (2) Robert B. Smith. Mary Rebecca Smith married Willis A. Sanders, parent's of my mother, Esther S. Hinton.

— Barbara H. Finch



# SMITH .

## First Family of Smithfield - By Elizabeth Ross

This the year of 1977, marks the 200 birthday of Smithfield, N.C., as an incorporate town. A study of the first family of this town is appropriate at this time. JOHN SMITH, JR. deeded 118 ac. of land on the North side of the Neuse River, on which the town of Smithfield was established by an act of the Legislature in April 1777. In 1770/71, the Court House of Johnston County was changed from the Hinton Quarter Site, to "Captain John Smith's, on the North side of the Neuse River".<sup>1</sup> This site was on the land which was an early purchase by JOHN SMITH, SR., after coming to settle in this fertile valley of the Neuse River, of then Craven County, Johnston being formed in 1746. from Craven.

The first records of the Smithfield Smiths appear about 1740/43, and by the time of the formation of Johnston County, they were having many land transactions on the deed books. Early records of these deeds were destroyed in the Lenoir County Court House Fires, but, an index to these early deeds was found, but nothing more more than an index.<sup>3</sup> Brothers JOHN & SAMUEL SMITH settled here with large families and continue to populate the county. John Smith Sr., sold most of his land holdings to son John Jr., and by 1785, both father and son had moved to Hawkins Co. Tennessee. Court Records are in Tennessee concerning the settlement of the Estates of both John Smith, Sr., & John Smith, Jr. John Jr, dying before his father, in Hawkins County ca 1789 and John Smith, Sr. died in the County of Knox, cut from Hawkins 1792, before June ct. of 1793, without making a will. His sole surviving son SAMUEL, residing in Johnston County, N.C. was made Administrator of his father's estate. A list of the children of John Sr., sons & daughters, and some of the grandchildren are given in depositions sent to the Tennessee Court for settlement of the Estate, Knox County Superior Court Record B. 1779-1804, pg. 282-291.

SAMUEL SMITH, SR., settled just down the Neuse River from brother John and both seemed to name their children with the same names, to make the job of identification even harder. Samuel Sr. remained in Johnston County and was very active in the affairs of county and state as brother John had been before, moving to Tennessee. Much research has been done on these two brothers, but much confusion still exists as to whose son belonged to who. Further research will finally clear the picture for those who search long and hard enough. Early records of the Smiths seem to point to them coming from the area of the Virginia, N.C. line in Tidewater Virginia and the Isle of Wight areas.

A Cemetery is still in existance in central Johnston County, that was probably located on the plantation of Samuel Smith, Jr. Two stones are still legible, being those of his first wife Salley McCullers, and daughter Zilphia. At the present time, efforts are being made to clear and mark the cemetery.

For identification purposes, in the following outline, J will be used to denote the family of JOHN SMITH SR. and S for the family of SAMUEL SMITH SR.

- J JOHN Smith, Sr. b. ca 1700 Virginia. (some researchers give this date as early as 1687 and as late as 1707.
- d. ca June 1793 Knox Co. Tenn. (Knox being formed from Hawkins 1792)
- m. Elizabeth ? ca 1720 (probably the daughter of Matthew Whitfield. Marriago date estimate as to births of children. No information on birth or death of wife Elizabeth)

- \* J -1 SAMEUL b. about 1720/24 d. 1793 Johnston County N.C.
- \* J -2 JOHN, Jr. b. ca 1724 Va. d. 1789 Hawkins Co. Tenn.
- J -3 ELIZABETH B. ca 1724 d. 1792 Johnston Co. N.C.
- J -4 NANCY (ANN) b. 1727/28 Va. d. ca 1760 Johnston Co. N.C.
- J -5 JANE (~~JEAN~~) b. ? d. after 1793 in Lincoln Co. Tenn.

m. Thomas Phelps.

continued next page



SMITH - First Family of Smithfield continued

J -6 ALEXANDER b. ca 1735/42 d. ca 1777 Cumberland Co., N.C.

J -7 PHERABEE d. 16 Oct. 1748 d. 19 Dec. 1810 Wake Co. N.C.

- \* J -1 SAMUEL b. ca 1720/24 Virginia d. 1793 Johnston County N.C. was Adm. of father John's Estate, 1794 Knox Co. Tenn. Will of Samuel Smith Probate 1795 Johnston Co. N.C. pg.83 WB I. M. Susanna ? b. ? living at death of Samuel 1795.

J -1-1 John b. before 1774 (Exec. of Will of father Samuel, May Ct. 1795)

J -1-2 Bryan b. ca 1774/74 (a minor at the death of his father, 1795)

J -1-3 Elizabeth b.

J -1-4 Esther b.

J -1-5 Jane b.

(These children listed according to Will of Samuel Smith. Also mentions Grand-daughter Jane Bridgers.

\* This Samuel Smith has been bypassed by many of the Smith Genealogists. His property in Johnston County included lands on Black Creek, Bulls Branch, Mirey Branch, near Whitfield's Mill, and property in Robeson County on Drowning Creek (sic), 23 Slaves and some of their children, were mentioned in his will.

J -2 JOHN, Jr. b. ca 1724 Virginia d. 1789 Hawkins Co. Tenn. Moved to Tennessee ca 178/85 with father John, Sr.

m. (1) Mary ? b. Virginia d. (probably N.C.)

m. (2) Sarah Bailey ? m. (2) Capt. Thomas Lee - Tenn.

J -2-1 William b. d. after 1797. Adm. of father John, Jr. Est.

J -2-2 Gideon b. d. Mississippi after 1810. m. Sarah ?

1. Frances (sold lands in N.C. ca 1794, to Tenn. & Ky. Miss.)

2. Sarah

J -2-3 Jane b. d. m. \_\_\_\_\_? William Bridgers.

1. Jane

J -2-4 Abigail m. \_\_\_\_\_ Rice.

J -2-5 Britttian d. 1793 Johnston Co. N.C. Will probate Nov. 1793, names bros. Gideon & William, sisters Edith Allen & Abigail Rice. No wife or children mentioned.

J -2-6 Edith b. ? d. after 1797 m. (1) John Allen (2) Willis Watson.<sup>2</sup>

1. William Allen

4. Elizabeth Allen

2. Gideon Allen

5. Polly Allen

3. John Allen

(Elizabeth, Polly & John minors at death of John Allen.<sup>2</sup>

Will probate May Court 1796 Johnston County, N.C.).

J -3 ELIZABETH b. ca 1724 Virginia d. ca 1792 Springfield Plantation, Johnston Co. N.C. m. William Bryan b. 31 Oct. 1724 d. 28 Nov. 1781 Will filed for probate 1781/82 Johnston Co. N.C.

J -3-1 Lewis b. 24 Nov. 1745 Johnston Co. d. after 1779 m. Sarah Hinton.

J -3-2 William b. 8 July 1747 d. 14 Sept. 1800 Bertie Co. Snowfield.

J -3-3 Arthur b. 12 May 1749 d. 1792 Johnston Co. M. Mary McCullers.

J -3-4 Elizabeth b. 2 May 1751 d. 1845 Twiggs Co., Ga.

M. (1) Col Josiah Sasser (2) Col. Wm. Blackman. (3) Robt. Collier

J -3-5 Hardy b. 4 June 1743 d. ca 1820 John. Co. N.C. m. Winifred McCuller

J -3-6 Blake b. June 1757 d. ca March 1820 Twiggs Co. Ga.

m. Elizabeth Blackshear.

J -3-7 Esther b. 22 June 1760 d. ca 1800 N.C. m. Jonathan Smith, son of Samuel Smith, Sr.

J -3-8 Susanna b. 28 Nov. 1763 d. Talbottom Ga. m. John Bush.

J -3-9 John b. 14 Jan. 1765 John. Co. d. ca 1815/20 m. Patsy Hinton.

J -3-10 Mary or Polly b. 26 Mar. 1767 d. ?



SMITH - First Family of Smithfield continued

J -6 ALEXANDER b. ca 1735/42 d. ca 1777 Cumberland Co., N.C.

J -7 PHERABEE d. 16 Oct. 1748 d. 19 Dec. 1810 Wake Co. N.C.

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1. Frances (sold lands in N.C. ca 1794, to Tenn. & Ky. Miss.)

2. Sarah

J -2-3 Jane b. d. m. \_\_\_\_\_? William Bridgers.

1. Jane

J -2-4 Abigail m. \_\_\_\_\_ Rice.

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1. William Allen

4. Elizabeth Allen

2. Gideon Allen

5. Polly Allen

3. John Allen

(Elizabeth, Polly & John minors at death of John Allen.<sup>2</sup>

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J -3-8 Susanna b. 28 Nov. 1763 d. Talbottom Ga. m. John Bush.

J -3-9 John b. 14 Jan. 1765 John. Co. d. ca 1815/20 m. Patsy Hinton.

J -3-10 Mary or Polly b. 26 Mar. 1767 d. ?



SMITH - First Family of Smithfield contined

- J - 4 NANCY (ANN) b. ca 1727-28 Virginia d. ca 1760 Johnston Co.  
m. Needham Bryan 5 Feb. 1748, b. 31 Oct. 1726 d. ca 1784.  
Lived near brother William Bryan, Johnston Co. m.  
(2) Charlotte Moore ca 1760/65.
- J -4-1 Needham b. 1748/50 d. ca 1787 Johnston Co. m. Sarah Hinton.
- J -4-2 Kedar b. 1752 c. ca 1808 Sampson Co. N.C. m. ca 1775  
(1) Elizabeth Smith (2) Mary Whitfield (3) Betsy James  
(4) Anne Dickson, 1 Nov. 1787, Sampson Co. N.C.  
1. John 5. Robert  
2. Rachel 6. Nancy  
3. Needham 7. Catherine  
4. Kedar 8. Elizabeth
- J -4-3 Winifred b. 5 May 1754/55 d. 5 Apr. 1783/85 m. Nathan Bryan  
(son of Hardy Bryan, Craven Co.)
- J -4-4 Nancy b. ca 1756 d. before 1798 m. Bryan Whitfield 1780.  
lived Rockford, Lenoir Co. N.C.
- J - 5 JANE (JEAN) b. 1727/35 d. after 1794 Lincoln Co. Tenn. m. Thomas  
Phelps b. ? d. before June 1793 Rowan Co. N.C. (Jane moved  
to Tenn. after death of Thomas with son Brittian Phelps.)
- J -5-1 Abner, Jr.  
J -5-2 Ferby m. Ned Williams  
J -5-3 John  
J -5-4 Jean m. Frank Williams  
J -5-5 Eddie m. Owen Norman  
J -5-6 Thomas  
J -5-7 Keeling  
J -5-8 Ezekiel, Sr.  
J -5-9 Samuel  
J -5-10 Brittian b. Rowan Co. N.C. d. Lincoln Co. Tenn.  
m. Susanna Waggoner (b 23 Nov. 1780 Rowan Co. dau. of Jacob  
& Catherina Younts Waggoner. Birth recorded in Record Book  
of Pilgrim Church, Rowan Co. Entry 4/20, Original in German in  
N.C. Archives, Raleigh, N.C.) Susanna Waggoner Phelps d. just  
before Civil War.
- J - 6 ALEXANDER b. 1735/42 d. ca 1777 Cumberland Co. N.C. m. Elizabeth Whitfield  
ca 1762. Estab. Ferry on Cape Fear River ca 1778/80, now Harnett  
County, N.C. Buried on Plant. Elizabeth Whitfield Smith m (2)  
Sir Farquard Campbell.
- J -6-1 Rachel b. 2 Sept. 1763 Cumberland Co. d. ca. 1824 m. Isaac Williams, 27 Mar.  
1780 Johnston Co. b. 1756 d. 1814/15.
- J -6-2 Elizabeth b. 1765 d. before 1783 m. Kedar Bryan
- J -6-3 Mary b. 20 Nov. 1767 d. 22 Apr. 1843 Cumberland Co.  
m. (1) John Turner (2) George Elliot.  
1. Ann b. 30 Apr. 1788 d. 13 Oct. 1852 m. William Whitfield.  
2. Eliza m. Bryan Whitfield, son of Bryan  
3. Henry Elliot b. 30 Mar. 1791 d. 26 Oct. 1855 m. Isabelle Smith,  
dau. of John.  
4. Rachel Elliot b. 1793 d. 1793  
5. Jane Elliot b. ca 1792/3 d. after 1861 m. William Roylan lived Raleigh,  
Wake Co. N.C. Wm. Boylan d. ca 1860.  
6. Alexander Elliot b. 1/4 June 1797 d. 29 June 1870. m. Jane Smith  
Evans 1847. (dau. of Eliz)  
7. Mary Elliot b. 1799 d. 1808  
8. Katherine Elliot b. 3 June 1801 d. 31 Oct. 1862.  
m. Jessie Shepherd (2) 4 Jan 1828 Joel Williams.  
9. George Elliot b. 1803 d. dl 1826

continued on next page



SMITH - First Family of Smithfield continued

10. Joan Campbell Elliot b. 1 Mar 1805 d. 19 Dec. 1875 m. Mary Smith  
(Dau. of John)

There is large cemetery near Smith's Ferry site in Harnett Co. in which most of the early Harnett & Cumberland County Smiths are buried.

- J 6-4 John b. 30 Dec. 1772 d. 16 June 1851 Harnett Co. N.C. m. Isabella Campbell, daughter of his Step-Father, Sir Farquard Campbell. Often called "Long John" of "Ferry John". Operated ferry started by his father Alexander.

1. Elizabeth b. 20 Feb. 1796 d. 30 June 1876 m. Jonathan Evans.
2. Alexander b. 1797 d. 1815.
3. Isabella b. 1800 d. 1876 m. Henry Elliot.
4. Farquard Campbell b. 13 Dec. 1801 d. 29 Jan 1871, Lived at Lebanon, present home of Eugene Whitmel Smith.  
m. Sarah Slocumb 16 Dec. 1824.
5. Mary b. 4 Oct. 1803 d. 5 Dec. 1861 m. John C. Elliot.
6. John Campbell b. 15 Sept. 1805 d. 5 Dec. 1875 at Smith's Ferry.  
m. Elizabeth Campbell (2) Eliza Smith Blake.
7. Jane b. 12 Dec. 1807 d. 10 Oct. 1833 m. Lalistead Mallett.
8. William Turner b. 18 May 1810 d. 9 May 1855 m. Mary Campbell.
9. Robert b. 1812 d. 1813
10. James Campbell b. 25 Sept. 1814 d. 15 Apr. 1843 m. 1840 Philadelphia H. Matthews. Att. UNC - M.D. Fayetteville.

- J-7 PHERABEE b. 16 Oct 1748 d. 19 Dec. 1810 m. 27 June 1765 Major John Hinton b. 14 Mar. 1748 d. March 1818, son of Col. John Hinton Grizelle Kimbrough, m. 1740.

- J -7-1 Mary b. 1766 d. ? m. 1786 Henry Lane, son of Joel & Martha.  
  1. Margaret b. 21 Feb. 1787 d. 1821 m. Moses Mordecai.
  2. Harriet b. 4 Aug. 1788 d. 1848.
  3. Temperance b. 4 Mar. 1792 d. July 1874. unmarried.
  4. Ann Willis b. 4. Dec. 1794/95 d. ? m. 1823 Moses Mordecai.  
husband of deceased sister Margaret.

- J -7-2 William b. 1767 d. m. Candace Rosses, 1791.  
  1. Polly Willis b. 18 Oct. 1792 d. 27 Dec. 1810 m. Dr. Ransom Hinton 27 Dec. 1810.
  2. Dr. Wm. R. b. 15 Sept. 1796 m. Tempe Perry 25 Feb. 1816.
  3. Joshua b. 17 Sept. 1800.
  4. Pherabee b. 14 Sept. 1804 m. J.W. Jefferies.
  5. Sam b. 27 Apr. 1806 m. Candace Hackney.
  6. Addison b. 14 Nov. 1808 m. Annie G. Foster 4 Oct 1836.
  7. Sydney b. 18 Feb. 1812 d. 29 Jan 1833, Greensboro, Alabama.

- J -7-3 John b. 1770 d. 13 Dec. 1844 m. Sarah Bryan 1797 dau. of Needham & Sarah Hinton Bryan of Johnston Co. Both are buried in Raleigh, N.C.  
  1. Martha b. 1798 m. John W. Graves. to Georgia.
  2. Grizelle b. 13 Apr. 1800 d. 18 Dec. 1870 Raleigh, N.C.
  3. John
  4. Sally b. 1804 to Georgia after 1870.
  5. Ben b. 1805 d. 1824.
  6. Dr. Robert b. 1808 d. Chapel Hill, NC. 1830/33 unmar.
  7. Oscar b. 1812 d. 1827.
  8. Claudia b. 5 July 1814 d. 1826.
  9. Willis
  10. William

- J 7-4 Betsy b. 1769.

- J 7-5 Willis b. 1774

- J -7-6 Grizelle

- J 7-7 Robert d. Chapel Hill, N C. unmarried. Studied medicine.

(continued next page)



- S SAMUEL SMITH, SR. b. 27 May 1709. Virginia d. 14 Sept. 1783 N.C.  
 m. ca. 1737 Edith Whitfield b. Mar. 1717 Virginia d. 3 Sept. 1783,  
 Johnston County, N.C.  
Samuel Smith Will 17 Feb. 1779 Probate Nov. Ct. 1783 Johnston Co.  
 Plantation thought to be on south side of Neuse River, just to south  
 of where brother John lived.
- S - 1 JOHN b. ca 1737/38 ? Virginia d. ?.
- S - 2 SAMUEL b. 12 June 1744 d. ca. 1809 Johnston Co. N.C.
- S - 3 DAVID b. 7 Sept. 1746 d. 10 Mar. 1795 Harnett Co. N.C.
- \* S - 4 JONATHAN b. ca 1760 d. 1843
- S - 5 ALEXANDER b. ca 1761
- S - 6 JANE b. ca 1739
- S - 7 EDITH b. d. 1793 Johnston Co. N.C.
- S - 8 ELEANOR (ELIZABETH) b. d.
- S - 9 NANCY b. d. (no mention of a daughter by this name in Will of Samuel  
 Smith)

\* Will of Samuel Smith 17 Feb. 1779 Probate Nov. ct. 1783.  
 Wife EDITH - Plantation where I now live during natural life; 400 Spanish  
 dollars or value in Gold or Silver; 200 ~~to~~ current money; Negro man Jack.  
 Son JOHN - Plantation where he now lives and all land adjoining, 486 ac.;  
 Negro Chance; 1/9 part of remaining estate.  
 Son SAMUEL - Negro woman Rachel; 1/9 part of estate.  
 Son DAVID - Negro man Allrons & Judy & her children; 1/9 part of est.  
 Son JONATHAN - All Negroes now in his charge; 1/9 part of estate.  
 Son ALEXANDER - Negro man Randal & wife Moll, Sall & 3 children, 1 boy Sursee;  
 1 tract of land on Black Creek; Manner plantation on both sides of Middle  
 Ck., after death of wife; 1/9 part of estate.  
 Daughter JANE - 1/9 part of Estate; \$40.00 money; 1/3 of her 1/9 share to be  
 divided among her children.  
 Daughter EDIT - 1/9 part of estate; \$40.00 money Remainder of her 1/9 share  
 divided among her children.  
 Daughter ELEANOR - 1/9 part of estate.  
 Exec.: Samuel Smith, David Smith.  
 Wit: Col. John Sanders, Saml. Williams, William Taylor, John Carroll.  
 Saml. Smith (signed)

- S - 1 JOHN SMITH b. ca, 1737/38 Virginia ? d.  
 m. EXUM (Whitfield, early Smith Senealogists<sup>4</sup> refers  
 to this John's wife as Mary Exum).

- S - 1-1 ALEXANDER m.  
 S - 1-2 JOHN b. m. 23 June 1778 EDITH AVERA<sup>5</sup>  
 S - 1-3 RUTH b. d. m. Archibald Vinson 31 Mar. 1797 5  
 S - 1-4 LUCINDA b. m. Sanford Richardson  
 S - 1-5 ALLEN b.  
 S - 1-6 SARAH b. m. Bennett Boddie<sup>4</sup>

- S - 2 SAMUEL SMITH, JR. b. 12 June 1744 d. 8 May 1809 Will probate Aug. 1809.  
 m. (1) Salley McCullers b. 26 Sept. 1751 d. 5 Mar 1778  
 (oldest readable stone in Johnston County).  
 m. (2) Zilpah Blackman. b. 15 Feb. 1755 d. 24 Mar 1813.  
 Will probate Aug. 1813 Johnston County, N.C.

- S - 2-1 Karen b. 20 Apr. 1770 d. 15 Sept. 1844, m. 16 Nov. 1793, Reuben  
 Sanders, son of Hardy. b. 26 Aug. 1764 d. 29 Dec. 1829. Clerk  
 of Court Nov. 1786 - Feb. 1818 Johnston Co. Both buried on home  
 plantation White Oak. Stones moved to Okland Church Cem. when  
 plantation sold out of family.

1. Ashely b. 1801 d. 1863 m. Louisa Jones.  
 2. Ranson J. b. 1 Feb. 1797 d. 24 Aug. 1844 (m. (1) Remima J. Sanders  
 27 July 1826. b. 3 May 1801 d. 29 May 1834.  
 m. (2) Sally Campbell ca 1834/34. b. 1814 d. after 1844.

(continued next page)



S -2 KAREN cont.

3. Delia b. 31 Dec. 1798 d. 5 Sept. 1864 m 21 Mar. 1822 Baldy Sanders, b. 28 Dec. 1797 d. 4 Apr. 1866 Johnston Co.
  4. Elizabeth R. b. -1850 census) d. (Will prob. Nov. 1867) unmd.
  5. Julia b. - 1850 Census) d. Will prob. Nov. 1867) unmd.
  6. Reuben Troy b. ? d. ? m. Eliza Boon 30 Marh. 183?
  7. Sallie b. ? d. ? m. Romulus McCullers.
    1. Lucy Ann m. William H. Hastings.
- S -2-2 EDWIN b. 13 June 1772 d. ?
  - m. (1) Temperance Hinton b. 1 Dec. 1777 d. ?
  - m. (2) Elizabeth McCullers - 11 Mar. 1811 Johnston Co. N.C.
    1. James Hinton b. 31 July 1797
    2. Edwin - killed by a horse
    3. Eliza Jane
- S -2-3 DAVID b. 10 June 1775 d. Jan/Feb. 1806 Will probate Feb. Ct., Pleas & Quarter Sessions. Mentions brothers & sisters.
- S -2-4 SALLEY M. b. 5 Mar. 1778 d. ? m. Henry Jones. (to Ark.)
- S -2-5 ELIZABETH b. 22 Mar. 1781 d. ?
- S -2-6 SAMUEL (G) b. 5 Aug. 1781 d. ? m. Nancy Bryan 27 July 1783.
- S -2-7 JOHN MCKINNIE b. 23 May 1786 d. 1815. Nuncupative Will probate 1813, mentions brothers & sisters.
- S -2-10 ZILPAH (the yg) b. 5 Dec. 1792 d. ? m. Robert McKinnie, Wayne Co..
  1. Magdalena b. 1816 d. 1901 3. Larkin d. young
  2. Alice m. 2 Williamson 4. Mary d. young.
- S -2-8 ZILPAH b. 31 July 1788 d. 23 Jan 1791.
- S -2-9 LARKIN b. 13 Nov. 1790 d. (Lining at death of Mother 1813)
- S -2-11 JULIA b. 29 Oct. 1794 d. 1866 m. Bythan Bryan 1821 Johnston Co :  
b. 1795 d. 1853 Buried Smithfield. (no issue)
- S -2-12 Alvan b. 12 July 1797 d. ? m. Hunter (to Miss).
  1. Thomas
  2. Victoria
  3. Albert

The Family of Samuel Smith, Jr. is copied from the Records that were in the possession of Mrs. Edith Pou Bailey (Mrs. Josiah W. Bailey) who had a certified copy made 21 Nov. 1956, before ? Duncan, Notary, Raleigh, N.C.

\* S - 3 DAVID SMITH b. 7 Sept. 1746 d. 10 Mar. 1795 Harnett Co., m. CHARITY

- WHITFIELD b. 6 April 1756 d. 21 Aug. 1818
- S - 3-1 Edith b. 26 Dec. 1774 d. March 1842 m. Clement Bryan <sup>4</sup>
  - S - 3-2 Samuel b. 30 Setp. 1774 d. 17 Mar. 1813 m. Herring <sup>4</sup>
  - S - 3-3 William b. 5 Aug. 1776 d. 10 Oct. 1833.
  - S - 3-4 Rachel b. 10 Jan 1778 d. 20 May 1842 m. Alex. McAllister <sup>4</sup>
  - S - 3-5 Mary b. 1779 d. 1780
  - S - 3-6 David Jr. b. 18 Sept. 1781 d. 7 Jan 1803/5.
  - S - 3-7 Jonathan b. 20 June 1783 d. 2 Sept. 1819 m. Banks. (Harnett Co. ?)
  - S - 3-8 Whitfield b 7 Sept. 1785, d 2 Sept. 1819
  - S -3-9 Charity b. 8 Jan 1788 d. 15 Oct. 1843 m. Alex Williams
  - S - 3-10 Elizabeth b. 27 Jan. 1790 d. 24 Nov. 1790
  - S - 3-11 Needham b. 25 Mar. 1793 d. \_\_\_\_\_
  - S - 3-12 Lewis b. 29 Oct. 1795 d. 1 Sept. 1796.

\* Family Bible of DAVID SMITH in possession of Miss Jane Williams, Dunn, N.C.  
Births & deaths of David Smith family taken from this Bible.

\* S - 4 JONATHAN SMITH b. ca 1760 d. 1843  
(1) m. Esther Bryan (2) Winifred McCullers ca 1803

- S - 4-1 Elizabeth
- S - 4-2 Esther unmarried
- S - 4-3 Edith b. m. William Turner 9 Oct 1812

continued next page



S - 4 JONATHAN continued

S - 4-4 Simon b. 20 Mar. 1804 d. m. Martha McCullers 22 Aug. 1829<sup>5</sup>

\* S - 4-5 Jonathan b. ca 1806 d. 1898 Wake County, N. C.

S - 5 ALEXANDER SMITH b. ca 1763 m Phereby Pool

S - 6 JANE SMITH b. (1) m. Joel Williams (2) \_\_\_\_\_ Hunter

S - 7 EDITH SMITH b. d. ca Feb. 1783 Will prob. Johnston Co. Ct.  
(1) m. Needham Bryan (2) (Ebinezzer? Folsom)

S - 7-1 William Bryan

S - 7-2 Samuel

S - 7-3 Needham

S - 7-4 Esther

S - 7-5 Ann

S - 7-6 Barbara

S - 7-7 dau? m. \_\_\_\_\_ Massey

S - 7-8 Edith ? m. \_\_\_\_\_ Folsom

S - 7-9 Elizabeth m. \_\_\_\_\_ Alford

S - 7-10 Sarah m. \_\_\_\_\_ Watkins

S - 8 ELEANOR (or Elizabeth) m. Capt. William Walton/Walston

1. Colonial Records Vol. 12, pg. 35

2. Johnston County Court of Pleas & Quarter Sessions

3. N.C. Genealogy Magazine W.P. Johnson, Mar. 1955 pg. 3

4. SMITH-BRYAN-WHITFIELD Genealogy

5. Johnston County Marriage Bonds, N.C. Archives, Raleigh, N. C.

All of the above research done by Elizabeth Ross as a contribution to this newsletter. We are truly grateful.

When copying the material the following was inadvertently omitted. Please excuse.

J - 4 NANCY - m. Needham Bryan whose second wife was  
(2) 5 Charlotte Moore Bryan b. 2 Apr. 1765 d. 9 Mar 1798.  
6 Rigdon Bryan d. 1793 Sampson Co. N.C.  
7 Esther Bryan m. Christopher Curtis.

\* S - 4-4 SIMON SMITH, b. 20 Mar 1804, m. Martha McCullers was living in Panther Branch community of Wake County, N. C. in 1850  
Children:

1. Sidney A. Smith
2. Sarah C. Smith
3. Elizabeth J. Smith
4. Adolphus E. Smith

SIDNEY A. SMITH was born around 1830 in Wake Co., N. C.  
Married Mary Elizabeth Williams, daughter of Major Nathan Williams and Martha Averett, 17 Jul 1855. Died 8 June 1867.

Children:

1. Nathan Williams Smith, b. 1856
2. Simon Herbert Smith, b. 1861
3. Mary Rebecca Smith, b. 4 Jun 1864; d. 1 Nov 1916  
m. 25 Nov 1881, Willis A. Sanders.
4. Sidney A. Smith, m. Hattie \_\_\_\_\_.

*Barbara H. Hinch*



The Smith and the Bryans

The conjunction of the Smith and Bryan names illustrates the ties of friendship and relationship which for several generations united these two families, and which resulted in a rather exceptional control of local affairs.

The founder of the Bryan family was William Bryan (b. 1655- d. 1742), Marquis of Thomond, Ireland, who emigrated to Virginia and thence to North Carolina. His wife was Lady Alice, daughter of Lord Needham, Viscount of Kelmorey, whose name was long perpetuated among her descendants. Two grandsons of this household married daughters of Colonel John Smith. William Bryan (b. 1724) married Elizabeth Smith; Needham Bryan (b. 1726) married Nancy Smith.

As the Revolution neared, the influence of the Smith and Bryan families were exerted upon the patriot side, and as the recognized leaders of the region they virtually controlled both its political and military activities. From the many recorded meetings and committees where their names appear, we select, as typical, the following document, signed at a time when Committees of Correspondence were being formed throughout the colonies to unite the opposition to British oppression.

-----  
PROCEEDINGS OF FREEHOLDERS OF JOHNSTON COUNTY

12th August 1774

Samuel Smith, Jr. Esqre in the chair.

- I. Resolved, That His Majesty's Subjects in North America owe the same allegiance to the Crown of Great Britain, that is due from his subjects born in that Kingdom or elsewhere.
- II. Resolved, That His Majesty's Subjects in America are intitled to the same rights and liberties, that his subjects within the Kingdom of Great Britain.
- III. Resolved, That it is repugnant to the rights of the People that any Taxes should be imposed on them without their consent, or the consent of those who properly represent them.
- IV. Resolved, That it is a fundamental Right which his Majesty's Subjects are intitled to, that no one of them shall suffer in his person or property without a fair trial and judgment given by his Peers, or by the Laws of the Land.



V. Resolved, That all Trials of Treason, Misprisions or Treasons, or for any Felony or crimes whatsoever, committed in this his Majesty's Colony, by any person being a free-born subject, ought by right to be tried in and before His Majesty's Courts held within this Colony; and that the seizing of any Person or Persons suspected of any crimes whatsoever, and sending them to Great Britain or any place beyond the sea to be tried, is oppressive, illegal and highly derogatory to the rights of British Subjects, as thereby the inestimable privilege of being tried by jury from the Vicinage, as well as the benefit of procuring witnesses on such Trial, will be taken away from the Party accused.

VI. Resolved, That Samuel Smith, Senr., Needham Bryan, Senr., William Bryan and Benjamin Williams be appointed to appear in our behalf at such times and places as shall be judged most proper, to meet the deputies of the other Counties, to consult the welfare of America on this alarming crisis, which seems to threaten our liberties and Constitution, and to elect Persons to represent this Province at a General Continental Congress to be held at such time and place as shall be by them agreed to.

VII. Resolved, That we strictly adhere to and abide by such regulations and restrictions as the Members of said General Congress shall agree to, and judge most convenient for avoiding the calamities and procuring the benefits intended by these resolves.

VIII. Resolved, That Samuel Smith, William Bryan, John Smith, Samuel Smith, Jr., Needham Bryan, Jr., Henry Rains and William Ward, Esqres, be appointed a Committee to correspond with the Committees of other Counties in the Province, when, and as often, as they shall think convenient, relative to the matter contained in the foregoing Resolves.

-----

In an early expedition against Tory insurgents (1775), which covered twenty-five days, we find the Johnston troops commanded by Colonel William Bryan, with John Smith as 1st Major and Samuel Smith, 2nd Major. In that year also the delegates to the Provincial Congress at Hillsboro were Samuel Smith, John Smith and William Bryan. At the Halifax Congress of the next year Samuel Smith, Jr. was a delegate, and Needham Bryan, and John Smith were appointed to receive, procure and purchase Fire-arms for the use of the troops. They were to handle "all such arms as have been taken from the Tories" and where necessary were to put them into repair. Samuel Smith was selected to confer with the Colony of Virginia, and the officers appointed for the Johnston County troops were William Bryan, Colonel; John Smith, Lieutenant-Colonel; Samuel Smith, Major; John Stevens, 2nd Major.

Colonel John Smith died, an old man, in 1777. The Captain John Smith, whose name then begins to appear in public documents was his son, who in 1778 married Edith Avera.

-----

The town of Smithfield, N. C. was founded in 1777 "on the lands of John Smith on the North side of Neuse River, where the Court House and other public buildings now stand. There were to be half-acre "lots", with convenient streets, lanes and alleys, and every Grantee was within three years to "erect, build and finish one well framed or Brick House, Sixteen Feet square at least, and ten Feet pitch in the clear, or Proportionable to such Dimensions ---".



BATTLE OF BENTONVILLE  
The Smithfield Herald  
September 13, 1927

An eyewitness account of the battle as told by Dora Hood Kirkman who lived in Bentonville and was 10 years old at the time of the Battle. Mrs. Kirkman died in 1943.

"It was in the first days of spring that the menacing clouds of war began to darken the horizon of the village and the lives of the people were filled with apprehension and a foreboding of the trying times to come.

Long before the appearance of the soldiers, the villagers were seeking places in which to conceal their treasures. Silver, chinaware, money were buried. Unique places to hide them were found for food and other household supplies. My father, wishing to save a large supply of meat, dropped it between the ceiling and weatherboarding of his house.

The battle raged. Homes and outhouses of all kinds were filled with the wounded, dead and dying. Operations were performed without anesthetics. It seems I can almost hear the groans of the wounded even yet. They were in my father's wash shelter, and they went through the terrible experience of having their wounded limbs removed without anything to help them bear the pain. The village people every day ministered to the Blue and Gray alike.

On the third day of battle my brother, who was suffering from the effects of the measles, was taken seriously ill and it became necessary that someone go for aid. My father together with the other men of Bentonville had been taken by the Yankees to be tried for the murder of one of their soldiers, so the dangerous mission was assigned to me, a small child of 10.

I left the house and went through the crowd of Union soldiers, under horses, dodging horses, dodging soldiers, pushing, running, crawling, anyway to reach at last the haven of the neighbor's house. Having found it impossible for the neighbor to leave her home as the Yankees were in it then, ripping open her feather beds and destroying other things, I started back alone.

I had not gone but a few steps when to my horror, one of the Yankee soldiers stopped me to inquire where I was going. Upon being told of my mission and destination, he insisted that the trip was too dangerous and that I ride on his horse with him. On learning how ill my brother was, this soldier went out and brought in a Yankee doctor. My brother died late that evening.

Many houses were being burned and people lived continually in the fear of seeing their homes go up in flames. My father's shop and storehouse were burned. Our home and a few more were the only ones left standing.

During the hottest of the battle, flying shot and shell made it dangerous to stay in the house. The neighbors had all come in and we were huddling up in one room. My father had a hole dug under the house and we had to lie flat on our faces and slide under. We stayed under the house in this hole for a day and a night, coming out when we heard they were going to burn the house over us.

During the latter part of the battle, General Johnston was wounded and brought in our home to await the ambulance. I remember that my mother was called on for all the pillows and quilts she had, being promised they would be returned, but of course she never saw them again.

The horror of this war was indelibly written on my memory. Shots and shell, wounded, dead and dying, houses burning, blood flowing, groaning of the wounded, all live with me."



## COURTHOUSE ONCE BUILT IN MIDDLE OF SECOND AND MARKET STREETS?

By C. STANTON COATS

In its Harvest Edition of August 1961 the Herald republished an earlier historical article captioned "Johnston County Has Had Four Courthouse Locations." Actually, Johnston has had five courthouse locations in addition to private homes in which court was held while courthouses were being built. The Johnston County Courthouse once stood in the intersection of Smithfield's Second and Market streets.

It would seem that most Johnstonians would know the first courthouse was located at Walnut Creek, some six or seven miles southeast of Goldsboro. When Dobbs County was formed from lower Johnston by an act of the Provincial Assembly of 1758, that courthouse fell to the new county of Dobbs.

The court was then moved to Hinton's Quarter, just east of Clayton, where the first court was held the last Tuesday in April 1759. When Wake County was formed by an act of 1770, effective in March 1771, the court was moved to the east side of Neuse River at Smithfield, where the first session was held May 28, 1771 in the house of Major John Smith Jr. In August of that year he sold the county an acre or so of land about where Riverside Warehouse now stands and a new courthouse was built on it.

At the March 1786 term, the court met with Samuel Smith, Needham Bryan, and William Avera, as justices. The first business was: "Ordered that the courthouse of this county be removed from the place it now stands to the center section of Second and Market streets in Smithfield, there to be well fixed on pillars of brick eight feet high, ranging with Second Street, that all necessary repairs be made in a workmanlike manner. That a Gaol (Gaol) be built on lots No. 53 & 54." In old records gaol, a temporary prison, is spelled both ways.

The gaol was to be 14 by 20 feet and was to be underlaid with stone two feet below the surface of the earth upon which a floor of square pieces nine inches thick was to be laid. The ground floor was to be for criminals, with a debtors' room over it. There were no specifications for a third floor, except that over the third floor a roof was to be made of a convenient size for a guard room.

The door in the criminal room was to be fixed at the corner of the front side; the door of the debtors' room at the south end under the door of the guard room. Two convenient windows were to be in the debtors' room, with one in the criminals' room right under the door of the debtors' room, each window to be secured with iron bars. The order also provided that a pillory and stocks be built on the property.

Needham Bryan and Hardy Bryan and William Ward were appointed commissioners to contract with and employ workmen to undertake and complete the work. The commissioners were also empowered to sell the present gaol for the best price they could get, the money to go "towards the discharge of part of the expense that shall accrue in the prosecution of the said business." (It might be interesting to know what the going rate for a second-hand "jail" was back in those days).

No mention was made of any agreement or relationship the county may have had with the town in connection with relocating the courthouse in the intersection of Second and Market streets, nor of building the gaol, pillory, and stocks on lots 53 and 54. They are the lots the county acquired in 1797, and on which the present courthouse stands. Since the town records were destroyed in the wee small hours of November 12, 1926, when the old City Hall-Opera House went up in flames, we perhaps will never know what the county and town officials may have had in mind nearly 200 years ago.

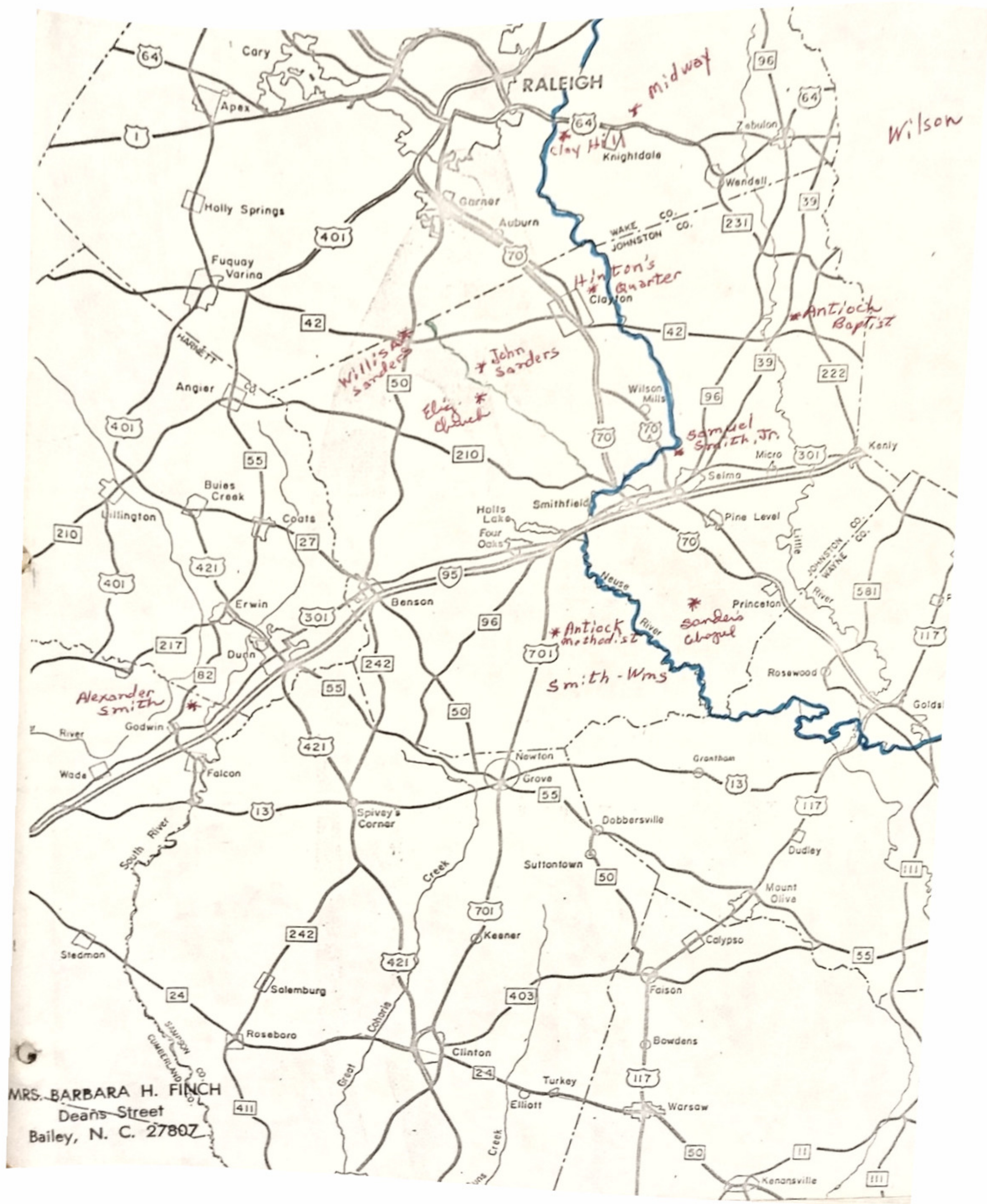
At the November 1787 term of the court it was "Ordered that William Bridgers be allowed the sum of Eighteen Pounds for moving the courthouse and furnishing timber for the jail." So the Courthouse must have been moved to the center section of Second and Market Streets in Smithfield. Those are the only streets in the original plan of the town that were 80 feet wide.

I have seen no specifications as to the size of the Courthouse that Smithfield was built around. The one at Hinton's Quarter was 20 by 30 feet. With the traffic as it must have been in the late 1780s and 1790s, there must not have been any traffic jams.

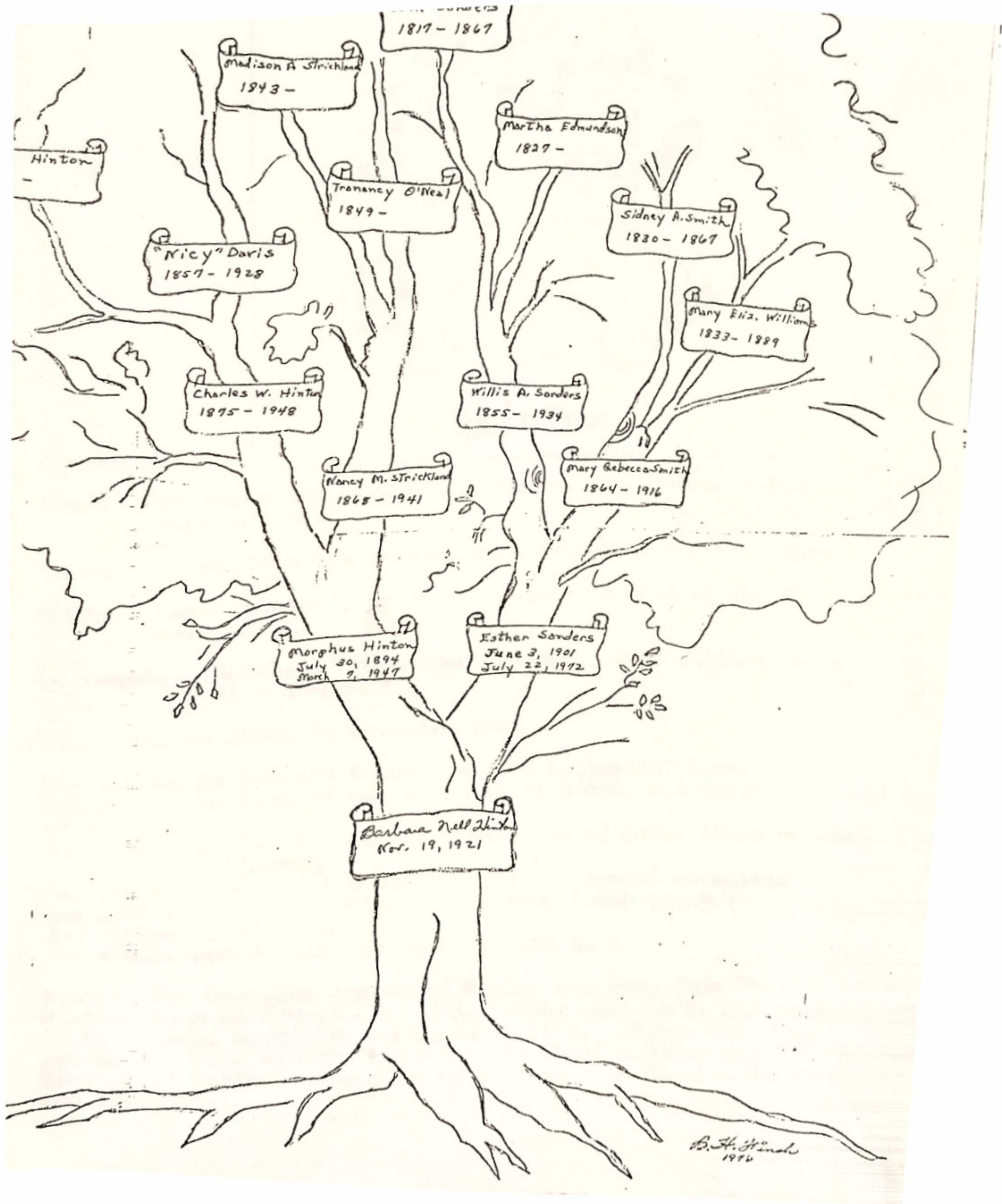
Also at the November 1787 term of the court, Hardy Bryan and William Ward, two of the commissioners appointed to employ workmen to build a jail and courthouse, came into court and reported that they had employed Capt. John Rochael to build the jail, "who has finished the same agreeable to his undertaking with them for the sum of One hundred and Seventy five pounds; the said Jail is therefore accepted for the use of the County and the said commissioners directed to procure whatever else may be necessary towards rendering the jail more compleat at the expense of the County."

Arthur Bryan, then the sheriff of the county, also came into court and protested against "the Sufficiency of the Jail of this County." The 1787 entries are the first so far found where the word 'jail' is spelled out.













**Hinton.**

Family of:

Arms: Per fesse indented sable and or, six fleurs-de-lis counterchanged.

Crest: An eagle's leg erased encircled by a serpent proper.

Motto: None recorded, as is the case with most of the older arms.

Authority: Matthews' "American Armory", 1906 edition, page 41 - appendix.

Tinctures as shown by description:

The shield is divided by an indented horizontal line. All above the line of partition is of black, all below it of gold.

The fleurs-de-lis on the black half are of gold, those on the gold half of black.

The eagle's leg and the serpent are of natural colorings (natural color of reptiles in heraldry being green.)

The ribbon is of gold.

The mantle and wreath are of black and gold.

Notes: The American family of Hinton descends from Thomas Hinton, born at Leyden, Holland, in the year 1610, who came to Baltimore, Maryland, in the year 1665. Thomas was the son of Sir John Hinton, physician to Charles First and Second, of England, who fled to Holland when Charles Second was beheaded.

MRS. BARBARA FINCH  
DEANS ST. BOX 394  
BAILEY, N.C.  
27807



1776-1976



# HINTON

Hinton, as a surname, is derived from the local usage "of Hinton." There are parishes of the name in the dioceses of Salisbury, Winchester, Oxford, Peterborough, Bath, and Wells. John Hinton appears on the Hundred Rolls of the County Cambridge in 1273, and Robert de Hinton on those of County Dorset. (C. W. Bardsicy; "Dictionary of English and Welsh Surnames.)

The word Hinton in Anglo-Saxon, means "Old town" and is given to at least a dozen different parishes in England. The family of Hynton, however, took its name originally from Hynton-Sutton or Hynton-Brackley, as it is variously called in the northeastern part of Northamptonshire and Hynton-Woodford in the northwestern part.

The name of Hinton in England, stands as high for bravery in battle, fidelity to trusts, and later eminence in literature as any family of commoners England has produced and in this country steadily maintained their respectability and have proved themselves, in all their branches, male and female, useful and honorable citizens.

## "Alumnae Oxford Catalogues" - 1500-1714

William Duke of Normandy	
(Ernul Albert) Albert de Hynton	1070
Elias De Hynton	1167
Robert De Hynton	1167
Richard De Hinton	
Hugh De Hinton	
Sir Richard de Hinton	1250
Capt. Hugh De Hinton	1234
John de Hinton	
Sir John de Hinton	1310
Sir John de Hinton III	1338-1340
Goeffreu de Hinton	1323
Henry de Hinton	
Philip de Hinton	
Thomas de Hinton, Coventry	
Thomas De Hinton	
John De Hinton	1415
John Hinton, Stavenyke (spell as Hunter)	1488
Thomas Hinton of Hinton	1567

Sir Thomas Hinton - 1574 - Parham - Sussex  
 5 sons  
 2 daughters  
 (5th son - Sir John Hinton, M. D. - 1603)

James Hinton - Barrister of London -1659

James Hinton, son of James above, emigrated to America and settled in Chowan Precint with brothers William and John in 1710.



I. JAMES HINTON, son of Sir John Hinton, M. D. and Elizabeth Dilke, was born 1642 at "Fullwood Rents" Leyden, England. Matriculated at Queens College, Oxford, March 10, 1659, aged 17. Admitted to Lincolns Inn, March 10, 1659. He was called to the Bar in 1666, appointed Secretary to the Board known as the "Farmers of the Revenue" for Ireland. It is stated that no family in England can claim so large a number of graduates from Oxford.

The name of James wife is not known, but they had three sons who came to America settling in Chowan County, North Carolina.

1. James Hinton (believed to have been the oldest).
2. William Hinton
3. John Hinton

II. James, the oldest son, joined his brothers in Chowan County, North Carolina in 1710. Some researchers claim that he was in Pennsylvania from 1701 until 1710 when he moved to North Carolina.

James was a large land owner. The records show he bought 125 acres April 27, 1716 on the south side of Bennett's Creek, Chowan County, North Carolina. He bought more land from his brother William on January 20, 1718. On April 4, 1722, he was granted 350 acres on Bennett's Creek. He purchased 100 acres for 50 Pounds from the Chowan Indians, January 30, 1735. Many more land deeds are listed where he has bought land. James was on the jury list of Chowan County in 1739.

The division of his estate in 1761 lists the following children:

1. John
2. Amos
3. Dempsey
4. Aaron

III. March 23, 1779, Aaron was granted 400 acres of land in Johnston County, North Carolina. In 1780, a grant of 400 acres was divided between sons Jesse and William. Mary Hinton, his wife, was listed as a widow in 1784 Census (2 poles).

1. Jesse
2. William

Around 1812, Jesse went to Perry County, Mississippi.

IV. William Hinton married Temperance Pope, daughter of Lazarus Pope, on November 25, 1793 in Johnston County, N. C. The couple had four sons and at least one daughter, as a grandson Lemmons Sillivant was mentioned in William's will - probated in 1833.

1. Hilyard Hinton m. Nancy Johnson
2. Jacob Hinton
3. James Hinton m. Merilda
4. Abel Hinton m. (1) Katherine \_\_\_\_\_ (2) Nicy Davis
5. daughter m. \_\_\_\_\_ Sillivant

\* Note: Could a Rhena Hinton who married William O'Neal have been a sister/relative? Rhena was born 1780 and died 1801. At the division of the Estate, William O'Neal made several purchases.



V. Abel Hinton lived near Moccasin Creek in the southeastern section of Johnston County, N. C. until he died on land inherited from his father. He was born around 1807 according to the 1850 Census. As shown above, he was married twice. All the children but one was by the first marriage.

Children by first wife, Katherine:

1. Jesse b. 1834
2. James b. 1837
3. Sively b. 1839
4. Willey b. 1840
5. Rhena b. 1846
6. Joseph b. 1851

Child by second wife, Nicy Davis

1. Charles Walter Hinton b. 30 Oct. 1875

VI. Charles Hinton married Nancy Melissa Strickland on 15th of January 1893 in Johnston County. She was the daughter of Madison A. Strickland and his wife Tranancy O'Neal.

The couple had six children.

1. Favius Morphus Hinton m. Mary Esther Sanders
2. Claudia Pearl Hinton m. Thad Jernigan
3. Roscoe Hinton, died an infant
4. Oscar Lee Hinton m. (1) Elizabeth Morris (2) Sythia Davis
5. Roy J. Hinton, died an infant
6. Ella Marvin Hinton m. Roy Griffin

VII. Morphus Hinton married on December 5, 1920 Mary Esther Sanders, daughter of Willis A. Sanders and his wife, Mary Rebecca Smith of Johnston County, North Carolina. The couple lived in Wilson, N. C. until his death, March 7, 1947. Esther later moved to Bailey to be near her daughter and family. She died there July 22, 1972.

Children:

1. Barbara Nell Hinton b. 19 Nov 1921
2. William Sanders Hinton b. 9 June 1924

VIII. Barbara Hinton married Jasper Lee Finch of Bailey, North Carolina in the First Methodist Church of Wilson on November 18, 1942. After her husband was discharged from the army in 1946, the couple moved to Bailey.

They had two daughters.

1. Nancy Melissa Finch b. 22 Oct 1943 m. Thomas Allen Eaves
2. Barbara Leigh Finch b. 2 Sept 1953 m. Paul Alvis Harris

VIII. William Sanders Hinton married Marjie Anne Little in the First Methodist Church of Wilson on December 19, 1944. His military career kept his family on the move until he retired in 1975 as colonel. The couple had one son.

1. Williams Sanders Hinton, Jr. b. 9 Oct 1945 m. Robin Lynne Torres  
(1) Benjamin Daniel Hinton b. 11 Oct 1974

Like his father before him William, Jr. made the army his career and at this writing is a captain in the U. S. Air Force.



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**1**  
ERULD DE HYNTON at Domesday Survey (1070 held two hides of land (240 acres) at Hynton and half a hide (60 acres) at Silveston: The arable land was five caracutes (75 acres) of which two were in de mesne, with two house-servants and eleven villeins and five tenants held the remaining three (45 acres): There was a mill with two shillings rent yearly, sixteen acres of meadow and a wood.

**2 & 3**  
TWO GENERATIONS between Eruld de Hynton and his great-grandson Elias de Hynton are nowhere recorded as there was no existing public record between Domesday Survey and the Pipe Rolls of Henry II.

**4**  
ELIAS DE HYNTON, in 1167 held four knights fees yielding an annual rental of forty pounds, also two hides at Hynton, but the half hide at Silveston seems to have been alienated in mortmain. Elias de Hynton had two sons, viz, Arnulphus de Hynton of Hynton-Brackley and Robert de Hynton of Hynton-Brackley.

**5**  
ROBERT DE BYNTON of Hynton-Brackley, received a grant from Henry II, in 1167, of the manor of Hynton-Woodford in Northampton, which had lapsed to the crown by the extinction of the line of Ulbert de Hynton of that place.

**6**  
RICHARD DE HYNTON of Hynton-Woodford, son and heir of Robert, married Acelina. The son and heir of these:

**7**  
HUGH DE HYNTON, of Hynton-Woodford, married Maud or Matilda Foliot. Their son and heir:

**8**  
SIR RICHARD HYNTON, of Hynton-Woodford, was knighted by Henry III, prior to 1250, and was the first of the family to receive that honor. He acquired the manors of Broad-Hynton and Swindon in Wiltshire.

He gave to God, the blessed Virgin and St. Nicholas of Salisbury the Broad-Hynton Church near Swindon, together with six acres of land, August 19th, 1253. Sir Richard took part in the Welsh wars. His son and heir:

**9**  
HUGH DE HYNTON of Hynton-Woodford, was Captain of a body of archers under Humphrey de Bohun, Earl of Essex and Hereford, and fought at Lewes in Essex, May 14, 1264, and at Evesham in Worcestershire, August 4, 1265. His wife was Matilda or Maud, daughter and co-heiress of Geoffrey de Eydon, of Hynton, Northampton. Their son:

**10**  
JOHN DE HYNTON, the elder, of Hynton-Woodford married Agnes. Their

**11**  
JOHN DE HYNTON, the younger, of Hynton-Woodford, died 1332. Married Petronilla, daughter of Lawrence de Masingham, Sheriff of Huntingdon. Their son:

**12**  
JOHN DE HYNTON III married Margaret, daughter of Henry de Colford, and died in 1350 leaving Henry, who married Isabel Carestone (issue Isabel and Edmund) and also a son:

**13**  
GEOFFREY DE HYNTON, who was living at Hynton in 1325. His son:

**14**  
HENRY DE HYNTON of Hynton and Warwickshire. His son:

**15**  
PHILIP DE HYNTON had sons: Thomas, Osbert and John.

**16**  
THOMAS DE HYNTON, Groom of the Chamber to Edward III, November 11th, 1377. Had issue:

**17**  
THOMAS DE HYNTON in Holy Orders, Parson of Drayton-Posselowe. His son:

**18**  
JOHN DE HYNTON, of Kingston Lisle, County Berks. He was a man at arms in the retinue of Sir William Bouchier, Knight of the siege of Harfleur, 1414, and commanded a company of archers at the battle of Agincourt, October 25th, 1415. His son:

**19**  
JOHN DE HYNTON, the younger, of Kingston Lisle was the father of

**20**  
THOMAS HYNTON of Kingston Lisle, Berks. His sons were John, rector of St. James, Worden Northants, 1511-1540, and was one of the original reformers of the English Church with Cranmer, Latimer and Ridley; also another son:

**21**  
RICHARD HYNTON, of Kingston-Lisle, Berks, purchased an estate known as "Eagles Hall," and was the first Hynton to use the eagles leg and serpent for a crest. He married Sarah, daughter of William Colemore of Bretingham County, Warwick. Of his five children:

**22**  
JOHN HINTON, born 21st August, 1488, died 1559, at Stanewyke, Berks, first mentioned in records in 1527. Justice of the Peace for many years. He married, 1509, Joane, daughter of Thomas Francklyn, of Wilts, and niece of William Francklyn D.D. dean of York, Durham, and Ely. One of his sons, Richard Hinton (b. 1512), married 1539, Joane, daughter and co-heiress with her sister, Anne, of John Goddard of Oxenham County, Wilts. Another son:

**23**  
THOMAS HINTON b. at Stanewyck in 1510, married 1531, Anne, elder daughter and co-heiress of John Goddard of Oxenham, Wilts. (John Goddard died March 10th, 1545).

Thomas Hinton became the largest owner of land in Berkshire, paying taxes on upwards of 4,000 acres. He died Dec. 25, 1567, and his wife, Anne, died 1612. Of their several children:

**24**  
ANTHONY HINTON of Earlescote, was born in 1532. Justice of the Peace and Quarter Sessions for Berkshire for many years. He married in 1569, Martha, daughter of John Warnford, of Sevenhampton, Wilts, by Susan, daughter of John Yate of Lyford, Berks. Anthony Hinton died May 7, 1598. He was buried in the south aisle of St. John's Church, Wainborough (in which parish Earlescote is situated) where his monument, erected by his grandson and namesake, Sir Anthony Hinton, Knight, still exists. "Anthony Hinton, Esqr., OB. 7 May, 1598, aged 66, grandfather to Mr. Hinton, Privy Councillor to Charles I." Of their several children:

**25**  
THOMAS HINTON was born at Earlescote in 1574, entered Oxford in 1591, at the age of 17, as shown by the following entry in Foster's alumni of Oxford, First Series 1500-1714, Vol. 2, page 719: "Thomas Hinton of Wilts, Armiger, Queen's College, matriculated 15 Oct., 1591, aged 17. Knighted July 1, 1619, M. P. Dournton 1622, Ludgershall 1626" (date of graduation not given).

*married first in 1595*  
to Catherine, dau. of John Palmer, Esq. of Parham Sussex and granddaughter of Sir Thomas Palmer, Knight, By Katherine, dau. of Sir Edward Stradling, Knt., of St. Donats Glamorganshire. (see Berry's Sussex Genealogies, p. 206-276 and Phillips' Glamorganshire Pedigrees, p. 26). Mrs. Hinton died the last week in Sept. 1609, buried at St. Martin's Chilton Foliot, Oct. 1, 1609.



In 1608 Sir Thomas Hinton formed a partnership with Sir Sebastian Harvey, Lord Mayor of London, as Merchants and traders doing business in the West Indies and American Colonies. He eventually became the richest commoner of his day. He was elected High Sheriff of Berkshire in 1611. In 1619, he obtained for James I, a loan of thirty thousand pounds, and for this service was knighted at Oatlands July 1, 1619. (Sir Harris Nicholas Progresses James I, Vol. 3, p. 555.) He represented the borough of Downton, County Berks, in Parliament in 1622; and Ludgershall Wilts in 1626. He married secondly at St. James Clerkenwell, London, July 20, 1615. Mary, widow of Robert Throckmorton, the nephew of Elizabeth's famous minister, Sir Nicholas Throckmorton, (see Harleian Collection, Register Section, Vol. 13, p. 42) but she died within a year.

He married third Oct. 1, 1622, Mary, widow of the former partner, Sir Sebastian Harvey, Alderman and Lord Mayor of London, who died in Feb. 1622. (Stephens' Dec. Nat., Vol. ) No issue by 2nd or 3rd marriage. The third marriage is given in the register of St. Mary's Stratford C. Bowe, London: "Oct. 1, 1622, Sir Thomas Hinton of Chilton Foliot, Knight, and the Lady Mary, widow of Sir Sebastian Harvey, Knight, deceased." (Penna. Magazine His. and Biog., Vol. IX, p. 143). Sir Thomas died at Earlescote, Feb. 1, 1635, and was buried at St. Mary's, Marlborough, but was reinterred at St. Martin's Chilton Foliot, by his first wife, Catherine, Oct. 20, 1640.

He had issue by his first wife Catherine Palmer; five sons and two daughters: 1. Anthony born 1595; 2. Catherine, died young; 3. Thomas, bapt. at Martin's Chilton Follyott, Apr. 8, 1600; 4. Mary, bapt. at St. Mary's Marlborough, Oct. 10, 1601; 5. John, bapt. at St. Martin's Chilton Follyott, July 17, 1603; 6. William, bapt. at St. Martin's Chilton Follyott, July 25, 1605. (Mary married Captain Samuel Mathews, Governor of Virginia (1656-60). Source: Wm. and Mary Quar. Vol. 2, p. 150; Va. Hist. Magazine, p. 91).

**SIR JOHN HINTON**, was born in England, in 1603, and died Oct. 10, 1632; married Elizabeth Dilke, d. 1656. He was a Bachelor of Arts of Queen's College, in 1625. In addition, he was a field surgeon in the Royal Army, a fleet surgeon in Drake's flagship "Mayflower," and physician-in-ordinary to Queen Henrietta Maria and to the Prince of Wales; was created a Knight by King Charles II, for his services in the Great Plague of London. Their son:

**JAMES HINTON** was born in 1642, a barrister-at-law, matriculated at Queen's College, Oxford; it is stated that no family in England can claim so large a number of graduates from Oxford. He was the father of: Aaron \*

\*Jonas, Amos, Dempsey, John

**JOHN HINTON**, came to the Colony of North Carolina, about 1720. He was a younger son of James Hinton, member of the notable Berkshire and Wiltonshire family which had intermarried with the baronial house of Palmer in Sussex. He was a man of prominence, wealth, and widely-spread connections, and was traditionally called "Colonel." Just how he won this Military title is not known. On

April 4, he was granted three hundred acres of land on Bennett's Creek, in Chatham County. He died between June 21, 1730 and Oct. 1732, the probate of his will: married Mary Hardy, daughter of John and Rebecca Hardy, and had eleven children: 1. Colonel John, 2. Hardy, 3. William, 4. Malachi, served in the Revolution with the rank of Lieutenant; m. name of wife unknown, numerous descendants in Johnston County, N. C. 5. Rachel, 6. Mary, m. Wiley Jones; 7. Sarah, m. Benjamin Blanchard; 8. Nancy (Ann), m. Solomon Alston, ancestor of Honorable James Alston Cabell, of Richmond, Va., a member of the N. C. Society of Cincinnati; 9. Charity; 10. Rose; 11. Judith.

**COLONEL JOHN HINTON**, b. about 1720, d. in Wake County, N. C. In May 1771, he commanded a detachment from Wake County under Governor Tryon, against the Regulators; in October, 1778, he was appointed Colonel of Militia for Wake County; on September 9, 1775, he was appointed Colonel of North Carolina Militia. Colonel John Hinton was a member of the Provincial Congress at Hillsboro, in August 1775, and was on the Committee of Safety for Hillsboro District in September, 1775. He was a member of the Provincial Congress of North Carolina at Halifax, in April, 1776. High praise is accorded Colonel Hinton's appearance in public records as both soldier and statesman. Many years of his life were devoted to the service of his country and State.

Colonel John (2) Hinton married Grizelle Kimbrough, daughter of Buckley Kimbrough, and sister of Nathaniel Kimbrough. Their children: 1. Major John, Jr.; 2. James, m. Delilah Hunter; 3. Sarah, m. Needham Bryan, Jr.; 4. Mary, m. Colonel Joel Lane; the city of Raleigh was built on his plantation; 5. Alice, m. Captain John James, a Revolutionary officer; 6. Elizabeth, m. Thomas James; 7. Kimbrough, m. wife unknown; David, m. Jane Lewis, dau. of Howell and Isabella (Wills) Lewis, and had son, Charles Hinton Lewis.

**MAJOR JOHN HINTON, JR.**, was born at Clay Hill, in Wake County, N. C. In October, 1773, he was appointed Major of Militia for Wake County, and September 9, 1775, he was appointed Major of North Carolina Militia. He was a representative from Wake County in the Legislature both during and after the Revolutionary War. He married Feribee Smith, dau. of the founder of Smithville, Johnston County, N. C. Some of the sons of Major John and Feribee Hinton removed to Georgia. Their son:

**JOHN HINTON**, removed from Wake County to Wilkes County, Georgia. The Census of 1820 in Wilkes County lists John Hinton "over 45." The name of his wife is unknown. Children: 1. Jacob; 2. James; 3. John, whose son Jesse born in 1802, m. Clara Wells, of Wilkes County, and they had A. J. Hinton, b. 1841, and m. Huldah, and was clerk of the court, serving two terms, elected in 1877 Ordinary, and reelected every term. (L. J. Hill: "Hills of Wilkes County, Georgia, and Allied Families," pp. 158-9; Knight: "Georgia Landmarks, Memorials, and Legends," Vol. I, p. 681).

**JACOB HINTON**, who removed from Wilkes County to Henry County, Ga., is listed as a pioneer in an article written in 1921 by Mrs. R. H. Hankinson, for the Henry County Centennial Celebration, and published in The Henry County Weekly. She states that "he settled near Cotton Indian river at Whitehouse," and the first marriage in Henry County was that of Bradford Hinton and Patience Lucre in November, 1822.

On June 10, 1822, the first session of the Supreme Court was held, and Jacob Hinton was on the grand jury. He married Mary (Polly) Bradford, and their daughter

**SARAH HINTON**, was born December 14, 1803, and died December 23, 1870. She married Middleton Hill. (See L. J. Hill: "The Hills of Wilkes County, Georgia, and Allied Families," pp. 158-9.) Their son

**WILLIAM RODERICK HILL** married Laura L. Nance. Their daughter

**HELEN FAIRLIE HILL**, married Nov. 25, 1885, John Carroll Payne, born Sept. 24, 1855, in Warrenton, Virginia. He attended Georgetown University and the University of Va., receiving his Bachelor of Arts degree from the latter, then enrolled in the Tulane University where he received his degree of Bachelor of Laws.

He removed to New Orleans, La., to join his uncle, Judge Thomas J. Semmes, a prominent lawyer of this city. This association continued for nine years, when Mr. Payne married and came to Atlanta, Ga. After twenty-nine years of active law practice in Atlanta he retired to devote his time to his numerous other business affiliations. He was a highly esteemed man in business and the social life of his community. Their children:

1. Laura Hill Payne, b. Dec. 9, 1886; m. Nov. 18, 1911, Alexander Wylie Smith, Jr.  
2. Helen Hill Payne, b. April 7, 1890; m. April 29, 1913, Charles T. Hopkins, Jr.  
3. John Carroll Payne, Jr., b. April 12, 1893, d. June 10, 1895.

Another Son of James Hinton (27)

**WILLIAM HINTON**, son of James Hinton, (b. 1642), and brother of John Hinton (28, above) died in 1737. His will mentions ten children, 7 sons and 3 daughters. William and his wife, Elizabeth, had a son, William, b. 1725-30, d. Oct. 27, 1796. (See N. C. Abstracts of Wills, 1663 to 1760, Vol. 2, p. 263; N. C. Hist. and Gen. Register, Vol. 1, pp. 53 and 553; Vol. 2, p. 518).

**WILLIAM HINTON** m. Mary, and had: 1. Elizabeth, m. Lewis Thompson; 2. Noah, b. Aug. 30, 1787, d. July 30, 1849; William.

**NOAH HINTON**, married Chloe Ann Slade, dau. of Henry Slade (1770-1835) and his wife, Nancy Blount Slade (1774-1827) who was the dau. of Ebenezer Slade and his wife, Chloe Blount, dau. of Col. Benjamin Blount of the Revolutionary Army, (see Colonial County Records); had 1. William Henry Hinton, b. 1823-24, d. Dec. 1877; 2. Eugene Joseph Hinton, b. Apr. 8, 1825, d. Dec. 1887; 3. Anna Slade Hinton, b. Feb. 23, 1829, d. Dec. 12, 1849; 4. Henrietta Hinton, b. Oct. 12, 1830, d. Aug. 31, 1852.

\* Division of Estate - Hathaway, p. 263

Amos m. Susanna Walton  
26 Sept. 1753



EUGENE JOSEPH HINTON, married Annie Jones, b. 1829, d. Mar. 31, 1911, and had, 1. Eugene Henry, b. Dec. 5, 1853, d. Feb. 6, 1916; 2. William Henry, b. Nov. 5, 1850; 3. Annie, b. 1856, d. 1895, m. John Robinson, had issue; 4. Charles, b. 1859, d. 1915, m. Daisy Russel, had issue; 5. Lorraine, b. 1862, d. 1887; 6. Walter, b. 1864, d. 1905; 7. Noah B., b. 1867, m. had issue; 8. Henry Slade, b. June 15, 1870, d. Aug. 13, 1944, m. Antoinette Stacy, d. June 23, 1931; 9. Robert Edward, b. 1872, d. 1931; m. Helen Catlett, had issue.

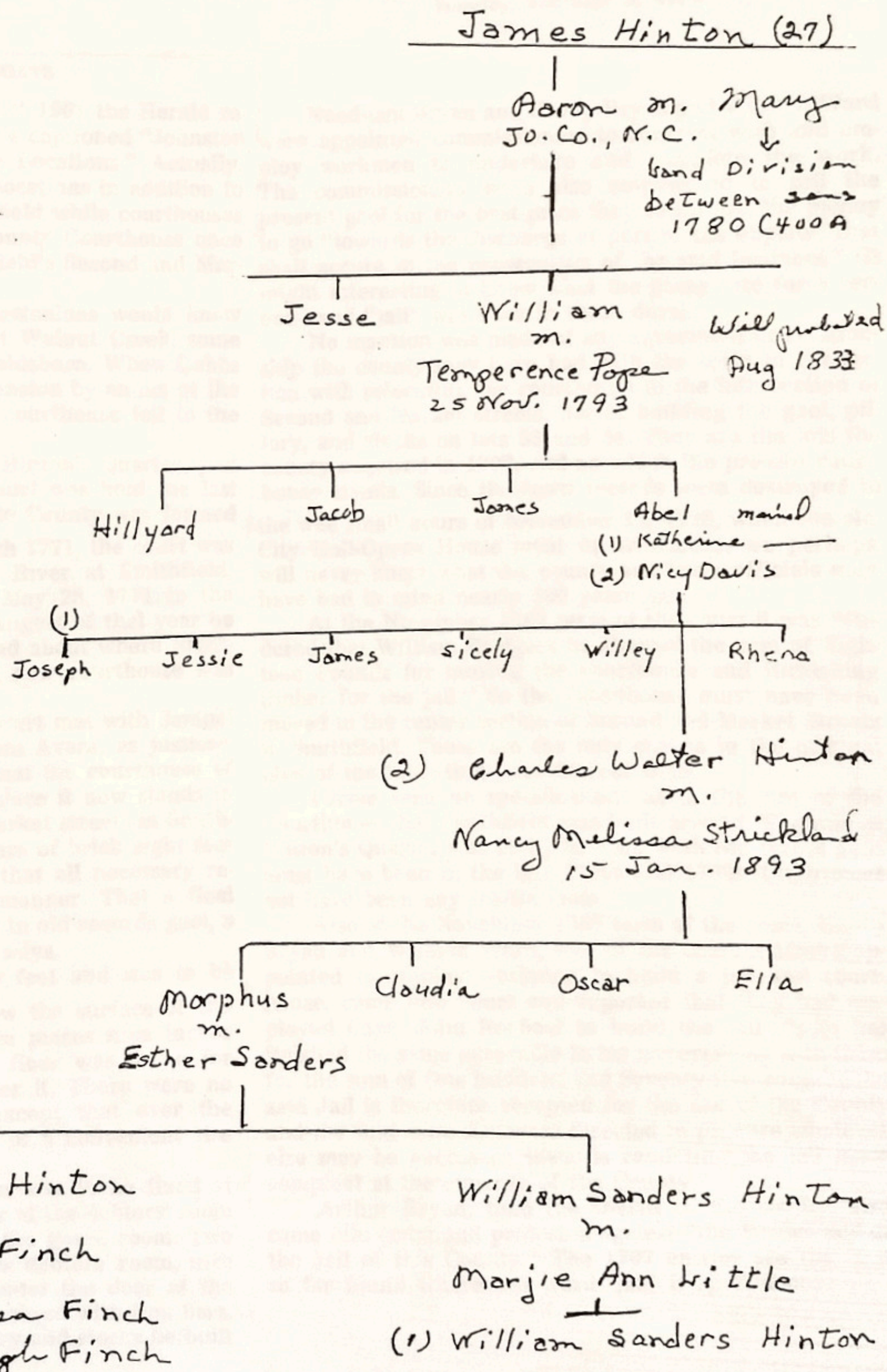
EUGENE HENRY HINTON, married Josephine or Josie Solomon, b. May 20, 1860, d. June 3, 1945; they had 1. Allan Francis, b. Feb. 26, 1886, d. Oct. 4, 1957; m. Nell Duffy, and had issue; 2. Lawrence, b. Nov. 5, 1887, d. Nov 15, 1930; 3. Fanny Darling, b. Feb. 23, 1890; 4. Eugene Henry, Jr., b. May 28, 1899, d. June 12, 1958.

MISS FANNY D. HINTON, is so well known in Atlanta and throughout the State for her outstanding work at the Atlanta Library, where she served for more than thirty years. She was "The Librarian" for the ten years preceding her retirement.

The Hinton family can claim descent from Blood Royal; and from these Surety Barons:

Hugh Bigod, Gilbert de Clare, Roger Bigod, Richard de Clare, Henry de Bohun, John de Lacie, Robert de Vere, and Saire de Quincey.

Sources: Mary Hilliard Hinton: North Carolina Booklet, 1915; "Article—Colonel John Hinton"; Col. Fred Olds: North Carolina Abstracts; J. Bryan Grimes: N. C. Abstracts of Wills; Tyler's Ency. of Biography, Vol. 1; Wm. and Mary Quar. Vol. 2, p. 150: Records furnished from Family Records. ]





COURTHOUSE ONCE BUILT IN MIDDLE  
OF SECOND AND MARKET STREETS?

The  
Smithfield  
Herald

Tuesday, February 3, 1976

By C. STANTON COATS

In its Harvest Edition of August 1961 the Herald republished an earlier historical article captioned "Johnston County Has Had Four Courthouse Locations." Actually, Johnston has had five courthouse locations in addition to private homes in which court was held while courthouses were being built. The Johnston County Courthouse once stood in the intersection of Smithfield's Second and Market streets.

It would seem that most Johnstonians would know the first courthouse was located at Walnut Creek, some six or seven miles southeast of Goldsboro. When Dobbs County was formed from lower Johnston by an act of the Provincial Assembly of 1758, that courthouse fell to the new county of Dobbs.

The court was then moved to Hinton's Quarter, just east of Clayton, where the first court was held the last Tuesday in April 1759. When Wake County was formed by an act of 1770, effective in March 1771, the court was moved to the east side of Neuse River at Smithfield, where the first session was held May 28, 1771 in the house of Major John Smith Jr. In August of that year he sold the county an acre or so of land about where Riverside Warehouse now stands and a new courthouse was built on it.

At the March 1786 term, the court met with Samuel Smith, Needham Bryan, and William Avera, as justices. The first business was: "Ordered that the courthouse of this county be removed from the place it now stands to the center section of Second and Market streets in Smithfield, there to be well fixed on pillars of brick eight feet high, ranging with Second Street, that all necessary repairs be made in a workmanlike manner. That a Goal (Gaol) be built on lots No. 53 & 54." In old records gaol, a temporary prison, is spelled both ways.

The gaol was to be 14 by 20 feet and was to be underlaid with stone two feet below the surface of the earth upon which a floor of square pieces nine inches thick was to be laid. The ground floor was to be for criminals, with a debtors' room over it. There were no specifications for a third floor, except that over the third floor a roof was to be made of a convenient size for a guard room.

The door in the criminal room was to be fixed at the corner of the front side; the door of the debtors' room at the south end under the door of the guard room. Two convenient windows were to be in the debtors' room, with one in the criminals' room right under the door of the debtors' room, each window to be secured with iron bars. The order also provided that a pillory and stocks be built on the property.

Needham Bryan and Hardy Bryan and William Ward were appointed commissioners to contract with and employ workmen to undertake and complete the work. The commissioners were also empowered to sell the present gaol for the best price they could get, the money to go "towards the discharge of part of the expense that shall accrue in the prosecution of the said business." (It might interesting to know what the going rate for a second-hand "jail" was back in those days).

No mention was made of any agreement or relationship the county may have had with the town in connection with relocating the courthouse in the intersection of Second and Market streets, nor of building the gaol, pillory, and stocks on lots 53 and 54. They are the lots the county acquired in 1797, and on which the present courthouse stands. Since the town records were destroyed in the wee small hours of November 12, 1926, when the old City Hall-Opera House went up in flames, we perhaps will never know what the county and town officials may have had in mind nearly 200 years ago.

At the November 1787 term of the court it was "Ordered that William Bridgers be allowed the sum of Eighteen Pounds for moving the courthouse and furnishing timber for the jail." So the Courthouse must have been moved to the center section of Second and Market Streets in Smithfield. Those are the only streets in the original plan of the town that were 80 feet wide.

I have seen no specifications as to the size of the Courthouse that Smithfield was built around. The one at Hinton's Quarter was 20 by 30 feet. With the traffic as it must have been in the late 1780s and 1790s, there must not have been any traffic jams.

Also at the November 1787 term of the court, Hardy Bryan and William Ward, two of the commissioners appointed to employ workmen to build a jail and courthouse, came into court and reported that they had employed Capt. John Rochael to build the jail, "who has finished the same agreeable to his undertaking with them for the sum of One hundred and Seventy five pounds; the said Jail is therefore accepted for the use of the County and the said commissioners directed to procure whatever else may be necessary towards rendering the jail more compleat at the expense of the County."

Arthur Bryan, then the sheriff of the county, also came into court and protested against "the Sufficiency of the Jail of this County." The 1787 entries are the first so far found where the word 'jail' is spelled out.



# Hinton's Ferry On The Neuse Was Located East Of Clayton

By C. STANTON COATS

Hinton's Ferry was replaced by a public bridge in 1823. Isaac Hinton was given leave to keep a public ferry on Neuse River at his own landing on February 26, 1794. But where was his ferry located? It was a few hundred yards downstream from the present-day Highway 42 bridge across the Neuse River east of Clayton.

On November 25, 1823, in the minutes of the Court of Pleas and Quarter Sessions, as transcribed by Mrs. Weynette Haun of Durham, we find this order: "No. issd. The Commissioners appointed to let the building of a public Bridge across Neuse River at Hinton's Ferry, and reported they had let the same to Thomas Price of Wake County for the sum of Seven Hundred and Ninety nine Dollars, and that said bridge is completed agreeable to Contract. Ordered therefore the said Price be allowed the sum of Seven Hundred & Ninety nine Dollars for building the same."

Five of the commissioners had been named at the February term of the Court of Pleas and Quarter Sessions: "On Motion it is ordered by the Court that Commissioners be appointed to let the building of a public Bridge at or near Hinton's Ferry across Neuse River. Ordered that William Hinton, Joseph Richardson, Isaac Stallings, Reuben Sanders and Josiah O. Watson be appointed commissioners to let the same and report to the next Court."

The next day the order was amended as follows: "Ordered that an order passed at this Court on Monday last for the purpose of building a bridge across Neuse River at Hinton's Ferry be amended as follows to wit, add to the commissioners Thomas Rice and George Gully that said Commissioners explore the River & grounds near the same from the mouth of Lockhart's Mill Creek running into the River near the upper part of Elam Lockhart's plantation to Hinton's Ferry due regards being had to public interest and contract for the building of a good and sufficient bridge at or near one or the other of said places designated for that purpose or between them in manner as they deem most necessary and report to the next Court."

This is the only instance in which a ferry has been replaced by a bridge where I have ever noted any exploring to be done. Usually the order was only to build a bridge at a certain place designated.

I did some research on the Killingsworths of that area for a lady in California some time ago. The Lockharts and Killingsworths were very active in the upper regions of the Neuse River valley around the turn of the 18th and 19th centuries. They have become extinct now.

On Tuesday, May 25, 1818: "On petition of Reuben Sanders praying that he might have leave to build a public water grist mill on Neuse River on his own land at a place Commonly known by Killingsworth or Lockhart's falls, the same was accordingly granted."

Mill Creek flows into Neuse River some two miles or so downstream of present-day Highway 42. The old dam site is very near the mouth of Mill Creek.

There were three or more Elam Lockharts of that era. James Lockhart and Hannah Hawkins Lockhart, who lived at the late Ira Whitley place on Wilson's Mills Road, had a son named Elam and a son named Stephen. Stephen Lockhart soon died, leaving 307 acres of land on the west side of the Neuse River abreast Killingsworth's Mill. It was divided in six tracts. Stephen's son, Elam, was allotted the upper tract of 51 acres on the west side of the river and south of Deep Branch. Elam, the son of James, became guardian of some of Stephen's younger children. James Lockhart left a will remembering 11 sons and two daughters.

There was an earlier Elam L. Lockhart. After his death, Elam (the son of James and Hannah Hawkins Lockhart) qualified as administrator of his estate, so the court minutes state. It is believed he was the one referred to in the court order referring to Lockhart Mill Creek.

The 1911 soil map of Johnston County, the oldest I have ever seen, shows an iron bridge just above present-day Highway 42. But no one knows if that was where the public bridge of 1823 was located which replaced Hinton's Ferry. On the road leading from Clayton to Archer Lodge, the map shows a covered bridge.

The court was held at Hinton's Quarter just east of Clayton from the last Tuesday in April 1759 until February 1771, when the court only convened and adjourned. No business was transacted at the February term in 1771.