

GAITHER FAMILY

Prepared by V. E. Phillips, Atty.,
1120 Dierks Bldg., Kansas City, Mo.

On Oct. 14, 1929, I ascertained that in Mocksville, N. C., where my great-grandfather Col. Beal Gaither was born, there was a member of the bar named E. L. Gaither. The law directory to which I referred indicated that E. L. Gaither was born in 1850, admitted to practice law in 1875, was president of Bank of Davie, and was rated as well-to-do and as an excellent lawyer. An inquiry to him as to information concerning Beal Gaither's ancestors brought a well-written lengthy letter under date of Oct. 19, 1929, reading in part as follows:

"Your ancestor, Beal Gaither must have been a descendant of one of the Gaithers who came to North Carolina from Maryland just after the Revolutionary War. An incomplete list of them and their descendants appears in a book entitled 'The Founders of Anne Arundel and Howard Counties Maryland' by J. D. Warfield, Kuhn & Pollock, Publishers, Baltimore, Maryland. **

Those who were granted lands by the State from 1784 to 1787 were Burgess, Basil, Benjamin, Johnsie, brothers, Nicholas and Eli, brothers, and Benjamin 2nd, Azariah, William and John.

Burgess settled in Iredell County and represented his county in the North Carolina legislature from 1790 to 1801. His son, Burgess S. Gaither, who died in Morganton, N.C. was perhaps the most distinguished man of the Gaither name. He was a fine lawyer, member of the State Constitutional Convention of 1835, member of the Confederate Congress at Richmond, Va., and for a number of years Solicitor of his Judicial District. He was born 1807 and died 1893.

Basil settled in Rowan County, now Davie cut off 1837, near Mocksville. He represented his county in the Legislature from 1788 to 1802 when he died his will being dated Nov. 8, 1802. Basil was my great grandfather. He married Margaret Watkins of Maryland and their children were Nicholas, Walter, Gassaway (my grandfather), Basil, Betsy, Nathan and Nellie. Gassaway Gaither married Mary Smoot and their son, Ephraim Gaither, born Dec. 6, 1808 died June 18, 1888 and married Sarah Johnson was my father.

Benjamin, brother of Basil and Burgess, was granted land on Bear Creek, two miles west of Mocksville, in 1784. In his will dated in 1802, he names the following children some of whom were small: Thomas, Johnsie, Beal, Basil, Brice, Bruce, Sallie, Henrietta, and alludes to his daughters, Margaret Howard, Elinor Varner and Ann Parker. I have wondered if this Beal may not have been Beal your ancestor.

Johnsie Gaither, brother of Basil, Burgess and Benjamin, was granted land on Elisha Creek which is about the same distance from Mocksville on the east side, in 1786. I know nothing of his descendants. (First census, 1790, shows Johnsie Gaither living in Iredell Co.)

Burgess, Basil, Benjamin and Johnsie Gaither were sons of Col. Edward Gaither and Elinor Whittle Gaither of Maryland. Burgess married Amelia Martin of Virginia Sept. 24, 1791. The book I refer to contains at page 424 the names of Burgess' children as taken from the family bible of Amelia Martin Gaither. The book also contains a history of the family from the time John Gaither and wife landed from England down to the time several of that family came to North Carolina about 1781."

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J. H. Wheeler's History of North Carolina, (1851) shows: Basil Gaither, member of Senate from Rowan Co., 1788; of House 1790-91-92-93-94-95. Burgess Gaither, member of House from Iredell Co. 1792, 95, 96, 97, 1800, 01.

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Gaither, Benj.	1	"	5	"	6	"	2	"
Iredell Co. N. D.								
Gaither, Burgess	2	"	0	"	2	"	3	"
Gaither, John	2	"	1	"	5	"	0	"
Gaither, Jeremiah,	1	"	0	"	2	"	0	"
Gaither, Nicholas,	1	"	4	"	1	"	1	"

The Revolutionary War Records of Maryland show:

Edward Gaither Sr., followed by John Gaither, Washington Co. Md. 1778.
 Burgess Gaither, return of Joseph Wilson, Montgomery Co. Md. 1-19-1778.
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 Other Gaithers appearing include Elijah, Ephrain, Henry, and John, William and Nicholas from Montgomery Co. Md.
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Leading American Biographies (12 Volumes) contains the following:

"Gaither, Henry, soldier, b. Montg. Co. Md. in 1751. He was a Captain in Revolutionary War and took part in nearly every battle. He was Commander Major in the "levies of 1791" and served under St. Clair against the Miamis of that year. In 1793 he was appt. Lt. Col. of the 3rd Inf. serving until 6-1-1802. In the interim he was in command of Ft. Adams, posts on the Mississippi, and Ft. Stoddard on the Mobile River. At the end of a long and honorable career in the army, Col. Gaither returned to his native country. In professional life, he was noted for his strictness as a disciplinarian

EARLY RECORDS OF THE GAITHER FAMILY.

There are many discrepancies in the early records of this family, but I am of the opinion the following represents the best record:

1. JOHN GAITHER. b. England 1599. From England 1621 to James City, Virginia. Colonial Official, Chalres City, Va. Received grant on Elizabeth River 500 a. Married 2nd time, Joan.
2. JOHN GAITHER. b. 1620. Came in the ship "Assurance" with his father and stepmother and settled at Jamestown. (One record says born on the ship "Assurance". Moved to Sewell's Pt. Md. in 1640.
3. JOHN GAITHER. b. 1640, 1650 (?), son of John Gaither of Virginia who moved to Maryland about 1640. Received grant of 450 a on South River, Anne Arundel Co. Md. 1663 (?). Married Ruth Morley in 1675. Among their children was Benjamin Gaither, b. Feb. 2, 1681. Died 1703.
4. BENJAMIN GAITHER. b. Anne Arundel Co. Md. Feb. 2, 1681. son of John and Ruth Gaither. He succeeded to part of "Abington" and became a large land owner on the Patuxent River, owning "Gaither's Fancy" and other properties. In 1709 he married Sarah, the daughter of Col. Edward and Sarah (Chew) Burgess. Became a Surveyor and in 1728 was active in establishing Queen Caroline Parish. His sister, Ruth Gaither, married John Warfield who inherited Warfield Plains from his grand father Gov. Edwin Warfield and the South River settlement became one of the social centers of Maryland.
The children of Benjamin Gaither and Sarah Chew Gaither were:
 1. Benjamin, who was willed "Polecat Hills" on Patuxent. si
 2. John, willed part of "Bite the Biter" and married Agnes Rogers, daughter of Capt John Rogers.
 3. Edward, Col. in Revolutionary War, married Eleanor Whittle. willed 350 a in Benjamin's Lot in Prince George Co. Md.
 4. Samuel, became a lawyer. died unmarried. Willed part Bite the Biter.
 5. Henry, b. 1724. d. 1773. married Martha Ridgley. willed 350 a "Gaither's Fancie" in Prince George
 6. William, willed 200 a of Gaither's Fancie" and 180a in "Addition".
 7. Elizabeth, m. Davis and willed part of 160a Benj. Lott and 710 a Gaither's Chance.
 8. Anne, m. Hammond. willed same as Elizabeth.
 9. Sarah, willed same as Elizabeth.
 10. Mary G. m. Long. willed same as Elizabeth.
 11. Cassandra, m. Linthicium. willed same as Elizabeth.

Will of Benjamin Gaither was probated in Anne Arundel Co. Md. 8-31-1741. Date of his death is shown as 3-26-1741.
5. COLONEL EDWARD GAITHER. third son of Benjamin and Sarah Chew Gaither.
b. Anne Arundel Co. Maryland. 1720 (?)
m. Elinor Whittle
moved to Montgomery Co. Maryland. Officer in Revolutionary War
Children:
 1. Burgess, Rev. soldier, moved to N.D.
 2. Basil, " " N.C.
 3. Benjamin, " "
 4. Johnsie, " "

Died in Montgomery Co. Maryland. 1790 (?)

6. BENJAMIN GAITHER. third son of Col Edward and ~~Sarah~~ Sarah Chew Gaither. b. Montgomery Co. Maryland (1750 ?)
Served in Revolutionary War with his brothers Burgess, Basil and Johnsie.
Granted Soldier War Grant and migrated to Rowan Co. N. C. 1784.
Children: 1. Thomas
2. Johnsie
3. Beal moved to Ark. 1835.
4. Basil
5. Brice,
6. Bruce,
7. Sallie
8. Henrietta
9. Margaret Howard.
10. Elinor Varner
11. Ann Parker.
Died Mocksville, N. C. 1802.

7. COLONEL BEAL GAITHER. third son of Benjamin Gaither.
b. Mocksville, N. C. 1790. married Mary Rogers of Salem, N.C. 1813. Moved to Boone Co. Ark. 1835).
Colonel in War of 1812. Settled near Gaither Mountain in Boone Co. and built log house and conducted store.
Children:
1. Simpson
2. Elizabeth, m. Rush
3. Frances, m. Henry McMillan
4. Wilson, lived in Boone Co. Ark.
5. Ransom, "
6. Emaline, m. Patrick Staples, Boone Co. Ark.
7. Elvira, m. Stroud
8. Granville, moved to Okla in 1870
9. Mary, m. Bras Staples, moved to Okla in 1870
10. Beal Jr. moved to Oregon.

(See more detailed record)

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m.

Mary Rogers, Salem, N. C. in 1813. (b. 9-6-1790, d. 10-1-1876. buried Gaither Cemetery, 9 miles S. W. Harrison, Ark.)

Children:

1. Simpson, B. Salem, N. C. 11-6-1814; married in Boone Co. Ark. 12-20-1838 Minerva Jane Carden (b. Boone Co. Ark. 12-13-1821, died Garland Mo. 7-6-1889, buried Fields Creek Cemetery, Henry Co. Mo.) lived in Holly Springs, Ark. 1838 to 1866 when he returned to Boone Co. Ark. Died 9-5-1874. Buried in Boone Co. Ark.

1. Beal Morris. b. 10-17-1839, Holly Springs, Ark. merchant Camden, Ark. store burned during War. never married. d. Boone Co. Ark. 5-21-1869 and buried in his grandmother's cemetery.

2. Harriett. b. 3-17-1841, Holly Springs, Ark. m. Anderson Bennett, a teacher, 3-21-1857; lived Mulberry, Ark., Los Angeles Calif, and Mesquite, Tex. Children: 1. William, Mulberry, Ark. 2. George, Mulberry, Ark. 3. Ella (3 boys and 3 girls), Mulberry Ark. 4. Hattie, Joplin, Mo. (2 boys 1 girl) Died, Mesquite, Texas 1902 (?).

3. William C. b. 9-9-1843, Holly Springs, Ark. died, Holly Springs, Ark. 12-13-1860.

4. Mary. b. 2-10-1846, Holly Springs, Ark. m. Calvin Brewer, cabinet maker, 2-16-1860. Lived Mansfield, Henry Co. Tenn. Children: 1. Beal, died in Tenn in accident. 2. (boy), Tenn. 3. Ada, in Miss. Married 2nd husband named Faust. Died, Mansfield, Tenn. 1913.

5. Carden Simpson. b. 4-20-1848, Holly Springs, Ark. d. 11-8-1860 buried Holly Springs, Ark.

6. Malinda Emaline (Linnie), b. 8-3-1851, Holly Springs, Ark. m. Marion Butler, farmer, Camden, Ark. 9-11-1867. Children: 1. Edgar, Camden, Ark. 2. Gaither 3. Melinda, married a minister in Tenn. 4. Alva. Died, Holly Springs, Ark. 12-7-1880

7. Cannie, (Arkansas Isabella), b. 10-19-1853, Holly Springs, Ark. m. Garrett Gatlin, Eldorado, Ark. 12-28-1868. Children: 1. Ruth 2. Anna 3. Carrie, Waggener, Okla. 4. Lula d. 8-3-1879 and buried Pleasant Hill, Ark.

8. Laura Minerva, b. 9-2-1856, Holly Springs, Ark. Died Holly Springs, Ark. 7-24-1860.

9. Ruth Elizabeth, b. 8-11-1860, Holly Springs, Ark. m. Robert S. Phillips, teacher, Bellefonte, Ark. 9-9-1878. Husband became physician, lived Garland, Mo. and Chloe, Mo. Children: 1. Urban V. farmer, Chloe, Mo. 2. Cyriac C. auctioneer Lowry City, Mo. 3. Vivian E. lawyer and member General Assembly Kansas City, Mo. 4. Chloe E. (invalid), Chloe, Mo. Died, Chloe, Mo. 5-30-1929, buried Englewood Cemetery, Clinton Mo.

2. Elizabeth. married Rush and moved to Fresno, Calif. before Civil War.

3. Frances. married Henry McMillam of Bellefonte, Ark.

VEP
died
Nov. 24,
1967
K.C. Mo

married
Stella
Sundley,
1927-60 died

married
Elnora
Johnston
1962-63 died

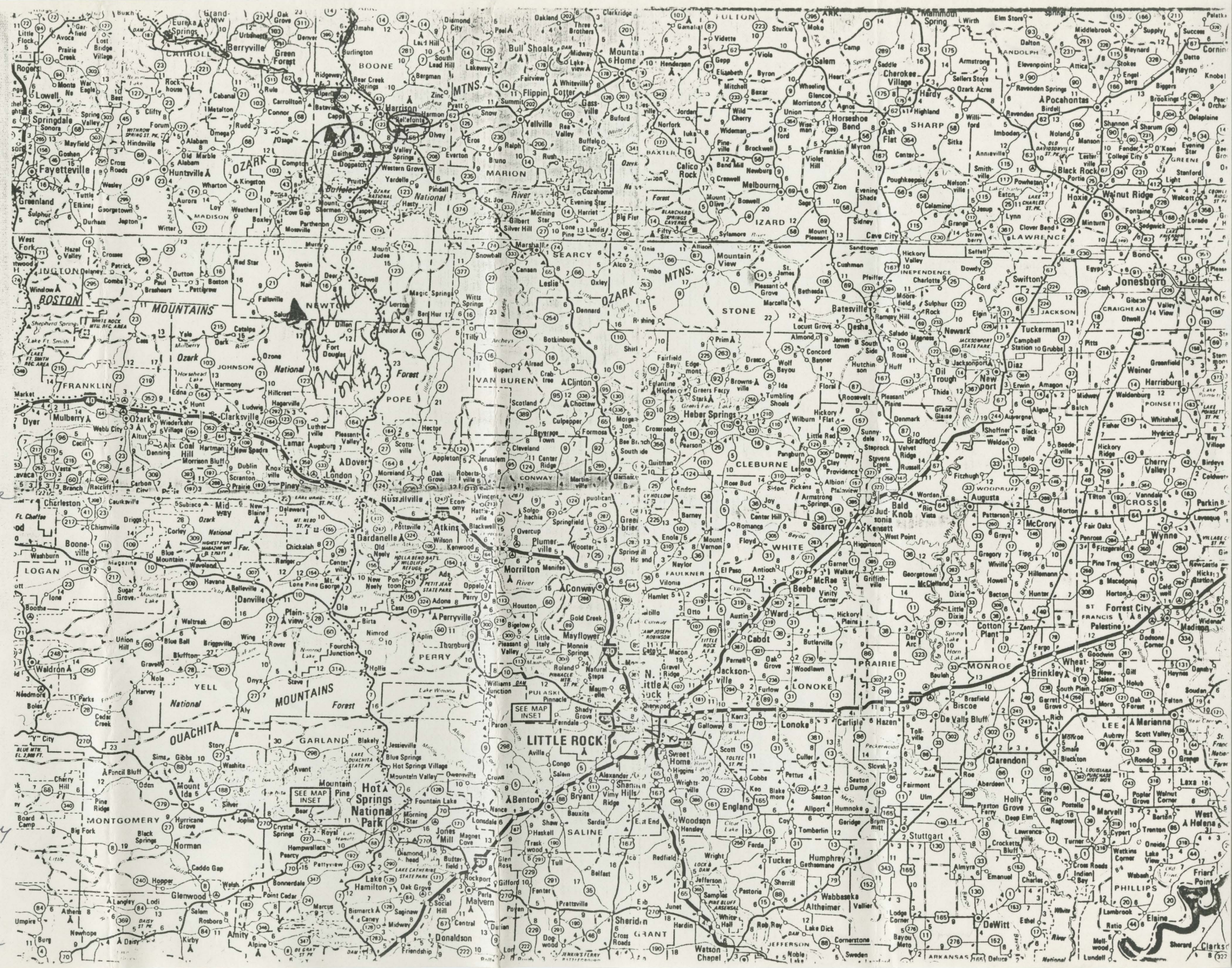
4. Wilson, b. 9-17-1820. lived S.W. Bellefonte, Ark. Died 4-2-1891, buried Cross Roads Cemetery, SW Bellefonte, Ark. Married Delia Carden (b.6-6-1829, d. 1-18-1901, buried Cross Roads Cemetery) Children: 1. Brice b. 1850, d. 2-4-1888, buried Cross Roads Cemetery 2. Fannie, married I. G. Purcell, Gatesville, Tex
5. Ransom. b. 12-20-1822. d. 11-3-1855, buried Gaither Cemetery. Married Lucinda Cheatham (b. 6-29-1829, d. 1-11-1856, buried Gaither Cemetery) Children:
 1. Perlina M. Wasson, b. 7-2-1848 m. James. F. Wasson, (d. 8-28-192
 2. Thomas, b. 6-9-1850, d. 11-22-1853, buried Gaither Cemetery.
 3. Margaret E. b. 12-11-1852, d. 12-7-1853, b. Gaither Cemetery.
 4. Beal Jr. b. 3-8-1855, d. 9-26-1879, buried Gaither Cemetery.
6. Emaline. b. 5-29-1825. Married Patrick Staples, Boone Co. Ark. Died, 4-11-1870, buried Gaither Cemetery. Children:
 1. Belle Wilson, b. 1851. lives Harrison, Ark. Daughter, Maggie Jackson, Harrison, Ark. 2 sons deceased. Granddaughter, Ruth Wilson, Harrison, Ark.
 2. Sarah. Married Allen Phillips, Bellefonte, Ark. Died 12-30-1896. Children: 1. Susie married Kissock, (now deceased)
 2. Patrick, m. McKinney, lives Harrison, Ark.
 3. Mary, m. Savage, lives Hollister, Mo.
7. Elvira, (m. Stroud, Bellefonte, Ark. died during Civil War.
8. Granville, m. Adeline Staples, Boone Co. Ark. later moved in 1870 to Okla.
9. Mary (Adeline) m. Bras Staples, Boone Co. Ark. later moved in 1870 to Okla.
10. Beal Jr. m. Adeline F. Clark, Boone Co. Ark. Was Colonel in Civil War. Executor of Estate of Beal Gaither Sr. Assessor of Boone Co. Ark. Moved to Toledo, Oreg and became Deputy County Officer. Children:
 1. James, in Indian Service, Toledo, Oreg.
 2. Eli, lived in Oregon, not married.
 3. John, lived in Yaquina City, Oreg.
 4. Ruth, married Dr. R. E. Darnell, Kalama, Oreg.

This is from an early Allan-road map which shows Dogpatch which may be a tourist attraction. Eureka Springs, Ark., is a historic resort that's interesting. Gaither Community in Northwest Arkansas

Bellefonte is almost in Harrison now because of urban sprawl.

Mayjeau Phillips Busby visited Gaither cemetery in July, 1993, and found many family markers.

A large mountain in area is now a real estate development.



Mrs Bell Wilson, 85
at Gaither log house
9 mi SW of
Harrison, Ark.

E 60

Mrs Bell Wilson 85
and her granddaughter
Ruth Wilson, Harrison,
Ark at Gaither log
house 9 mi SW of
Harrison. Taken about
June 1936 E 60

East Chimney
Gaither log house
built about 1835 by
Col. Beal Gaither
9 mi SW Harrison,
Ark.

E 60

Part old smoke house
Gaither homestead
9 mi SW of
Harrison, Ark

E 60

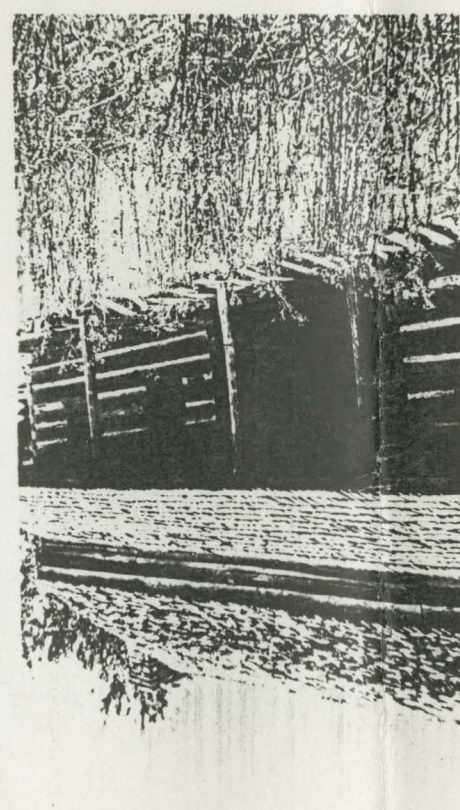
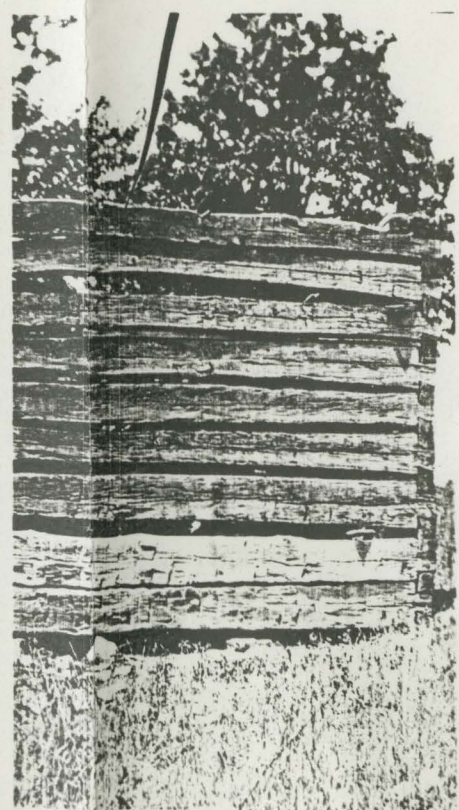
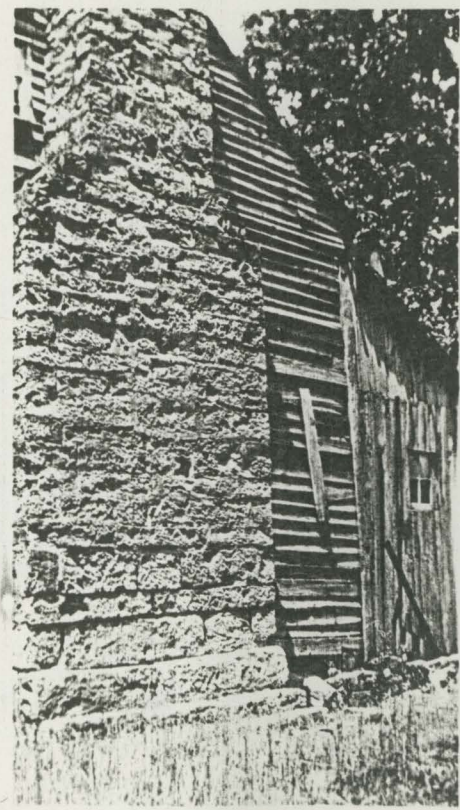
House near Gaither
Ark. 9 mi SW of Harrison.
built by Col. Beal Gaither
about 1835.

Visited this house on
July 27, 1936. Pictures taken
a few weeks before. U.S.

↑
This is lawyer
V.E. Phillips'
writing, daughter
confirms.

←
Mayor
did not
see it.

However, a
church is in
a nice clearing
and perhaps
it was moved
someplace. You
could contact
the editor of
the Harrison
paper or
Mayor of
the town
community.



8/2/1936

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Gaither, Jeremiah,	1	"			0	"			2	"	0	"
Gaither, Nicholas,	1	"			4	"			1	"	1	"

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"Gaither, Henry, soldier, b. Montg. Co. Md. in 1751. He was a Captain in Revolutionary War and took part in nearly every battle. He was Commander Major in the "levies of 1791" and served under St. Clair against the Miamis of that year. In 1793 he was appt. Lt. Col. of the 3rd Inf. serving until 6-1-1802. In the interim he was in command of Ft. Adams, posts on the Mississippi, and Ft. Stoddard on the Mobile River. At the end of a long and honorable career in the army, Col. Gaither returned to his native country. In professional life, he was noted for his strictness as a disciplinarian

EARLY RECORDS OF THE GAITHER FAMILY.

There are many discrepancies in the early records of this family, but I am of the opinion the following represents the best record:

1. JOHN GAITHER. b. England 1599. From England 1621 to James City, Virginia. Colonial Official, Chalres City, Va. Received grant on Elizabeth River 500 a. Married 2nd time, Joan.
2. JOHN GAITHER. b. 1620. Came in the ship "Assurance" with his father and stepmother and settled at Jamestown. (One record says born on the ship "Assurance". Moved to Sewell's Pt. Md. in 1640.
3. JOHN GAITHER. b. 1640, 1650 (?), son of John Gaither of Virginia who moved to Maryland about 1640. Received grant of 450 a on South River, Anne Arundel Co. Md. 1663 (?). Married Ruth Morley in 1675. Among their children was Benjamin Gaither, b. Feb. 2, 1681. Died 1703.
4. BENJAMIN GAITHER. b. Anne Arundel Co. Md. Feb. 2, 1681. son of John and Ruth Gaither. He succeeded to part of "Abington" and became a large land owner on the Patuxent River, owning "Gaither's Fancy" and other properties. In 1709 he married Sarah, the daughter of Col. Edward and Sarah (Chew) Burgess. Became a Surveyor and in 1728 was active in establishing Queen Caroline Parish. His sister, Ruth Gaither, married John Warfield who inherited Warfield Plains from his grand father Gov. Edwin Warfield and the South River settlement became one of the social centers of Maryland.
The children of Benjamin Gaither and Sarah Chew Gaither were:
 1. Benjamin, who was willed "Bolecat Hills" on Patuxent. si
 2. John, willed part of "Bite the Biter" and married Agnes Rogers, daughter of Capt John Rogers.
 3. Edward, Col. in Revolutionary War, married Eleanor Whittle. willed 350 a in Benjamin's Lot in Prince George Co. Md.
 4. Samuel, became a lawyer. died unmarried. Willed part Bite the Biter.
 5. Henry, b. 1724. d. 1773. married Martha Ridgley. willed 350 a "Gaither's Fancie" in Prince George
 6. William, willed 200 a of Gaither's Fancie" and 180a in "Addition".
 7. Elizabeth, m. Davis and willed part of 160a Benj. Lott and 710 a Gaither's Chance.
 8. Anne, m. Hammond. willed same as Elizabeth.
 9. Sarah, willed same as Elizabeth.
 10. Mary G. m. Long. willed same as Elizabeth.
 11. Cassandra, m. Linthicium. willed same as Elizabeth.

Will of Benjamin Gaither was probated in Anne Arundel Co. Md. 8-31-1741. Date of his death is shown as 3-26-1741.
5. COLONEL EDWARD GAITHER. third son of Benjamin and Sarah Chew Gaither.
b. Anne Arundel Co. Maryland. 1720 (?)
m. Elinor Whittle
moved to Montgomery Co. Maryland. Officer in Revolutionary War
Children:

1. Burgess, Rev. soldier, moved to N.D.		
2. Basil,	"	" N.C.
3. Benjamin,	"	"
4. Johnsie,	"	"

Died in Montgomery Co. Maryland. 1790 (?)

4. Wilson, b. 9-17-1820. lived S.W. Bellefonte, Ark. Died 4-2-1891, buried Cross Roads Cemetery, SW Bellefonte, Ark. Married Delia Carden (b. 6-6-1829, d. 1-18-1901, buried Cross Roads Cemetery) Children: 1. Brice b. 1850, d. 2-4-1888, buried Cross Roads Cemetery 2. Fannie, married I. G. Purcell, Gatesville, Te:
5. Ransom. b. 12-20-1822. d. 11-3-1855, buried Gaither Cemetery. Married Lucinda Cheatham (b. 6-29-1829, d. 1-11-1856, buried Gaither Cemetery) Children:
 1. Perlina M. Wasson, b. 7-2-1848 m. James. F. Wasson, (d. 8-28-19
 2. Thomas, b. 6-9-1850, d. 11-22-1853, buried Gaither Cemetery.
 3. Margaret E. b. 12-11-1852, d. 12-7-1853, b. Gaither Cemetery.
 4. Beal Jr. b. 3-8-1855, d. 9-26-1879, buried Gaither Cemetery.
6. Emaline. b. 5-29-1825. Married Patrick Staples, Boone Co. Ark. Died, 4-11-1870, buried Gaither Cemetery. Children:
 1. Belle Wilson, b. 1851. lives Harrison, Ark. Daughter, Maggie Jackson, Harrison, Ark. 2 sons deceased. Granddaughter, Ruth Wilson, Harrison, Ark.
 2. Sarah. Married Allen Phillips, Bellefonte, Ark. Died 12-30-1896. Children: 1. Susie married Kissock, (now deceased) 2. Patrick, m. McKinney, lives Harrison, Ark.
 3. Mary, m. Savage, lives Hollister, Mo.
7. Elvira, (m. Stroud, Bellefonte, Ark. died during Civil War.
8. Granville, m. Adeline Staples, Boone Co. Ark. later moved in 1870 to Okla.
9. Mary (Adeline) m. Bras Staples, Boone Co. Ark. later moved in 1870 to Okla.
10. Beal Jr. m. Adeline F. Clark, Boone Co. Ark. Was Colonel in Civil War. Executor of Estate of Beal Gaither Sr. Assessor of Boone Co. Ark. Moved to Toledo, Oreg and became Deputy County Officer. Children:
 1. James, in Indian Service, Toledo, Oreg.
 2. Eli, lived in Oregon, not married.
 3. John, lived in Yaquina City, Oreg.
 4. Ruth, married Dr. R. E. Darnell, Kalama, Oreg.

6. BENJAMIN GAITHER. third son of Col Edward and ~~Sarah~~ Sarah Chew Gaither. b. Montgomery Co. Maryland (1750 ?)
Served in Revolutionary War with his brothers Burgess, Basil and Johnsie.
Granted Soldier War Grant and migrated to Rowan Co. N. C. 1784.
Children: 1. Thomas
2. Johnsie
3. Beal moved to Ark. 1835.
4. Basil
5. Brice,
6. Bruce,
7. Sallie
8. Henrietta
9. Margaret Howard.
10. Elinor Varner
11. Ann Parker.
Died Mocksville, N. C. 1802.

- ✓ 7. COLONEL BEAL GAITHER. third son of Benjamin Gaither.
b. Mocksville, N. C. 1790. married Mary Rogers of Salem, N.C. 1813. Moved to Boone Co. Ark. 1835).
Colonel in War of 1812. Settled near Gaither Mountain in Boone Co. and built log house and conducted store.
Children:
1. Simpson
2. Elizabeth, m. Rush
3. Frances, m. Henry McMillan
4. Wilson, lived in Boone Co. Ark.
5. Ransom, "
6. Emaline, m. Patrick Staples, Boone Co. Ark.
7. Elvira, m. Stroud
8. Granville, moved to Okla in 1870
9. Mary, m. Bras Staples, moved to Okla in 1870
10. Beal Jr. moved to Oregon.

(See more detailed record)

Line from John Gater to Ephraim Gaither

1. John Gater (1599 - 166-)
2. John Gater, II (1620 - 1652) m. Mary
- * 3. Captain John Gaither (1649 - 1702) m. about 1676 Ruth Beard
9/8/1709
4. Benjamin Gaither b. 2/26/1682/3 m. Sarah Burgess b. 2/20/1681/2, dau of Edward, son of Colonial Wm. Burgess. Benjamin died in 1741.
5. Edward Gaither b. Dec 20, 1714, (d. 1777). m. after Feb 14, 1751 Widow Eleanor Whittle (6 of his sons fought in the Revolution)
6. Colonial Basil Gaither, b. 1751, d. 1802 m. Margaret Watkins, dau of Nicholas Watkins, Jr. sister of Col Gassaway Watkins of The Revolution and a descendent of Col. Gassaway of Colonial Times.
7. Gassaway Gaither (17-- 18--) m. Mary Smoot, dau of James Smoot - reared his family near Mocksville in Davie County. Had numerous descendents.
(12/13/1808, d. 4/17/1889)
8. Ephraim Gaither (1809 - 1889) m. Sarah Hall Johnson 1/14/1835- Rowan Marriage Bond Witness: James K. Nisbet. Son - Lem a merchant, E. L., a lawyer of Mocksville, and two daughters: Mary E. m. about 1868 Dr. Richard W. Woodruff b. Oct 3, 1847, d. Jul 8, 1893. Janie m. James Hampton of Jonesville, Yadkin County. (You show Janie m. to S. A. Woodruff?). Ephraim was for many years Register of Deeds of Davie County.

* I am connected to the son of Captain John Gaither named John Gaither.

I am enclosing pages from Annie Arundel Gentry by Harry Wright Newman. The above information came also from papers left by Dr. Laughenour of Statesville as a result of his research around 1900. His source on the Basil Gaither Line was William H. Gaither of Charlotte, N. C. a descendent.

Probably more information can be obtained from the Library at Mocksville, N. C., Margaret E. Heath, Rt #2, Box 278, Clemmons, N. C. 27012, Larry M. Campbell, Rt 1, Box 281, Harmony, N. C. 28634, or Melford Gaither, Sr., Rt #5, Box 105, Hickory, N. C. 28601. I told Melford about you. He may send you some information.

You spoke about the Fisher Genealogy. We are now almost ready to print Volume II of The Fisher Genealogy. The family was traced back to Germany by my Uncle. They printed Volume I 20 years ago. We are now updating a good bit of the genealogy. It should come off the press about the middle of November.

The address of D. F. Cockrum is 2333 Fairway Drive, Winston-Salem, N. C.

Tel # 723-4716

Trust the above is of help,


John B. Fisher



Gaither

THE GAITHERS OF SOUTH RIVER

JOHN GATER

(1599-166-)

The Gaither family had its origin in the Colony of Virginia and is one of the oldest families in the English Colonies. It had its beginning in 1620, when John Gater arrived and established himself among the James River settlements.

After the great Indian massacre of 1622 the Governor of Virginia ordered a census or muster of all subjects who survived the ordeal. On February 16, 1623/4, John Gater was listed among those living "At James Cittye and wth the Corporacon thereof".¹ At the next census entitled the "Muster of the Inhabitants att Mulbury Iland" taken on January 25, 1624, the muster of Capt. William Pierces contained among his servants "John Gatter came in the George 1620".²

The fragmentary extant records of Virginia leave much to be desired and one can only interpret them with facts and the contingencies of the times. The generally accepted belief and the most logical is that John Gater was married prior to his sailing for Virginia, but left his wife behind—perhaps with the promise to return, if he found the new world agreeable. The wife died before his return leaving a son, John, and upon his visit he remarried and brought his second wife, Joan, and young son to Virginia about 1635.

Under the following in the Public Records Office of London dated 24 July [1635]: "Theis vnder-written names are to be transported to Virginea imbarqued in the Assurance de lo: Isack Bromwell & Geo. Pewsie M^r examined by the Minister of the Towne of Gravesend of their conformitie in o^r Religion. the men have taken the oaths of Allegiance & Supremacie", are found the names of Jo: Gater aged 36, Joan Gater aged 23, and Jo: Gater aged 15.³ *

On September 21, 1636, John Gater, of Elizabeth Cittie, received 300 acres, being a neck of land on the Eastern Branch of the Elizabeth River upon the northern side bounding southwardly on said river, northwardly unto the woods, westwardly upon a creek and eastwardly upon a creek called "dunout of the Moier". Fifty acres were for his own personal adventure and 250 acres were for transporting his wife,

* It is stated that the late George R. Gaither, of Balto, acquired from England sources, no documentation cited, the following: John Gater born 1604, married 1631 Joan Morley of Lamberhurst, Co. Sussex, England, and had Elizabeth born 1632 and John born 1634. Dates do not conform to official records, but the Gaithers and Morleys were associated in early Maryland. The Morley was, however, an old armorial family seated in Essex and Sussex.

Joan Gater, and four other unnamed persons. At the same time he was granted an additional 300 acres lying on the Elizabeth River for the transporting of six unnamed persons, and additional 200 acres for bringing-in four likewise unnamed persons to settle permanently in Virginia.⁴ On May 29, 1638, Thomas Lambeth was granted 200 acres of land lying between the plantations of Captain Thomas Willoughby and John Gater.⁵

At a session of the General Assembly of Virginia on January 6, 1639/40, John Gater was appointed one of the "tobo reviewers" for Lower Norfolk County from "Daniel Taners Creek to Eastern Branche".⁶

On May 25, 1640, at a court held at William Shippe, John Gatear, Thomas Mears and John Watkins were to collect a quota of £36 for the relief of the inhabitants of Daniel Taner Creek after an Indian massacre.⁷ On the same date at court it was passed that the "inhabitants of this Parrishe at Sewell's Pointe were to provide themselves with a clergyman and to pay him £100 yearly". Mr. William Julian, Mr. John Gatear, Thomas Mears, John Watkins and others were assessed.⁸

John Gater was living in Virginia as late as 1666, if not, certain land was still held under his name, for in 1666 William Poteen received 500 acres of land in Lower Norfolk County in the Eastern Branch of the Elizabeth River "running along marked trees and separating this from the land of John Gater".⁹

SOURCES: ¹ Hotten's List, p. 173; ² *Ibid.* p. 240; ³ *Ibid.* pp. 11, 112; ⁴ Patents, Liber 1, pt. 1, folio 389, Va. State Library. ⁵ *Ibid.* folio 536; ⁶ Wm & Mary Quarterly (2d ser.), vol. 4, p. 35; ⁷ Lower Norfolk Co. Antiquary, vol. 1, p. 84; ⁸ *Ibid.*; ⁹ Patents, Liber 5, folio 496, Va. State Library.

JOHN GATER²

(1620-1652)

John Gater was born about 1620 in Britain and was brought to Virginia in the "Assurance" during 1635. Circumstances place him among the Dissenters or non-Conformists in Virginia who were *persona non grata* and who accepted the invitation of Lord Baltimore to settle in Maryland where complete religion toleration was granted to all Christians. The exodus from Virginia began in 1649 and most of them were well settled on the Severn before the close of 1650. It is quite possible that he left his father in Virginia, but if there were any brothers, they died without issue for the name became extinct in Virginia about this time.

His wife was Mary and it is circumstantial that they were married in Virginia before their Maryland migration. His years in Maryland were

Gaither Family

brief, for he died intestate leaving a son and namesake, John Gatear III.

On November 20, 1652, his widow, Mary Geather, was granted letters of administration by Thomas Hatton, the Secretary of the Province,¹ as "widow and relict of John Geather late of the County of Annarundel . . . deceased".

Soon after the death of John Geather a revolution broke out in Maryland provoked by the Puritans who gained control of the Government and held it for nearly five years. No further record of the estate of John Geather as administered by his widow is extant.

The only son and heir, John Gaither III, was apparently raised by Thomas Mears, of South River, who made him an heir in his last will and testament of 1674. Mears had been a neighbor of his grandfather in Virginia and had been among the non-Conformists which settled in Maryland.

SOURCES: ¹ Archives of Maryland, vol. 10, p. 195; ² Wills, Liber 2, folio 3, Hall of Records.

CAPTAIN JOHN GAITHER³ (1646-1702)

John Gaither, the son and heir of John and Mary Gaither, was born in Virginia and was transported to Maryland by his parents around 1650. He was certainly a minor at the death of his father, but had attained majority for that period by 1662. It can be assumed that he was for a time under the care of Thomas Meares, his father and grandfather's friend of early Virginia days, inasmuch as Thomas Meares bequeathed him a legacy at his death.

On October 8, 1662, he requested the renewal of a land warrant for 460 acres dated March 26, 1662.¹ It was shown that John Gayter had been granted a renewal for a land warrant on March 26, 1662, but why he was entitled to a renewal, the records fail to indicate.²

The following is a record in the Land Office:³

"On the back of a Warrant to John Gather dated 8 October 1662 for four hundred and sixty acres is this assignment Vizt. Know all men by these presents that I John Gather do Assign unto John Edmonston two hundred acres of this Warrant to him his heirs and assignes for ever. Wittness my hand the 10th day of August 1663".

Test: Thos Meares

His
John X Gather
mark

A: Skinner

The remaining 200 acres were surveyed and patented to him under the name of "Gatherly" and lay on the Little Choptank River in now Dorchester County.

On January 26, 1663/4, he and Robert Proctor patented jointly "Abington", of 875 acres between the North Run and the South Run of South River. It was on the outposts of the settlements along the Severn and South Rivers and became the ancestral estate of the senior branch of the Gaither family for a number of years.⁴

Thomas Meares who styled himself of the Severn River, by his will of 1674, bequeathed to John Gather "my Old Gun or fowling peece which he had desire to have of me". and also willed a legacy to the poor Quakers.⁵ He also benefited by the last will and testament of Joseph Morley in 1675, when he and Robert Proctor were left equally the entire estate real and personal.⁶

The personalty of Joseph Morley was valued at only 800 lbs. tob. which were insufficient to cover all outstanding indebtedness. Inasmuch as he neglected to state "and the heirs of your body forever", the question arose as to the status of the real estate and whether the legatees had only a life interest. The plantations consisted of "Morley's Grove", of 320 acres on the Patuxent, and "Morley's Lott", of 450 acres, of which 100 acres had been sold to William Roppier, Ship Carpenter, by Joseph Morley. The case was presented to the Court of Chancery which decreed that the intentions of the testator was to devise the land in fee simple. The law suit definitely stated that "Joseph Moreley dyed leaving no heyres", therefore, it disproves the popular belief that Ruth, the wife and widow of John Gaither, was a daughter of Joseph Morley.⁷

On February 9, 1685/6, John Gaither bought 150 acres of "Freemanston" from Edward Burgess, Gent., with Sarah Burgess relinquishing her third. On July 3, 1690, he bargained for £50 from John Brown, of London, England, for 100 acres of "Freeman's Fancy" in the woods about one and a half miles from the head of South River, belonging formerly to John Freeman.

On July 3, 1690, he bought of John Brown 100 acres formerly the estate of Robert Chapman, being part of a larger tract of 300 acres known as "Freeman's Fancy", about one and one-half miles from South River, once in the possession of John Freeman. There is also a record of a transaction between him and James Finley by which a portion of "Abington" was assigned for the consideration of five shillings.

John Gather (sic) participated in the Nanticoke Indian War of 1678 under Colonel William Burgess and for his services received 80 lbs. tob. In 1681 he received an additional 585 lbs. tob. for public service.⁸

In 1696 as John Gaithere he signed a document by which he declared himself to be a military officer under the then Royal Government of the Province. He was styled Captain.⁹

Gaither Family

About 1676 he married Ruth —, whose parentage is therefore unproved. The births of seven of their children were recorded at All Hallow's Parish.

Children of John and Ruth Gaither

1. John Gaither, born Jan. 16, 1677/8, married Jane Buck and Elizabeth Duvall. *q.v.*
2. Ruth Gaither, born Sept. 6, 1679, married John Warfield. *q.v.*
3. Benjamin Gaither, born Feb. 26, 1682/3, married Sarah Burgess. *q.v.*
4. Rachel Gaither, born Apr. 19, 1687, married Apr. 18, 1706, Samuel White.
5. Edward Gaither, born Sept. 28, 1689, married thrice. *q.v.*
6. Mary Gaither, born Apr. 13, 1692.
7. Rebecca Gaither, born May 24, 1695, married Richard Stimson.
8. Susan Gaither, born 1697, died 1717.

He died intestate. According to the register of All Hallow's Church, he was buried on November 12, 1702. Letters of administration were issued to his widow, Ruth Gaither. The personal estate was appraised on May 29, 1703, at £437/-/10. John Gaither and Benjamin Gaither, approved as the kinsmen. There were a great number of livestock, 97 lbs. of pewter ware, five negro slaves, one white servant-man, parcel of old books, and interesting household furniture including six high back leather chairs, writing trunk, etc.

On January 13, 1703/4, the widow married Francis Hardisty, according to the parish register. On June 17, 1707, they filed an account on the estate of John Gaither by which they reported a balance of £550/17/6. They accounted for £35 paid to John Warfield who married Ruth a daughter of the deceased, £41/2/6 to Benjamin Gaither, and £2 to Rachel the wife of Samuel White.¹⁰

Francis Hardisty apparently became the guardian of the younger children. It was stated in June 1709 that the following orphans—Edward Gaither, Rachell Gaither, Mary Gaither, Rebecca Gaither and Susannah Gaither—were at the plantation of Francis Haridsty in South River Hundred.¹¹

Captain John Gaither left a large landed estate for his son and heir. In 1707 his son and heir, John Gater (sic) was seized of 364 acres of "Abington" as well as "Poll Cate Hill" in the Fork of the Patuxent which his father had patented in 1684. "The Landing" of 70 acres and "Gather's Range" of 200 acres at the head of South River were held by Francis Hardisty by "marrying the Relict of John Gather".

SOURCES: ¹ Liber 5, folio 190, Land Office; ² *Ibid.* folio 88; ³ *Ibid.* folio 534; ⁴ *Ibid.* folio 578-9; ⁵ Wills, Liber 2, folio 3; ⁶ Wills, Liber 5, folio 4; ⁷ Md. Archives, vol. 5, pp. 540-44; ⁸ *Ibid.* vol. 7, p. 248; ⁹ *Ibid.* vol. 20, p. 541; ¹⁰ Inventories & Accounts, Liber 27, folio 13; ¹¹ A.A. Co. Judgements, Liber TH no. 1, folio 351.

BENJAMIN GAITHER, GENT.⁴

(1682-1741)

AND

HIS DESCENDANTS

Benjamin Gaither, son of Captain John Gaither and Ruth his wife, was born on February 20, 1681/2, the third child of his parents. After the death of his father his older brother deeded him a portion of the parental landed estate or "Poll Cat Hill" of 252 acres in the fork of the Patuxent. On September 8, 1709, he married Sarah Burgess, daughter of Edward Burgess and Sarah Chew his wife, of South River. In 1738 Madam Sarah Burgess bequeathed a legacy to her daughter, Sarah Gaither, and appointed her son-in-law, Benjamin Gaither, one of the executors of her estate.¹ The births of his children were registered in All Hallow's Parish.

Children of Benjamin and Sarah (Burgess) Gaither

1. Benjamin Gaither, born July 16, 1710, *d.s.p.* 1784.
2. Elizabeth Gaither, born Oct. 14, 1711, married Thomas Davis and Mark Brown. *q.v.*
3. John Gaither, born Apr. 24, 1713, married Agnes Rogers. *q.v.*
4. Edward Gaither, born Dec. 20, 1714, married the Widow Whittle. *q.v.*
5. Samuel Gaither, born Jan. 19, 1717/8, married the Widow Burman. *q.v.*
6. Ruth Gaither, born Oct. 23, 1719.
7. Joseph Gaither, born Mar. 10, 1722/3.
8. Henry Gaither, born May 24, 1724, married Martha Ridgely. *q.v.*
9. Sarah Gaither, born Mar. 29, 1726, married Richard Warfield and John Sedgwick. *q.v.*
10. William Gaither, born July 11, 1728, *d.s.p.* 1782.
11. Anne Gaither, born Feb. 25, 1729/30, married John Hammond. *q.v.*
12. Mary Gaither, born Mar. 17, 1732/3, married Edward Norwood and — Long. *q.v.*
13. Cassandra Gaither, born Mar. 23, 1734/5, married Thomas Linthicum.*

On September 1, 1719, Benjamin Gaither purchased of Richard Snowden, Merchant, for £110 a 200-acre portion of "Grinistone" which "is now called Gaither's Fancy", bordering on the plantation "Diamond". Elizabeth Snowden, wife, waived all dower rights.

Benjamin Gaither established his seat in the Fork of the Patuxent which was organized into Huntingtown Hundred. In 1728 Benjamin Gaither succeeded in securing sufficient signers to a petition for the erection of a Chapel-of-Ease for the parishioners on the outposts of Anne Arundel which became the nucleus for Queen Caroline Parish now

* For the genealogy of the Linthicum family, see, "Anne Arundel Gentry", 1st ed.

in Howard County. It is said that he canvassed the entire hundred on horse back. He was thus elected one of the first wardens for the new parish.

On January 28, 1733/4, he deeded to John Burgess for a consideration of £100 "Puddington" and "Puddington Harbour", lying on the south side of South River and on the south side of Jacob's Creek. The tract had been deeded by John Howard and John Burgess to Benjamin Gaither on November 15, 1733. He signed the deed, while his wife, Sarah, waived her dower interests.

He died in the summer of 1741. His last will and testament, dated March 26, 1741, was admitted for probation in Anne Arundel County on August 31, same year.²

To wife Sarah unnamed dwelling-plantation during life.

To son Benjamin "Polecat Hill" on the Patuxent and one-half of "Timber Neck".

To sons John and Samuel "Biter Bite" and the plantation whereon Peter Pinkstone then dwelt.

To son Edward 350 acres of "Benjamin's Lott" in Pr. Geo. Co.

To son Henry 350 acres of "Gaither's Chance" in Pr. Geo. Co.

To son William 200 acres of "Gaither's Fancy" and 180 acres of "Addition to Gaither's Fancy".

To daughters, Sarah, Anne, Mary, Cassandra and Elizabeth 160 acres of "Benjamin's Lott" and 710 acres of "Gaither's Chance".

Executors—wife Sarah and sons aforesaid.

The inventory of the personal estate was filed at court on July 3, 1742, and appraised at £1,061/9/3. His sisters, Rachel White and Rebecca Stimson, approved the valuation. Among the personalty were 14 negro slaves and 500 gallons of Cyder.³

His widow survived him several years dying in 1769. The following obituary appeared in the Maryland Gazette:

"On Tuesday November 14, 1769, died in Anne Arundel County Mrs. Sarah Gaither relict of Benjamin formerly of same county in the 79th year of her age. A gentlewoman endowed with many good qualities and who performed the various stations in life with an unblemished character, having been a faithful wife, a kind neighbour, benevolent friend and to her own sex an agreeable companion".

The inventory of her personal estate was passed at court on April 10, 1771, with her sons, John Gaither and Edward Gaither, as the administrators. The total appraisement was £230/17/7, including five negro slaves. Amos Gaither and Rezin Gaither, as kinsmen, approved the valuation.⁴

An account filed on October 13, 1774, showed a balance of £290/5/6½ and after various disbursements £180/17/4 remained for the heirs. The estate of her husband was unsettled at the time of her death. One notation was £94/15/5 "Paid to the several representatives due from

the estate of Benjamin Gaither". Distribution was made to the ten children.⁵

Samuel Gaither, fourth son of Benjamin, married Anne, the Widow Burman, who kept a tavern at the Port of Annapolis. They were separated for many years, but she demanded her legal thirds at his death in 1762.⁶

His will, dated September 23, 1762, was probated in Anne Arundel County, on October 6, same year, by which he excluded his wife and remembered his brothers and sisters.

To mother Sarah Gaither £20.

To the following brothers and sisters negroes, Benjamin Gaither, Sarah Sedgwick, Elizabeth Brown, John Gaither and Edward Gaither.

To sister Ann Hammond portion of "Timber Neck".

To brothers John and Henry "Deers Park".

To brother William "a tract of Land where my People now dwell".

To sisters Mary and Cassandra Gaither "my houses and lot in Annapolis" and also Cold Murphys Lot, household furniture, livestock, and an equaled share of "Bite the Biter".

Executors—Benjamin Gaither and Mary Gaither.

At probation, however, "Came Mrs. Ann Gaither Widow of Samuel Gaither & renounced the Will". She made her mark with a large A.

On November 16, 1763, it was recorded at the Provincial Court that Edward Norwood, of Baltimore County, had married Mary one of the sisters and residuary heir of Samuel Gaither, late of Annapolis, Innholder, deceased, and Ann Gaither, widow of the said Samuel Gaither had leased for 99 years one lot in Annapolis from Benjamin Tasker as of October 15, 1759, and that Samuel Gaither died on or about September 20, 1762, conveyed to his sister who married with Thomas Linthicum and Mary who had intermarried with Edward Norwood, and inasmuch as the said widow not having a child was entitled to only one third of the lease, therefore, Edward Norwood assigned his Rights to the Widow Gaither.⁸

William Gaither, another son of Benjamin Gaither, died unmarried and testate. His will, dated October 2, 1777, was probated in Anne Arundel, on January 7, 1782.⁹

To Lancelott Warfield "Turkey Neck" and the mill.

To brother Benjamin Gaither slaves.

To Mary Warfield daughter of Richard Warfield "Hammond's Forrest".

To sister Mary Long one-half of "Gousnell", at her decease to her daughter Mary Norwood.

To Susanna Darr (?) use of 6 acres of "Gousnell".

To Mary Berry "Gaither's Tavern" and also her sons, Philip and Andrew during life, then to Mary Warfield and her heirs.

To John Norwood, son of Edward, the other half of "Gousnell".

On April 25, 1784, Benjamin Gaither and Lancelot Warfield who declared themselves as the heirs-at-law of William Gaither, deceased, delivered "Hammond's Forest" to Elijah Robertson and Mary his wife. It was stated in the deed of conveyance that William Gaither purchased of Mathias Hammond in July 1773, but William Gaither died before the execution of the deed, and the said William Gaither by his will devised the plantation to Mary Warfield who was then the wife of Elijah Robertson.¹⁰

Benjamin Jr., another son, likewise died a bachelor. His will was dated March 13, 1783, being probated in Anne Arundel on October 7, 1784.¹¹

To cousin Vachel Gaither of "my brother" John "Pole Cate Hill", being the testator's dwelling-plantation of 390 acres.

To cousin Greenbury Gaither son of brother Edward "Turkey Neck" as devised the testator by his father Benjamin Gaither of 39 acres and portion of "Vacant Lot".

To cousins Benjamin and Bazil Gaither sons of brother Edward "Hammond's Strife" of 126 acres in Frederick Co.

To sister Anne Hammond five shillings.

To sisters Mary Long and Cassandra Linthicum £10.

To brother Henry Gaither legacy.

To Burgess Gaither, son of brother Edward, legacy.

To John Gaither, son of brother Edward, legacy.

To cousin Mary Robertson legacy.

To Eleanor Gaither widow of brother Edward, legacy.

Executors—Vachel Gaither and Greenbury Gaither.

The final account on the estate of Benjamin Gaither was filed by his executor, Vachel Gaither, on October 14, 1788, reporting a balance of £1346/-/-. The executor stated that all "legacies are paid off agreeable to the Will of the Deceased except legacies left to John Gaither, Henry Gaither, Ann Hammond and Mary Long who all died before the Testator". Mary Robinson received one mare named Lucy; Cassandra Linthicum received £10; Eleanor Gaither £10; Greenbury Gaither furniture, Syder Casks and plantation utensils; and Burgess Gaither one horse named Draga".

A lawsuit developed in which the Davis grandchildren of Benjamin Gaither figured, being the children of his daughter, Elizabeth, who married as her first husband Thomas Davis. It brought out a number of relationships and proved several marriages. Elizabeth [Betsy] Davis, daughter of Thomas and Elizabeth (Gaither) Davis, married John Welsh, but the union became rather stormy. She lived apart from her husband, and died testate in Montgomery County, writing her will on December 4, 1795.¹²

To nieces Betsy Burgess, Jenney Burgess, Nancy Burgess and Peggy Burgess all land which "I bought of my uncle Edward Gaither" except that portion of

“Gaither’s Meadows which I have already devised to my nephew Ephraim Davis”; also 4 negroes which were to be placed on the land and her nieces were to receive the profits thereof during their single lives.

To nephew Thomas Davis “son of my late brother Ephraim Davis” all rights to “Saplin Range”.

Three disinterested persons including the “widow of my late brother Amos Davis” to evaluate 150 acres adjoining land where her late brother lived and then to nephews Thomas Davis and Amos Davis sons of her brother, Amos Davis.

To nephew Thomas Griffith “son of my sister Sarah Griffith” negro wench and her two children.

To niece Jenny Burgess a horse and several cows.

Residue of estate to “all my nephews and nieces” unnamed “but it is my desire that none of the children of my late brother Amos Davis shall have any portion before they marry or arrive at the age of 21.

Executor—Thomas Davis son of Ephraim Davis.

The witnesses were Charles Alexander Warfield, Ephraim Gaither and Nathan Musgrove.

At the conclusion of the lawsuit in 1800 over her estate, twenty representatives were entitled to their filial share. Her brothers and sisters were Ephraim Davis who married Elizabeth Howard; Amos Davis who married his cousin Mary Gaither; Mary Davis who married Edward Burgess; and Sarah Davis who married — Norwood and then Henry Griffith.

The heirs of her brother Amos Davis were: Amos Davis who died without issue; Ephraim Davis; Frances Davis who married Wilfred Melton; Elizabeth Davis who married Lot Hammond; Mary Davis who married John Wilson; Anne Davis who married John Short; and Sarah Davis who married Mordecai Clemson.

The heirs of her sister Mary who married Edward Burgess were: Betsy Burgess; Jane Burgess; Nancy Burgess; Margaret Burgess; Edward Burgess; Mary Burgess who married John Shelkell; Thomas Burgess; and John Burgess. Thomas Davis was the only heir of her brother Ephraim Davis; and Thomas Griffith was the heir of her sister Sarah who married Henry Griffith.

SOURCES: ¹ Wills, Liber 22, folio 268; ² *Ibid.* folio 380; ³ Inventories, Liber 27, folio 1; ⁴ *Ibid.* Liber 108, folio 9; ⁵ Adm. Accts. Liber 73, folio 31; ⁶ Original Wills, Box G, folder 8; ⁷ Provincial Court, Liber DD no. 3, folio 195; ⁸ *Ibid.*; ⁹ A.A. Co. Wills, Liber TG no. 1, folio 201; ¹⁰ A.A. Co. Deeds, Liber NH no. 1, folio 421; ¹¹ A.A. Co. Wills, Liber TG no. 1, folio 201; ¹² Chancery, Liber 41, folio 421.

EDWARD GAITHER⁵

(1714-1777)

Edward Gaither, son of Benjamin and Sarah (Burgess) Gaither, was born December 20, 1714, in All Hallow's Parish. By the will of his father in 1741, he was devised "Benjamin's Lot", of 350 acres, then in Prince George's County. By 1747 he had settled in Prince George's, later to fall into Frederick County and then Montgomery. In that year styled "Edward Gaither of Prince George's of Benjamin" he made a deed of gift to his brother, Henry Gaither, land in the forks of Rawlings and Snowden Rivers of 200 acres known as "Benjamin's Lot". At the same time his brother, Henry Gaither, deeded him "Gaither's Chance", of 200 acres. Both brothers signed the deeds of conveyance.

The deed of gift was further confirmed on November 12, 1755, when he and Eleanor his wife, of Frederick County, for the consideration of five shillings and brotherly love deeded to Henry Gaither, of Frederick County, 200 acres in the fork of Rawlings River.

He married the Widow Whittle. The latter was not a common name in Maryland, and her identity other than a widow has not been solved. The marriage occurred after February 14, 1751, inasmuch as on that date as Eleanor Whittle, Widow, she bought of Edward Gaither of Edward for £60 "Freeman's Fancy" near South River.*

* Her great-grandson in 1895 in a letter to his nephew stated that "his grandmother's Ma was Davis", but she cannot be proved as a daughter of Thomas Davis, a prominent planter of Anne Arundel.

Children of Edward and Eleanor Gaither

1. Greenbury Gaither, born 1751, married Anne Anderson. *q.v.*
2. Basil Gaither, born 1751, married Margaret Watkins. *q.v.*
3. Burgess Gaither married Amelia Martin. *q.v.*
4. Benjamin Gaither married Elizabeth Watkins. *q.v.*
5. Johnsey Gaither married Mary Threlkeld. *q.v.*
6. Eli Gaither married Elizabeth Newman. *q.v.*
7. Nicholas Gaither married Eleanor Greenfield. *q.v.*
8. Brice Gaither married Elizabeth, daughter of Alexander Reid, settled in Georgia.
9. Eleanor Gaither married Thomas Prather.
10. Sarah Gaither, died spinster 1792 in N.C.
11. Cassandra Gaither married Nov. 8, 1792, James Reid.
12. Lyla Gaither.

His last will and testament was the first to be probated in the newly created County of Montgomery. It was dated March 26, 1777, and proved at court on June 11, following.

To son Eli the dwelling-plantation of 198½ acres which had been purchased of Isaac Struder.

To wife Eleanor one-third of the personal estate and several slaves.

To son Benjamin "Gaither's Purchase" of 100 acres and a 54-acre portion of "What's Left".

To son Basil "Mitchell's Garden" of 10 acres and "Mitchell's Range", including the dwelling whereon, near Seneca.

To sons Greenbury, Nicholas, Burgess, Johnsey and Brice portions of "Mitchell's Range" and the first and second resurveys on "Mitchell's Range", "Gaither's Range", "Good Luck" and the ground rent due from Zachariah Linthicum. In the event of the death of any of the five sons before 21 years of age, then the surviving sons were to inherit.

To daughters Sarah, Cassandra, Lyla, all unmarried, and to daughter Eleanor Prather negroes.

The widow accompanied her sons to Iredell County, North Carolina, and was extant on May 4, 1792, when her spinster daughter, Sarah Gaither, died testate in that county. Her will, dated May 4, 1792, bequeathed a negro to her mother, Eleanor Gaither, and legacies were bequeathed to her brother, Eli Gaither, and the sons of her brother, Nicholas, that is, Edward Burgess, Libetious, Horatio and Walter Gaither. Another nephew was favored whose name appears to be Samuel David Reed, script difficult.

CAPTAIN BASIL GAITHER⁶

(1751-1803)

Basil Gaither, son of Edward Gaither and Eleanor his wife, was born about 1751, in that portion of Prince George's which later became Montgomery County. On August 30, 1777, the Council of Safety commissioned him a First Lieutenant of Captain Briscoe's Company of the 16th Battalion of Militia for Montgomery County. On September 12 following he was advanced to a Captaincy of the Middle Battalion.¹

He married Margaret Watkins, daughter of Nicholas and Arianna (Worthington) Watkins.

Children of Basil and Margaret (Watkins) Gaither

1. Walter Gaither married Elizabeth Smoot. *q.v.*
2. Nathan Gaither, born 1788, married Martha Morrison. *q.v.*
3. Basil Gaither, born 1774, married Tabitha Smart. Marriage Bond Mar. 8, 1803, Nathaniel Pearson and A. L. Osborn, sureties.
4. Gassaway Gaither married Mary Smoot. *q.v.*
5. Eleanor Gaither married Isaac Jones. Bond May 8, 1807, Rowan Co., N.C., Basil Gaither surety.
6. Betsy Gaither married John March.
7. Nicholas Watkins Gaither, born 1783, married Tabitha Baley. *q.v.*

He was perhaps the first of his brothers to settle in Rowan County, North Carolina. He began to dispose of his realty holdings as early as October 10, 1778. On that date he sold to Richard Burgess, of Anne Arundel, 150 acres of "The Resurvey on Mitchell's Range", for £528. Margaret Gaither, his wife, waived all dower rights in the presence of Edward Burgess and Henry Gaither. As the migrations usually occurred in the early fall after the crops had been gathered and before the winter snows set in, so in the closing months of 1780, he, his young family and his wife's younger half-brothers traveled southward to Rowan County.

Before leaving, however, he was offered an ensignship of the Extra Regiment on July 27, 1780, with Continental status.² He apparently refused it, as after his settlement in North Carolina he was active in the Revolutionary cause and received £3/2/- on January 12, 1781, for public service and also £18, account undated.³

On August 2, 1788, he purchased from George Brandon and Mary his wife, of Rowan County, much livestock and household furniture "inasmuch as George and Mary Brandon come to a final resolution to live apart from each other and no longer to dwell and cohabit".

His last will and testament was drawn up on November 8, 1802, in the presence of Vachel Ijams, Joseph Dial, and William Moore. It was probated in Rowan County early in 1803.⁴

To wife Margaret the use of the dwelling-plantation, the use of four slaves, household furniture, and livestock.

To son Walter 220 acres to be laid out from the parental land.

To son Nathan 220 acres including the dwelling-plantation and the mill after the death of his mother and personalty.

To daughter Betsy Gaither three slaves at the death of her mother, livestock, furniture, being at that time under age.

To son Basil 180 acres granted by the State of North Carolina and 70 acres of another tract.

To daughter Neley [Eleanor] widow, 200 acres of land deeded by Isaac Jones to the testator and at her death to be divided among the testator's grandchildren—Margaret W. Jones, Thomas C. Jones, Basil G. Jones, Abraham R. Jones, Isaac D. Jones, Mary C. Jones, and Walter G. Jones; also \$100.00 and all "put with her" since the death of her husband except the plantation on which she was then seated which was to be sold and proceeds divided among all children.

To his seven Jones grandchildren two slaves and their increase.

To son Gassaway personalty.

Executors—sons Walter Gaither and Basil Gaither.

SOURCES: ¹ Archives of Maryland, vol. 16, pp. 350, 373; ² *Ibid.* vol. 43, p. 234; ³ Liber V, p. 28, folio 3; Liber XII, p. 36, folio 2, N.C. State Archives; ⁴ Wills, Liber G, folio 61, N.C. State Archives.

GASSAWAY GAITHER⁷

(17—18—)

Gassaway Gaither, son of Captain Basil Gaither and Margaret his wife, was born perhaps after his father removed to North Carolina. In Rowan County, he married Mary Smoot, daughter of James, whose sister, Elizabeth, had married his brother Walter. His father-in-law, James Smoot, died testate in Davie County in 1837, and named his

son-in-law, Gassaway Gaither, the executor, and also bequeathed a legacy to his daughter, Mary Gaither.*

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GAITHER

MOCKSVILLE — Mr. Kelly Lee Gaither Sr, 66, of Duke Whitaker Road, passed away Thursday afternoon, Dec. 28, 1995 at Davie County Hospital. Funeral service will be at 11 a.m. Tuesday at Eaton Funeral Chapel with Rev. Ben Mull and Rev. Elisha Robertson officiating. Burial with military honors will be in the National Cemetery in Salisbury. Assisting at the graveside will be the 11th District Memorial Honor Guard, Veterans of Foreign War. The family will be at Eaton Monday night from 7-9 p.m. They request memorials be considered for the cemetery fund of New Union United Methodist Church, c/o Mrs. Pat Moore, 551 Turkey Foot Road, Mocksville, N.C. 27028; or to the American Diabetes Association, 1941 Fairview Blvd., Winston-Salem, N.C. 27127. Mr. Gaither was born in Davie County Aug. 17, 1929 to the late William Louie and Edna Stroud Gaither and was retired from the U.S. Army, where he served during the Korean Conflict with tours in Germany and Okinawa. He was a life member of the VFW and also the American Legion Post in Lexington. Surviving are his wife, Ruth Chaffin Gaither of the home; two daughters, Mrs. Phil (Brenda) Crowe of Mocksville and Kathy Gaither of Yadkinville; three sons, Curtis and his wife Retha Gaither of Harmony, Kelly Gaither Jr. of the home and Ronald (Moony) Gaither of Winston-Salem; eight grandchildren; one great-grandchild; one sister, Mrs. Lucille Morrison of Galax, Va.; two brothers, Clay Gaither of Winston-Salem and Billy Gaither of Mocksville; several nieces and nephews; and two special friends, Bill Trivette and Richard (Dickie) James.