

Provisional; Speculative Chart!  
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# FOUR GENERATION ANCESTOR CHART

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Person No. 1 on this chart is the same person as No. 14 on chart No. 1.

Chart No. 2

Date 8-28-04

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b. Date of Birth  
p.b. Place of Birth  
m. Date of Marriage  
p.m. Place of Marriage  
d. Date of Death  
p.d. Place of Death

4 Charles Smithwick  
(Father of No. 2)  
b.  
p.b.  
m.  
p.m.  
d.  
p.d.

2 Henry Hugh Smithwick  
(Father of No. 1)  
b. 1615-1620  
p.b. Stafford Co. or Herbs Co., England  
m. CA 1645  
p.m. Wangemond Co., VA  
d. 1674  
p.d. Edenton, Albemarle Co., NC

5  
(Mother of No. 2)  
b.  
p.b.  
d.  
p.d.

1 Edward Smithwick  
b. 1647-49  
p.b. Upper Norfolk Co., VA (or Albemarle Co.?)  
m. CA 1672  
p.m. Chowan Pcts., NC  
d. 1715-16  
p.d. Edenton, Chowan Pcts., NC

6 Robert Windley  
(Father of No. 3)  
b. CA 1575  
p.b.  
m.  
p.m.  
d.  
p.d.

3 Elizabeth Windley  
(Mother of No. 1)  
b. 1625? 1629?  
p.b. Albemarle Co., NC  
d. AFT 1694  
p.d. Chowan, Albemarle Co., NC

7  
(Mother of No. 3)  
b.  
p.b.  
d.  
p.d.

Elizabeth Shearing?  
Spouse of No. 1.  
b.  
p.b.  
d.  
p.d.

8  
b. (Father of No. 4. Cont. on chart No. \_\_\_\_\_)  
p.b.  
m.  
p.m.  
d.  
p.d.

9  
b. (Mother of No. 4. Cont. on chart No. \_\_\_\_\_)  
p.b.  
d.  
p.d.

10  
b. (Father of No. 5. Cont. on chart No. \_\_\_\_\_)  
p.b.  
m.  
p.m.  
d.  
p.d.

11  
b. (Mother of No. 5. Cont. on chart No. \_\_\_\_\_)  
p.b.  
d.  
p.d.

12  
b. (Father of No. 6. Cont. on chart No. \_\_\_\_\_)  
p.b.  
m.  
p.m.  
d.  
p.d.

13  
b. (Mother of No. 6. Cont. on chart No. \_\_\_\_\_)  
p.b.  
d.  
p.d.

14  
b. (Father of No. 7. Cont. on chart No. \_\_\_\_\_)  
p.b.  
m.  
p.m.  
d.  
p.d.

15  
b. (Mother of No. 7. Cont. on chart No. \_\_\_\_\_)  
p.b.  
d.  
p.d.



## SMITHWICK

\*WINDLEY

Hugh Smithwick (c. 1625-by 1674) was born in England and arrived in Virginia in 1642, one of 15 men brought from England by William Eyres. He married Elizabeth ~~WINDLEY~~ in Virginia sometime before 1647, when their son Edward was born. In the 1660s, Hugh and his family moved from Nansemond County in Virginia almost due south into northeastern North Carolina, then to Albemarle County. The location of the Smithwick land was choice - bounded on the south by Albemarle Sound, on the west by Edenton Bay, and on the north by Mattacomack Creek, which is today called Queen Ann's Creek.

Besides his son Edward, three other children of Hugh Smithwick were born before the 1669 move to North Carolina - Hugh, Ralph, and Eliza - but there is no further record of these children. Another son, John, was born after 1669 in North Carolina. He married Hannah Kent (daughter of Thomas and Ann Kent) and died in 1696. His will mentions his wife and two daughters: Sarah and Ann.

\* Edward Smithwick (1649-1715) was married before 1680 to Elizabeth (Lydia) Shearing. After her death, he married Africa Jones, the widow of David Jones, who died in 1703. His third wife was Sarah Philpot Woolard Gillam. His children were Edward, who married Grace Hobson; John, who married (second) Sarah Speller; Elizabeth, who married Martin Griffin; Sarah, who was unmarried when her father wrote his will, later married John Stansell; Asia, who married Daniel Smith and had a daughter named Africa; and two sons named Edmond, who married Hannah and Samuel who married Mary Warren. Africa SMITH md. Wm. STANSELL

Edward increased his holdings in North Carolina lands by inheritance, grant, purchase, and by transporting individuals to America, for each of whom he received fifty acres of land. He finally owned over 4000 acres. He was present at the 1701 organization of St. Paul's Parish, Chowan District, served on its vestry for many years, and gave the land for its first church building - the first church building in North Carolina. At the meeting of 3 January, 1714/5, which he attended, he requested to be dismissed by reason of his age and infirmities. Edward sold his plantation on Albemarle Sound and was living in Bertie County on the Roanoke River when, on 21 January 1715, he signed his will. It was proved in the October court.

John Smithwick (c. 1670 - c.1762) was born in Bertie County, North Carolina. In 1711-12, while his father Edward was a member of the North Carolina House of Burgesses, John was a member of the Militia. In 1713, John petitioned for and received 450 acres of land that had been patented to his father but not developed. John and his first wife had Mary, William, Edward and Elizabeth. With Sarah he was the father of Luke, Joel, Martha, Sarah and Cloannah. The certified copy of John Smithwick's will is dated June 13, 1761, and the inventory was returned on July 12, 1762, by his son and executor William Smithwick, but it was not officially probated until 1797. It was then proven by the oath of John's daughter Cloannah, who had been one of the witnesses of the will.

His daughter, Mary Smithwick, married William Duggan and they received 125 acres from John in 1741, possibly at the time of their marriage. In 1754 Mary was left a widow with six children: William, Pheraby, Clonah (Chloe), Elizabeth, Sarah, and Martha.

It was previously thought that their daughter Chloe was the wife of James Roberson. However, this has not proven to be true: the wife of James Roberson was Milicent (Chloe?) Duggan, the daughter of William's brother John Duggan and his wife Lanier. This Smithwick family history is included in this collection for the information of Smithwick descendents.

This profile has been edited after receiving (in August of 2001) the research of Margaret Hensley of Garland, Texas.

From Hughes  
a big ROSS  
helper.

## Hugh Smithwick Descendants



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Prof. retired,  
Hugh's nephew.

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## SMITHWICK

\* Elizabeth Windley

Hugh Smithwick (c. 1625-by 1674) was born in England and arrived in Virginia in 1642, one of 15 men brought from England by William Eyres. He married Elizabeth ✗ in Virginia sometime before 1647, when their son Edward was born. In the 1660s, Hugh and his family moved from Nansemond County in Virginia almost due south into northeastern North Carolina, then to Albemarle County. The location of the Smithwick land was choice - bounded on the south by Albemarle Sound, on the west by Edenton Bay, and on the north by Mattacomack Creek, which is today called Queen Ann's Creek.

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Linda Pratt, prattl@juno.com, Eliz. and 11/21/01



## *First Generation*

1. Hugh<sup>1</sup> Smithwick was born in England circa 1620.<sup>(1)</sup> Hugh died before 1674 in Shaftesbury Pct., Albemarle Co., North Carolina.

*Windley?*

He married Elizabeth (✓) circa 1645 in Nansemond Co, Virginia.<sup>(2)</sup> Elizabeth was born circa 1620. Elizabeth died after 1669 in Shaftesbury Pct., Albemarle Co., North Carolina.

Hugh's Occupation: Planter. Hugh immigrated to America arriving before 1642 in Upper Norfolk Co, Virginia.<sup>(3)</sup> Hugh had his will probated 1 April 1680 in Shaftesbury Pct., Albemarle Co., North Carolina.<sup>(4)</sup> Hugh Smithwick is the immigrant ancestor to America of this family. Alice Duggan Gracy in her book "Thomas Hinds Duggan, Descendant and Ancestor" and Coy J. Johnston in his book "Thomas Hooks, 1730-1803, His Antecedents and Descendents, and Allied Families of Harrison, Duggan and Smithwick" and William Doub Bennett's 1995 section entitled "Smithwick Genealogy" in the book "Hugh Smithwick Descendants" published by the Martin County (North Carolina) Historical Society have searched the available records and cited them in their works. The reader is advised to read those works for information or proof beyond what is described below.

Hugh Smithwick "likely arrived in Virginia in early 1642, being one of fifteen men brought over by William Eyres, who received for their transportation into the Colony "750 Acs. Up. Norf. Co., May 23, 1642 ...Upon an arm of the W. br. of Nansemond River, adj. John Garrett." Upper Norfolk County became Nansemond County and is so known today; it borders northeastern North Carolina. [Gracy, "Thomas Hinds Duggan" p. 151]

By 1669, Hugh and his family moved into North Carolina to an area bordering the northern part of present day Edenton. A petition, made by his sons, Edward and John, in 1694 "stated their father Hugh Smithwick came into this country (Albemarle) about 35 years since..." [Gracy, "Thomas Hinds Duggan" p. 152]

Virginia planters in pursuit of rich land on which to grow tobacco began moving into the northeastern area of what is now North Carolina in the 1650's. By 1663 these early settlers had attracted attention in England. A group of English courtiers thought that they saw in the region an opportunity to colonize the country and thereby acquire power and wealth. They sought a grant from the King. King Charles II of England complied by issuing a charter to the eight Lords Proprietors in 1663 by which he created the Carolinas. Hugh Smithwick was thus one of the early permanent white settlers in the Carolina's.



Hugh Smithwick died circa 1674, testate, but his will was lost. In that year, 1674, at a court held in Shaftesbury Precinct this order was entered: "Ordered that Mr. Hugh Smithwick's will be proved in Shaftesbury Precinct with all convenient speed..."

and,

"Att the Corte held for ye Precinct of Shaftesbury the first day of April 1680 Att Edward Smithwick house, present Mr. Thos. Cullen, Judge, Mr. Joseph Chew, Mr. Joseph Gilbert, Commissioners. It is ordered that Edward Smithwick have letters of administration upon the estate of his father Hugh Smithwick Decd." (Edward Smithwick having testified that the will had been lost.) [Johnston, "Thomas Hooks" p. 122]

Hugh Smithwick and Elizabeth ( ) had the following children:

● + 2 i. Edward<sup>2</sup> Smithwick was born circa 1649.

● 3 ii. Hugh Smithwick<sup>(5)</sup> was born in Nansemond Co, Virginia circa 1650. Hugh died before 1693 in Chowan Precinct, North Carolina.<sup>(6)</sup> Hugh's Occupation: Planter.

● 4 iii. Ralph Smithwick<sup>(7)</sup> was born in Nansemond Co, Virginia circa 1655. Ralph died before 1693 in Chowan Precinct, North Carolina.<sup>(8)</sup> Ralph's Occupation: Planter.

● 5 iv. Elizabeth Smithwick<sup>(9)</sup> was born in Nansemond Co, Virginia circa 1660. Elizabeth died circa 1692 in Chowan Precinct, North Carolina.<sup>(10)</sup> She married Robert Warburton circa 1678 in Chowan Precinct, North Carolina.<sup>(11)</sup> Robert died circa 1692 in Chowan Precinct, North Carolina.

● 6 v. John Smithwick<sup>(12)</sup> was born in Shaftesbury Pct., Albemarle Co., North Carolina circa 1670. John died December 1696 in Chowan Precinct, North Carolina, at 26 years of age.<sup>(13)</sup> John died in present day Hyde Co., North Carolina. He married Hannah Kent circa 1690 in Chowan Precinct, North Carolina.

Hannah was born 10 May 1673 in Berkket Precinct, North Carolina. Hannah<sup>(14)</sup> was the daughter of Thomas Kent and Ann ( ). Hannah died November 1711 in Chowan Precinct, North Carolina, at 38 years of age.

John's Occupation: Planter.

● 7 vi. Mary Smithwick was born in Chowan Precinct, North Carolina circa 1672.<sup>(15)</sup> She married Thomas Gregory circa 1695 in Chowan Precinct, North Carolina.<sup>(16)</sup> Thomas was born circa 1670. Thomas died circa 1713 in Chowan Precinct, North Carolina.

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Precinct in 1701. He served on its vestry for many years and gave the land for the first church building. This is the first church building in North Carolina. His name is inscribed on a marble plaque in the rear wall of the sanctuary of the present-day St. Paul's Episcopal Church in Edenton, North Carolina.

Edward signed his will on 21 January 1715 and it was proved in the 1716 October court.

Edward Smithwick and Elizabeth ( ) had the following children:

● 8 i. Edward<sup>3</sup> Smithwick<sup>(23)</sup> was born in Shaftesbury Pct., Albemarle Co., North Carolina circa 1675. Edward died circa 1719 in Edenton, Chowan Precinct, North Carolina.<sup>(24)</sup> He married Grace ( ).<sup>(25)</sup>

Edward's Occupation: Planter.

● + 9 ii. John Smithwick was born circa 1677.

\* ● 10 iii. Elizabeth Smithwick<sup>(26)</sup> was born in Shaftesbury Pct., Albemarle Co., North Carolina circa 1678. She married Martin Griffin circa 1700 in Chowan Precinct, North Carolina.<sup>(27)</sup>

● 11 iv. Sarah Smithwick<sup>(28)</sup> was born in Shaftesbury Pct., Albemarle Co., North Carolina circa 1679.

● 12 v. (Dau.) Smithwick<sup>(29)</sup> was born in Shaftesbury Pct., Albemarle Co., North Carolina circa 1680. She married ( ) Smith.<sup>(30)</sup>

● 13 vi. Susannah Smithwick<sup>(31)</sup> was born in Shaftesbury Pct., Albemarle Co., North Carolina circa 1682. She married William Charlton.<sup>(32)</sup>

● 14 vii. Edmund Smithwick<sup>(33)</sup> was born in Chowan Precinct, North Carolina circa 1684. Edmund died circa 1774 in Martin Co., North Carolina.<sup>(34)</sup> Edmund's Occupation: Planter. Edmund moved into Bertie County in the area of Cashie's neck in the early 1720's. His name appears on several deeds in that area. He also likely lived on the south side of the Roanoke River in the area of Smithwick Creek in present day Martin County, North Carolina. The name of his wife is unknown. In his will dated 11 May 1772 in Martin County, he indicated his sons as Edmondson Edmond, John, Samuel, Edmondson John and daughters as Hannah **Jordon**, Mary **Carkeet** and Africa **Blount**.

● 15 viii. Samuel Smithwick<sup>(35)</sup> was born in Chowan Precinct, North Carolina circa 1685. He married Mary ( ) circa 1720 in Chowan Co., North Carolina.<sup>(36)</sup>



## Second Generation

2. Edward<sup>2</sup> Smithwick (Hugh<sup>1</sup>)<sup>(17)</sup> was born in Upper Norfolk Co, Virginia circa 1649.<sup>(18)</sup> Edward died circa 1716 in Edenton, Chowan Precinct, North Carolina.<sup>(19)</sup>

He married three times. He married Elizabeth (✓) shearing? circa 1672 in Chowan Precinct, North Carolina.<sup>(20)</sup> Elizabeth was born circa 1650. Elizabeth died circa 1690 in Chowan Precinct, North Carolina. Nothing is known about Elizabeth's maiden name. ?

He married Africa ( ) circa 1694 in Chowan Precinct, North Carolina.<sup>(21)</sup> Africa died circa 1703. He married Sarah ( ) circa 1703 in Chowan Precinct, North Carolina.<sup>(22)</sup> Sarah died before 1709 in Chowan Precinct, North Carolina.

Edward's Occupation: Planter. Edward Smithwick was a very prominent man of his time. Gracy, Johnston and Bennett in their books devote several pages to Edward. Bennett's discussion in particular is excellent.

Edward was married three times but records indicating the maiden names of these wives have not been found. Africa is presumed by many researchers to be the mother of all of Edwards children.

During the 1670's and 1680's when Edward was in his twenties and thirties, what government there was in the Carolina Colony and the Chowan Precinct area was either illegitimate, corrupt, being rebelled against or suffering under tyrannical rule. As a result there are few records during this period as most were destroyed. In fact, Edward spent considerable effort in the 1680's to 1700's filing claims with the courts to regain lands that were due him from his father's estate as well as reclaiming headrights and patents for his step-children, nephews and in-laws. For example Hugh Smithwick died in 1674 however, his will was not probated at that time. Possibly because John Jenkins whose commission as Acting Governor had expired in 1675 and Thomas Eastchurch who was elected Speaker, had Jenkins imprisoned because he continued to govern. By 1677, Eastchurch and cohort, Thomas Miller had gone to England were Eastchurch was appointed governor and Miller appointed Secretary. However, Eastchurch was delayed in returning and Miller illegally assumed the power of governor in July 1677 before Eastchurch returned. Miller's conduct of government contributed to "Culpeper's Rebellion" where Miller was imprisoned and John Culpeper and George Durant also illegally took over the government. Eastchurch died before he could return. It wasn't until July, 1679 until a commission arrived appointing John Harvey as Acting Governor that a government was reestablished. Apparently many inhabitants let their legal business wait during this period until these issues were



resolved. It was during the rebellion that colonists seized and destroyed government records and papers of officials. [Bennett, Smithwick Genealogy]

It is not known what part, Edward Smithwick played in "Culpeper's Rebellion" of 1677-79. Culpeper's Rebellion was one of the first uprisings in the American Colonies. It was caused by enforcement of the navigation acts which forced the Carolina colonists to market their tobacco only thru New England shippers and the payment of heavy duties. The colonists wanted to ship directly to England or to other markets of their choosing. About 4000 settlers in the Albemarle colony, through their leaders John Culpeper and George Durant rebelled. They took over the government, established courts, appointed judges and convened an assembly. Culpeper was governor for two years and then went to England to seek settlement of the matter. Culpeper was arrested in England, tried and acquitted. The matter ended without bloodshed.

In early 1780, Edward Smithwick came into court to probate his Father's will which had been lost or destroyed years earlier. On 1 April 1680 he received letters of administration of his fathers estate. It was not until 1683 that the estate was settled. However, here again land records were destroyed by Seth Sothel, one of the Lords Proprietors, who took over as governor from 1682 to 1689 when he was banished from the colony. [Bennett, Smithwick Genealogy]

On 30 June 1680 Edward was arrested and imprisoned on charges trumped up by Robert Holden who had assumed control of the colony. On July 2, Holden himself was arrested and four days later, Edward was afforded bail and went home. However, on 12 September 1680, Edward was again arrested without warrant likely by Holden's direction and held in confinement for about 2 months until he was released because a grand jury could not return a true bill. [Bennett, Smithwick Genealogy]

Edward increased his land holdings by inheritance, grant, purchase and transporting individuals into the Carolinas for which he received 50 acres for each. However, due to the lack of records no very clear account of his land ownership can be determined. By the time of his death he ultimately owned in excess of four thousand acres in the Cashie Neck area of present day Bertie County.

He was named surveyor in 1682, served as a juror and as a commissioner in local courts. He was a member of the House of Burgesses in 1703 and again in 1711 and 1712. In fact, he was likely a practicing attorney as he was entitled to be referred to or addressed as Mr. Edward Smithwick or Edward Smithwick, Esquire.

He was present at the organization of St. Paul's Parish, Chowan



### SMITHWICK GENEALOGY: Generation Three

*Rebekah Stansell*

River to Smithwick Creek.<sup>27</sup> In June 1738, he was appointed overseer of this road.<sup>28</sup> At September Term of Court 1739, John was one of the Grand Jurors.<sup>29</sup> In June 1740, he was appointed guardian to the orphans of Peter Stansell.<sup>30</sup> On 22 August 1750, John Stansell wrote his will which was probated at the next term of court.<sup>31</sup> In 1776 Sarah Stansell conveyed the land of her deceased husband, John Stansell, to her sons, John and Godfrey Stansell.<sup>32</sup> Sarah (Smithwick) Stansell's date of death is not known.

The children of John and Sarah (Smithwick) Stansell as listed in his will, order of birth unknown:

- 23 i. Elizabeth Stansell.
- ii. Mary Stansell m. \_\_\_\_\_ Bentley. A thorough search of records of the Bentleys of Tyrrell and Bertie Cos. fail to disclose a spouse named Mary or Polly. It is possible she married a son of William Bentley of Tyrrell Co., but there are no records to substantiate this theory.
- iii. (Son), d. ante 1750. John Stansell refers to his gr. dau., Elizabeth Stansell. She could not have been a child of either John or Godfrey Stansell, since according to the will neither was married.
- iv. Rebekah Stansell, n.f.i.
- 24 v. Godfrey Stansell.
- 25 vi. John Stansell.<sup>33</sup>

8 **ELIZABETH SMITHWICK** (Edward<sup>2</sup>, Hugh<sup>1</sup>) was the daughter of Edward Smithwick and probably his first wife, Elizabeth. Elizabeth Smithwick was probably born between 1680 and 1685.<sup>34</sup> She married Martin Griffin c1700.<sup>35</sup> The date of her death is not known. She was living as late as 1723;<sup>36</sup> however, it is believed it was her daughter to whom reference was made in 1752.<sup>37</sup>

*Martin Griffin*

Nothing is known of the early years of Martin and Elizabeth (Smithwick) Griffin. No record of Martin Griffin has been found prior to 1714. He appears on none of the tax lists or corn lists prior to that date. It is apparent, though, that he was very active during the Tuscarora Indian War. He presented a claim in 1714 for two pounds ten shillings.<sup>38</sup> Another undated claim is for six pounds, six shillings, six pence,<sup>39</sup> and about the time of his death there is a third claim for twenty four pounds, fifteen shillings.<sup>40</sup> Two years after his death a claim was settled for



### SMITHWICK GENEALOGY: Generation Three

ninety nine days service at eight shillings per day, a total of twelve pounds, seven shillings, six pence.<sup>41</sup>

No deeds have been found for Martin Griffin, but at his death he owned a plantation on the northeast side of Cashey (Cashie) River and two large tracts on the south side of Roquist Pocosin. In 1720 a grant for land was issued in the name of Martin Griffin but the bounds are indefinite.<sup>42</sup> This could have been the tract near Roquist Pocosin which Martin willed to his son Martin. In a pre1716 undated tax list he is listed with an estate of equal value as that of his brother-in-law, Edward Smithwick, Jr.<sup>43</sup> Martin Griffin died in June 1718.

The will of Martin Griffin has some interesting wording. He devised to his son, Edward Griffin "my plantation or tract of land lying and being on the North Side Cisai (Cashie) River With Housing fenceing and orchards Hunting Hawking fishing and fouling and Every of the apportanances there unto Be Longing freely to Enjoy the promises of the Said Land att the age of twenty one years." He also gave his sons, "John Grifon and Willam Grifon" a tract on the south side of Roquis Creek to be equally divided between them when John became sixteen and John was to have his choice. Son Edward Griffin was to receive an Indian slave when he became twenty one. However, if the slave became unruly he was to be sold and the money used to buy pewter to be divided between Edward and his brother, John. Son Martin received land on the south side of the southernmost branch of Roquist Creek. Daughter Sarah's two cows and calves were to be delivered to her in May 1720; other bequests to her were to be delivered when she reached age sixteen or married. His daughter Elizabeth was also to receive her bequest at age sixteen. The next bequest reads: "I give and bequeath to Mary Stansill Daughter of Mary Stansill one cow and calf two be delivered to John Stansill May in the year 1720 to her only sole and proper use and if the sd Mary Stansill Die then to William Stansill Son of John Stansill and Catherine Stansill." His last bequest was a yearling heifer to John Rodgers, son of Thomas Rodgers and his wife, Frances Rodgers.

Martin Griffin's will was written 3 June 1718 and probated at the July Term of Court 1718. His children as listed in the will, birth order unknown:<sup>44</sup>

- |    |      |   |  |
|----|------|---|--|
| 26 | i.   | Mary Griffin.   | <i>"Eastern NC<br/>                 Digital Library"<br/>                 N.C. Wille<br/>                 Sons: Edward &amp; Wm.<br/>                 Daughters: Mary, Sarah, Ann,<br/>                 Eliz. md. COOPER</i> |
| 27 | ii.  | Martin Griffin.   |  |
| 28 | iii. | Frances Griffin.  |  |
| 29 | iv.  | Edward Griffin. <i>Bertie Co. Md. Head</i>                                      |  |
| 30 | v.   | John Griffin.   |  |
|    | vi.  | William Griffin. It is believed William must have died before reaching maturity |  |



### SMITHWICK GENEALOGY: Generation Three

as his name has not been found in other records. This William is not to be confused with the William Griffin who died in 1735, the son of John and Joyce Griffin.

- vii. Sarah Griffin, b. c1704, n.f.i.
- viii. Elizabeth Griffin, b. c1705, unmarried in 1752.<sup>45</sup>

9 **ASIA SMITHWICK** (Edward<sup>2</sup>, Hugh<sup>1</sup>) was the daughter of Edward Smithwick, probably by his second wife, Africa. No records have been found which indicate when she was born or married. Asia Smithwick married Daniel Smith<sup>46</sup> and lived in Bertie County. Asia (Smithwick) Smith was living in 1717,<sup>47</sup> but the date of her death is unknown.

Daniel Smith's origin is unknown. The earliest record found is his appearance as a juror at General Court 28 July 1713.<sup>48</sup> It is apparent he was active in the Tuscarora Indian War. In 1714 he filed one claim for six pounds and another for four pounds, eleven shillings.<sup>49</sup> In another undated list he filed a claim for six pounds, fifteen shillings and three pounds, ten shillings.<sup>50</sup> In April 1714 he was issued a patent for 560 acres in that part of Chowan Precinct (County) which became Bertie County.<sup>51</sup> He sold this tract to Thomas Ball and George Madby a year later.<sup>52</sup> At April Term of Court 1715, Daniel Smith was appointed one of the appraisers of the estate of Mary Berry.<sup>53</sup> In October 1715 an undated deed from Edward Smithwick to Daniel Smith was registered.<sup>54</sup> There must have been another unrecorded deed for 100 acres adjoining this property for in 1723 Edmund Smithwick referred to 300 acres having been conveyed to Daniel Smith.<sup>55</sup> An undated tax list, but prior to 1716, valued Daniel Smith's estate at one hundred pounds which was one third that of Edward Smithwick, Sr.<sup>56</sup> A deed dated 15 April 1717 in Chowan County (now Bertie) is for land which "joins the widow Ashia Smith."<sup>57</sup> When this tract was sold in 1737 the deed referred to adjoining land "formerly Ashia Smith."<sup>58</sup> It is presumed Daniel Smith died in late 1716 as he was apparently living when, on 21 January 1715/16, Edward Smithwick bequeathed "to my Grand Daughter Affrafik Smith one Hundred Acres of Land A Joining to her ffathers."<sup>59</sup>

The only known child of Daniel and Asia (Smithwick) Smith:

- 31 i. Africa Smith.

10 **EDMUND SMITHWICK** (Edward<sup>2</sup>, Hugh<sup>1</sup>), son of Edward and Africa Smithwick, was born at the family home on Mattacomack Creek (Queen Anne's Creek) in Chowan County, North Carolina, in 1699.<sup>60</sup> His family moved to Cashie Neck in present day Bertie County, North Carolina, before Edmund reached maturity. Even as a youth Edmund had contact with some of the leaders of the colony. Included among these was Edward Moseley,



### SMITHWICK GENEALOGY: Generation Three

only court appearance that year. On 5 March 1761, a writ was issued to arrest him, the action based on a charge by his son-in-law William Carkeet of Trespass on the Case. It appears that prior to Carkeet's marriage to Smithwick's daughter, Edmund had promised a plantation as part of the bride's dowry but had refused to give Carkeet a deed for the land. Carkeet was suing for the value of the land.<sup>135</sup> On 20th May 1761, in a case prosecuted by William Carkeet, Edmund Smithwick was found guilty of "taking from Nathaniel Everit the younger two Pistorers valued at two shillings, eight pence as fee under color of his office as Justice of the Peace for performing the marriage of Everit to Mary Griffin contrary to the tenor of the oath before that time prescribed."<sup>136</sup> The same year Edmund gave his negro, York, permission to carry a gun. Edmund also was security for Harry, a slave of James Blount, and Tom, a slave of James Gainer, to carry guns.<sup>137</sup>

The last year Edmund Smithwick served in the Assembly, 1768, attention was called to the matter that James Johnson had publicly grossly abused and aspersed the character of Edmund Smithwick in contempt and breach of the privilege of the Assembly. Johnson claimed he could prove his charges but was unable to do so to the satisfaction of the Assembly. As punishment, Johnson had to ask the pardon of the Assembly on his knees and, while standing, ask the pardon of Smithwick.<sup>138</sup> In 1771 the New Bern District Superior Court requested a deposition from Edmund Smithwick in the ejectment suit of Thomas Pollock vs John Sasser.<sup>139</sup> Unfortunately, the deposition in this case has not survived. In 1772 Edmund disposed of much of his land holdings in present day Martin County to his sons.<sup>140</sup> Edmund Smithwick died in the early summer of 1774.<sup>141</sup>

The children of Edmund and Hannah Smithwick, as named in his will, birth order uncertain:

- 32 i. Edmundson John Smithwick.
- 33 ii. Edmundson Samuel Smithwick.
- 34 iii. Edmundson Edward Smithwick.
- 35 iv. Edmundson Edmund Smithwick.
- 36 v. Hannah Smithwick.
- 37 vi. Africa Smithwick.
- 38 vii. Mary Smithwick.

11 **SAMUEL SMITHWICK** (Edward<sup>2</sup>, Hugh<sup>1</sup>), was the son of Edward Smithwick and possibly his second wife, Africa (maiden name unknown). However, he probably remembered only his father Edward's third wife, Sarah, as mothering him. Samuel's date of



### SMITHWICK GENEALOGY: Generation Three

*Samuel Smithwick*

birth is unknown, but he was probably Edward's youngest. Samuel Smithwick died between 1770 and 1772.<sup>142</sup> He married Mary Warren<sup>143</sup> prior to February 1729.<sup>144</sup> Samuel grew up in Bertie County, North Carolina, but followed

his brother, Edmund across the Roanoke River to Tyrrell County (now Martin County). Although Samuel Smithwick is the forgotten man of this generation of Smithwicks, most present day Smithwicks in northeastern North Carolina are descendants of this man. Samuel Smithwick was not financially successful. As early as 1742 he began disposing of his lands.<sup>145</sup> By the time of his death he had sold all of his property and there is no reference to his death in either the court minutes or the estate settlements. The sister of Mary (Warren) Smithwick, Elizabeth Spier, remembered Samuel and Mary (Warren) Smithwick's children in her will.<sup>146</sup> Elizabeth Spier's will names the following children:

- i. Samuel Smithwick, Jr., b. ante 1743.<sup>147</sup> His only child was:
  - a. Thomas Smithwick, left Martin Co., N. C., c1813.<sup>148</sup>
- 39 ii. David Smithwick.
- 40 iii. Edmond Smithwick.
- 41 iv. John Smithwick.
- 42 v. William Smithwick.
- 43 vi. Sarah Smithwick.

12 **ELIZABETH WARBURTON** (Elizabeth<sup>2</sup>, Hugh<sup>1</sup>), daughter of Robert and Elizabeth (Smithwick) Warburton, was apparently born shortly before 1680 in Chowan County, North Carolina. Her date of death is unknown but probably occurred in Bertie County. Little is known of Elizabeth and nothing is known of her childhood. An undated Chowan Precinct tax list of people living in the Cashie Neck area of present day Bertie County lists her estate at thirty pounds, which is the same value placed on her brother's estate.<sup>149</sup> Since this tax list included Edward Smithwick, Sr., and Edward Smithwick, Jr., it is presumed to be about 1715. It would appear she probably moved to Cashie Neck with her uncle, Edward Smithwick, Sr. In the only other record found for her, a court order of 18 January 1714 bound Priscilla Simpson, daughter of Jos. Simpson, to her.<sup>150</sup>

Because of the close ties between the Gardner and Smithwick families it has been postulated that Elizabeth later married John Gardner. On 5 March 1721/22, John Sessions sold John

*John Gardner*



## SMITHWICK GENEALOGY: Generation Four

- 57 i. John Stansell.
- ii. Jonathon Stansell, m. Rebecca \_\_\_\_\_, d. 1847.
  - a. Rebecca Stansell, m. \_\_\_\_\_ Whitley.
- iii. Nathan Stansell, m. 1) 27 Feb. 1795 Clary Taylor, 2) 27 Feb. 1797 Nancy Pender.
- 58 iv. Godfrey Stansell.
- 59 v. Sally Stansell.
- vi. Elizabeth Stansell, m. Randolph Moore.
- 60 vii. Polly Stansell.
- viii. Rebecca Stansell, m. \_\_\_\_\_ O'Neal.<sup>78</sup>

26 **MARY GRIFFIN** (Elizabeth<sup>3</sup>, Edward<sup>2</sup>, Hugh<sup>1</sup>), daughter of Martin and Elizabeth (Smithwick) Griffin, was born about 1700.<sup>79</sup> She married William Stansell, son of John and Catherine (Hardy) Stansell c1716.<sup>80</sup> Mary (Griffin) Stansell apparently died prior to the death of her father in 1718.<sup>81</sup> In 1732 William Stansell married, 2), his wife's cousin, Africa Smith (q.v.).

The only known child of William and Mary (Griffin) Stansell:

- i. Mary Stansell, b. c1716. No record has been found for Mary other than the reference in the will of her grandfather, Martin Griffin.

27 **MARTIN GRIFFIN** (Elizabeth<sup>3</sup>, Edward<sup>2</sup>, Hugh<sup>1</sup>), son of Martin and Elizabeth (Smithwick) Griffin, was probably born about 1702.<sup>82</sup> No record has been found to indicate to whom or when he married. Martin grew up in Bertie County but moved to Tyrrell County about 1735.<sup>83</sup> Martin lived a long life, dying in 1796 in that part of Tyrrell County which had become Martin County in 1774.<sup>84</sup>

On the death of his father, Martin Griffin acquired a tract of land on the southern branch of Roquist Creek. He apparently farmed the land until persuaded by his cousin, Edmund Smithwick, to move across the Roanoke River. In 1735 Edmund Smithwick sold Martin Griffin a tract of 640 acres which Edmund had recently been granted.<sup>85</sup> In 1738 Martin sold his Bertie County lands.<sup>86</sup> In 1739 he was on the Grand Jury for Tyrrell County.<sup>87</sup> In 1743 Martin Griffin bought fifty one acres of Pollock's Bal Gray tract; it lay in Tyrrell County<sup>88</sup>. Next, in 1747, he bought the Tyrrell County lands of the late David Henderson.<sup>89</sup> In 1748 he and Joseph Dwight processioned much of the land in Tyrrell County that lay between Welches Creek and Swift Creek in obedience to an order of the Vestry of St. Andrews Parish issued 5 June 1747.<sup>90</sup> When Martin was in his mid-to-late sixties, he decided to turn over his



## SMITHWICK GENEALOGY: Generation Four

farming operations to his son, Martin. In 1769 Martin Griffin conveyed the homeplace and 540 acres to his son.<sup>91</sup> Nothing is known of his later life, but Martin Griffin lived to be over ninety years of age and died in 1796.

The children of Martin Griffin as listed in his will were:

- i. Martin Griffin.
- ii. Edward Griffin.
- iii. Thany Griffin, m. \_\_\_\_\_ Cooper.
- iv. Jesse Griffin.
- v. Ruben Griffin.
- vi. Mary Griffin. *b. 1700 ind. ROSS*
- vii. Millie Griffin.
- viii. Chloe Griffin.<sup>92</sup>

28 **FRANCES GRIFFIN** (Elizabeth<sup>3</sup>, Edward<sup>2</sup>, Hugh<sup>1</sup>) was probably the eldest daughter of Martin and Elizabeth (Smithwick) Griffin. The reference to her in her father's will is the only record concerning her which has been located. Very little more has been found concerning her husband, Thomas Rogers. The records imply that Thomas Rogers had a son, Thomas, who was grown and married by 1716.<sup>93</sup> If this is the case, then Frances Griffin must have been a second wife because she would probably have been far too young to have had a son that age. The records also differ as to the date of death of Thomas Rogers,<sup>94</sup> unless there was a third Thomas Rogers.

Thomas Rogers, husband of Frances Griffin, is first recorded as a witness to the will of Martin Griffin in 1718.<sup>95</sup> In 1719 he purchased 100 acres from Charles Pate which Edward Smithwick had originally sold to Nathan Moore.<sup>96</sup> This land adjoined that which Edward Smithwick bequeathed to his daughter, Sarah.<sup>97</sup> In 1722 Thomas Rogers bought a tract of land from John Gardner that Gardner had purchased from John Sessions.<sup>98</sup> This is the last reference which can be attributed to this Thomas Rogers. No reference can be found for the disposition of either tract of land. In 1721 Thomas Rogers was taxed only on the tract of land he purchased from Pate and was not charged a poll tax.<sup>99</sup> Indicating he was either out of the county or so incapacitated that the county court had relieved him of paying poll tax.

The only known child of Thomas and Frances (Griffin) Rogers:

- i. John Rogers.



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29 **EDWARD GRIFFIN** (Elizabeth<sup>3</sup>, Edward<sup>2</sup>, Hugh<sup>1</sup>), son of Martin and Elizabeth (Smithwick) Griffin, was born after 1702, probably c1705.<sup>100</sup> Nothing is known of his wife, Grace, nor when they were married.<sup>101</sup> Edward grew up in Bertie County, North Carolina, but moved to Tyrrell County where he died in 1753.<sup>102</sup>

When Edward Griffin matured, he inherited the home place on Cashie River. Apparently Edward moved to Tyrrell County shortly after his brother, Martin. In June 1738 Edward Griffin was appointed a Constable in Tyrrell County.<sup>103</sup> On 6 September 1743, William Gardner paid Cullen Pollock for 640 acres on Deep Run in Tyrrell County. This deed was registered in Edward Griffin's name.<sup>104</sup> Eight years later Edward sold 133 acres of this tract to Thomas Gardner.<sup>105</sup> In 1751 Edward petitioned the court to keep an ordinary (tavern) in his home.<sup>106</sup> In June 1753 the will of Edward Griffin was proved in court.<sup>107</sup> It was six months later before his executors, John Griffin and Edward Cooper, qualified and at the following term they returned the account of the sale of the personal property of Edward Griffin. It was June Term 1759 before the estate was finally settled.<sup>108</sup>



The children of Edward and Grace Griffin listed in his will:

- 61 i. Edward Griffin. *Jr.*  
ii. Elisabeth Griffin, m. Edward Cooper.  
Their daughter:  
a. Rhoda Cooper.  
iii. William Griffin.  
iv. Sarah Griffin, m. \_\_\_\_\_  
Sarah's child:  
a. John Griffin.  
v. Mary Griffin.  
vi. Ann Griffin.

30 **JOHN GRIFFIN** (Elizabeth<sup>3</sup>, Edward<sup>2</sup>, Hugh<sup>1</sup>), son of Martin and Elizabeth (Smithwick) Griffin, was born in Bertie County, North Carolina, sometime after 1702.<sup>109</sup> The date of his marriage and name of his wife are not known.<sup>110</sup> John inherited, with his brother William, a tract on the south side of Roquist Creek. By 1732 John Griffin had moved to



## SMITHWICK GENEALOGY: Generation Four

Tyrrell County<sup>111</sup> although he retained his land in Bertie County. In the early 1760s he was living in Beaufort County, North Carolina.<sup>112</sup> John Griffin died prior to 1785.<sup>113</sup>

In 1723 John Griffin's uncle, Edmund Smithwick, conveyed to him 120 acres adjoining land of his late uncle, Daniel Smith.<sup>114</sup> In 1728 John and his brother, Edward, witnessed a deed from John Gardner to William Gardner.<sup>115</sup> John Griffin apparently moved to Tyrrell County in 1731 or early 1732,<sup>116</sup> While he acquired land in Tyrrell County about this time.<sup>117</sup> the first

*John Griffin*

deed of record is for land sold him by his brother, Martin Griffin in 1739.<sup>118</sup> In 1740 John went to the Bertie County Court House to prove the will of John Battle.<sup>119</sup> In 1753 John was appointed one of the executors of the estate of his brother, Edward Griffin.<sup>120</sup> In 1761 John's uncle, John Smithwick, conveyed

to him land in Bertie County.<sup>121</sup> The next three years John spent trying to establish the exact bounds where his land joined James Leggitt, John Savage, and James Bryan<sup>122</sup>. In August 1764 Daniel Standley reported to the court the results of his survey of this land.<sup>123</sup> It is not definite where John Griffin was living at this time.<sup>124</sup> On 15 September 1763 John Griffin conveyed land to his son, Martin, on Keepers Branch in Tyrrell County and also conveyed land to his son, William, on the Forks of Moys (Moyes) Beaverdam Swamp in Beaufort County.<sup>125</sup> In February 1765 John bought 225 acres in Tyrrell County from his uncle, Edmund Smithwick,<sup>126</sup> and the next month he sold part of his land in Bertie County.<sup>127</sup> No further information has been found which can safely be attributed to this John Griffin until a 1785 deed indicating that this John Griffin was already dead at that time.<sup>128</sup>

The known children of John Griffin:

- i. Martin Griffin, Hatter.
- ii. William Griffin.
- iii. Ann Griffin, m. \_\_\_\_\_ Cook.
- iv. David Griffin.<sup>129</sup>

31 **AFRICA SMITH** (Asia<sup>3</sup>, Edward<sup>2</sup>, Hugh<sup>1</sup>) was the only known child of Daniel and Asia (Smithwick) Smith.<sup>130</sup> Nothing is known of her youth in Bertie County. She was apparently orphaned as a small child and it can only be presumed she was cared for by her uncle, Edmund Smithwick, in Tyrrell County.<sup>131</sup> She married William Stansell, widower of her cousin, Mary Griffin (q.v.), in 1732.<sup>132</sup> About 1750 she moved to Johnston County.<sup>133</sup>



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117. Saunders, XXII:245.
118. Tyrrell County Deed Book 1:203.
119. Bertie County, Court of Pleas & Quarter Sessions Minutes, May Term 1740, p.279, N. C. Archives, Raleigh, NC.
120. Tyrrell County, Court of Pleas & Quarter Sessions Minutes, December Term 1753, p. 95a, N. C. Archives, Raleigh, NC.
121. Bertie County Deed Book K:203.
122. Bertie County, Court of Pleas & Quarter Sessions Minutes, October Term 1761, p. 565; August Term 1763, p. 221, N. C. Archives, Raleigh, NC.
123. Bertie County, Court of Pleas & Quarter Sessions Minutes, August Term 1764, p. 386, N. C. Archives, Raleigh, NC.
124. Bertie County Deed Book K:458; Tyrrell County Deed Book 4:355(Vol.1); Beaufort County, NC., Deed Book 4:23.
125. Tyrrell County Deed Book 4:355(Vol.1); Beaufort County Deed Book 4:23.
126. Tyrrell County Deed Book 4:470(Vol.1).
127. Bertie County Deed Book K:458.
128. Martin County Deed Book A:522.
129. Identification of the children is based on the deeds and the association of witnesses involved in deeds between members of the family.
130. A thorough search of the land records failed to disclose any one named Smith disposing of the land of Daniel Smith. The land sold by William and Africa (Smith) Stansell appears to be in the area which would include the lands of Daniel Smith.
131. Tyrrell County Deed Book 4:153 (Vol.2).
132. Published records on this Stansell family claim that William, the husband of Africa Smith, was the son of William, the husband of Mary Griffin, and was born c1740. This work ignores the marriage contract of 1732 and the deeds of 1745 and 1750.

## SMITHWICK GENEALOGY: Generation Four

- County Tax List from the same collection.
68. Johnston County, Court of Pleas & Quarter Sessions Minutes, February Term 1781, p.162, N. C. Archives, Raleigh, NC.
  69. Johnston County, Court of Pleas & Quarter Sessions Minutes, November Term 1781, p.184, N. C. Archives, Raleigh, NC.
  70. Saunders, XVIII:252.
  71. Ibid, XVIII:251.
  72. Johnston County, Court of Pleas & Quarter Sessions Minutes, Nov. Term 1781, p.27; Dec. Term, p.91, N. C. Archives, Raleigh, NC.
  73. Johnston County, Court of Pleas & Quarter Sessions Minutes, Sept. Term 1789, p.81, 82; Dec. Term 1789, p.43, N. C. Archives, Raleigh, NC.
  74. Johnston County, Court of Pleas & Quarter Sessions Minutes, Mar. Term 1791, p.142, N. C. Archives, Raleigh, NC.
  75. Johnston County, Court of Pleas & Quarter Sessions Minutes, May Term 1793, p.24, N. C. Archives, Raleigh, NC.
  76. Johnston County, Court of Pleas & Quarter Sessions Minutes, Sept. Term 1795, p. 186, N. C. Archives, Raleigh, NC.
  77. Johnston County, Court of Pleas & Quarter Sessions Minutes, May Term 1807, p. 121, N. C. Archives, Raleigh, NC.
  78. Original Wills, Johnston County, Will of John Stansell, Loose Papers, N. C. Archives, Raleigh, NC.
  79. The presence of the grandchild in 1718 would indicate Mary was born c1700.
  80. She had a daughter, Mary, in 1718 according to the will of Martin Griffin.
  81. The will of Martin Griffin implies that William was under twenty one years of age, since the bequest to Martin's granddaughter, Mary Stansell, is to be put in the possession of her uncle, John Stansell. Likewise, in the event of the death of the said Mary Stansell the bequest is to go to William Stansell, not William and his wife, Mary. A careful reading of this will shows no provision for any benefit to devolve to Mary (Griffin) Stansell. The conclusion is that she is dead.