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My line is through Jeremiah Overby on page 93, his ancestors are described on the following pages.

Jeremiah's father, Nicholas on page 79 – Jeremiah's Grandfather, Nicholas Ye Younger on page 71 – Jeremiah's Great-Grandfather, Nicholas the Immigrant on page 63 – English ancestry is on the previous pages.

My line from Jeremiah is, John Overby 1754-1820, Robert Overby, 1784-1862, William Epps Overby 1818-1863, David Overby 1851-1931, James Washington Overby 1894-1975, Bertha Margret Overby 1917-2012, Edgar David Arthur 1949-

This line is documented at

<https://edavidarthur.tripod.com/OverbyLine.pdf>

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THE OVERBURY STORY

500 Years

in

England and America



by

LIBBY OVERBY



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DEDICATION

This book is dedicated to the memory of the late Hugh Overby who wanted to write a genealogy of the Overby family. His death in 1981 destroyed that dream.

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FOREWORD

The intent of this book is to provide a history of the Overbys through the biographies of a hundred members of the family. I am sorry I was unable to include all the biographies of present-day descendants, but the main thrust of this work is on Overbys of the past. If you know the name of your Overby grandparent, or great-grandparent, you may find him in this book.

Many may be disturbed by the spelling of the name as Overby in most instances. Other spellings are used when the records indicate that another spelling was used consistently. The problem here is that several spellings appeared in most every document. The spellings Overbury and Overberrie were used only through the third generation in Virginia.

I would be remiss if I did not thank two dear friends who have been so supportive. I have never met Camden Meyer but our correspondence has provided me with information and encouragement over the past eight years. Dale Overbey has researched the Overbys both here and in England with great success. Dale's enthusiasm for Overby genealogy has brought much sunshine into the preparation of this book.

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November 5, 1987

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THE ORIGIN OF THE OVERBURY NAME

The English started adopting surnames about 1200 A.D. It was not a mass movement but the more heavily populated areas used it as a means of identification. In small settlements it was sufficient to use the Christian name but as the numbers grew a means of identification was necessary. People resorted to the very simplest method. A man named "John" might be identified as John's son, or John who lived at the Lea, or John the Tanner. These names became John Johnson, John Lee, John Tanner. Others were a little more subtle; John-who-was-born-on-Epiphany became John Tiffany, John with-the-crooked-leg became John Cruishank. There were other ways of identifying; those who moved into a new area were tied to their old place of residence; John from Stratford became John Stratford; John who left the village of Overbury might have been called John of Overbury. In time this became John Overbury. Over a period of a hundred years surnames became the rule so by the early 1300's most families did have a family name. The very earliest years of the surname did not mean blood kin with another of that name; it was only after the name was passed down in succeeding generations could it be called a family name.

In the year 1292 A.D. all the priests of the Worcester diocese were listed.¹ Most of these have what are called "place" names. Some of those listed are John de Quenton (John of Quinton), Robert de Barbur of Wytton, (Robert the barber of Witton), John le Freman of Stanleze, (John the Freeman from Stanley) and William de Overbur', (William of Overbury).

The village of Overbury is in Worcestershire, about 20 miles from the area where the first Overbury family of our line was living by 1500. Overbury is a small village with a handsome Norman church and an elegant manor called Overbury Court. St. Faith's Church was built shortly after the Conquest. The columns are very thick and are probably the originals. The church has been "modernized" but many changes were in place by the 14th century.

The land around Overbury is thought to have been inhabited from 600 B.C. to 100 B.C. based upon excavations in recent years. The settlers

¹Episcopal Registers, Diocese of Worcester, Part IV, 1291-1301, J. Parker, Oxford, 1901.

migrated from Cornwall and were part of the great Celtic migration over all of England. The Celtic settlement was sacked by the Romans and abandoned.

When Rome fell and Roman authority in England was waning in the 5th century, the Angles and Saxons moved into the area. "Overbury" is a Saxon name and it means the 'upper or higher habitation'. The village first appears in written history as 'Overbury' in the year A.D. 875, when it and other lands were given to the Bishop of Worcester by the King of the Mercians.

The first families bearing the name Overbury must have been few in number because the village itself was (and is) very small. The number of families leaving it would be correspondingly small.

There are those who have said the Virginia Overburys are of Norwegian descent. Nicholas Overbury/Overbey of Virginia was clearly an Englishman and he is the immigrant ancestor of all those treated in this book. There are Norwegian Overbys; they are scattered over the U.S. with heavy concentrations in Wisconsin and Minnesota. Their entry to America was much later than the English Overburys. The Norwegian name Overby comes from a farm named ØVREBØ and this was the name taken when they entered the U.S. They usually spell it 'OVERBY' without the variations of the English-descended family.

Very few Americans use the original spelling of 'Overbury'; the usual variants are Overby, Overbey, and Overbay. These spellings established themselves in the 19th century but court records often carry several different spellings in the same document. In this book the general practice has been to use their preferred spelling for present-day descendants of Nicholas, the immigrant. For generations previous to 1900 the spelling used is one used in the source document of a particular piece of information.

THE ENGLISH OVERBURYS



FIRST GENERATION

The first known ancestor of the Overbury family was Thomas Overbury who left his only footprints with the words of his will. Man becomes history in the written account of his life and so with Thomas. His will enables us to reconstruct a bit of life in his time.

Thomas died in the year 1544 but let us go back to the beginning...

Thomas Overbury was born around 1485-1490 probably not too far from where he lived and died. Of his antecedents we have no clue other than the origin of the name Overbury indicates that they came from that village some 20 miles away. Thomas surely heard stories of the horror of the Black Death which swept England (and western Europe) in 1349. The Plague continued until 1355. In its wake it left 40% of the population dead and changed the course of English history.¹

Prior to the Plague English land had been owned or leased by relatively few families. These parcels were broken up into small sections and leased to free men or worked by serfs or villeins for the lords of the manors. It had been this way for the centuries following the Conquest. But the Plague swept away many owners of large properties and their heirs as well. Likewise, at the other end of the spectrum there were far fewer workers to till the land. The upshot of this imbalance was the increased value of the labor of the serfs and their increase in importance in the power structure.²

Feudalism became unprofitable and the number of serfs decreased as industry spread and foreign trade enhanced the money economy. When free men produced and sold their goods on the open market the cash flow benefited all. In 1485 England was finally at peace after years of death and the plundering of the War of the Roses. It was the beginning of the Tudor dynasty; this was the world into which Thomas was born.

Thomas was a Roman Catholic, certainly in his early years, because the Reformation was still in the minds of reformers in England and on the Continent. Church was very important to Thomas. When he died he

¹There are varying degrees of thought on the intensity of this change. Some feel that the impact of the plague was minimal; others think it marked the end of feudalism and gave new power to the small farmer. Exact figures are not available on the number of plague deaths. Estimates range from 20% to close to 50% of the entire population.

²This is obviously the maximum impact theory concerning the effect of the Black Death.

mentioned three churches in his will, the mother church of Gloucester, the church at Aston-sub-Edge, and the church at Mickleton. The 'mother church of Gloucester' has a significance lost in centuries past. The church at Aston-sub-Edge was no more than a mile from Mickleton where Thomas lived. The two churches, Aston and Mickleton, may have served the same group of people. Parish register entries indicate loose parish demarcations.

Thomas's home church of Mickleton is a gem. It is a spacious church, beautifully kept. Thomas made two bequests to this church, one to the high altar and another for the 'maintenance of the bells at Mickleton Church'. A bequest to 'the high altar' was usually made to the church of one's birth which would suggest that the Overburys were in Mickleton very early.

In June 1987 this writer visited the church at Mickleton. While we were walking about the church, the bells in the tower began ringing to announce the Holy Eucharist. The priest arrived and we joined the small group of worshipers. As we later knelt near the East window with its commemoration of the Porter family we could not help but reflect upon our privilege and joy to visit the church of the Overbury family of long, long ago.

The birthdate of 1485 is approximate for Thomas and is based upon the known and inferred marriage dates of his children. Thomas's daughter Helena married Richard Freeman in 1540.³ Helena was probably the 'Clemens' listed as Thomas's third daughter in his will. Assuming her age at marriage to be 20, her birthdate would be 1520 and Thomas would have been 35 years old. This is certainly consistent with a 1485 birthdate for Thomas.

Thomas mentions three daughters in his will, Ede, Elyzabeth, and Clemens.⁴ Either Ede or Elizabeth must have married a Bramley and they were the parents of Jane (or Jone) Bramley, Thomas Bra(m)ley, Margarete, Marye, and Julyan who were mentioned in the will. Thomas willed each of his grandchildren a lamb.

Thomas had three sons listed in his will, Lawrence who was named as Overseer but received no bequest, Peter, and Thomas. Thomas was clearly the oldest as he inherited. Peter must have been the youngest judging from

³Aston-sub-Edge Marriage Register.

⁴Clemens could be a diminutive for Helena or it could be an error in the translation of the Gothic script. This writer has not seen the original will and is working from an abstract.

statements made concerning him so Lawrence would have been the middle one. The Henry Hov'bere who was willed a lamb may have been a son of Lawrence Ov'bury (Lawrence's name was recorded as both Ov'bury and Hov'bere in the will).

Poor Peter, his parents must have been beside themselves with his lack of maturity! Rather than cutting him off completely Thomas directed that Peter should have a colt and a cow and a cart, a yearly allowance, and an acre of wheat to be sowed by his hands if 'he takes good ways and listens to his mother and his brother Thomas.'⁵

No record directly states the family name of Thomas's wife Jone but there are several indications that it was Porter. As such, she would have been the sister of Anthony Porter who was the overseer of Thomas's will along with Lawrence Overbury. The rationale of having a member of a woman's family, her father, brother or uncle, was that he would look out for her interests. The name "Anthony" was carried on in the family of Thomas, son of Thomas. In 1557 Katherine Porter was the godmother (matrina) at the baptism of Thomas's grandson, Anthony Overbury. Katherine is shown as Anthony Porter's daughter.⁶ Anthony's wife was Grysogona, daughter of Sir Edward Stradling. The name Grisongona was used by Thomas Overbury for a daughter. The Porter family had lived in Mickleton since 1494 when Richard Porter held a long lease on Mickleton Manor. He died in 1513 leaving money for the church, the poor, and a still-existing educational trust.⁷ The Porter family is mentioned on the East window at Mickleton church. In the closing years of the century descendants of the Overburys and the Porters interacted in land and other transactions. The Porter family is one of great antiquity with records going back three generations prior to Richard Porter who died in 1513. The earliest Porter was Robert of Warwickshire who must have been born 1360-1370.

⁵Peter was married by 1557 when he and his wife Emmott were defendants with Richard Carby concerning at seat in the Mickleton Church.

⁶Material on Porter family in the Society of Genealogists file on the Porter family, London, 1987.

⁷St. Lawrence's Church, Mickleton (including Hidcote Bartrim) Gloucestershire by E.P. Hammond, M.A. 2nd Ed. 1980.

It is fairly safe to say that each of the children of Thomas and Jone was given a family name because that was the custom. Particularly honored were grandparents of the children and the parents also used their own names. Infant mortality was so high and records far from complete so this is of little help in filling out a family line.

Thomas's will shows the name as Hov'bere and Ov'bury. A scribe was used to write a will and spelling was in accordance with the way he heard a name. There were also idiosyncratic spellings of many words which are very different from current spellings.

In his will Thomas stated that he should be buried in the churchyard at Mickleton but the entry of his burial is in the Aston-sub-Edge Parish Register. It states that Thomas Ou'burie was buried on September 6, 1544. His will was written on August 16, 1544; Thomas was 'sycke in bodye and hole in mynd'. The Mickleton Parish Register does not begin until 1590.

The lives and times of Thomas Overbury and his family are buried in the Gloucestershire villages of centuries ago. Thomas's life reflects values that we can support without reservation as we approach the 21st century. Thomas supported three churches in his death, surely he honored them in his life. He was a family man who remembered many, perhaps all, of his grandchildren in his will. And he tried to provide guidance for his son Peter. Thomas is the foundation upon which rests 500 years of Overbury history.

Children:⁸

- I. Thomas (see biography)
- II. Ede
- III. Elizabeth
- IV. Helena married Richard Freeman in 1540.
 1. John Freeman
 2. Alys
 3. Jane
- V. Laurence
 1. Henry

⁸Children and grandchildren are based upon data from the will of Thomas Overbury written in 1544.

VI. Peter married Emmott ____.⁹ He was a husbandman (one who farmed less than 100 acres). Peter died in 1579 and is buried in the Mickleton churchyard at his request.

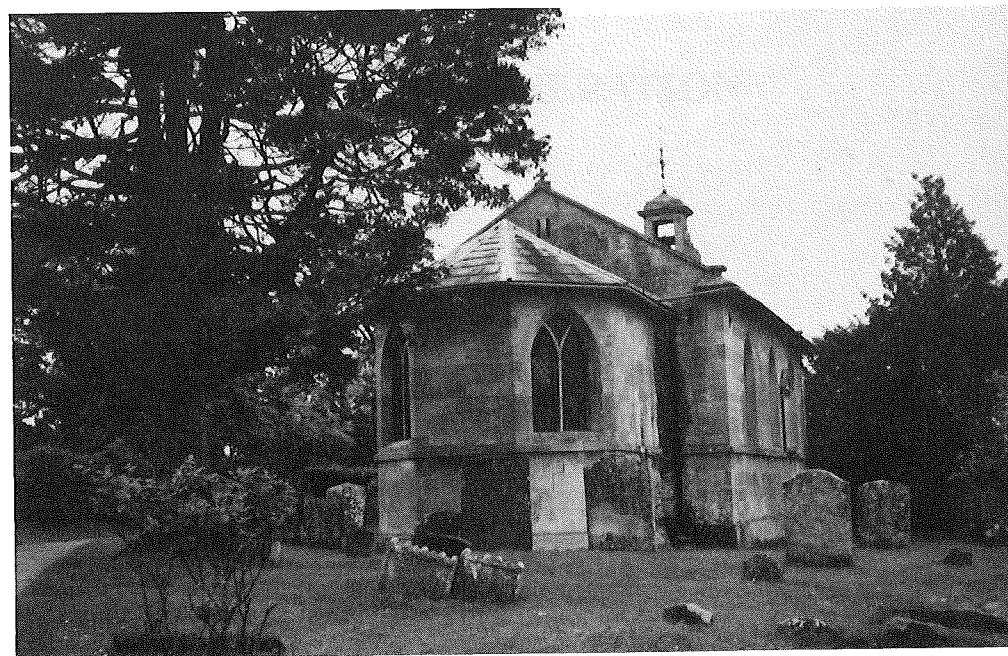
1. Richard
2. Edmund
3. Barnabe
4. Anthony
5. Jone
6. Agnes
7. Jeye

⁹All information from his will proved 24 July, 1579. All his children were under 21 by wording of the will.

(ABSTRACT) WILL OF THOMAS OVERBURY (c 1485-1544)

In the name of God amen, the sixteenth day of August in the thirty seventh year of the reign of King Henry the Eighth, by the grace of God King of England of Ireland and of France. I, Thomas Hov'bere of Aston-under-Edge, sick in body and whole in mind make my last will and testament as hereafter follows:

I bequeath my soul to Almighty God and my body to be buried in the churchyard of Mickleton. I give and bequeath to the Mother Church of Gloucester 4d. I give and bequeath to the high altar in Mickleton Church 4d. I bequeath to the maintaining of the bells in Mickleton Church 12d. I bequeath to the Church of Aston under Edge 20d. I bequeath to Peter, my son, a mare colt of a year old and a cow and a cart or else twenty S. in money to buy him a cart. I bequeath to Peter my son five pounds (?) in money to be paid 13 s. 4d. yearly. It is my will and my mind that Peter my son have an acre of wheat yearly to be sowed to his hands for the space of 6 years, he to have all these things if he take good ways and will be ruled by the Counsel of his mother and his brother Thomas. I bequeath to Ede, Elyzabeth, and Clemens (is this Helena?), daughters, to every one of them twenty nobles in money or in money worth. I bequeath to (Jane or Jone) Bramley ____ shillings at her marriage. I bequeath to Henry Hov'bere a lamb. I bequeath to Thomas Bra'ley (Bramley?), Margarete, Marye, and Julyan to every one of them a lamb. Item: to John Freman, Alys, and Jane to every one of them a lamb. All other goods moveable and unmoveable I give and bequeath to Jone my wife and to Thomas my son equally to be divided between them, whom I make my executors and make Antony Porter and Laurence Ov'bury my son overseers. Witnesses: Anthony Porter Sr., Peter Baxter, curate of Aston under Edge, Laurance Hov'bere, Wylyya' (William) Sothurne, Henry Wallkar with divers others.



Parish Church, Aston-sub-Edge, Gloucestershire. The church building is not the original. Thomas Overbury, the first known ancestor of the Overbury family, is buried in this churchyard according to the parish register.

photo courtesy of
Dale Overbey, 1987

SECOND GENERATION

THOMAS OVERBURY

Thomas Overbury, son of Thomas and his wife Jone, was born about 1518. His parents were, most likely, living at Aston sub Edge or at nearby Mickleton at that time. It was an exciting time for England as she emerged to the gaiety and promise of the early years of the reign of King Henry VIII. The economy of the Cotswolds was based upon the wool merchants. They, in turn, looked to the sheep farmers whose stock grazed the hills of Gloucestershire. The landowners who raised the sheep or leased the land were important men in the very successful economic base that wool provided.

It is clear that Thomas was a landowner; his will infers that multiple parcels are involved. The acreage Thomas inherited from his father is not stated in the will of the elder Thomas in 1544 but Thomas was to share all the "immovable" goods with his mother Jone. That was the usual reference to real estate at that time.

It appears that both Thomases, father and son, were much alike in personality. Both wills indicate strong-willed individuals who appear to know how they wanted things to be. In fact, both men's wills leave very stringent provisions that must be followed or someone would suffer the consequences!

Thomas was probably educated to some degree. (His son Nicholas went on to the New Inn so it must have been a home where education was valued.) There were grammar schools then existing for education before the university level. William Shakespeare, a contemporary of Thomas's and a neighbor in nearby Warwickshire, was a product of such a grammar school.

Aston-sub-Edge was Thomas Overbury's home at the time of his marriage and his death. Parish records do not go back earlier to indicate his place of birth but Aston-sub-Edge or Mickleton are likely candidates. Aston was probably a more thriving community then it is today. The writer visited Aston in 1981, 1982, and 1987. It is a sleepy community of a few houses surrounded by farmland and the Cotswold hills and we wondered where Thomas might have lived. There were few old homes about. All construction seemed to date much later. Even the parish church was not the original. The present one was built in 1797 and it showed no charm of an earlier age. But the churchyard was waiting with centuries of lives and loves and deaths interred beneath its green turf. And Thomas was there, we knew not where because the gravestones were rubbed smooth by the ravages of centuries past. But

somewhere in that small churchyard, perhaps 800 square feet in all, Thomas Overbury was buried over four hundred years ago....

....But Thomas was very much a young man in the 1540's and England was in religious turmoil. The Roman Catholic authority over the churches had been declared illegal and Henry VIII had enriched himself with church property of now defunct monasteries and priories. The English Reformation was encouraged by the liberalism of the universities and supported by the people of London. The people of the Cotswolds were especially attached to the old religion and wanted nothing to do with the new church which was being guided by Latimer, Ridley, and Thomas Cranmer. Cranmer's Book of Common Prayer of 1550 was greeted by Englishmen who shouted "Bring us back our Latin Mass!"

Thomas married Isabel Rutter sometime before 1547 when their son Nicholas was born and the Elizabeth Overbury born in 1544 at Aston-sub-Edge must have been their daughter also. The Aston marriage register shows Thomas and Isabel (whom they list as Elizabeth) as marrying in 1550, three years after the birth of Nicholas. This situation was not uncommon; a couple was married in a secret, unrecorded, Roman Catholic ceremony (and many of the churches did remain Catholic for a time). They eventually got around to having the marriage entered in the Protestant parish register. Marriage was very serious business 450 years ago. There were two types of marriage contracts, *de futuro*, which was very similar to an engagement but it was an actual legal contract which could be broken only by mutual consent. Our "breach of promise" legal action was based upon the ancient *de futuro* marriage contract in which a man was legally bound to marry a certain woman. The other type of contract was the *de praesenti* contract which was less than a complete marriage but it was indissoluble. It might be a secret or public ceremony with guests. There was no dower rights for the woman in a *de praesenti* contract. It was only when it received the benediction of the church that it was recognized as a complete marriage. This may be the situation which existed with Thomas and Isabel.

Thomas refers to his wife as Isabel but parish records give her name as Elizabeth. She was the daughter of Nicholas Rutter of nearby Hidcote. It was here that we find the name Nicholas introduced into the Overbury family. Its use was to continue for almost three hundred years with almost every generation having at least one descendant named Nicholas.

Thomas Overbury was listed as one of the churchwardens on June 7, 1551 when Peter Baxter was instituted as parson of the church at Aston-sub-Edge.¹⁰ (This must be the same Peter Baxter who was the previous curate and a witness to the will of Thomas's father in at 1544.) A "churchwarden" was elected to this position by the vote of the parish. It was an important position; literacy was required to read and supervise church business, collect fines and read proclamations. The churchwardens also supervised the morals of the community.

At the Mickleton church there is a 15th century parish chest with three locks. The Vicar and churchwardens each held a key so they could be watchdog to the other two. Thomas and Elizabeth (Isabel) had their children baptized at the Aston-sub-Edge church and the parish register of baptisms lists Elizabeth 1544, Nicholas 1547, Grisigona 1554, Agnes 1556, and Anthony in 1557.

The "growing up" years for the children of Thomas and Isabel were among the best times that England had ever experienced. Queen Elizabeth was now on the throne; a new emphasis was placed upon the arts in this time of relative peace and prosperity.

Thomas and Isabel must have lived a relatively good life for that age. He owned land and his family had a "servant maid" named Margaret Hi__vn (illegible) who was willed 'two of the best beehives that are in my garden or else she shall have twenty shillings in money.' Beehives were very important to people in Elizabethan times. This was their only source of a sweetening agent and honey was highly prized.¹¹

The first bequest in Thomas's will deals with Agnes Carles whom he calls "my sister". This does not necessarily mean what it says. The will of his father does not mention Agnes as a sister of Thomas and Thomas's will addressed both his father-in-law Nicholas Rutter and his son's father-in-law Giles Palmer as "my brother". Thomas had a daughter "Agnes" born in 1556 but not mentioned in his will so she must have died. The Rutter family tree shows one sister for Isabel, and she is named Elizabeth. Nevertheless this

¹⁰Gloucester Diocese Record #5, Episcopal Visitation.

¹¹The will actually said, "two of the beste staule of bees that are in my gardyne. The present day translation is given in the above for clarity's sake.

remains the most logical answer to this situation, that Agnes was a member of the Rutter family.

But what is clear is that Thomas had distinct reservations about Agnes. His will stated: "I give and bequeath unto Agnes Carles my sister if she goes away from my executors thirteen shillings four pence yearly during her life and if she please stay at Norton where she now is then it is my will that she have her (inheritance) during her life." Simply put, he was paying Agnes to stay away from the family. There is no record of the outcome of this.

Agnes wasn't the only family member Thomas viewed negatively. There was that son-in-law John Sessions who married Elizabeth Overbury in 1569. When Thomas made his will in 1580 he bequeathed 'Elizabeth Sessyons, my daughter, twenty pounds to be paid to her one month after the death or departure out of this world of her husband John Sessyons, if she happen to overlive her said husband and not before.'

Elizabeth and John Sessions had at least one child, a boy named Thomas. He was willed ten pounds by his grandfather Thomas Overbury who called him my "nephew". (That spelling and "neve" are considered to be Old English words for grandson and are frequently encountered in old wills.) Thomas Overbury took precautions that his grandson should be paid his ten pounds when he reached the age of "one and twenty years".

Thomas's daughter Grisagona had married Robert Cartwright in 1577 according to the Aston-sub-Edge Parish Register. By the wording of her father's will Grisagona was deceased by 1580 as a bequest was left to "Robert Cartwright my son in law and to Anthony Cartwright my nephew". This, of course, refers to his grandson rather than nephew. So Grisagona died early in life, certainly no more than twenty five years of age.

The remainder of his estate he left to his wife Isabel and his son Nicholas but Isabel was not to enter into any business dealing concerning his land unless Nicholas first gave his consent. If she should disobey this injunction then all lands, leases, and parcels were to go to Nicholas. How like the will of his father which placed Thomas as the counselor for his errant brother Peter!

A "yeoman" might be very wealthy, as some of them were; a "gentleman" was one who did not work with his hands. But these designations are not so clear-cut in reality. A man considered a "gentleman" in his lifetime might be termed a "yeoman" by his neighbors when they investigated his estate after his

death and "yeomen" were often demoted to "husbandmen".¹² Many yeomen who had no arms claimed to be gentlemen. Prosperity was part of it but if one acted as a gentleman, lived as a gentleman, and was perceived as a gentleman then for all practical purposes he was. A "gentleman" and "gentry" were very different. "Gentry" had arms for several generations and they were frequently knights; they married the daughters of other knights.

Many a wealthy yeoman or gentleman aspired to the gentry. The surest way to get ahead in Elizabethan England was through education and ambitious fathers sent their sons to the universities. Nicholas Overbury, only living son of Thomas Overbury and Isabel Rutter, enrolled at the Middle Temple in London where he was listed as the "son of Thomas Overburie, gentleman."

Isabel's family, the Rutters, were no less ambitious than the Overburys so Nicholas may have received a double dose of encouragement (or pressure) to carve himself a career in law.

The lives of Thomas and his father were alike in most respects. They were lives centered around the land, the church, and the family. Life in the Cotswolds was the best that England had to offer in the sixteenth century.

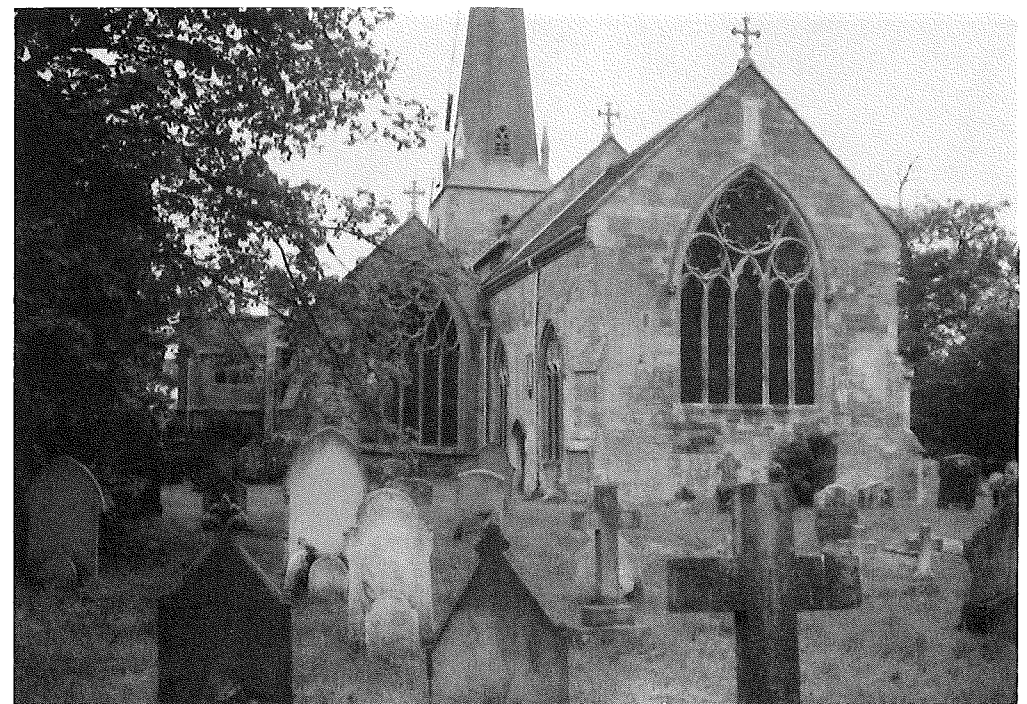
Thomas was laid to rest in the churchyard at Aston-sub-Edge after a life that must have provided some degree of fulfillment. The wife of his youth had grown old with him. Although some of his children died very young, perhaps they, too, were in the same graveyard. But Thomas had grandsons - two already - and a son Nicholas who was destined to make his mark in the next century.

Children:

- I. Elizabeth, baptized at Aston on October 8, 1544. She married John Sessions on June 19, 1569. Child:
 1. Thomas Sessyons (sic)
- II. Mary, baptized at Aston March 8, 1545 died March 30, 1548.
- III. Grisagona, baptized May 30, 1554, married Robert Cartwright on June 2, 1577 (at Aston). Child:
 1. Anthony Cartwright

¹²In his will Thomas is termed a "yeoman" by the scribe who wrote the will. This indicated that he was a free man who owned fewer than 500 acres; a husbandman owned fewer than 100 acres.

- IV. Agnes baptized at Aston on November 27, 1555. Probably the "Anna" Overbury who was buried on October 2, 1573.
- V. Nicholas (see biography)
- VI. Anthony, baptized at Aston on July 9, 1557 buried there August 21, 1559.



Church of St. Lawrence, Mickleton, Gloucestershire.
This church had many associations with the Overburys and Porters.



Church of St. Lawrence, Mickleton, Gloucestershire.

The high altar, shown above, received a bequest in the will of Thomas Overbury in 1544. His son, another Thomas Overbury, was a Churchwarden here in 1551.

THIRD GENERATION

NICHOLAS OVERBURY

Nicholas Overbury was born in that lovely part of England named for the nearby Cotswold hills. Nicholas was baptized in the parish church of Aston-sub-Edge. The date is uncertain, it has been given as 1547 by some, but it could have been a few years earlier.¹ His parents, Thomas Overbury and Isabel Rutter, are found to have ties to both Aston and Mickleton. Thomas was a substantial man of the community and his father had been a man of some stature in Mickleton. Nicholas bore the name of his grandfather Nicholas Rutter who was born around 1500.² The Rutters lived in nearby Hidcote. All around in that part of the Cotswolds were relatives, the Cartwrights, Porters, Freemans, so Nicholas must have grown up in a large extended family. Very little is known of the first 20 years of his life. In 1562 he was the godfather of E. Ingles at the parish church of Aston. The Ingles family also went by the name of Bloxham and may have been related to the Porters.

Nicholas must have received a superior education in his early life. It is not known if he attended Oxford (as did his sons) but he did enter the Middle Temple on May 2, 1574.³ His entry information merely states that he came to the Middle Temple after attending the New Inn and that he was the son of Thomas Overbury, gentleman. The New Inn educated Sir Thomas More some 40 years before Nicholas's time. Nicholas paid a "fine" or tuition of 20 shillings to enter the Middle Temple. Many of his classmates had also attended the New Inn. Almost without a man, they were sons of gentlemen or esquires. One was George Rivers, son of the Mayor of London; another was Henry Sandes, whose father was Archbishop of York. It was an assemblage of privilege. Connections were made, friendships cemented, a network for advancement was in place for the day it was needed.

Nicholas probably married around 1578. His bride was Mary Palmer, daughter of Giles Palmer who was lord of the manor at Compton Scorphin.⁴

¹Parish registers were poorly kept in the earliest days; the 8 or 9 entries before Nicholas have no year after 1544.

²The name "Nicholas" became the choice for sons in this family. During the next 350 years there was a Nicholas Overbury (Overby) in almost every generation.

³History of Warwickshire, Vol. 5, Univ. of London, 1865.

Robert Palmer had bought the manor in 1546.⁵ The Palmer family was a large clan, all living in the Warwickshire - Gloucestershire - Worcestershire areas. Giles Palmer had owned the manor of Churchill and the manor of Over Lemington, in addition to the manor at Compton Scorphin. Mary Palmer was obviously a desirable bride, the daughter of a wealthy and prominent family. Nicholas had the same to offer, the Overburys, Porters and Rutters were ancient and honorable stock.

Nicholas's father, Thomas Overbury, died in 1580. His mother Isabel and Nicholas were joint heirs except Isabel could take no action unless it was first approved by Nicholas. Even giving Isabel that degree of freedom marked the household as progressive but Nicholas was clearly in charge.

The first baby arrived in 1580, a little girl Frances who was baptized at Barton on the Heath on June 5, 1580. Mary probably went to her parents home at Compton Scorphin to have her baby. There is always the possibility that Mary and Nicholas lived there the first years of their marriage for the next year a son, Thomas, was born at Compton Scorphin. Later children were baptized at Quinton. This suggests that at some point Nicholas and Mary moved to a home of their own in the parish of Quinton. There is a permanent memorial to the Overbury family in a stained glassed window at the church at Quinton. The window displays the coat of arms of six of the prominent families in that area. The Overbury coat of arms occupies the lower third of one window. Above it is the coat of arms of the Rutter family. It was a daughter of this Rutter family, Isabel Rutter, who was the mother of Nicholas Overbury.

In 1591 Nicholas was back at the Middle Temple where his name appears in records there. On June 18, 1591 Nicholas was one of four barristers who were to provide the Reader's Feast for the Reader of next Autumn.⁶ The reader was what we would call a lecturer. It was considered a high honor to be a Reader and a Reader became a Benchler, the highest rank of all. The

⁴Genealogical Gleanings in England, Vol. II, New England Historic Genealogical Society, 1901.

⁵The intervening generation between Robert and Giles appears to be John Palmer. Ref: Visitation of Gloucestershire, 1623, Philipot and Chitty, London, 1885.

⁶Middle Temple Records, edited by Hopwood, Vol. I, II, III, 1904.

Reader gave talks three days a week on the interpretation of a chosen Act of Parliament. During the term as Reader one was expected to lavish the hospitality. There was a Reader's Feast to which many outside guests were invited. Venison was the chief meat of these banquets.

In 1596 Nicholas was appointed to "stand at the cupboard". This marked a step up in the Temple hierarchy. The Cupboard was (and still is) a small table just in front of the Bench Table. It functioned as a ceremonial Chair. The Reader was attended at the Cupboard by four not so senior members who were called Cupboardmen. They were expected to lead the debate. The other members gathered around.⁷ In 1597 Nicholas was again a Cupboardman. The assistant to the reader was Mr. John Shirley.⁸

Finally in 1599 Nicholas was chosen Reader for the next Autumn and in 1600 he became a Master of the Bench.

Back at Quinton Mary Palmer had been busy with an ever increasing family. With Nicholas absent in London much of the time she surely held a lot of responsibility for managing a home and rearing the children. Both of these were "women's work" but in wealthy families it also meant administration of an estate.

Two of Nicholas's relatives borrowed money from him in 1592. Nicholas Porter and Giles Porter were indebted 20 pounds to be paid within a year.⁹

In 1595 it appears that Nicholas's legal talents were going to be used by a local congregation. The record states that Nicholas Overburie of Quinton was presented by Anthony Savage for the recovery of three tithes unlawfully withheld in Mickleton Parish. This was the present day equivalent of a person not paying lawful taxes.

By 1598 Nicholas and Mary had nine children and his career as an attorney of high rank was assured. (In 1592 he had obtained a coat of arms although it is very possible that is the date he registered the arms he was already using.) In 1598 he purchased the manor of Bourton at Bourton-on-the-Hill. What a fitting estate for a very successful family! The manor goes

⁷Middle Temple Hall, by Joseph Dean, 1970.

⁸John Shirley reappears in the Overbury saga. See the biography of Sir Giles Overbury.

⁹Gloucestershire Notes and Queries, Vol. 4, 1890.

back to before the Conquest when about 250 acres were held by one Wluvi, a Saxon radknight. After 1066 William gave the land to his Chamberlain.¹⁰ The date the manor house was built is not known but the original was replaced in the early 18th century. However, the tithe barn is still standing. It is of handsome Cotswold stone. The initials R.P. and the date 1570 are carved in the stone. The initials stand for Richard Palmer who is said to have built the original house. Richard Palmer bought the property from Lord Wentworth in 1556. Bourton Manor passed from Richard (who died in 1582) to Thomas Palmer and then to John Palmer who sold it to Nicholas.¹¹

The parish church of St. Lawrence was (and is) a few hundred yards from the house. Its parish register had many entries concerning the Overburys.

The Church of Bourton is much the same as it was when Nicholas and his family lived nearby. The church was built 1195-1200 A.D. and the exterior has been only slightly altered in 800 years. Most all interior changes were made hundreds of years before Nicholas's time. What one sees today is that which greeted Nicholas and his family so long ago. On the south side of the nave are two round pillars made of Cotswold stone so smoothed and fitted to become a solid round column. Rising from these are three elliptical arches of smoothed Cotswold stone. On first glance it seems to be a solid piece of stone or cast cement. Closer examination shows it, too, is made up of smaller Cotswold stones. This part of the church is a remnant of an earlier church. What a tribute to the artisans who worked with only their hands, guided by the genius in their minds! Since the existing church was virtually completed by 1200 A.D. these columns date from the early Middle Ages.

The communion plate includes a chalice and paten dating from 1576. In 1551 the church had 100 communicants.

There had been 467 deaths at Bourton from the plague in 1592. This may have been a quarter of the population there. (The plague was due to visit again in the 1640's when 42 died.) The plague must have brought terror to all since the mode of infection was unknown. Nicholas and his family lived

¹⁰"Some Notes on the Parish of Bourton-on-the-Hill", printed by St. Lawrence's Church.

¹¹History of the County of Warwickshire, Vol. 5, University of London, 1865.

only a few miles away at Quinton and some of their Palmer relatives were living at Bourton.

By the time Nicholas purchased the manor at Bourton he was absent from home much of the time. He was a Benchler at the Middle Temple. The oldest son, Thomas, was also in London studying at the Middle Temple, to be followed by his brothers Giles and Walter.

Nicholas's career kept advancing. He was one of the grantees named in the Temple Charter in 1608. In 1610 he was Treasurer of the Middle Temple; on January 4, 1610, he was one of His Majesty's Counsel in the Principality of Marshes of Wales. Nicholas must have commemorated his achievement with a gift to the Temple Church. There are two silver chalices, one is inscribed "Nicholas Overburys, Treasurer of the Middle Temple" and "George Croke, Treasurer of the Inner Temple" and the date is "1610". The second chalice bears the name "Nicholas Overburys" and "1610".

In 1611 a most significant event took place. Under the auspices of Nicholas, "Robert Carr, Knight, Viscount Rochester" was admitted to the Middle Temple. Carr was the favorite of King James and he relied on Sir Thomas Overbury, Nicholas's son, for guidance in matters of state. Carr was intellectually inferior; whether by choice or design is not known. His admission to the Middle Temple was clearly an action based on privilege rather than merit. The family was destined to wish they had never heard of Carr.

There was great sadness in the life of the Overburys. The eldest daughter, Frances, was married at the church at Bourton-on-the-Hill on October 1, 1599.¹² Her bridegroom was John Palmer of Compton Scorphin. Frances had two babies right away. The second child, a boy named Richard, must have died at birth or shortly after. Frances also died. The year was 1601 and Frances was only 21 years old. Frances and her baby may be interred in the churchyard at St. Mary's Church, Ilmington. This church was near Compton Scorphin, the home of the Palmers. John Palmer erected a stone tablet on the church wall in memory of his father Richard and his wife Frances Overbury and their son Richard. It is a handsome monument showing

¹²The Old Series, Vol. 1, The Genealogist, Golding and Lawrence, London, 1877.

both the Palmer coat of arms and the Overbury coat of arms, together with the quartering of both coats.¹³

But it was in 1613 that the family was overwhelmed by the murder of Sir Thomas, the oldest boy in the family. Thomas was brilliant and ambitious, but in the path of high-born high-jinks. After he was incarcerated in the Tower of London his mother and sisters came to London to see him and were refused entry. Mary Palmer wrote Viscount Rochester, Thomas's one-time friend. Nicholas contacted powerful men but Thomas was murdered while a prisoner. The grieving family erected a plaque at the Church of St. Peter ad Vincula in Thomas's memory.

There were other sadnesses, too. There was John, born to Nicholas and Mary in 1594, who never saw his first birthday. William, born in 1597, lived only a few months. Mary Palmer Overbury died in 1617. Unfortunately she did not live to see Nicholas knighted in 1621 and he became Sir Nicholas Overbury. Writers of that period say the knighthood was to ease his pain from the loss of his son.

Nicholas was aging but he showed no sign of retiring from the Bench. On February 20, 1629 the King wrote to Sir Marmaduke Lloyd and Sir Nicholas Overbury to tell them that King James had granted Robert Thorne the job of taking oaths before the Council and he had been sworn in by the Lord President. Nicholas and Marmaduke were preventing Thorne from executing his office. It was the King's pleasure that they permit Thorne to perform his office and forbear from intermeddling with the profits.¹⁴ In the early 1630's there was a notation that "the King would be pleased to replace Nicholas as he was old and infirmed".¹⁵ At this time Nicholas was nearing 90 years of age. The last record of Nicholas in an official capacity is on November 30, 1633 when he signed a memorandum. Four days previously he had been sworn in the Open Court. It was not a developed area between his home in Bourton and the courts in Wales. Horseback was the usual transportation. His stamina at 90 was amazing.

¹³The Palmer family erected another monument in this church. This was to a later Giles Palmer who died in 1665.

¹⁴"Calendar of State Papers - Domestic Series".

¹⁵Ibid.

Nicholas was very rich. He worked exceedingly hard physically and mentally to achieve this success. Every appointment he made was a possible source of funds. As he advanced in the legal hierarchy it was through the purchase of the next position. There was nothing underhanded here; that was how appointments were made.

Nicholas wrote his will on September 1, 1640. The will is quite long and in exquisite detail. Nicholas described himself as being in "perfecte health and memory (thanks be given to almighty God.)" He asked to be buried at the church at Bourton-on-the-Hill near where his 'loving and beloved wife Mary' was buried. He gave money for the church at Bourton, money for the poor in the village of Bourton, the poor of Morton Henmersh,¹⁶ the poor of Blockly, the poor of Chipping Campden, and the poor of Stowe-on-the-Wold. (These were all small villages a few miles from Bourton.) To Lady Anne Overbury, wife of Sir Giles, he bequeathed 'my basin and ewre' of silver and p'cell guilt and the two Colledge potts of silver the one whereof was made of the silver w^{ch} was given to Sir Thomas Overbury Knight (my eldest son deceased) by the King of Denmark when he was here in England in the time of the late King James of Famous memory, and after by him given to his mother my late wife.'.....

To Nicholas Lechmere, the oldest son of Edmund Lechmere and Margaret Overbury, he willed one of every sort of his law books and all books of law notes written by him.¹⁷ Other family members were mentioned and all his servants were to receive money. Nicholas said he wrote his name on every leaf of the will and sealed it with his 'scale'.

On February 17, 1641, six months later, Nicholas wrote a codicil to be annexed to the will. It concerned the money for the purchase of Royal's Court¹⁸, an estate on the Severn. It was bought from Edmund Lechmere by

¹⁶Morton Henmersh is now the town of Moreton-in-the-Marsh. It is a mile from Bourton.

¹⁷The Lechmere family was one of the most ancient and honorable in that part of England.

¹⁸This may really be Ryall's Court and an error by the transcriber of the will. The right of free fishing was held with the estate of Ryall's Court in 1603; in 1635 Edmund and Thomas Lechmere conveyed this to Sir Nicholas Overbury and his son Giles. Ref.: The History of the County of Worcester, Vol. III, page 491.

Nicholas and Lechmere, who was the widower of Margaret Overbury, did not take the money from his father-in-law, Sir Nicholas. Lechmere left the money in the hands of Nicholas 'to be employed by me for the good of the children'. Nicholas discussed the various provisions he had made for the children, apprenticing Margaret, Thomas, and Edward and giving money to Mary upon her marriage to Nicholas Short.

On May 17, 1643 there was still another codicil 'for the better explanation of my Last Will and Testament'.

Time was rapidly running out for Nicholas. He was buried at Bourton on the Hill just two weeks later on May 31, 1643. This writer has seen the magnificent entry in the Parish Register of the Church of Bourton. In a large and elegant hand are these words:

"Sir Nicholas Overbury, that ancient and honourable knight, who long and faithfully served both his Sovereigne and his Country (in the Raignes of Queen Elizabeth, King James, and King Charles) was buried on the last day of May 18, 1643, hee being then about an hundred yeares old."

Children:¹⁹

- I. Frances, baptized at Barton on the Heath June 5, 1580. She married John Palmer at Bourton on October 1, 1599. She died 1601.
- II. Sir Thomas Overbury (see biography)
- III. Meriall, baptized at Barton on the Heath on May 2, 1585. Married Robert Oldisworth at Bourton on September 2, 1604.²⁰
- IV. Sir Giles Overbury (see biography)
- V. Margaret baptized at Quinton on October 18, 1591. She married Edmund Lechmere²¹ on September 28, 1610.
- VI. Nicholas buried on May 5, 1593 probably twin of Walter
- VII. Walter (see biography)
- VIII. John baptized at Quinton on November 19, 1594 and buried at Aston-sub-Edge on June 4, 1595.
- IX. William baptized at Quinton May 22, 1597, buried at Mickleton on October 12, 1597.
- X. Mary married Sir John Litcott at Bourton on November 14, 1611. She was probably born about 1592.

¹⁹Old Series Vol. 1, *The Genealogist*, Golding and Lawrence, London, 1877.

²⁰Nicholas Oldisworth, one of the sons of this marriage, became rector of the church at Bourton. He was a writer of some note with a Master's degree from Oxford. Manuscript 646.4 in the Folger Shakespeare Library, Washington, D.C. has some poems by N. Oldisworth. Oldisworth died in 1645. His brother Giles succeeded him and was the rector from 1646 to 1678. Giles was a strong supporter of the King during the Civil War. Despite this he was able to stay on at the Bourton church during the Protectorate. Giles was a noted scholar and writer also.

²¹In May 1987 Dale Overbey talked with Reginald Lechmere, a descendant of Sir Nicholas Overbury through Edmund Lechmere and Margaret Overbury. Mr. Lechmere lives in Malvern, England. The Lechmere name was noted in the parish bulletin of the church at Hanley Castle by this writer in June 1987. Nicholas Lechmere was the son of Edmund and it was he who inherited the law books of Sir Nicholas Overbury. Lechmere supported the Parliament during the Civil War, taking firm opposition to King Charles I. At the Restoration he made peace with King Charles II and received a full pardon. He was created Baron of the Exchequer and was knighted. The Lechmeres descend from Thomas Lechmeres and Eleanor Frere. (She was born April 22, 1474.)



The manor house at Compton Scorphin.

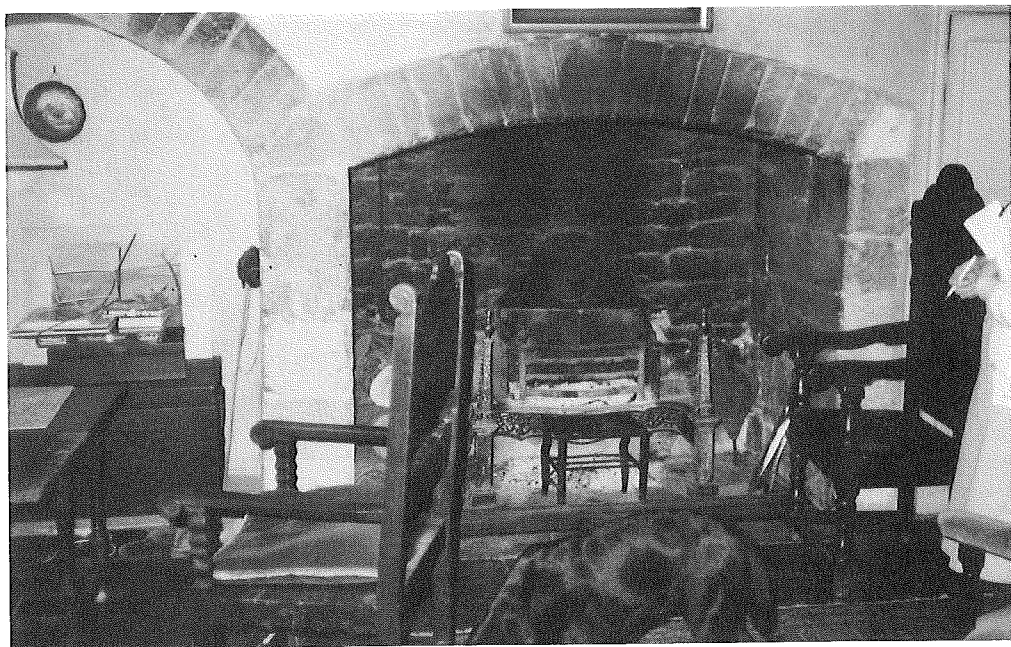
It was built around 1500. Originally the land in front was sloping, not flat as shown in the photo. The add-ons were later than the original house.

photo courtesy of
Dale Overbey, 1987



Dale Overbey stands beside the railing in front of the manor house at Compton Scorphin. The railing came from Syon House, a former convent in Middlesex. After the dissolution of the monasteries, an estate was built on that site. It was, and is, the home of the Dukes of Northumberland. The estate of Sir Giles Overbury was nearby.

photo courtesy of
Dale Overbey, 1987



Dining room at the manor house of Compton Scorphin, Warwickshire.
Doris Overbey can be seen at the extreme right.

photo courtesy of
Dale Overbey, 1987



Sitting room at the manor house of Compton Scorphin in Warwickshire, England. The house was built around 1500. It was the home of the Palmer family whose daughter, Mary, married Nicholas Overbury. The property is presently owned by Lady Beecham, widow of Sir Thomas Beecham. Lady Beecham is shown by the huge walk-in fireplace. Sitting opposite her is Dr. Ian Wilkenson who accompanied Dale and Doris Overbey through the Cotswolds.

photo courtesy of
Dale Overbey, 1987



The interior of St. Lawrence's Church,
Bourton-on-the-Hill, Gloucestershire.
(1982)

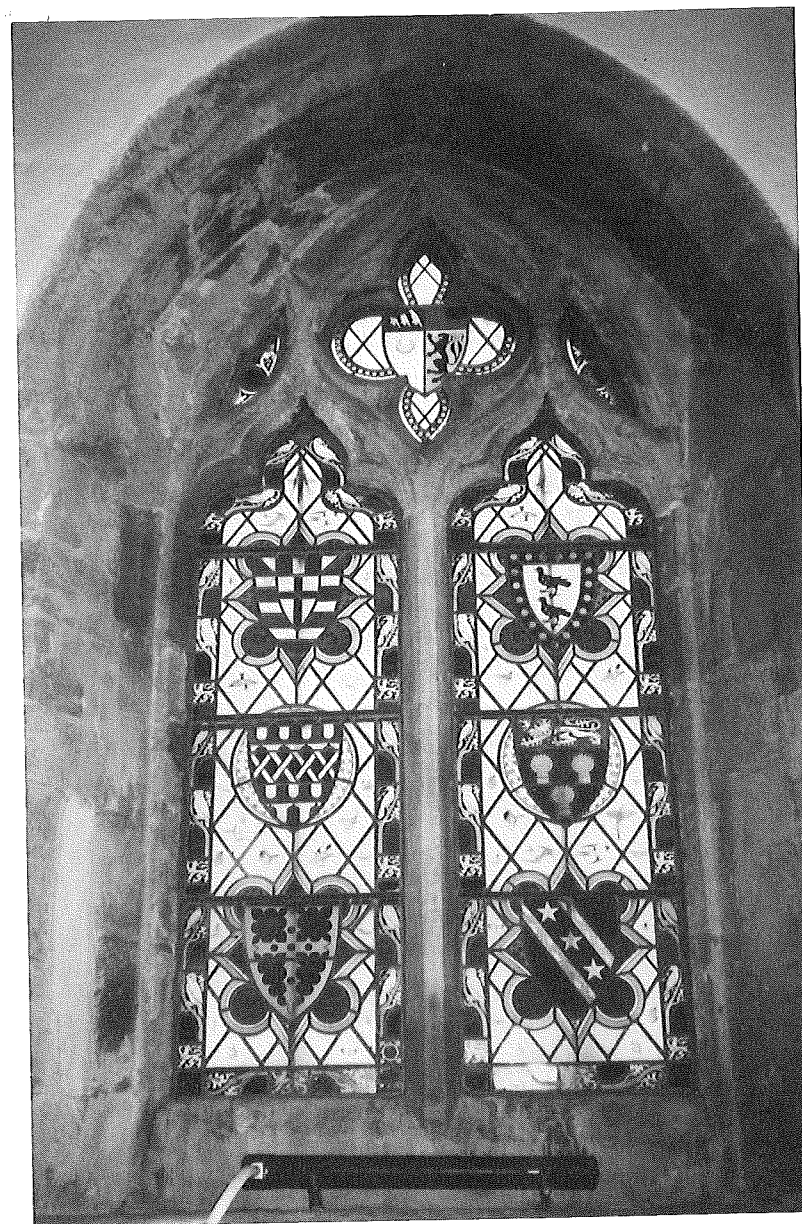


Lacy Overby stands at the entrance to Bourton House, the manor owned by Sir Nicholas Overbury at Bourton-on-the-Hill, Gloucestershire, England. The stone building visible is the tithe barn. It bears the initials R.P. for Richard Palmer and the date 1577.

photograph taken
in 1982



St. Lawrence's Church, Bourton-on-the-Hill, Gloucestershire. This church adjoined the nearby manor where the Overburys lived from 1598 to 1680. The Church was built around 1195-1200. The churchyard, visible in the foreground, was the burial site of many Overburys but the oldest stones are missing or worn smooth.



Window at the Church of St. Swithin, Quinton, Gloucestershire. The coat of arms, lower right, is that granted to Nicholas Overbury. The coat of arms immediately above is that of the Rutter family. (Isabel Rutter was the wife of Thomas Overbury; they were the parents of Nicholas.)

Photo courtesy of
Dale Overbey 1987



Memorial in the Church of St. Swithin, Quinton, Gloucestershire. This plaque was given by John Palmer in memory of his wife, Frances Overbury, daughter of Nicholas Overbury, and her infant son Richard.

Photo courtesy of
Dale Overbey, 1987

FOURTH GENERATION

THOMAS OVERBURY

Thomas Overbury is the only Overbury who achieved a degree of fame in his time and in history. For this distinction he paid with his life.

Thomas was born to Nicholas Overbury and his wife Mary Palmer. Mary must have gone to her parents estate, the manor house of Compton Scorphin, for her lying-in.¹ Thomas was baptized at Barton on the Heath on June 18, 1581.

According to biographical data on Thomas he attended grammar schools locally. From all accounts he was a serious student, surely a gifted one for he entered Queen's College at Oxford on February 27, 1595/6 at the age of 14. He is said to have made rapid progress in philosophy and logic before obtaining his bachelor's degree in 1598 at the age of 17. He entered the Middle Temple where his father was a Bencher. In 1601 Charles Fitzgeffrey, a fellow student of senior standing, published material highly complimentary of Thomas's talent and disposition.²

Surely Thomas was the "golden boy" to his family and to all those whose lives touched his. His father Nicholas thought to advance him at court. Queen Elizabeth was nearing the end of her life and the Scottish succession looked to be the most likely. Nicholas had gotten letters of introduction from Sir Robert Cecil and other influential friends for his son Thomas. Thomas was not a passive participant in this promotion of his talents. He wrote his Oxford friend William Cornwallis, whose father was Sir Charles Cornwallis, who was Prince Henry's guardian. Thomas was assured a hearty welcome at the Court and introductions to persons of importance.³ Thomas and his father's law clerk, John Guilby, set off by horseback for Edinburgh with 60 pounds for their expenses.

Sir Robert Cecil had paved Thomas's way into the Edinburgh power circle. He was received by Mr. Edward Bruce who used his influence on the

¹All biographical data on Thomas says he was born at Compton Scorphin.

²Dictionary of National Biography, Vol. XIV, Oxford Union Press.

³The Overbury Mystery, Edward Parry, Benjamin Bloom Publishers, 1972. Another reference, The Progresses of King James, The First, by John Nichols, Vol. II, 1828, states that Thomas went to France after the Middle Temple and returned "a very finished gentleman". This event obviously predated the Scotland trip.

Earl of Mar to present Thomas at Court. His Majesty, King James, was informed that Thomas had been sent to Edinburgh by Sir Robert Cecil, Secretary to Queen Elizabeth. Thomas impressed all at court. He was modest and intelligent in the same stroke; he charmed all he met.

Thomas was invited to the country to spend several weeks at the estate of Mr. Edward Bruce. Among those present was fourteen year old Robert Carr. Carr was a cousin of Edward Bruce; he had been a page at Court at Holyrood Palace but his performance was so inferior that the King became angry and dismissed him. Robert Carr and Thomas Overbury became close friends for the duration of Thomas's visit; it was not unlike a youngster worshipping his older brother.

Thomas had been chosen to convey the King's own letter to Sir Robert Cecil back in London. The real mission of his journey to Edinburgh had been accomplished. He had been noticed, observed, and found favorable. His foot was on the ladder and Thomas thought he saw the top close by. That was a fatal vision, a cruel trick of fate; the way up is never that easy.

Queen Elizabeth died in 1603 and Robert Cecil was to serve King James as Secretary in the same way he had the queen. Thomas Overbury was in his employ. After a few months Cecil sent Thomas to France and the Low Countries to Thomas's great disappointment. Thomas was very brilliant and very eager to get ahead. It could be that Thomas was perceived as a threat to Robert Cecil; if not a threat perhaps as a bright light which dims all around it. Thomas was to remain on the Continent until 1607. By then he had gained some fame as a writer and poet. When he returned to Court he soon found his old friend Robert Carr who was now the favorite of King James. The King was very fond of young and handsome men and had many such favorites during his reign.⁴ Thomas and Carr perceived in each other the answer to a need. Thomas wanted to advance as quickly as possible in the Court. What better way than through the King's favorite. Carr realized his limitations. Beyond his pretty face and head of curls he had no resources. The King relied on him for advice in matters of state; what better way to solve this problem then through his dear friend, the brilliant Thomas Overbury. Carr would take no action until he consulted Thomas. Those were the months and years when Thomas Overbury governed England, and he

⁴Ibid.

governed well, albeit indirectly. The King never knew the sage advice he received from Robert Carr really came from Thomas Overbury. Thomas was rewarded by Carr with a lease from the Crown of salt works in Droitwich, an insurance business in London, and in June 1608 Thomas was knighted by King James.

Thomas Overbury's power at Court was well known and enemies had been made. Many viewed him as a insolent upstart; his father was only a Judge and although the family was ancient and most respectable some thought that Thomas was ambitious beyond his class.

Robert Carr fell in love with Frances Howard, the Countess of Essex. Thomas was not especially upset about this even though the Countess was married. She had been married at the age of 13 to the Earl of Essex. He was only slightly older and was immediately sent abroad for years while his child-bride remained in England. When the Earl returned four years later his bride refused to live with him. Finally she was forced by her family to live under the same roof with the Earl but that was the extent of the relationship.⁵ Her refusal was based on many reasons. She was forced into the marriage with Essex who was a clod and a boor and she was now in love with the golden haired Robert Carr. During the early courtship Overbury wrote love poems and sonnets for Robert Carr to read to Frances; when Carr decided he wanted to marry Frances, Thomas became irate. It became more than a simple quarrel; it was a barrier that was to forever separate Thomas and Robert Carr. Thomas's reasons to Carr dealt with the many character deficiencies he saw in Frances but he had supported the romance until Carr wanted marriage. He also objected to Carr's marrying a divorced woman. Thomas's real reasons were probably closer to his certain loss of power over Robert Carr if such a marriage did take place. Then Carr would seek the advice of Henry Howard, Frances's uncle, and Thomas, who had alienated the whole court with his unbridled ambition, would have no one to uphold him. Thomas became more pressing for advancement at Court and all, even the King, were at a loss to deal with him. The King offered him the appointment as Ambassador to Russia and Thomas refused to accept, claiming illness. When asked again Thomas replied that he was not leaving England for any appointment. The Council members whispered among themselves; after

⁵Ibid.

conferring with the king, the Chancellor returned to the Council and announced that Sir Thomas Overbury was to be carried to the Tower of London and kept there as a prisoner.

A barge carried Thomas to his prison. As the six rowers glided the way through the Thames, Thomas put his hand over his eyes and the tears first wet his face before they lodged on his lace-encircled wrists.⁶

With Thomas's dissent safely hidden from human ears, divorce proceedings were started to free Frances Howard from the Earl of Essex. Thomas was kept under close guard and permitted letters and presents from only Robin Carr, who was now the Viscount Rochester, and from Frances's uncle.

Thomas's mother and his sisters came up from Bourton together with Sir John Lidcote who was Thomas's brother-in-law, but they were not permitted to see him. Poor Mary Palmer Overbury wrote to Viscount Rochester and begged him to help. Robin wrote Mary that her presence was not going to change matters in any way and that she should return to Gloucestershire.

Then Thomas's father, Judge Nicholas Overbury, went to Court and made personal petitions to the King. He stated that Thomas was seriously ill and in need of medical attention. This was evidently quite true as neutral witnesses to this tragedy stated that Thomas suffered from "consumption" long before his incarceration. Thomas also alludes to this when he first refused to go to Russia, giving his failing health as the reason. The King did order his own physician to attend Thomas.

Frances Howard decided that as long as Thomas lived she would be in danger from his strong opposition to her. She had previous exposure to witchcraft through a Mrs. Turner who dealt in the black arts.⁷ Frances went to Mrs. Turner and they decided to poison Thomas. Hiring an apothecary who obtained various poisons, Mrs. Turner proceeded to make all kinds of sweet tarts and jellies, all laced with poison. Frances wrote notes to accompany the tarts indicating that they came from Viscount Rochester. These were delivered to the Tower by one Richard Weston, an unsavory character in the employ of Anne Turner. But Thomas did not die and the poison tarts were delivered

⁶Ibid.

⁷Ibid.

again and again. Thomas wrote to Rochester begging only for his freedom. There was only silence.

Then Sir John Lidcote was finally permitted to see him. Lidcote was married to Thomas's sister, Mary, some two years previously. Lidcote said that Thomas's hands were dry and his speech was hollow. Thomas wanted Sir John to make his will. John later wrote Thomas to cease fighting, to change his attacks on Viscount Rochester. Lidcote fully understood the danger of Thomas's position. In September, the dying Thomas wrote one last letter to Rochester. His pen was still as gifted as in the old days. One phrase stands out as it was so truly fulfilled. Thomas said...you and I will come to a public trial before all the friends I have....

At five in the morning of September 15, 1613 Thomas died at the age of 32.

Sir John Lidcote was called to view the body and a priest was summoned. Thomas was hastily buried in the Church of St. Peter ad Vincula at the Tower.

The really tragic part of Thomas's death was there was no one to mourn him other than his family. Thomas was too ambitious to have made friends. He was viewed as a threat to all who knew him. He was insolent and viewed people as intellectually inferior. Unfortunately he let them know this feeling. But Thomas was no different from other ambitious men at Courts throughout the ages. The desire for power and importance are human failings; Thomas had to pay a high price for his weakness.

Frances received an annulment of her marriage to the Earl of Essex and the court was overjoyed with the upcoming wedding. Robin was created the Earl of Somerset and the wedding was set for December 26, 1613. The wedding was like a fairy story and the gifts were gold and silver and jewels. Robin was so enamored with this bride that he began to neglect the King. King James was smarting over this neglect by Somerset when he first laid eyes on George Villiers. Villiers was handsome in an effeminate sort of way and he soon became Sir George Villiers. There was simply no room at court for two favorites and the Earl of Somerset had been replaced. He fought as tenaciously for his position as Thomas Overbury had for his. Someone at Court decided that the easiest (and surest) way of getting rid of Somerset was to implicate him in the murder of Thomas Overbury. It was now 1615 and

Thomas had become somewhat a folk hero. His writings were published and received much literary acclaim.

Richard Weston was the first to fall in this latest plot. It was he who took the poison tarts to Thomas Overbury. In short order a jury returned a verdict of guilty for the murder of Thomas and Weston was hanged at Tyburn. Weston was a thug-for-hire, a man without conscience, a man fully at home in his age.

Next brought to trial was Anne Turner, witch, sorceress, and poison tart cook. She, too, was hanged at Tyburn.

The next trial was that of Sir Gervase Helwys who was Governor of the Tower at the time Thomas died. The evidence that Helwys was involved in the murder was slight but he was judged guilty and he, too, was executed.⁸

The Earl of Somerset, the Robin Carr of old, was arrested and sent to the Tower. His Countess, Frances Howard, was permitted to give birth to their child before she was sent there also. The murder of Thomas was manipulated for the ruin of these two. It was not a question of the law serving truth but law serving unbridled power. This trial was talked of from highest society to urchins in the streets of London. Sir Thomas Overbury, who had died a friendless victim of his own ambition, was resurrected as the gifted author cut down by Somerset, his long-time friend and his amoral wife Frances Howard.

Both the Earl and Countess of Somerset were sentenced to death. They were both sent to the Tower to await an execution which never occurred. King James was greatly upset over Somerset's trial. It was never learned what dread secret Somerset knew concerning the King. It was suggested that the King himself might have been heavily involved in Thomas's murder. But no one to this day knows for sure what brought that absolute terror to King James while Robin was being questioned.

After six years in the Tower, Frances and Robin were released. He never forgave Frances for her role in Thomas's murder.

Thomas Overbury was interred in the chancel of the Church of St. Peter ad Vincula at the Tower. The Church is only a stone's throw from the

⁸Helwys was of the Temple as was Nicholas Overbury, Thomas's father. When Nicholas was a student there Sir Jervase (Nicholas's spelling) was chosen lord at the Christmas festivity. Nicholas said that Jervase was a dexterous and witty man. Ref.: Additional Ms. British Museum #15476.

execution block where Anne Boleyn and Katherine Howard were beheaded when they fell out of wifely grace with King Henry VIII. Both Anne and Katherine are buried in the church. Lady Jane Grey, nine day Queen of England, was buried there after execution, as was her husband Lord Guildford Dudley. In total there are eighteen poor souls who rest in that small chancel.⁹ Most of these lost their lives in a power struggle involving a king or one who would be king.

Thomas was acclaimed as an author of some note several years before his death. Ben Jonson credited Thomas with introducing culture of art and literature to court.¹⁰ It was only after his death that his work was widely published. His most famous poem, "A Wife" was first published in 1614; it was such a success that five editions were published in one year. The poem described the attributes of a perfect wife and her contributions to marriage. It is considered reflective of the prevailing view of women's position in 17th century culture.¹¹

His father, Nicholas Overbury, became a person of note. Nicholas said that he was pointed out on the streets, "Here goes Sir Thomas Overbury's father".¹² Thomas became a folk hero. He found the worship and acceptance of ordinary folk that he never had with the Court. Sir Thomas Overbury, His Observations in his Travailes (Travels) upon the State of the Seventeen Provinces in 1609 was published in 1626.¹³

The second edition of "A Wife" contained twenty two prose characters ascribed to Thomas and his friends. This literary technique consisted of creating a "character" in a light essay form. After Thomas used this it became a very popular literary style. The exaggerated social consciousness of the time was said to contribute to its popularity.

⁹Transactions of the Bristol and Gloucestershire Archaeological Society for 1898, edited by A. T. Martin, Vol. XXI, Bristol.

¹⁰Dictionary of National Biography, Vol. XIV, Oxford Univ. Press.

¹¹Additional Ms. British Museum, #15476 consists of notes dictated by Nicholas Overbury. He said that Thomas wrote the poem "A Wife" to induce Rochester to choose a better wife than Frances Howard.

¹²*Ibid.*

¹³This manuscript is in the Buffalo, N.Y. Public Library.

Thomas wrote his epitaph, a very touching piece of verse:

The span of my days measur'd here I rest
That is, my body, but my soul, his guest,
In hence ascended; whether neither time
Nor faith, nor hope, but only love can climb;
Where being now enlightened, she doth know
The truth of all men argue of below.
Only this dust doth here in pawn remain.
That, when the world dessolves, she comes again.

GILES OVERBURY

Giles Overbury was born to Nicholas Overbury and his wife Mary Palmer. Giles was baptized at the parish church at Quinton on May 4, 1590. He bore the name of his maternal grandfather, Giles Palmer, of Compton Scorphin. The Palmer name was one to be reckoned with in Warwickshire in 1590. Giles Palmer was lord of the manor of Compton Scorphin. The manor house was almost a hundred years old when Giles Overbury was born but the rolling land has been part of the manor farm for centuries. Eight miles away, in Stratford-on-Avon, a local lad by the name of William Shakespeare had made quite a name in London. Good Queen Bess was on the throne; the Spanish Armada had been defeated just two years previously. What an exciting time for England when Giles was very young.

Giles may have gone to a local grammar school as his older brother Thomas is reputed to have done. He matriculated at Queen's College, Oxford University on January 23, 1606/7.¹⁴ The following years Giles was admitted to the Middle Temple on May 1, 1607.¹⁵ This coincided with his 17th birthday. His father Nicholas was a Master of the Bench at the Middle Temple so there was no charge for tuition or "fine" as it was then called. Law was considered excellent preparation for political careers as well as a gentleman's course of study.

In the following January Giles moved to a new room at the Middle Temple. This room adjoined the Temple Church and had become vacant by the

¹⁴Old Series Vol. 1, *The Genealogist* pub. by Golding & Lawrence, London, 1877.

¹⁵Middle Temple Records for 1607.

death of a Mr. Blake. Giles paid 40 shillings annual rent.¹⁶ But for some reason Giles decided to move to another room a few weeks later. He shared this room with two fellow students, William Brodnox and Andrew Jenour. On March 26, 1610 Giles's younger brother, Walter, enrolled at the Middle Temple after a short stay at Magdalen College, Oxford.¹⁷

With two sons at the Middle Temple and Nicholas himself firmly based there, one can only wonder how Mary Palmer was managing back at Bourton on the Hill. London is some hundred miles away from the Cotswolds and transportation was mainly by horseback.

In 1611 Nicholas requested that his third son, Walter Overbury, share the room occupied by Andrew Jenour and Giles Overbury.¹⁸ Evidently William Brodnox had moved.

Sometime after 1611 Giles began his tour of the continent, following the same educational procedure as had his older brother Thomas. He was granted a license to travel for three years; this expired in 1615 when he was again licensed to travel into Italy except he was forbidden to go to Rome.¹⁹ The Privy Council entry states that the purpose of his travel was the "attaynment of the languages."

Giles was evidently in France in 1612 when his brother Thomas was murdered in the Tower. Viscount Rochester wrote to Nicholas Overbury shortly after Thomas's death, "your son's love to me got him the malice of many....And for his brother, that is in France, I desire his return, that he may succeed his brother in my love."²⁰

It is not known when Giles married Anne Shirley, daughter of Sir John Shirley of Isfield, Sussex. Their second son, also named Giles, was born in 1627 so 1624-25 are approximate marriage dates. Anne was born in 1603,

¹⁶Ibid.

¹⁷Ibid.

¹⁸Ibid.

¹⁹*Acts of the Privy Council of England 1615-1616*, published 1925 London. The reason stated on the entry forbidding him to go to Rome was it was "not in leage and amity with his Majestye."

²⁰*The Murder of Sir Thomas Overbury*, William McElivie, Oxford University Press, 1952.

making her much younger than her husband Giles who was well past thirty when he married. Giles's father, Nicholas, had been knighted in 1621 placing him in a stronger position in negotiating a bride for his now oldest son.

It is not that Giles needed special help in getting a socially acceptable wife as he had been knighted by King James at Theobalds on December 1, 1623. The reason for his knighthood has never been adequately explained. Some sources say it was for a lack-luster performance in Parliament but really as a sop to the family for the death of Sir Thomas. The many years that Giles spent on the Continent and his probable facility in languages suggest a diplomatic appointment but that record, if any, has not been found.

It was an arranged marriage because history tells us that that is how it was done at that time, certainly in the fairly high social class of the Overburys and Shirleys. A John Shirley was a member of Parliament for Lewes and of the Middle Temple, as was Nicholas Overbury. Shirley was slightly older than Nicholas but there can be no doubt that they were acquainted. It was this sort of relationship that was the foundation of business deals, favors given and favors received; it was the "old boy network" of the 16th and 17th century. John Shirley²¹ was a great uncle of Ann Shirley, the bride of Giles Overbury.

It is not known where Giles and Ann were living when their first child, Thomas, was born. There is no record of his baptism in any parish register. But by 1627 Giles and Ann were living on an estate at Isleworth in Middlesex. Their second son, Giles, was baptized in the parish church of Isleworth in August 1627. This was followed by the baptism of "Nicholas Overberrye" on November 4, 1628. The next 9 years brought 5 more children.

Giles's estate in Isleworth was on the Thames River and this may have provided transportation to London. In 1987 this writer visited the site of Giles's estate. The existing building is now used as an old people's home. The architecture of the building is somewhat nondescript of no particular period. It does not appear to be older than the past century. This building is aligned with the existing roadway rather than the river. Surely the original house was closer to the river.

²¹The spelling "Shirley" and "Shurley" seem almost interchangeable in 16th century documents. John Shirley's career at the Middle Temple parallels that of Nicholas. John was a Bencher in 1587, a Reader in 1587 and 1596, and Treasurer in May 1601.

The parish church of Isleworth was an ancient landmark when Giles and Ann lived there. Its beginnings go back to the Middle Ages and there are stones with Saxon inscriptions. The church survived the bombings of World War II but was set afire in the 1960's. Only the entrance tower remains.

From 1627 to 1637 Giles and Ann must have lived at Isleworth as their children were baptized there. They owned other properties but this was their principle home. John Overbury, their son, died a few days shy of his third birthday in April 1633. The little boy was buried from the church on April 9, 1633, probably in the adjoining churchyard.

Their second-born son, named Giles, died at Bourton-on-the-Hill August 7, 1637. Giles was ten years old, almost to the day. Within a month the last child, Mary was baptized at Isleworth.

It does not appear that Sir Giles ever involved himself with the law despite his time at the Middle Temple. The family was evidently very wealthy by that time and a career was not necessary. Giles and his brother Walter did have the right of registering assurances in the City of London.²² This had been granted to them for "their lives" in 1609. Evidently this involved registering assurances on ships and goods in the Royal Exchange. Was this "plum" secured through their older brother Sir Thomas?²³ This sort of business, insuring ships, could have required Giles and/or Walter to go abroad to manage.

In 1635 Sir Giles and the Reverend Nathaniel Byfield, the vicar of the Isleworth Church, led the parish against a proposal by 2 men, Lysey and Price, to set up a lime kiln on the (Thames) river bank.²⁴ They succeeded in inducing the council of state to veto it.

The political situation in England in 1641 was only a preface to the dreadful years of Civil War. The Stuart Kings were never popular but the economic problems placed a new burden on King Charles. It was a class struggle, a religious struggle, and an ideological struggle. The unemployment

²²Calendar of State Papers - Domestic Series

²³Sir Thomas had the "ensurance office" at one time according to notes dictated by Sir Nicholas Overbury to his grandson Nicholas Oldisworth in 1637, manuscript is #15,476 in the British Museum.

²⁴Scrapbook at the Hounslow Library, Hounslow, England has scraps of information dealing with the Overburys in Isleworth.

and depressed economy had created a large and vocal underclass. They, through their leaders, blamed the king, the bishops and the Anglican Church which tolerated the Catholics. Arising as the leader of the force against the king was Oliver Cromwell, M.P. from Cambridge. People attacked the homes of Catholics. Harbottle Grimston,²⁵ M.P. from Essex, was sent to restore order. But the problems were far greater than religious intolerance; that only reflected the impass existing in the government.

Denzil Holles²⁶ was sent from Commons to the House of Lords to deliver a petition from poor people gathered in Moor Fields, "They were utterly improvished due to the bishops and papists in the House of Lords". By 1642 Parliament had been torn asunder; some 300 members were against the king, 175 supported him. Generally, the middle class, some of the gentry, and all the Puritans were for the Parliamentary forces. The king's support came from intellectuals at Oxford and Cambridge, the Anglicans and Catholics, and the peasantry.

On August 27, 1642 the Civil War began at Nottingham and a bloody war it was with seven years of fighting. King Charles had made the fatal error of maintaining the absolute power of the monarchy in an age when time no longer stood still.

The king needed money desperately so he assessed the estates of the nobility. On December 17, 1643 Giles's estate at Isleworth was assessed 250 pounds but it was discharged in March 1644 because his estate was under the power of the king's army.²⁷ On June 27, 1649 Giles was charged for sending money to the king at Oxford when it was a garrison. The court examined witnesses against Giles but there was no proof and Giles's estate at Bourton-on-the-Hill was not seized.²⁸

²⁵Harbottle Grimston was related to Giles by marriage. His brother Walter Overbury married Magdalen, the widow of Edward Grimston who was the elder brother of Sir Harbottle Grimston. Magdalen was the daughter of Thomas Marsham. See The Old Series, Vol. 1, The Genealogist.

²⁶Denzil Holles married Jane Shirley, the sister of Ann Shirley Overbury. As such, Denzil and Giles were brothers-in-law. Denzil was Jane's second husband; her first was Sir Walter Covert.

²⁷Calendar of the Proceedings of the Committee for Advance of Money, Part II, Ohio State Univ. Archives.

The Civil War marked the end of the good life for Giles and the Overbury family. The insurance business given Giles and Walter in 1609 was swept away along with the monarchy that granted it. The Overbury family and its relations were fragmented; some supported the king and lost their fortunes and some supported the Parliamentary cause. It was not a happy time to be an Englishman. Giles wrote his will in 1647 and he calls himself "sick in body" and mentions "this sinful world". Giles died prior to February 6, 1653 when his will was proved in P.C.C. He would have been in his early sixties when he died. He is buried at Bourton-on-the-Hill.

Children:

- I. Thomas (see biography)
- II. Giles, baptized August 1627, died August 1637. Buried at Bourton on the Hill.
- III. Nicholas (see biography)
- IV. John, baptized April 24, 1630, died April 9, 1633. Buried at Isleworth.
- V. Edward, baptized February 4, 1632; no other information.
- VI. Richard, baptized October 1634; no other information.
- VII. Mary, baptized September 11, 1637, married Sir William Whitlock in 1659.
- VIII. Anne, baptized October 11, 1631, no other information.

²⁸Ibid.



Church of St. Lawrence, Barton on the Heath, Warwickshire.
The church was built before 1200.
Many Overburys were baptised in this church.

WALTER OVERBURY

Walter Overbury was the son of Nicholas Overbury and Mary Palmer. He was baptized at the still-functioning Norman Church at Quinton on April 2, 1593.

When Walter was 17 years old he was sent to Magdalen College at Oxford where he matriculated on June 16, 1610. After that he studied at the Middle Temple where his father Nicholas was a Bencher. His admission date there was March 26, 1610 according to Temple records, but this is probably 1611, New Style. In November 1612 Walter moved to the room of his brother Giles, at the request of their father.

The next ten years of Walter's life are hidden beyond the curtain of history. In 1621 he emerges as a member of Parliament for Cardigan, Wales. Again, in 1625, he held this post. His first entry to Parliament occurred at the age of 28.²⁹

Walter's first marriage was to Mary Pinchen, daughter of Sir Edward Pinchen of Essex. There was only one child, a daughter Mary, born to this marriage. Mary Pinchen Overbury, Walter's wife, died early in the marriage. In 1628 his first child by his second wife, Magdalen Marsham, was born. Magdalen was the widow of Edward Grimston of Suffolk. Grimston's elder brother was Sir Harbottle Grimston, Master of the Rolls and a member of Parliament in later years. Magdalen's father was Thomas Marsham, a London merchant.³⁰

Walter bought the manor at Barton on the Heath in 1625. The story is that it was built in 1610 by the celebrated Inigo Jones but other stories indicate that it is an older house that was remodeled by Walter Overbury and Inigo Jones.³¹

What a magnificent home for Walter and his family! It stands back from the road surrounded by a stone wall and guarded by two pillars of Cotswold stone. The house is three stories high. There is a stone fireplace in the main hall. The main hall staircase has square turned balusters. The smaller

²⁹Old Series Vol. 1, The Genealogist, Golding and Lawrence, London, 1877.

³⁰Ibid.

³¹A History of Warwickshire, Vol. 5, Pugh.

staircase has flat shaped balusters. The dining room has a moulded Tudor fireplace and is paneled with a fluted frieze and dentilled cornice. The "Oak Room" has rich paneling and is probably a creation of Inigo Jones.³² This was the home of a rich man.

Walter and Magdalen had many children in the decade they were to enjoy this lovely home. Walter made his will in June 1635. He lived less than two years; he was buried at the adjoining parish church on April 6, 1637. Walter was the father of a posthumous child, little Anne born in July 1637. Walter was only 44.

To visit this church of St. Lawrence is to go back in time to an age long before the time of Walter. The church was built in the early days of Norman England. It looks every day of its nine hundred years. A visit to the church and graveyard is an experience not easily forgotten, if one is an Overbury. Some of Walter's descendants are buried under the chancel of the church. The brass plate that overlays these graves covers much of the area under the 11 foot chancel arch.

When Mass was celebrated in this small church Walter's large family and the servants must have filled the limited space in the nave. The many tombstones in the church yard show only recent dates; the others have been rubbed smooth by the elements.

Magdalen gave the communion plate to the church in 1638. Consisting of a chalice, paten and flagon, Walter had put this bequest in his will.

Magdalen continued to live at Barton on the Heath after the death of Walter and the estate stayed with the family until there were no descendants in the male line.

In 1650 Cromwell's Protectorate was the government of England and there was a witch-hunt to seek out those who had supported King Charles who had been executed the previous year. Magdalen Overbury was charged with entertaining the enemies of Parliament, furnishing the King's party with horses, arms, and ammunition. She sent food to the Oxford garrison in 1644, and according to the charge, "gave intelligence there and elsewhere."³³

³²Ibid.

³³Calendar of the Proceedings for Advance of Money, 1642-1656 printed 1888. This very bold stand for the Royalist cause by Magdalen put her in great danger of losing her estate and perhaps her life. Her courage was not

Unfortunately the records do not tell us more on Magdalen and this problem. This was a very bold course of action (if she was indeed guilty) and one can only admire Magdalen for making a stand in a society that generally viewed women as weak and inferior.

Descendants:³⁴

- I. Mary (only child of Mary Pinchon) born around 1624, married Edmund Meese-Goodyer on January 31, 1642. Child:
 1. Mary Meese-Goodyer
- II. Thomas, baptized December 21, 1630; died August 18, 1634.
- III. Nicholas, baptized May 26, 1629, married Catherine Sheppard. He died July 12, 1681 and is buried in the chancel of the church at Barton on the Heath. Child:
 1. Thomas, baptized at Barton on June 3, 1680. He married Frances Sheldon who died in 1739. Both Thomas and Frances are buried in the chancel at the church at Barton. There were no children.
- IV. Elizabeth baptized at Barton on April 20, 1628. She married Sir Thomas Pettus.
- V. Walter baptized at Barton on June 11, 1633. He was Equerry to King Charles II. He died on May 24, 1700 and is buried at Barton on the Heath. A plaque of marble is mounted on the exterior north side of St. Lawrence's Church. It is dedicated to Walter.
- VI. Magdalen baptized at Barton on April 25, 1632. She married Samuel Malines.
- VII. Thomas, the second of the name, was baptized at St. Mary Magdalene Church in London on May 4, 1636. He was buried at Barton in 1637.
- VIII. Anne was baptized at Barton on July 16, 1637. She never knew her father Walter as he died three months previously. On April 3, 1665 she married William Stratford.

forgotten when the monarchy was restored and her son, Walter Overbury was made Equerry to King Charles II. The estate at Barton stayed in the Overbury family so it was not lost for Magdalen's Royalist stand.

³⁴The Old Series, Vol. 1, The Genealogist, published by Golding and Lawrence, London, 1877.



Manor House of Barton-on-the-Heath, Warwickshire.
This was the home of Walter Overbury and some of his descendants.
The house was built around 1590-1600.

photo taken by
telephoto lens,
1982.



Chancel of St. Lawrence's Church, Barton on the Heath, Warwickshire.
The plaque on the floor marks the burial site of Thomas Overbury
(grandson of Walter Overbury) and of his wife, Frances Sheldon.

FIFTH GENERATION

THOMAS OVERBURY

Sir Thomas Overbury, the second of the name, was the oldest son of Sir Giles Overbury and Anne Shirley.

Thomas's date of birth is not known but it assumed to be about 1626. During his early years the family lived at Isleworth in Middlesex.

Not very much is known about Thomas. His name does not appear in college rosters or the Middle Temple record. The Civil War may be responsible for the absence of recordings or Thomas may have been otherwise occupied. The only legatee in their father's will was Thomas's sister Mary who was only ten years old when the will was written. The other quite young children were not mentioned. Thomas was the executor of the estate along with his mother.

Either by training or family exposure, Thomas was an attorney but his career was confined to the area close to home, so far as we know.

Thomas was knighted on June 25, 1660. The basis of his knighthood has not been explained in any source consulted. This was less than a month after the triumphant Charles II returned from exile on May 29, 1660. The most logical explanation is that the family had been staunch supporters of the monarchy during Cromwell's Protectorate and knighthood was one of the rewards. If this was the case then Thomas was much more fortunate than his cousin, Michael Rutter, who also supported the King. During the Protectorate Michael Rutter's estate was fined so heavily for his political views that he lost his property and the family was in great need.

Sir Thomas was a magistrate at Weston-sub-Edge where he was living in 1660. (Weston is perhaps one mile from Aston and Mickleton where Overburys had lived for about 200 years.) Thomas has left his impressions concerning a criminal case in that area.¹ In August 1660 William Harrison, age 70, was assumed to have been murdered after he disappeared in early evening. The only clues were a bloody collar and comb. Harrison's servant, John Perry, was accused but he said his mother and brother had killed Harrison. All three were executed despite their pleas of innocence. Two years after the execution Harrison returned, claiming that he had been taken to Turkey by unknown assailants. John Perry's mother was assumed to have been a witch who spirited him away. Thomas was the Justice who examined the accused and he

¹Sir Thomas Overbury's account is in the Bodleian Library at Oxford University.

also recorded Harrison's story when he returned.² There is a current historical novel which is based upon this crime. It is The Silver Bowl, by Hugh Ross Williamson. Sir Thomas is a prominent figure in the story.

Thomas became a supporter of the Protestant dissenters while he was living at Bourton-on-the-Hill. He published anonymously a religious piece with the title "Queries Proposed to the Serious Consideration of those who impose upon Others in Things of Divine and Supernatural revelation, and Persecute any upon the Account of Religion," (1677). To this tract George Vernon, Rector of the church at Bourton-on-the-Hill replied with "Ataxiae Obstaculum, an answer to certain queries dispersed in some parts of Gloucestershire," (1677). To this Thomas replied in "Ratiocinium Vernaculum," (1678). This sounds like an exercise of two intellectuals who were probably anything but anonymous in that rural setting.

Thomas was said to be 'a great traveler beyond the seas.' Since the Grand Tour of the Continent was an expected part of the finish of a gentleman it may be that Thomas did more than that but the records do not go into detail.³

Thomas sold the manor at Bourton in 1680 and went to live at Quinton. He was buried there March 6, 1683/4. He and his wife Hester Leach had no children.

Thomas's will is interesting in that it gives an accounting of some of his material possessions. His wife Hester was to get all the jewels, all the plate (i.e., silver) marked with Thomas's coat of arms and Hester's coat, and also all plate with Hester's coat alone. She inherited Thomas's coach and four coach horses.

Thomas's 'dear sister Mary' was to get a diamond ring worth 50 pounds.⁴ Mary was also to get all the plate with the Overbury coat of arms and the Shurley coat.⁵

²Ghosts and Witches of the Cotswolds, Brooks, Jarrold Colour Publications, Norwich, 1981 has a popular version of this story.

³Dictionary of National Biography, Vol. 14.

⁴Many references state that Thomas had a daughter Mary who married Sir William Whitlock. His will clearly states that Mary was 'his dear sister'. This relationship is also verified by the will of their father Sir Giles Overbury. Mary married (at Bourton) in 1659 when Thomas was about 34 years of age.

One of the executors of Thomas's will was one Thomas Mariett or Marriet. In 1685 Thomas's widow Hester married Mariett. They had a pre-nuptial agreement which gave Hester domain over the jewels and plate she inherited from Thomas Overbury.

⁵Evesham Journal and Four Shires Advertiser, August 3, 1912.

HANDS ACROSS THE OCEAN

Some Overby descendants have asked concerning the link between the Virginia Overbys and the English Overburys. The problem was approached some years ago by several researchers, including this writer. The first hope was to find a proof-positive link that clearly stated the relationship, or clearly disproved it. The destruction of early Virginia records during the Civil War greatly reduced the information available. In England records were sparsely kept, if at all, during their Civil War which is the period under study.

The role of Colonel Abraham Wood as an explorer places a new interpretation on his employment of Nicholas Overby. Wood's daughter married Thomas Chamberlayne, whose English home was only 4 miles from the village where Giles Overbury, the father of a Nicholas, was known to live. The grandfathers of both men knew each other. In Virginia Chamberlayne and Nicholas Overby interacted in many instances in Virginia records. Land which was patented in 1690 by Nicholas Overby, ye younger, was adjoining land which had been Wood's and land that belonged to Abraham Jones, Wood's relative.

All the English parish compilations have been searched for the marriage and/or the death of Nicholas Overbury, son of Sir Giles. There is simply no entry. He was from a very prominent family and it would be unlikely that his death would be overlooked by the parish. The search for the marriage of Nicholas was likewise unproductive. The marriage and death of Nicholas Overbury, son of Walter, are easily found. They are clearly identified as such. Both men were almost the same age.

Therefore, the preliminary conclusion concerning Nicholas Overbury, son of Giles, is that he did not die in his early life and that he did not marry in England, if at all.

Likewise, there is no record in England for Nicholas Overby of Virginia except as the son of Sir Giles Overbury. The Nicholas Overby of Virginia was a young unmarried man when he came to Virginia, probably 21-26 years of age, based upon the custom of the time. The son of Sir Giles Overbury was 25 years old in that year!

The Overbury name is an uncommon one in the earliest parish registers. There is the family of Thomas Overbury which is treated in depth in this book. The families of Richard/John Overbury of Malmesbury and that of John/Richard Overbury of Turkdean are very similar in their naming patterns.

It might be that the Richard Overbury of Malmesbury who died in 1500 was the progenitor of the family which appears later in Turkdean. The Turkdean family is heavily documented in the parish registers and Nicholas is not a part of that family. There are a few Overburys in London in the early 17th century who have been impossible to trace. Aside from those, all other Overbury lines have been searched. Based upon what has been found and not found, it is likely that Nicholas Overby of Virginia was, indeed, the son of Sir Giles Overbury.

**THE AMERICAN
OVERBURYS, OVERBYS, OVERBEYS, OVERBAYS**



FIRST GENERATION

NICHOLAS OVERBEY

Nicholas Overbey - the immigrant - of England and Virginia, was born about 1628 and died about 1691. Nicholas Overbey came to Virginia in 1654 as a headright for Colonel Abraham Wood. The land grant to Wood, dated 16 September 1663, granted 2073 acres at Fort Henry, Charles City County. The patent states that the land was granted to Abraham Wood 9 June 1653 and was being renewed. It further states that part of this land was due for the transportation of ten servants among whom were Nichola(s) Overbey and Thomas Edwards.¹

The term "servant" applies to those who are in the employ of another whether as clerk, assistant, secretary, tutor, or menial laborer. Evidently Nicholas Overbey was not an indentured (apprenticed) servant but was employed in some capacity by Colonel Wood. This statement is based upon examination of Bristol (England) records of indentured servants which show that Abraham Wood, merchant, took only two indentured servants to Virginia on 19 August 1654, viz: Thomas Edwards of Quickenny and Richard Phelps, yeoman. Thomas Edwards's name is listed with that of Nicholas Overby in Wood's grant of 1663 indicating that both men were transported at the same time.² No land is claimed by Wood for the transportation of Richard Phelps.

Nicholas Overbey was about twenty-six years old when he came to America. There are many reasons why Nicholas may have left England and perhaps there is no single reason that was decisive. Certainly his position as a younger son was impetus enough for many younger sons of substantial families to come to America. According to primogeniture, then prevailing in England, only the eldest son inherited from the father's estate. The younger sons were left to make their own way. In some instances parents made handsome settlements on younger sons to help them establish themselves but the landed estate was inherited by the eldest.³

¹Cavaliers and Pioneers, Vol. 1. Nell Nugent.

²Debrett Ancestry Research Paper on the Overbury Family, 1983.

³The eldest son inherited all land regardless of provisions in a will. Title to all property was held in the name of the husband. He had the power to sell and convey property without the signature of the wife but the buyer could not reconvey such property without the release of her dower right by the wife.

Regardless of any settlement Nicholas might have received upon reaching maturity, there appears nothing in his early life to prepare him for the rigors of life in the New World. His father, Sir Giles, had an estate at Isleworth, County Middlesex. The king had an estate at Richmond, only a few miles away, so the area may have been a popular one for those desiring advancement at court. Sir Giles received the manor at Bourton-on-the-Hill after the death of his father, Sir Nicholas in 1643, so perhaps the teen-age Nicholas moved between the two estates, never to own either. Nicholas was exposed to the best that life had to offer in the early seventeenth century.

But Nicholas was reared in a family that had its eyes and ears to the opportunities of the new World. His grandmother was Mary Palmer, wife of Sir Nicholas Overbury and daughter of Giles Palmer, Gentleman. Her brother Edward Palmer was the uncle of Sir Giles Overbury and great-uncle to Nicholas. Palmer had a dream for Virginia; by his will dated 1624 he left detailed instructions for the establishment of a university in Virginia. This was to be situated on Palmer's Island in the Susquehanna River and was to be called Academia Virginiensis et Oxaniensis. It has not been discovered if Edward Palmer ever visited Virginia in the course of his association with the Virginia Company which directed the early settlement of the country. His Virginia lands were passed down in the Palmer family and eventually lost. The university planned by Edward Palmer never was established but the family environment created by such a venture may have excited the young Nicholas to leave England for the adventures of the New World.

Sir Giles Overbury, father of Nicholas, died in 1653 and it was in 1654 that Nicholas left England for Virginia. All of the estate of the deceased Giles was to be administered by Thomas his elder son and all was to go to Thomas, either immediately or after a trust expired. Even if Thomas and Nicholas had the best of relationships the chasm between them financially, and ultimately socially, was one difficult to span.

The religious climate in England in the 1650's was the known cause of some immigration to Virginia. England had been in a state of religious turmoil since the Church of England severed relations with the Church of Rome by the action of Parliament in Convocation in March 1532. This act was the culmination of centuries of attempted religious reform. Oxford University had been the center of much thought and action to separate from Rome from the 14th century. By 1376 the university was at the height of its intellectual

independence and had thrown off all church control. Two hundred years later the Overbury family began to send its sons to Oxford and the intellectual freedom and reform ideas surely had an effect.

But the Cotswolds were a center of Catholicism that remained though outlawed. Certainly the Overbury family adhered to the Church of England but some of Walter Overbury's descendants may have become Quakers, and Sir Thomas, brother of Nicholas, became a "dissenter" (Non-Anglican) in later life.

During the Protectorate of Cromwell, 1649-1660, the "Puritan" forces took over the government. Against the monarchy (and especially the divine right of kings) their enemies were the Royalists who supported the monarchy and were usually Anglican (or possibly Roman Catholic in secret). Many of these Royalists came to Virginia in the 1650's as bloody battles raged in the Cotswolds during the English Civil War. It is safe to say that the political climate of England favorably influenced the immigration of Nicholas.

Abraham Wood had close ties with the Cotswolds. Thomas Chamberlayne, son of Edmond Chamberleyne (sic) of Maugersbury, Gloucestershire married Wood's daughter.⁴ Maugersbury was about four miles from Bourton-on-the-Hill where Giles Overbury lived. This Chamberlayne family appears to be related to one in nearby Warwickshire. In this family was Sir Thomas Chamberlayne, a Justice of the Court of Common Pleas and a contemporary of Sir Nicholas Overbury who was also a Judge of the Court of Common Pleas.

Abraham Wood is one of America's earliest success stories. He came to Virginia at ten years of age, apprenticed in the service of Captain Samuel Mathews in 1620.⁵ At the age of thirty-four, Wood emerged from obscurity to become a member of the House of Burgesses from Henrico County in 1644.

The Indian Massacre of 1644 was not as devastating as the Massacre of 1622 but it came as a surprise as the long peace with Powhatan had given the colonists a false sense of security but Powhatan had been replaced by Opechancanough who hated whites. In 1645, the General Assembly passed an act establishing a chain of forts at the fall line of the rivers - Fort Charles

⁴Virginia Dynasties by Clifford Dowdey, 1969.

⁵Apprenticeship of young people to learn a trade or skill was not legalized in England until 1563. It had been in existence for generations before then.

at the present Richmond, Fort Royall at Pamunkey, Fort James at the ridge of the Chickahominy, and Fort Henry at the Falls of the Appomattox.

Fort Henry was erected in 1644-45 for the defense of the citizens on the south side of the James River. The garrison consisted of 45 soldiers from the surrounding counties and Abraham Wood was placed in command. The garrison was to be provided with a surgeon. One jurisdiction of the garrison was the prevention of fishing in the Appomattox River by the Indians!

Fort Henry is believed to have been situated on the bluff south of the Appomattox River; this is marked by the intersection of South Street and West High Street in Petersburg. Indians wishing to enter the colony on official business had to go to Fort Henry to obtain badges of striped material which were their passports through English Virginia. The Appomattox Indians had been expelled from their earlier towns at Bermuda Hundred and on Swift Creek. They established a village quite near Fort Henry. Evidently the Indians and the English lived in peace; the Indian settlement is referenced in existing documents as Indian Town and Indian Town Creek.

The existence of Fort Henry proved a great deterrent to warfare between the British and the Indians but the fort came to be regarded as a burden on the taxpayers. The Fort and 600 acres were granted to Abraham Wood who was to keep ten men at the place for three years. All staffing of the fort was to be supplied by colony counties rather than Wood. This lends additional strength to the argument that Nicholas Overbey and others were imported for reasons other than defense of the fort.

From this "little city", Wood began his exploratory journeys with pack trains of 50-100 horses loaded with trinkets, blankets and guns. In 1650, he went on expeditions to the south and west with Edward Bland. By Order of the Assembly, November 1652, Major Abraham Wood was granted the right to discover....and enjoy trade for 14 years....in places where no English ever have been and discovered....⁶ In 1671 and 1673, he sent expeditions to the West where they discovered waters which flowed into the Mississippi. By 1675, Wood had expanded his journeys over the Great Smokies and into the powerful Cherokee Nation. Wood had learned various Indian tongues and he negotiated Colonial affairs with chieftains as he built his trading empire. He had a thousand mile trail through the Carolina and as far south as Augusta,

⁶Henings, *Statutes at Large*, Vol. 1, Randolph Mss.

Georgia. Most of the information concerning Wood and his explorations comes from the collected documents of Dr. David Coxe. Coxe, a Scotsman and an M.D., was a member of the Royal Society. Although he never visited America he had a life-long plan for the colonization of America and he accumulated much documentary information published in 1699. The Virginia frontiersmen visited the Ohio River from an early date; their motivation was the usual trinkets for furs. All documentation of the explorations ceased after 1674; the reason is not known.

Abraham Wood's total holdings resulting from land grants equaled 6,230 acres. His last patent was in 1663. He could have purchased land also.

We have no clue to the nature of Nicholas Overbey's employment with Abraham Wood but it appears that Wood's greatest need was for skilled labor and intelligence for the development of his trading empire or for the management of his land holdings. Nicholas evidently came to Virginia without a family as no wife or child is listed on that patent or any other so his marriage must have taken place in Virginia.

The rigors of life in early Virginia precluded the importation of older persons as indentured servants unless one possessed an unusual skill, thirty-two was considered the upper limit. Of course, there was nothing to prevent any older individual from paying his/her own way and establishing a new life in Virginia. When Nicholas Overbey came to Virginia he was about twenty six years old; this was considered the most favorable age of all with full maturity and physical strength.

Nicholas Overbey is curiously absent from all existing records of the Virginia counties from 1654 until 1680. Court and parish records are fragmentary but patent records are complete. In 1680 Nicholas again appears as a headright for Abraham Wood.⁷ This patent has the names of many listed on the patent of 1663. It may be that Abraham Wood was trying to get land twice for the same headright or it may be that these people were in the employ of Abraham Wood and they had returned to England for a visit. Both explanations occurred frequently.

The absence of Nicholas Overbey's name from all interim patent records gives credence to the theory that he was involved with General Wood's trading operation rather than agriculture. There was no indication that he held any

⁷*Cavaliers and Pioneers*, Vol. 2, Nell Nugent.

land. Many immigrants were enticed to Virginia by the prospect of owning their own land after being tenant farmers for generations in England. Not so with Nicholas, perhaps his family's affluence and their many manors had removed any desire for land. If Nicholas had been actively involved in the trading operation conducted by Abraham Wood a large agriculture holding would have presented a problem. Nicholas had no large family of sons to mind the land for him; Abraham Wood had his sons-in-law who were involved in his land operations as well as their own.

Nicholas Overbey was the father of a son, who was born in Virginia probably about 1659. There are no clues concerning his wife. As was the custom, the child was named for his father. A deed executed on July 15, 1685 deals with Nicholas (the father) purchasing an estate for his son, referred to as "Nicholas Overby, ye son." On that date Nicholas purchased a previously patented (and obviously developed) tract of land with "all houses, edifices, buildings, orchards, gardens, and forests and all profit to the same tract of land and plantation."⁸ In the same deed Nicholas Overby, "ye son", and his heirs were assigned the property. There is no mention of the wife of Nicholas relinquishing a dower right to this property so she must be deceased.

This gift of land to Nicholas, ye son, may have been a wedding gift and Nicholas, the father, was providing a home for his son and his bride. Nicholas, the son, must have been a young adult in 1685 perhaps around twenty-six years of age.

Witnessing this deed are three members of the Dison/Dyson family.⁹ A family of Dysons lived near the site of Wood's Church, five miles from Petersburg. It is considered the 'mother church' of Bristol Parish. Tradition says that it was named for Abraham Wood.¹⁰

There is a family Bible record which mentions Nicholas Overby, the immigrant. Unfortunately this record gives much information that is erroneous

⁸Henrico County Records, Deeds and Wills, 1677-1692 (negative photostats) Virginia State Library, Richmond, VA.

⁹According to the will of Nicholas Dison, Oct. 18, 1714, his wife is Margaret; sons are Leonard, Benjamin and Thomas, other children are inferred. Henrico Co. Wills 1714-1718, page 29.

¹⁰History of Bristol Parish, Philip Slaughter, 1879.

or cannot be verified. It appears to have been added much later, perhaps over a century after Nicholas was deceased.

Nicholas was alive in 1690 when a Nicholas Overby, designated as Nicholas Overbee, ye younger, patented land for the transportation of seven persons.¹¹ If the father had not been alive there would have been no need to distinguish between the two. Since no subsequent entry for Nicholas Overby shows any differentiation, Nicholas the father and immigrant probably died after 1690.

Nicholas was born to a wealthy and industrious family. With estates in several localities and Oxford educations the Overburys could trace their lineage to landed families before America was discovered. The fires of adventure must have burned brightly before Nicholas and other young men of gentle ancestry who turned their backs and sailed to the New World.

Child:

I. Nicholas Overby, born c. 1659 in Virginia.

¹¹Cavaliers and Pioneers, Vol. 2, Nell Nugent.

SECOND GENERATION

NICHOLAS OVERBEY

Nicholas Overbey, ye younger, was born in Virginia about 1659 and died there about 1740. He was the first of the family to be born in America. This may have influenced the use of the name "Nicholas" for many generations. This has been observed in other families in early Virginia, (in later years the given name "Peter" replaced Nicholas in popularity; it was a Peter Overby who must have led the migration westward prior to 1740). Naming appears to have honored those who might be considered the "founder" of the family in a new locality.

Nicholas, ye younger, probably married in 1685 (see previous chapter) and must have lived on the property his father bought for him. On 5 August 1689, Richard Jones, as administrator of Thomas Ludson, decd. confesses judgment to Nicholas Overbury for forty shillings. It is very possible that this is the Nicholas of the previous generation. The significance of this entry is not known; this is the first of many times that the Jones and Overby family interacted. Thomas Ludson left minor children and Richard Jones was ordered to take care that Lutson's (sic) orphans were to be provided for according to their estate; ref., Charles City Co., Court Orders 1687-1695. In 1700 a Mary Ludson is listed as a witness to the will of Anthony Knight. A bequest in the will names Maj. Thomas Chamberlayne and he was the executor, ref: Henrico Co. Va. Wills and Deeds. This is the Thomas Chamberlayne mentioned in the earlier chapter.

On 21 April 1690, Nicholas, ye younger, patented 323 acres of land adjoining land of the late Abraham Wood. This was for the transportation of seven persons.¹ On the same day Thomas Chamberlin (sic) patented 856 acres nearby. Chamberlayne had bought "rights" from a third party to facilitate the purchase.

On 6 February 1693, Richard Jones acknowledged a deed of land to Robert Bolling. His wife, Rachel Jones,² by Nicholas Overby her attorney,

¹The persons named as those transported by Nicholas Overbee, the younger were Jno. Pawlet, Antho. Ragsdale, Sarah Howes, Robert Wilson, James Holmes, Tho. Gibson, Ruth Wigmore.

²Rachel Jones, wife of Richard Jones, was Rachel Ragsdale prior to her marriage. Rachel's father, Godfrey Ragsdale, lived on the north side of the Appomattox River near the Falls. His father, also a Godfrey Ragsdale, purchased that land on February 25, 1642. (Ref.: Cumberland Parish,

relinquishes her dower right. It is not known if Nicholas had any formal legal training but his family heritage from England centered around the law. It also may be that Rachel gave power of attorney to Nicholas; this is suggestive of a family relationship between Rachel and Nicholas.

Nicholas Overbey patented 365 acres of land on 26 April 1698 (This land adjoins his 1690 patent). The land was near the "trading path" which must be the trading path used by Abraham Wood's trading operation (later Peter Jones's). By 1703 Nicholas had deserted this land and it was regranted to another.

The Quit Rent Roll of Virginia - 1704 - shows Nicholas Overburry owning 809 acres of land, all in Prince George Co. Based upon the patented acres above, the gift of land from his father in 1685 consisted of 121 acres.

In 1705 Nicholas patented 242 acres in Charles City, Co. buying the rights for this purchase from William Byrd.³ In 1714, Nicholas imported 20 persons and patented 964 acres. His estate now approached two thousand acres.

In 1722 Nicholas obtained, by patent, the Pleasant Islands in the Appomattox River and in 1722 he patented 95 acres in Prince George Co. This land adjoined the land where he lived. Additional information is given by the designation of "Nicholas Overby, Senior." Evidently by then Nicholas had an adult son also named Nicholas. In 1730, Nicholas Overby patented 100 acres in Prince George Co., his last known patent in that area.

At court held at Merchants Hope for Prince George Co., 11 November 1718, Nicholas Overby was appointed Overseer of Highways from Lewis Run to

Lunenburg Co. Va. - Vestry Book by Landon Bell. Any relationship between the Anthony Ragsdale, imported by Nicholas, and the family of Godfrey Ragsdale has not been proven.

³In this instance Nicholas was utilizing the treasury rights system which eventually replaced the headrights system. The original intent of the headrights system was to grant the 50 acres of land to the immigrant at the end of his indenture but this was not observed. In 1699 the Treasury rights system was revived but rather than just encourage ownership of small farms it also made it possible for the wealthy to accumulate very large estates. Land was readily available to those with funds. Sometimes planters would patent land and not settle it within three years of the patent date. In this instance it reverted to the Crown as lapsed land and was repatented to others. This was the situation surrounding the 365 acres which Nicholas Overby patented in 1698 that was described as "deserted" in 1703.

Wallace's (Creek), and with male tithables of that precinct, was to clear the road. Similar entries often occurred in early records, the younger male tithables and negro slaves were usually the ones who performed the physical labor. In 1718, Prince George Co. had 1084 tithables or males over the age of eighteen. In that year each tithable had to pay 24 lbs. of tobacco to support the county budget.

Nicholas Overby received 200 pounds of tobacco for killing two wolves in 1718. A substantial portion of the tithe went to pay those who killed wolves and presented proof.

Nicholas Overby was a man of means. Owning in excess of 2000 acres of land, his immediate neighbors were men like Peter Wynne, Bullard Herbert, Drury Oliver, Abraham Cocke, and others who were the most substantial men of that part of Virginia. Ninety percent of all holdings were 1000 acres or less which places Nicholas well within the top ten percent of Virginia landowners of that period.

Six English pounds a year was the average net income of a settler of that period; in 1714 indentures cost five pounds so the importation of indentures was beyond the reach of the average settler. One man could grow 1500 pounds of tobacco yearly with hard work. Tobacco itself became the medium of exchange; the tithe was paid in tobacco and tobacco was dispensed for the costs associated with local government. The reward for killing a wolf could be interpreted as the equivalent of a month's income for the average settler so this represents a lucrative sport tied to community service.

The Charles City County Court paid Nicholas Overbury 100 pounds of tobacco for "one wolves head" at the court held at Westopher (sic) 9 October 1690; at court 10 November 1691 Nicholas Overbury received 300 pounds for (3?) wolves. Wolves were numerous and caused much damage to livestock; their destruction was encouraged from the early days of Virginia. It was necessary to prove that one had killed the wolf; usually the head was displayed to obtain the bounty of fifty to three hundred pounds of tobacco (usually one hundred). Wolf pits were in frequent use but settlers were free to use any means, trapping or shooting, to kill the wolf.

At the Court at Westover, 3 October 1693, Nicholas Overby was fined 100 pounds of tobacco for not appearing for jury duty; summoned to court December 5, 1693 to show why fine should not stand, Nicholas Overbury showed why find should not be imposed on him and the fine was remitted.

Unfortunately, the court record does not state why Nicholas was not fined. Nicholas was again appointed a juror by the court held November 8, 1715.

The name of the wife of Nicholas is not known but there may be clues from the names of his children. English families of that period used the names of family members for their children. The appearance of new names may indicate that a genealogist has gone down the wrong path. The names of the children attributed to Nicholas of this generation are Nicholas, Richard, Peter, Abraham and James. The Nicholas, of course, carries on a name long associated with the family; the names Richard, Peter and Abraham could so easily have come from the families of Richard, Peter, and Abraham Jones. Abraham and Peter Jones were closely associated with Abraham Wood. Wood's daughter Margaret married Peter Jones I and Abraham Jones was their son. The Jones, Overby and Chamberlayne families lived very close to each other and all had a business and/or family relationship with Abraham Wood but there is no record which concretely defines a relationship of the Jones and Chamberlayne families to the Overby family. Peter Jones became Commander of Fort Henry in 1675 when it was garrisoned in response to Indian troubles. Wood died about 1683 and Peter Jones is presumed to have carried on the trading operation.

Nicholas disappears from records after 1738. The last entry bearing his name appears on December 19, 1738, Calendar of Virginia State Papers when sundry petitions to take up His Majesty's lands were read and granted as follows, viz:..."To James Munford 4,000 acres on the south side of the Appamattock (sic) River including the land he bought from Thomas Ellis, Nicholas Overby...." A Thomas Ellis was listed as a son of John Ellis in the latter's will proved in Henrico Co. in December 1728. John Ellis and Nicholas Overby appear as neighbors in many Prince George land records.

In 1738 Nicholas, "ye younger", was approaching eighty years of age. His adult children do not patent, buy, or sell lands during his lifetime. This strongly suggests that Nicholas operated his various plantations as a single manor requiring the labors of all his children and grandchildren. In 1732 the southernmost part of Prince George Co. had become part of Brunswick County; in 1752 Dinwiddie County was carved from Prince George and it was in that county that Nicholas Overby's original lands were located.

This was a period of changing boundaries and migrating families. The earliest settlements of Virginia were now going into their second century and

many families moved to the less settled lands. Nicholas does not appear in any of the records of the new counties but neither is there a will nor an administration for him in Prince George County. This might indicate that Nicholas did leave the county with some of his children and died shortly thereafter. The earliest records of the new counties are sparse to non-existent.

Nicholas, the younger, was the first American Overby. He was born here when the land was young, the "starving time" was in the memory of those living when Nicholas was young. Perhaps he heard stories of his father's life in England, a sharp contrast to the basic living in Virginia. But Nicholas, as projected from the printed page, comes forth as fulfilling our concept of an American. He supported the government by serving on juries, processing lands⁴, developing roads. The land he owned represented a fortune earned by his labor and intelligence -- a real American success story.

His children are believed to be:

- I. Abraham born c 1706
- II. Nicholas born c 1686
- III. William born c 1688
- IV. Richard born c 1690
- V. Peter born c 1693
- VI. James born c 1695
- VII. Ludwell born c 1700

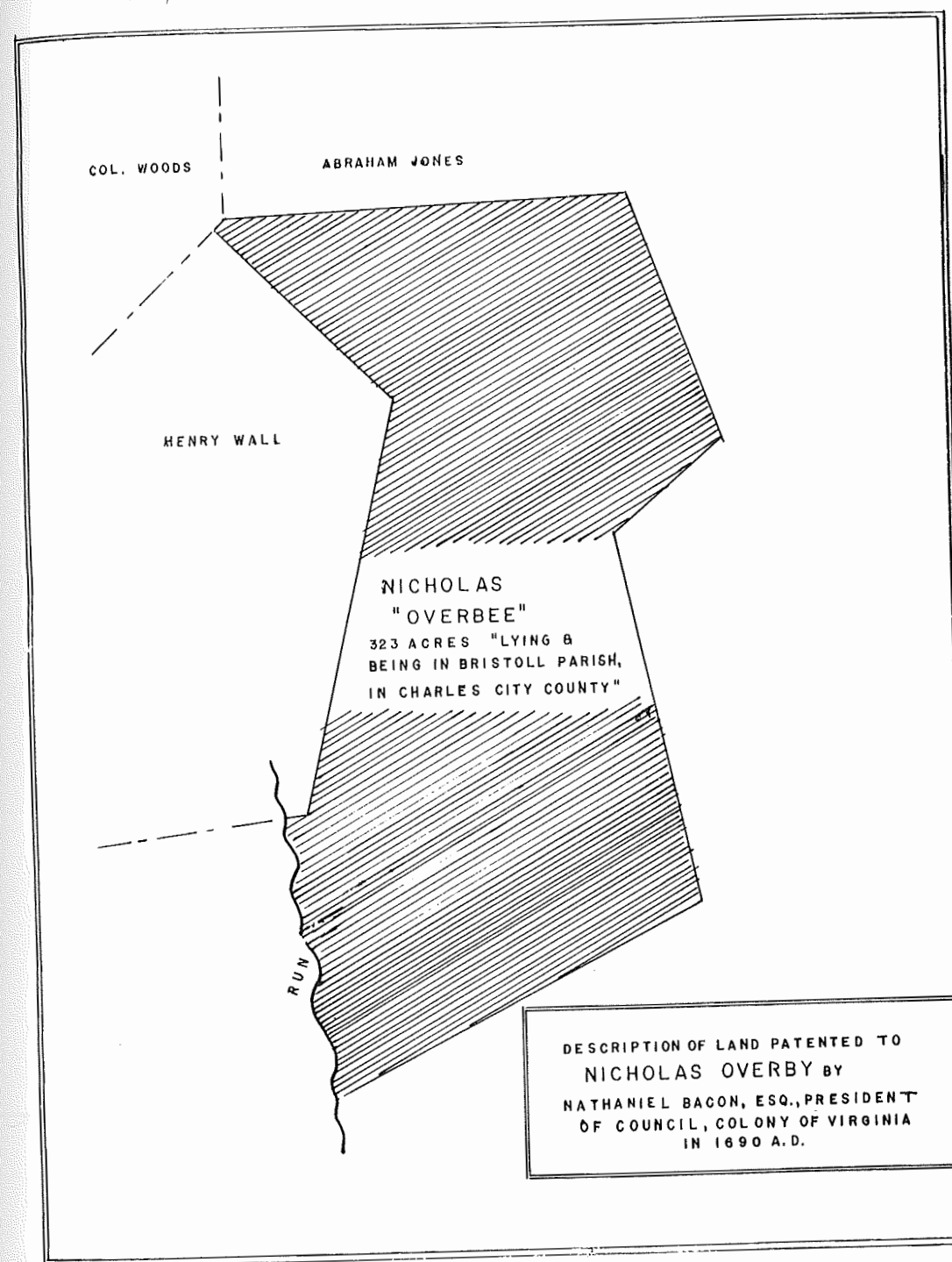
⁴Land processing was ordered by an Act of 1662 but only after 1710 did it become an important part of land policy of the colony.

LAND PATENTS OF NICHOLAS, YE YOUNGER

<u>Name</u>	<u>Date</u>	<u>Acres</u>	
Nicholas Overbee, younger (patent)	21 April 1690	323	Beginning at land...of Colewood, the land late of Abraham Jones, to Henry Ware. Transport. of 7 persons
Nicholas Overbey, (patent)	26 April 1698	365	By 1703 Nicholas had deserted this land and it was regranted to another. Beginning at his own 323 acres; by the round ponds slash to the western trading path...transport. of 7 persons
Nicholas Overbey (patent)	2 Nov. 1705	242	...on Ellis Creek and Poplar Br. IMP of 5 persons. Paid Wm. Byrd, auditor for 5 rights.
Nicholas Overby (patent)	23 Dec. 1714	964	Beginning on Leadbiter's CR. Imp. of 20 persons. The following persons were listed as the headrights for Nicholas Overby's patent of December 1714:
			<div> <div>Stephen Hix</div> <div>Philip Burlett</div> <div>Sarah Sikes</div> <div>Wm. Gaines</div> <div>Ephraim Crafield (?)</div> <div>Thomas Robins</div> <div>Robert Marlow</div> <div>Isaac Garrett</div> <div>Frances Andrews</div> </div> <div> <div>Leonard W(illia)mson</div> <div>Thomas Wilson</div> <div>Wm. Kefhill</div> <div>Mary Lar</div> <div>Weary Middleton</div> <div>Edw. Stephens</div> <div>Thomas Harris</div> <div>Lewis Loyd</div> <div>John Lovet</div> <div>Barbara Warner</div> </div>
Nicholas Overby (patent-new land)	22 June 1722	16	Being part of Pleasant's Islands, in Appomattox River. The 2 lowermost and largest with the small ones in the gutts of same, and 2 other islands next above sd. lowermost on south side of river. 5 shillings
Nicholas Overby, Senior (patent - new land)	22 June 1722	95	adj. land where on he lives...by the Poplar Br. 10 shillings
Nicholas Overby, (patent-new land)	28 Sept. 1730	100	on the innermost fork by George's Br. of Nummisseen Creek. 10 shillings

LAND SALES

Nicholas Overby to Bartholomew Crowder....380 acres.
on a branch of Mawhipponock Creek....November 13, 1716.



Survey by Robert Bolling for Nicholas Overby,
Prince George Co. Surveying Plat Book 1711-1724.
Sketched by the late Hugh Overby

1 11
05

THIRD GENERATION

ABRAHAM OVERBY

Abraham Overby - b. 1706 - d. unknown

Abraham Overby was the son of Nicholas Overby, ye younger.¹ According to the Bristol Parish Vestry Book in 1724, Abraham was cited as being "lame and helpless" and for this reason he was excused from paying the tithe. The tithe was due from all males eighteen years and up. Since this was the first, and only request, it can be assumed that Abraham was born in 1706 and had just turned eighteen years of age in 1724.

No evidence of any descendants.

NICHOLAS OVERBY

Nicholas Overby² was married to Jane _____; they lived in Bristol Parish, Virginia which included portions of Henrico, Dinwiddie, and Prince George counties. Three of his children were baptized in Bristol Parish between 1720 and 1725. It is known from subsequent wills that there were other children. They could have been born before 1720 when entries were first made in the Bristol Parish records or their births may not have been recorded.

A brief discussion of the role of the church in the civil government will explain the function of parish records. In Colonial days the Established Church was the very real government of the land. It was supported by public funds; in turn the church held courts, published fines, suppressed immorality. The only records of births, marriages, and deaths were kept by the church. Vestries, the governing bodies of parishes, were elected by the votes of free white tithables in that specific area. One of the most important functions of vestries was the processing of land. The various laws concerning processing in 1705 and in 1748 provided that once every four years all parishes should be divided into precincts and all land "gone around". Usually two adjoining landowners were required to check their boundaries and agree on them. The

¹The Vestry Book calls him Nicholas Overby, Senior, in this instance; the date is 1724 and there is a younger Nicholas Overby. To distinguish between the two the vestry clerk evidently used the logical approach and called the older Nicholas Senior.

²The mention of a Nicholas Ogilbys and wife Elizabeth in Bristol Parish Vestry Book probably refers to the Ogelby family living in Henrico Co. in 1735.

purpose of the law was to bring to light and to settle disputes over land boundaries. The title "Processioning" did not disappear from the Index of Virginia Codes until the Revision of 1919; the procedure was acknowledged as very valuable to the secular laws of post-Colonial Virginia.

In 1739, a Nicholas Overby processioned land in Bristol Parish. It is possible that it could be "Nicholas, ye younger", the father of the subject, but the elder Nicholas would be approaching eighty years of age - rather elderly to be tramping around in the country and marking boundaries.

On 12 January 1746 Nicholas Overby purchased 128 acres in County of Prince George. It was on the upper side of Ledbetter's Creek and bounded: "Beginning at the Sd. Cr. in his own line; thence along the same W 15° N 108 p. to a corner shrub white oak; then S 39° W 92 p. to a corner thence W 7° 84 p to a corner white oak"....Price 15 shillings.

The mention of "his own land" indicates that Nicholas owned other land in Prince George Co.

Nicholas was exempt from paying county and parish levies on May 8, 1782. The grounds for such relief were usually old age, ill health or poverty. At this time, Nicholas was over eighty years of age.

Nicholas Overby and his wife Jane had the following children according to Bristol Parish births:

- I. James born 5 Sept 1720; baptized 4 October 1720
- II. Adams (sic) born 28 July 1722; baptized 7 November 1722
- III. Mary born 9 August 1725; baptized 17 September 1725
Other children of Nicholas from the will of the above Adams (sic)
- IV. Jeremiah born
- V. John born
(also a sister who married a Haney who could be the above Mary.)

PETER OVERBY

Peter Overby - born c. 1690 - died 1778

Peter Overby was most probably born in Bristol Parish, Virginia in the latter years of the seventeenth century. The only information concerning his wife is her given name of Ann. This is given in the Bristol Parish records of the birth and baptism of their sons Peter and Nicholas.

Peter, more than his brothers, appears to have ventured into the unsettled and relatively unknown areas of Virginia. Peter patented 492 acres

of land in Brunswick Co. on 13 October 1736 and in (present day) Mecklenberg County in 1748. In 1749, the list of tithables in Mecklenberg (later Halifax) County shows Nicholas with 1 tithe (this Nicholas would be the son of Peter) and Peter Overby with 2 tithes including Richard Griffin, Jr. Richard Griffin, probably Senior, is shown in Bristol Parish records as the father of sons born 1727 and 1740 but neither was named Richard. It is not clear if Richard Griffin, Jr. is a tithe or if the two tithes represent Peter Overby, father and Peter Overby, the son who was twenty two years of age. By 1752, the list of tithables shows Peter, Sr. with one tithe, Nicholas with 1 tithe, and Peter Jr. with 1 tithe.

Evidently Peter Overby patented land in Lunenburg Co. in 1748. Since no designation is made, one will assume that the reference is to Peter the elder. (Peter, the son, became twenty-one years of age on 30 July 1748.) Peter patented 222 acres on the south side of the Dan River on both sides of the North fork of the Tewayhomoney (sic) Creek near the mouth of the Reedy Branch. This patent was dated 20 August 1748. Earlier that year, 10 January 1748, Peter patented 182 acres on both sides of Tewahomony (sic) Creek on the south side of the Dan River. Also referenced in this patent is "Griffin line". One wonders how this is associated with the Richard Griffin, Jr., who is listed as a tithe of Peter Overby in 1749.

Peter and his sons Peter, Nicholas, and Obediah lived on the border of Halifax and Mecklenberg Counties along Aaron's Creek. In 1762, Peter, Sr., purchased 300 acres of land on both sides of Fishing Creek in Granville County, North Carolina.

Peter evidently died in 1778 in Halifax County, Virginia. His will has evaded researchers but it is referenced in a court record which states "the last will and testament of Peter Overby, deceased, was exhibited in court and was proved by the oaths of one of the subscribing witnesses."³ The will was not recorded and the original is missing.⁴

³Halifax Order Book - Pleas - Book 9, page 320.

⁴Peter evidently died prior to 13 July, 1778 as James Jones had attachments against John Davis's and Peter Overby's estates; these charges were dismissed for lack of prosecution. Ref.: Mecklenberg County Order Book 4, entry dated 13 July 1778.

Known children:

- I. Nicholas born September 1, 1722; baptized November 7, 1722
- II. Peter born July 30, 1727
- III. Obediah probably born 1738-1740

WILLIAM OVERBY

William Overby born about 1698 - died about 1769

William was living in Cumberland Parish, Lunenburg Co. on March 1768 according to processing records. From the processing we learned that he owned land near Reedy Creek. A William Overby was living in Halifax Co., Va. in 1758 who appears to be the same man.

In 1764, a William Overby is shown as holding 5 tithes with the same for 1772 and 1773. By 1774 he has 18 tithes, all in present day Mecklenberg Co. (which split off from Lunenburg in 1765). By 1783, William Overby is shown in Lunenburg Co. with 1 tithe and 9 souls (evidently slaves). This may be another William Overby since William, of the third generation, would be over eighty years of age; however he could easily be the father of another William born after he left Bristol Parish. However, this is strictly conjecture and the only conclusion supported by the record is this William probably owned male slaves over eighteen and this fact is reflected in the tithes.

Children:

- I. Fran born 20 February 1721, baptized 20 July 1721

No further information on any descendants.

JAMES OVERBY

James Overby born about 1700 - died unknown

James was living in Bristol Parish when his children Abraham and Lucy were born in 1725 and 1733, respectively. His first wife was named Ann; she must have died and his wife in 1733 is shown as Elizabeth. Neither surname is known.

James Overby patented 300 acres of land in Prince George Co. on the lower side of Nammissen Creek at Vaughan's Corner. On 15 December 1749, James patented 36 acres in Prince George Co. in the fork of George's Branch of Nammissen Creek in William Vaughan's line.

From all indications, this James Overby spent his life in the Prince George-Dinwiddie area. He last appears in Dinwiddie County records in 1774.

He is not listed in Census or Taxpayer Records in 1782 so he evidently died after 1774.

Known children:

(by wife Ann)

- I. Abraham born 26 August 1725, baptized 17 September 1725 (by wife Elizabeth)

- I. Lucy born 29 July 1733, baptized 26 August 1733

Probable children:

- I. Anthony born c. 1740

LUDWELL OVERBY

Ludwell Overby born c. 1700 - died between 1768-1775

Ludwell is tentatively placed in the third American generation on the basis of a letter from one of his descendants. In 1895, this descendant stated that his ancestor was Ludwell Overby whose father was Nicholas Overby. Events in the lives of Ludwell's descendants can be documented and from them it appears that Ludwell must have been born about 1700. As such, his father must have been Nicholas, ye younger.

Ludwell patented 320 acres of land in Mecklenberg Co. in September 1768 but it is not known that he ever moved to this land. The land was on both sides of Tewahomony Creek beginning at a pine tree in Ludwell's "own line". (It was sold by Machadiah in 1775 after the death of Ludwell.) This infers that Ludwell owned other land besides that covered by the patent but its transfer to him has not been uncovered.

The name "Ludwell" was a prominent one in early Virginia. Colonel Philip Ludwell was a large landowner in Henrico - Prince George counties beginning in the late seventeenth century. What connection, if any, to the Overby family is unknown.

The Bristol Parish Register does not record the birth of Ludwell or those of any of his brothers since that record does not begin until 1720. Ludwell evidently left the Bristol Parish area before 1725 which would be the approximate date of the birth of his eldest son, Zachariah. This event is also absent from the Bristol Parish Record of Births. It is known that Zachariah is the eldest son, referencing Deed Book 3, page 499 (Mecklenberg Co.) November 6, 1775: Zachariah Overby, eldest son of Ludwell Overby, dec'd...Also inferred

is that there are other children - of whom Zachariah is the eldest - but these are unknown.

Known children:

- I. Zachariah born 1725, died about 1805

RICHARD OVERBY

Richard Overby born c. 1687 died c. 1755

Richard was married to Dina(s) and they were the parents of at least six children. The two oldest of their children were baptized in the Bristol Parish Church but the four younger children were not. Their births were recorded by the parish, as was required by law, but they were not baptized. This probably indicates that Richard and family left the Church of England or their baptism record was not properly recorded.

Richard's known children appear to be living in Dinwiddie County when they are adults leading one to the conclusion that the family never left that part of Virginia. Dinwiddie County was formed from the western part of Prince George County in 1722.

Richard Overby built a bridge over the Nottaway River. At the court meeting July 1752 the Sheriff was ordered to pay Richard five pounds, five shillings and two pence in payment for this bridge. He may have died shortly thereafter as there is no later record of him.

Known children:

- I. Robert born 18 April 1722, baptized 18 June 1722
- II. Martha born 8 December 1723/4, baptized 6 February 1723/4
- III. Jaminah born 26 January 1727
- IV. Rubin born 12 August 1731
- V. Thomas born 1 July 1734
- VI. Thamar(f.) born 1 July 1734

Probable children:

- VII. Richard, Jr. born c. 1736

FOURTH GENERATION

ABRAHAM OVERBY

Abraham Overby was the son of James Overby and his wife Ann. He was born and baptized in Bristol Parish on 26 August 1725 and 17 September 1725, respectively. He may have been named for his uncle Abraham Overby who was "lame and helpless" and nineteen years old when he was born.

Very little is known concerning this man other than he evidently joined the migration of some of the Overbys to the new counties. The Halifax Co. Pleas Book 9, page 119 gives this report of the Grand Jury -- Abraham Overby, alias "Mishu", for profanely swearing four oaths in the past two months. (No date given but about 1776.)

Pleas Book 10, page 25, shows that the case against Abraham was dismissed as Abraham had died. This was dated June 1779; therefore, Abraham died when fifty-three years of age. There is no mention of a family.

No further information on any descendants.

ZACHARIAH OVERBY

Zachariah Overby was probably born prior to 1720 when Bristol Parish records were initiated. He is known to be the son of Ludwell Overby as he was listed as the "eldest son of Ludwell Overby, decd" as he sold the 320 acres of land (patented by Ludwell in 1768) on 7 February 1778.¹

Zachariah was granted permission to build a water grist mill on Aaron's Creek - it was ordered that the sheriff summon twelve men to value damage that may accrue² (Aaron's Creek, a landmark in many Overby lives, was named for Aaron Pinson who lived on that body of water in Granville, North Carolina. It ran along the border between Halifax and Mecklenberg Counties.)

Zachariah had a debt to Robert Donald in Mecklenberg Co.; Donald had an attachment against the estate of Zachariah Overby for a debt of 15 pounds, 17 shillings, 3 pence, half penny. Zachariah was not dead at this time (1770) but he had left the county. It was ordered that the sheriff sell personal effects - furniture, saddle, pots and pans.

In July of 1769, Zachariah Overby sued the estate of William Trammell for one pewter spoon. Nothing is known of his relationship, if any, to the Trammell family. A William Trammell was a witness when Zachariah, then of

¹Mecklenberg Co. Deed Book 3, page 499

²Lunenburg Co. Order Book 7, page 147

Dinwiddie Co., sold 100 acres on Tewayhomme Creek in 1767.....adjacent to Nicholas Overby and....."along back spine to Peter Overby's corner".....³ When Zachariah had purchased this one hundred acre tract in 1765 he was listed "of Mecklenberg".

On October 6, 1777 Richard Grigory (sic) and Zachariah Overby deeded 200 acres to Adam Finch.⁴ This land was on Middle Bluestone Creek. On February 7, 1778 a curious transaction took place. Richard Grigory (sic) sold 150 acres to Zachariah and his wife for 137 pounds....."this land is for their life and then to be divided among the boys."⁵ This might mean that there is a family relationship between Zachariah and wife and Richard Gregory. (Richard Gregory's wife was Ann Vaughan.)

Zachariah was reputed to be a farmer, blacksmith, and wood artisan. During the American Revolution Zachariah and his boys made hand cards to card wool and cotton to make clothing.⁶

In 1799, Zachariah sold his son Machadiah 100 acres on the Great Buffalo Creek. There is no mention of the dower rights of Zachariah's wife so she must be deceased by that date. He had previously disposed of 50 acres adjoining this land by deed to his son Peter Z. in 1793.

Zachariah Overbee (sic) appeared in the Head of Families Federal Census of 1782 with 8 whites and no blacks in his household in Mecklenberg Co. He disappears from the Personal Property Rolls after 1794 and from the Mecklenberg Co. tax rolls after 1805 so one might assume that his death occurred about 1805.

The Compendium of American Genealogy gives Zachariah's wife as Mildred Vaughan but no proof is available of this relationship. This writer believes Mildred Vaughn was not his wife.

³Mecklenberg Co. Deed Book 1, pages 478-9

⁴Mecklenberg Co. Deed Book 5, page 112

⁵Ibid., page 196

⁶This is information taken from a letter from Stephen M. Overby of Urich, Mo. to Mr. Frank C. Overby in La., dated September 30, 1895. Since this labor contributed directly to the Revolutionary forces, Zachariah should be termed a "Patriot of the Revolution" as were the Overbys who contributed food (the author's opinion!).

William Vaughan, who died in 1785, did have a daughter Milarson so stated in Mecklenberg Co. Deed Book 3, p. 506. In that instance William "lends his daughter Milerson Overby for her life one feather bed and after her death to his granddaughter Mary Overby." This entry is dated March 4, 1776. Evidently Milarson and her husband _____ Overby were deceased by September 1787 when all the legatees of William Vaughan posted bond to William's widow, Mildridge. Even if Milarson was deceased her husband would have been listed as her heir. This was not the case. Wm. Overby was a legatee (grandson) in the will but he is not listed on the bond to Mildridge. This suggests that Milerson, her husband _____ Overby, and son, William Overby, were all deceased by September 1787 and that her husband could not be Zachariah Overby who died about 1805.

Zachariah was known to have the following children:⁷

- I. Alexander born about 1753, died about 1848
- II. Machadiah born about 1762, died about 1852
- III. Peter born about 1759, died 1824
- IV. Sterling born about 1768, died about 1830
- V. Ludwell born about 1772, died about ????

ROBERT OVERBY

Robert Overby, son of Richard and his wife, Dinah, was born the 18th of April 1722 and baptised in Bristol Parish Church on 18 June 1722. A Robert Overby is listed in Dinwiddie County in 1782, paying tax on 150 acres of land. He is shown with one slave in 1783 through 1791. He died prior to 1794 when his land tax was shown on "estate".

Robert Overbie (sic) brought suit against Daniel Wall in Brunswick County on September 28, 1751, but it was settled out of court and the issue was not mentioned.

His brothers Rubin, born 1731, and Thomas, born 1734, are not found in any record other than their birth entries. However, Thomas's twin sister Thamar lived in Dinwiddie County in 1788 as the head of a household with no

⁷The above were listed as sons of Zachariah in letter from Stephen M. Overbey to Frank C. Overbey, dated September 30, 1895. Stephen M. was born in 1831, a grandson of the above named Machadiah. Machadiah came to Kentucky and lived with Stephen's father's family for 15 years. Stephen stated that his information came from his grandfather who talked about his early years in Virginia.

male tithes. Since this is her first appearance on the tax list and she is then fifty-four years of age she must have lived with another family member before that date. A possible explanation, with no proof whatsoever, is that Tamar lived with one of her sisters - Martha or Jaminah who was married and under another name and that sister is now deceased. In 1765, Tamer (sic) Overby purchased 4½ acres in Dinwiddie Co. for five shillings.

In 1791, Tamar (sic) has 1 slave. She was not listed in any tax list after 1794 so she must have been deceased by that date.

Richard and Dinah Overby were the likely parents of Richard Overby, Jr. Richard Jr. lived in Dinwiddie County where he purchased 316 acres of land on 10 August 1759. He is shown as a Dinwiddie County taxpayer with 350 acres in 1782.

There is a Richard Overby, Jr. in Dinwiddie County records in 1759 when he received a land grant for 316 acres of land. Richard would have been in his early twenties at that time assuming that he was born about 1736. A most interesting account concerning Richard Overby's activities during the American Revolution can be found in official correspondence of that period. There is a letter written by then-Governor Jefferson to County Lieutenants of Dinwiddie and Essex Counties, dated February 5, 1781 from Richmond, Virginia. Jefferson said "Sir: I have....information that Richard Overby and Richard Wills, two of Capt. Hardaway's Company of Militia....have deserted and carried off their arms....have them taken....send them under guard to Cobbin (sic) Point...."⁸

If this is Richard Overby, Jr., he would have been approximately forty-five years of age. It is somewhat amusing to see Richard Overby appearing on the Census Record of Dinwiddie County the following year, 1782, with 6 negro tithes (blacks over the age of eighteen), 5 negroes under age, 2 horses and 12 cattle. Evidently the political climate of that part of Virginia was very forgiving to those who were not supportive of the rebellion.

This line has not been traced beyond this generation.

⁸Official Letters, Governors of Virginia - Thomas Jefferson, June 1, 1779 - June 3, 1781 - Vol. II.

ANTHONY OVERBY

Anthony Overby's parentage is unknown. It is possible that he was the son of Ludwell, Richard Sr. or James Overby - all of whom lived their adult lives in Dinwiddie County.

Anthony appears in the tax records of Dinwiddie County with 316 acres of land and a few slaves - sometimes 1, sometimes 4, depending on the year. In 1792, he is shown with "Alexander", possibly his son who has turned 16 and in 1794 he is shown with Alexander and Richard.⁹ The appearance of a son Richard lends credence to the idea that Anthony may be the son of Richard Overby, Sr., since it was usual for a male descendant to bear his grandfather's name.

Antoney (sic) Overby signed a petition from Dinwiddie County to the General Assembly on December 1, 1784. At that time the church was "disestablished" (prior to that time the Church of England was the "state" church of Virginia, taxes were paid to support it and the church was the core of the legal and moral framework of colonial Virginia.) The petition which Anthony Overby signed was created by many people who feared that disestablishment of the Church predicted the "sounding of the Death Knell" of Christianity. This petition wanted Christianity to be the established religion of the county and every person would be required to pay their quota (tithe) to a church of their choice.

Anthony evidently moved about 1797 when he disappeared from the Dinwiddie Co. tax records and appeared in Halifax in 1799 with 250 acres on Birch's Creek. He sold this in 1817. In 1828 he is shown with 762 acres on Peter's Creek in Patrick Co., Virginia. The 1830 Census of Patrick Co. shows him between the ages of 70-80 making his birthdate between 1750-1760.

This line not researched further.

ADAM OVERBY

Adam Overby was born July 28, 1722, son of Nicholas Overby and his wife Jane, and was baptized November 7, 1722 in Bristol Parish Church. The

⁹Stokes Co., N.C. Census - 1850 - shows an Alexander Overby, age 76, born in Virginia. Living on the adjoining farm is Richard, age 34. This may be the above Alexander and his son Richard.

Vestry Book has his name spelled Adams and all other records have it as Adam. It could be a mistake or it could be that Adams evolved to Adam.

Adam patented 127 acres in Prince George County on the north side of White Oak Swamp on April 5, 1748. At that time he was nearing twenty-six years old. That appears to be his only purchase of land.

By 1772 Adam is found in Mecklenberg Co. when he appeared as a witness for Robert Cunningham; Cunningham was indicted for hog stealing and found not guilty. The Mecklenberg Co. Court, June 10, 1771, ordered Robert Cunningham to pay Adam 232 lbs. of tobacco for one day's attendance and traveling 69 miles for him in the suit.

In 1772 Cunningham is again in trouble as Henry Deloney has a suit against him. The court ordered Cunningham to pay Adam 514 lbs. of tobacco for four days attendance and "twice coming and returning 69 miles as a witness".

Adam was one of the signers of the Legislative Petition #392 on May 14, 1777. This is popularly called the Mecklenberg Petition. In it the signers requested that all natives of Great Britain who weren't in sympathy with the American cause should leave the state and asked for punishment for those who depreciated the paper currency of the United States.

Adam is one of the few Overbys who clearly defined their support of the American Revolution.

Adam died in 1780. His will follows in its entirety:

Mecklenberg County, 3rd of June 1780

Benjamin Fargeson and Ivanson Ryland came before me and made oath on Sunday last they were at the house of Adam Overby and that said Adam was very sick and lying on his bed and made his verbal will to this effect to wit; I give my brother Jeremiah Overby my sorrel mare and my shoeboots, I give to my brother James Overby my young horse colt, one gun and my saddle and a set of silver buckles. I give to my brother John Overby the next colt my sorrel mare may bring and one gun and it is my desire that all the rest of my estate may be sold and the money equally divided amongst all my brothers and sisters except my sister Haney and it is my desire that she may have no part of my estate.

Benjamin Fargeson
Ivanson (his + mark) Ryland

The above was signed and sworn to before me the date written above.
John Speed

On September 11, 1780 Jeremiah Overby, heir at law together and John Ballard his security, acknowledged their bond of thirty thousand pounds.

Adam Overby was only fifty seven years old when he died. There is no indication that he ever married.

The inventory of Adam's personal property is a real puzzlement. Mecklenberg County in 1780 was still a frontier; even today it is rural-characterized by long expanses of farm land, sparse population, and an absence of buildings. Adam's personal possessions are difficult to reconcile to life in a semi-wilderness. The inventory is shown below:

1 mare and foal	3 pewter dishes and 2 pewter basins
1 saddle and cloth	3 knives and forks
1 set of silver buckles	1 case of bottles
1 small truck with sundry articles	1 pair fire tongs and shovel
1 razor and strop	1 pair hand bellows
5 silver teaspoons	1 _____ skillet
1 set of table hinges and screws	1 chest and table
1 pair of buckskin breeches	2 beds and furniture
2 lines shirts and 5 stocks	1 tick with some feathers
2 blue coats	28 silver buttons
1 pair corded breeches and draws	1 vial borax and 1 pocket-knife
1 red waistcoat	1 pair virge cloth gloves
2 striped waistcoats	2 hogsheads sheets
2 pairs corded breeches	3 reading books
2 close bodiced coats	1500 _____ foot plank
3 waistcoats	1 dutch oven
7 pairs of stockings	1 ink horn
3 handkerchiefs	15 geese
1 pair buckskin gloves	1 sythe
1 great coat	2 waist coats, 1 pair shoes
1 pair of shoe boots and spurs	9 cotton shirts, 1 coat
9 hats	2 pairs stockings
1 yard Virginia cloth - spun cotton	1 pair buckskin breeches
2 pairs boots and 2 dressed deerskin	1 pair Virginia cloth breeches
385 dollars paper currency	1 pair scales and 1 slate
Specia 29/	1 sorrel horse
1 looking glass and 6 rush bottom chairs	2 guns
6 pairs of window hinges	1 pair of dudds, 1 pair of buttons
4 hooks and hatches for doors	
1 _____, 1 lb. coffee	
1 jug with some sugar, tin funnel	
2 brushes, 1 flask to hold powder	
2 dram glasses, 9 vinegars cruets	
1 candlestick and 2 pairs of snuffers	
1 candle mold	
1 dozen earthen plates	
1 milk pot and sugar dish	
8 coffee cups and saucers	
half dozen pewter plates	

The really amazing part of this inventory is the clothing Adam owned and such items as silver buttons, silver buckles and silver spoons. These just aren't encountered in other wills in that locality at that time, generally speaking.

The "sister Haney" mentioned in his will could be his only known sister Mary who could have married a Haney or it could have been another whose name was not recorded.

No known descendants in this line.

JOHN OVERBY

John Overby's name is not recorded in the Bristol Parish Register; we learn of his relationship in the will of his brother Adam. From this we can deduce that John is the son of Nicholas Overby¹⁰ and his wife Jane. John had two brothers and a sister born from 1720 to 1725. His birth might fall between 1718 and 1728.

The Amelia County Court Order Book 1¹¹ mentions a Reverend Mr. John Overby but no date was shown and the man is not positively identified.

In the St. Andrews Parish¹² Vestry Book (1732-1797) John Overby was granted an additional six months time to finish the "chappell". He gave bond with security on October 3, 1747. The church was to be 24' by 50' "with the same number of windows, pews and doors as the Meherrin Church with Gallery pulpit and all other work in the same manner as the Meherrin Church." He was paid 60 pounds current money as part payment on October 1, 1747. On February 19, 1749, John was paid 150 pounds (of tobacco) for grubbing around the church and other services. The final payment for the above chapel was 18 pounds/ 3/3½ paid by Drury Stith by order of the Vestry. This entry in the Vestry Book - dated April 11, 1755 - stated that Overby agreed to accept that amount as satisfaction for building Rattle Snake Chappell (sic).

John Overby was involved in many lawsuits. He evidently built houses and the suits arose from that business. John Overbie (sic) and Robert

¹⁰This Nicholas is the third of that name in Virginia.

¹¹Bulletin Va. State Library, p. 72.

¹²This was located in Brunswick County.

Humphries were mentioned in a suit on July 3, 1745; it was dismissed for want of prosecution in March 1748. John Randall had a suit against John Overbie; John claimed nothing was owed but in 1749 John had to pay 2L/13/9 to Randall.

John Overby was sued and arrested - Drury Sith was plaintiff - in Brunswick Co. Court June 1752. John had to pay damages. Samuel and Thomas Cocke had a suit against John Overbie because John didn't build a house as promised. The judgement was against John and he had to pay 15 shillings.

In 1754 John attached the estate of Augustine Honeycutt and Ed Melam; he sued for their debt and got 10 L/17S/5P.

On September 26, 1760 John Overby patented 235 acres in Brunswick County.

John Overby died about 1783; his estate was inventoried on October 27, 1783; Lydia Overby was the administrator of the estate. The Brunswick Order for 1784-1787 shows that the Meherrin Parish churchwardens were going to "bind"¹³ Buckner Overby, orphan of John Overby.¹⁴

This line not traced beyond this generation.

JEREMIAH OVERBY

Jeremiah Overby was the son of Nicholas Overby¹⁵ and his wife Jane. His date of birth is not known. His position in the family was determined by his mention in the will of Adam Overby.

Jeremiah appears to have lived in Dinwiddie County; he was shown in Va. Taxpayers 1782-87 as the owner of seven slaves.

Jeremiah served in the American Revolution. He was in the 4th Virginia Regiment, Continental Line.¹⁶ In 1778 the regiments were reorganized and

¹³"apprentice"

¹⁴Buckner Overby married Sallie Hudgins, December 29, 1787 in Lunenburg Co., Va. so his birthdate may be 1766 if he just reached his majority when he married. His will dated June 30, 1830 was filed in Brunswick Co. Va. It lists children Hartwell, Aaron, Anderson, Goodwin, John, Dorothy Bottom, James (deceased).

¹⁵This is Nicholas of the third generation in America.

the 14th became the 10th. In addition, Jeremiah Overby furnished 575 lbs. of beef for Continental soldiers; on May 14, 1782 this claim was listed for articles taken for public services.

Jeremiah was living in Bath Parish in April 1776 when he had 11 acres surveyed in Dinwiddie Co. He purchased this land on June 16, 1783.

Jeremiah Overby owned a large amount of land; one record states 1460 acres. He disappears from the tax list in 1798 when it records "no land" indicating that he may have died in 1797 although 378 acres in Dinwiddie County is recorded as Est. in 1795 so perhaps the earlier date is more accurate.

Jeremiah is assumed to be father of Jeremiah (Jr.) who married Mary Flood in September 1785. The marriage was performed by the Reverend Thomas Lundis, Rector of St. Andrew's Parish. Two Jeremiah Overbys appear on the Va. Taxpayer list for Dinwiddie Co. at that time.

This line has not been traced beyond this generation.

JAMES OVERBY

James Overby was the son of Nicholas Overby and his wife Jane. He was born September 5, 1720 and was baptised at the Bristol Parish Church on October 4, 1720.

James evidently lived in Dinwiddie County initially; his brothers Jeremiah and Adam certainly did and Jeremiah died there. (James had a survey prepared in October 1753 for land which he patented in 1763; this was adjoining the land of Peter Overby.) James Overbee purchased 206 acres of land on May 9, 1774.¹⁷ The land was located on the upper side of Butcher Creek. It is interesting that one of the witnesses to this transaction was Benjamin Ferguson, doubtless the Benjamin Fargeson who witnesses Adam Overby's will in 1780.

On September 1, 1783, James obtained 10 acres of land, by land grant, in Dinwiddie County. James may have died shortly after he obtained that land as he disappears from all records. No will has been discovered in record searches as of this writing.

No information on any descendants.

¹⁶Ref. Virginians in the Revolution, Gwathmey.

¹⁷Mecklenberg County Deed Records, Book 3, page 296.

OBEDIAH OVERBY

Obediah Overby was the son of Peter and Ann Overby of Bristol Parish. He appears to be younger than his brothers Nicholas and Peter and his birth does not appear in the Bristol Parish Register so he may have been born after his father patented land in Brunswick County, Virginia. Obediah does not appear on the list of male tithables until 1764. He is not on the 1752 list so he was born between 1734 and 1746. His brother Nicholas was born in 1720; the earlier date, 1734, may be closer to the actual date as later dates provide an abnormally long time span.

Obediah did not serve in the American Revolution. He was given notice and ordered to pay 7 lbs. 4 shillings, 8 pence half penny and 5% interest. This debt and the damages were specified by John Coleman who was the County Lieutenant in March 1784.¹⁸ Evidently Obediah had ignored an order for recruiting troops.

Obediah had a parcel of land surveyed in Halifax County on November 6, 1771. The land was on the North fork of Aaron's Creek to the Peter Overby, Sr. line to Peter Overby, Junior's pointer. The land, 266 acres, was granted by Thomas Jefferson, then Governor of Virginia, and the transaction was recorded on February 1, 1781. Obediah purchased 222 acres of land in Halifax Co. from his brother Nicholas. This was land that had been patented by their father Peter in 1748.

In 1795, the Halifax County Court granted Obediah a license for a tavern in his home. In August 1796 he was ordered to appear at next court and show why he should not be fined for selling foreign distilled spirits without a license.

Obediah died in 1801. His wife was evidently deceased by then as there is no mention of her in the legal proceedings after Obediah's death. In October 1801, Franklin Moore and his wife Elizabeth sued Ahab, Absolom, Robert Shotwell and his wife Sallie Overby, Rebecca and Obediah Overby.¹⁹

¹⁸Halifax County Court Records.

¹⁹This family appears to be "interested" in litigation. Absolom Overby sued his brother Ahab for a debt in 1796; the case was dismissed and Ahab had to pay costs. Ref.: Halifax County Records. In a different situation in Halifax County, Ahab was charged with having counterfeit paper money in August 1802 but there is no record of conviction that time. In June 1802 he

Obediah's lands were divided by lot and his heirs drew for their inheritances. His heirs were sons Ahab²⁰, Absolom²¹ and Obediah, Jr. (a minor), and daughters Sarah and husband Robert Shotwell, Elizabeth and husband Franklin Moore, Rebecca and husband James Wilkins. (Obediah Jr's. guardian was Rubin Jones.)

When Obediah died he owned two parcels of land - the North Fork of 611¼ acres, and the Haystack tract of 256 1/1 acres for a total of 867 acres. Each tract was divided into 6 tracts and the heirs drew lots. On the N. Fork tract Absolum (sic) drew Lot 5 which was allotted to Ahab agreeable to the order of the court. (It is presumed that Ahab gave Absolom Lot #6 in exchange for this.)

Rubin Jones was initially stated as Obediah II's guardian but later a document shows James Wilkins was his guardian and that Wilkins "bound out" Obediah to Franklin Moore until he reached the age of 21. Moore was to treat his apprentice with humanity, furnish him with the necessary food and raiment and send him to school for 6 months. Both James Wilkins and Franklin Moore were brothers-in-law to Obediah II.

was charged and found guilty of having counterfeit paper money.

Ahab appears to have had troubles pertaining to money. In 1799, he and his wife sold 50 acres between the Dan and Hyco Rivers. In 1801 he sold 72½ acres on Aaron's Creek. On June 30, 1802 Ahab secured a debt to Wm. Yancey, Jr. by conveying one negro man Ned - a blacksmith - and also another small negro boy also named Ned in trust. Said slaves were to be sold in case debt was defaulted. Sale was to be held at "late dwelling house of Obediah Overby, decd. where said Ahab has lately resided."

In 1803 Ahab sold Seth Pettypool 131½ acres adjoining land of his brother Obediah, Jr. This appears to be the land that Ahab inherited from his father. Seth, in turn, sold Ahab 100 acres on Aaron's Creek. Ahab then sold that land to Tryon Yancey. This may have had something to do with the debt to Wm. Yancey above. In any case, Ahab's fortune was at a low point at this time.

²⁰Ahab married Sally Hughes on May 3, 1792 according to Marriages of Halifax, Knorr.

²¹Absolom married Lucy Thaxton on August 27, 1795, Ref.: Marriages of Halifax, Knorr. Consent William Thaxton. The will of a William Thaxton in 1803 mentions Lucy, daughter.

Children of Obediah:

- I. Ahab
- II. Absalom²²
- III. Sarah
- IV. Rebecca
- V. Obediah II²³
- VI. Elizabeth

The line has not been traced beyond these persons.

PETER OVERBY

Peter Overby was born July 30, 1727 in Bristol Parish, Virginia. The early years of young Peter and his brothers were spent in Prince George, Dinwiddie, and Henrico Counties. Life in that part of Virginia was entering that phase of social development associated with Colonial Virginia. Many mansions were built along the James River and Williamsburg was the social capital of all Virginia.

But for many families the new Virginia lands beyond the Tidewater were beckoning. This move to the new counties of Lunenburg, Brunswick and ultimately Mecklenburg and Halifax touched all levels of society. Surely there were some who went because of the opportunity presented for cheap land. In the instance of the Overby family some members of the third generation and their children remained in present day Dinwiddie County while others pushed on to new areas. Ores, principally cooper and lead, had been discovered in the area around the Roanoke River and many prominent men had bought land and developed mining operations.

For whatever reason Peter's parents, Peter and Ann Overby and family, first patented land in Brunswick County in 1736. William Byrd and a party set out in 1733 to survey land at the confluence of the Irvin and Dan Rivers. The outermost point of civilization they visited included Tewahominy (Aaron's) Creek. In a few years, and for many years thereafter, Aaron's Creek was to border the homes of generations of Overby sons. But in 1733 it was the very end of frontier civilization. Aaron Pinson (Pinston) lived there as overseer for

²²Lucy Thaxton and Absolom Overby had a son Yelverton who was born in Madison Co. Kentucky and died in 1853, age 53. He was a blacksmith.

²³Obediah II married Edith Wilbourne.

Thomas Wilson²⁴ (The Indian name of the creek was eventually replaced by that of its first settler - Aaron (Pinson). William Byrd was enchanted with this land and proclaimed it "Land of Eden". Much of the land was undisturbed wilderness, the land abounded with game of all kinds; the creeks were clear. Most of the houses were log or frame of one room with a half story above. Hogs were plentiful and pork was popular.²⁵

Peter was appointed and sworn as a constable in Lunenburg County according to Court Order Book 3 for June Court 1755. At this time, Peter was almost twenty-eight years old. Lunenburg was developing a judicial system to cope with the problems of civilization. The problems of that county seem almost ludicrous when viewed from our twentieth century vantage point. Although there were serious crimes in that area many indictments by grand juries involved gambling at cards, nine-pins, or any game where gambling entered in. The strong position of the Established Church was responsible for indictments involving "moral" issues such as hunting on Sunday, swearing (the number of oaths usually stated), and many charges of "a Dultry".

The sheriff was responsible for tax collection for the county in addition to his function as a law officer. It is not known if any collection duties were involved in Peter's job as constable. One fringe benefit of this position was the constable was excused from paying the tithe. The 1764 Tithe List from St. James Parish shows Peter Overby, Constable with 0 tithes while his brothers Nicholas and Obediah are listed.

The Vestry Book for Saint James Parish is missing but some information is available from other sources so a partial reconstruction of events is possible. The parish had three churches, Grassy Creek Church, the Dockery Creek Church, and the Upper or Old Church. The Grassy Creek Church was on the south side of the Roanoke "at or near Edward Goalbreath's" who lived

²⁴Thomas Wilson accompanied Byrd on this journey. Byrd thought Wilson's land was very fine but the house was just a log house, not well-sealed, and not very clean so the entire party slept in an open field. Pinson's wife prepared peas, potatoes and bacon for Byrd's party.

²⁵Among Byrd's companions on this journey to "Eden" was a Peter Jones, one of the descendants of Abraham Wood's daughter. Jones got sick on the trip, according to Byrd he had "an ague". Byrd made favorable mention of Jones in several instances when Byrd recorded his impressions in a manuscript entitled "A Journey to the Land of Eden".

on Grassy Creek. It was built in late 1760, but presumably before that time a lay reader had been employed; certainly in 1759 and 1760 when John Jones was paid for being the lay reader.²⁶ Jones was about forty years of age then; he was a well-to-do landowner whose descendants were to marry into the Overby family in several instances. Grassy Creek is referenced in many documents involving the Overbys so this must have been their church.

The church was twenty-four by forty feet. The usual plan for a frontier church called for two windows on both sides and one at the back. Frequently there was a gallery at the rear for slaves. There were pews and/or benches; sometimes there were a few enclosed pews. The windows were frequently covered with shutters but glass was installed in later years.

This was the society in which Peter Overby functioned. It is a certainty that he attended church - most likely the Grassy Creek Church - because he had no option. The Established Church (Church of England) had compulsory attendance. Those who had to come by ferry did so and their way was paid for by the vestry.

The eating habits of citizens of this area were noted by an English clergyman who reported (in 1780's) that the people ate two meals a day, at nine in the morning and five in the afternoon. Their principle meat was pork and their only garden food was greens. They ate many fruit pies, peach, apple, pear and cranberry. The people went to bed at nine and rose at five.²⁷

Peter's activities indicate that he was a substantial member of the community. Henry Green, an orphan son of Henry Green deceased, selected Peter Overby as his guardian on December 8, 1777.²⁸ The selection of a guardian usually indicates that the orphan had reached the age of fourteen. On the motion of Peter Overby, guardian of Henry Green, the court ordered on 12 April 1779 that Peter could be excused from rendering any account of Henry's estate until the court deemed it necessary.²⁹ The Green family, like many others, intermarried with the Overbys.³⁰

²⁶Life by the Roaring Roanoke, Bracey.

²⁷The Englishmen clergyman was the Reverend Dr. Coke of the Methodist Society. He made five trips to America.

²⁸Mecklenberg Order Book 4.

²⁹*Ibid*.

Peter furnished 475 pounds of beef for use by the Continental forces according to a claim filed on May 14, 1782. This does not necessarily indicate that Peter was in sympathy with the Revolution. When hungry and armed troops appeared, many a prudent farmer was happy to share his provisions. Perhaps of significance is the fact that none of Peter's sons served with the Revolutionary forces.

Peter also furnished 4 barrels of corn for the wife of Wm. LeNave, a poor Continental soldier, in March 1784.³¹

Peter was known as Land Grant Peter by his descendants. He appears to have built a large landed estate by patenting land.

In September 1759, Nicholas and Peter were ordered to procession land in the neighborhood of Aaron's Creek and the Roanoke River according to the Cumberland Parish Vestry Book. They were instructed to "meet at the mouth or (sic) Grassey Creek....and procession all lands between Grassey Creek, County Line, Aaron's Creek and Roanoke River..." Among others required to procession were Richard Yansey (sic) and Wm. Coalbreath. Wm. Coalbreath must have been of the same family as the Edward Coalbreath (Galbreath?) previously mentioned as living near the Grassy Creek Church. The church was built the year following this processioning.

On March 25, 1762, Peter Overby³² patented 346 acres in Halifax County on both sides of Aaron's Creek. On April 7, 1779 Peter purchased 182 acres from his brother Nicholas.³³ On February 4, 1783 Peter Overby, as assigned by Benjamin Pettypool, received 441 acres in Mecklenberg County by way of

³⁰There was a Henry Green whose will was dated 1748 (obviously not the father of this Henry). The elder Henry was married to Elizabeth, daughter of William Griffin. Their children named in the will were John, Henry, Stephen, Frederick, Richard and Dorcas (who married a Jackson). It appears that Henry, the orphan, was the son of the above Henry Green who was named in the will of his father - another Henry Green. Henry, the orphan, married Mary Vaughan on August 2, 1799. She was the daughter of John Vaughan and sister of Amelia Vaughan who married Machadiah Overby.

³¹Halifax County Pleas Book 10, p. 193.

³²Referred to as "Jr." in this document to distinguish him from his father then living.

³³This land was on Tewahominy Creek and was land originally patented by their father, who was deceased by that time. Perhaps Nicholas had inherited it.

land office Treasury warrant number 15095. Mentioned are Aaron's Creek, Overby's Mill Pond, Jones line, Pacey's corner and Atkinson's line.

Peter Overbee served as a witness for Benjamin Wade at the suit of Martha Pettipool. It was ordered that Wade pay Peter for one day's attendance according to law.³⁴

The name of Peter's wife, according to his will, was "Ann". There is no record of that or any other marriage for Peter. The last name of "Ann" is not known but two of their children have names that indicate "Ann" may have been a member of the Vaughan family. These children are Sylvania and Sylvester. In the Bristol Parish Register of Births³⁵ there are thousands of births recorded but the given name "Sylvester" occurs only once and "Sylvania" occurs only twice so the names can be considered unusual. Samuel Vaughans (sic) and his wife Margret (sic) are the parents of Sylvana born August 1, 1742 and of Silvester born March 14, 1744-45! Since Peter and his wife "Ann" also named two of their children Sylvania and Sylvester there may have been a relationship between the Overby and Samuel Vaughan families. It is possible that Peter's wife is really Sylvana Vaughan born 1742 to Samuel and Margaret Vaughan. She would have been fifteen years younger than her husband Peter. This is very possible since the oldest child appears to have been born in the early 1760's when Peter was in his thirties.

Peter Overby is listed as a taxpayer in Virginia in 1782 (on Jesse Sanders list) with 12 whites and 14 blacks. Probably part of the 12 whites are persons living in the household as workers or servants as his family was not that large.

Peter was the owner of a large amount of land. Mecklenberg County records list him with 921 acres in that county; he also owned land in Halifax. At his death he had 24 slaves on his land, there were also 9 more slaves which had been lent to his children. On September 10, 1811, Peter Overby, Sr. gave his son Peter, Jr. power of attorney to "demand of Robert Hester of Halifax County one negro boy Haney about 8 which I conceived to be my property taken from me by force: signed Peter Overby.³⁶

³⁴Halifax Co. Pleas Book #1 May 1752-May 1755.

³⁵See Births from the Bristol Parish Register of Henrico, Prince George, and Dinwiddie Counties, Virginia 1720-1798, transcribed by C. C. Chamberlayne, 1980.

Peter Overby's will is dated June 1812 and the Inventory and Appraisement was performed on January 21, 1814 so he died between those dates. Born in 1727, Peter lived to be about 86 years of age. Peter's will is a genealogist's delight for the many relationships stated. An abstract of this will follows:³⁷

.....I Peter Overby, Senior being weak and low in body....my daughter Sylvania Puryear all the property heretofore lent her which was one bed and furniture, 2 cows and 6 calves and two negroes named Mall and Betty....my son Sylvester Overby all the property heretofore lent him which was three negroes named Poll, David and Cate also one hundred acres of land including the planation whereon he now lives it being in the County of Halifax....the estate of my son Herod Overby dec. that I lent him should remain for the benefit of his lawful heirs, in particular a negro boy named Banister. I lend to Edna Overby....then I give the said negro named Banister to my grandson, Peter Overby, son of Herod Overby....lend to Edna Overby the former wife of said Herod Overby, deceased, one hundred acres....in county of Halifax....my son Jechonias Overby two negroes named Moses and Sall with....property....lent him....my son Peter Overby two negroes named Jack and Nancy....the tract of land whereon I now live said to contain one hundred eighty two acres after the death of my wife, Ann....Fanny Ellis one cow and calf....my daughter Rodah P. Pool two negroes, Jane and Hannah....a negro woman now in the possession of my son, Peter Overby, by the name of Lucinda and a negro woman, Lill, to my wife Ann Overby....except a negro girl by the name of Lucy I give to my grandson Peter Overby, the son of Silvester (sic) Overby....the residue of my estate be equally divided and laid off in lots....and drawn for between my four children, Sylvania Puryear, Silvester Overby, Jechonias Overby and Peter Overby and to remain theirs and their heirs forever....

signed Peter Overby

There are several questions which arise from the distribution: who was Fanny Ellis? Most likely she was a woman employed by Peter's family. In

³⁶Mecklenberg Co. Deed Book 14, page 469.

³⁷Mecklenberg County, Va. Probate Record, Book 8, page 31.

many wills such bequests are made to family servants and the parties are identified as family servants. Also, it appears that Peter's daughter Roda-Rhoda did not fare as well as her brothers and sister.

An Inventory and Appraisement of the Estate of Peter Overby, Sr., deceased, was made 21 January 1814 and the items are named below:

(Slaves)

1 negro man Jack	1 negro girl Lucinda
1 negro man Sam and his wife	1 negro boy William
1 negro man Stephen	1 woman Phillis and child, Martha
1 negro man Manuel	1 woman Leak and child Beck
1 negro man Wiley	1 woman Pat and child Habon
1 negro man Philip	1 woman Nancy and child Henderson
1 negro man Grey	1 girl Lucy
1 negro man John	1 girl Salley
1 negro man Harry	1 woman Lucy
1 negro girl Doll	

(Personal Property)

1 shot gun	2 iron pot racks, 1 meal sifter
1 pine table	1 pitcher and mug, 1 pistol
1 plow hacke	2 small gilt trunks
1 cupboard	1 pr. money scales
1 kettle and hoods	1 butter pot and one tin bucket
1 pot and 1 pr. hooks	1 rifle barrel, parcel smith tools
1 brass tea kettle	1 pr. cart wheels
1 pan, 1 tub, 1 pig gin	1 pr. fare wheels to wagon
and tin strainer	2 pr. traces, tongue, body
1 cotton gin, skillet	1 set small wagon wheels
1 pr. spoon molds and barrels	2 hammers and marking iron
1 family Bible	1 black walnut table
2 chests, 1 dozen tumblers	1 looking glass
1 thread horse	2 candle stands & snuffers
10 head cattle, 1 work steer	1 iron spice mortar
19 head hogs	1 large jug
1 hone, parcel tools,	1 dutch oven, lid and hooks
auger foot adj.	2 raw cow sides
2 bells, 3 grubbing hoes	
1 coulter, 5 hilling holes	
1 cross-cut saw and cutting knife	
3 adjs.	
3 plough hoes and ploughs	
4 dishes, 3 covers, 5 plates,	
2 spoons, 1 bed and furniture	
2 beds and furniture, 1 man's saddle	
linen wheel	
6 sitting chairs	
6 pr. cotton cards, 1 pr. sad irons	
2 cotton wheels	
1 case, 1 loom stay and barrels	

Peter Overby's will was proved on January 1, 1814 and bond posted was \$30,000.

Peter Overby made his mark on the Virginia frontier. He evidently moved to the wilderness as a lad of about ten years of age so he never really knew the relative ease of life in Bristol Parish. From our twentieth century vantage point it was a very hard life; one truly lived off the land for every need. Peter appears to have made a success of his life by any definition; he was involved in the community, he was active in managing his plantations even in his eighties and he amassed a large estate for that time.

But Peter, like most of the Overbys remained an Englishman. He was forty-eight years of age in 1775; his only acts supporting the Revolution were contributions of beef to the soldiers (which did not necessarily imply sympathy with the cause) and food for a poor soldier's family. His sons were also absent from any active role in the Revolution.

Known children of Peter and Ann Overby:

- I. Sylvania born c. 1770
- II. Sylvester born c. 1760
- III. Herod born c. 1762
- IV. Jechonias born c. 1764
- V. Peter born c. 1774
- VI. Rodah born c. 1768

NICHOLAS OVERBY

Nicholas Overby, born September 1, 1722, was baptized at the Bristol Parish Church. His parents were Peter and Ann Overby. Nicholas was still very young when his father Peter patented 492 acres in Brunswick County in 1736 - Nicholas would have been 14 years of age - by 1749 Nicholas is on the tithe list for Mecklenberg Co. with one tithe (himself).

On April 13, 1764, Nicholas, Peter Overby (either his brother or father), and John Green were ordered to value improvements on John Pettypoole's land in Mecklenberg County.³⁸ This is interesting from several angles; it appears that these men were evaluating for tax purposes. Lives of the various families intertwined in early Virginia and this is a good example. The Overbys and

³⁸Mecklenberg County Order Book.

Pettypoole's were to intermarry in many instances and John Green's descendants were destined to interact with the Overbys in several ways.

On August 2, 1756 Nicholas Overby purchased 100 acres of land in Lunenburg County from Seth Petty Pool.³⁹ Parts of the land were in Lunenburg County and in Halifax County on both sides of Aaron's Creek. Seth Pettypoole had patented this land as part of his 404 acre patent.

Nicholas was living in Cumberland Parish, Lunenburg Co. in September 1759 when he, Richard Yansey (sic) Wm. Coalbreath, Wm. Royster, Thomas Wiles and Peter Overby were ordered to procession all lands between Grassey Creek County Line, Aron's (sic) Creek and the Roanoke River.⁴⁰

In 1764, Nicholas is shown on the Tithe List of St. James Parish in present day Mecklenberg County. It indicated that Nicholas had two sons who were now over eighteen as he was shown with 3 tithes.

Nicholas died in 1790 without a will. The inventory of his estate is interesting in contrast with the inventories of other Overbys who died at the same time - post American Revolution. The inventory of Nicholas's possessions is given below with the original spellings.

An Inventory of the property of Nicholas Overby, decd.⁴¹

one feather bed and furniture, 2 sheets
one feather bed and furniture, 2 sheets
two chests, two ??, two tables
one case of bottles, nine chairs, one cotton wheel
four pair cards, one flax wheel, one dutch oven
one frying pan, one skillet, one pair tongs
1 pair flesh forks, skimmer, three iron pots and hooks
one gridiron, cooking hoe, one box iron and heaters
one looking glass, six mugs
six cups and saucers, milkpots and two ?
two bowls, two bottles, and butter pot
two dishes, eight plates and one bason
one quart one bason, one poriger, one pepper box, 17 spoons
one deep desk
knives and forks, two pair of shears, one pair compasses
two brushes - candlestick
two sifters, two shillings, one butter tub, one churn, one barrell
one spice mortar, and pestle, a tray and cup

³⁹Lunenburg Deed Book 4, p. 319.

⁴⁰Cumberland Parish, Lunenburg Co. Va. Vestry Book (1746-1816). Landon Bell.

⁴¹Mecklenberg Co. Va. Will Book 3, 1758-1798.

three piggins, two pails
four barrells, one rundect (?), three hoes, one tamohawk, and pack hoe
two augers, one handsaw, guage, three jugs, one chamber pot
four small books, fourteen geese, eight sheep, one pair of hand
mill stones, one bee hive
one bell cow and calf, one brinded cow and calf
one speckled cow, yearling, one pide heifer
one gray horse
a parcell of wool, across cut saw, , achisol, a sharpin iron
two sides of leather, two hogs, one counterpain

This personal estate of Nicholas appraised at 49L, 15 shillings, 11 pence current money of Virginia. One of the appraisers was Peter Overby (so spelled) his brother. At the time of his death, Nicholas was approximately sixty-eight years of age. The name of his wife is not known; she must have predeceased him as there is no mention of her concerning his property.

Children:⁴²

- I. Meschak born ca. 1744
- II. Shadrack born ca. 1745
- III. Drury born ca. 1750

⁴²According to Maude Thompson, now deceased, these are the sons of Nicholas. There was no mention of daughters.

FIFTH GENERATION

ALEXANDER OVERBY

Alexander Overby was the son of Zachariah Overby and his wife whose name is unknown. Alexander appears to be the eldest child. He was born in 1753¹ in Dinwiddie County moving to Mecklenberg as a lad in 1765. His first wife was named Martha as evidenced by deed records prior to 1830; following that time his wife was Sarah Parker.

Alexander was a blacksmith with a shop situated just off the present day Clarksville-Virgilina Road. Alexander continued to live in Mecklenberg County with his large family. Alexander's first land transaction of which there is a record concerns the sale of 50 acres on Buffalo Creek on June 21, 1798. On September 9, 1799 he purchased 40 acres on Buffalo Creek. The next month he purchased 21 acres on Buffalo Creek; in 1801 he purchased 124 acres on Buffalo Creek which he promptly sold to Peter Z. Overbey for 5 pounds less than he paid for it! (This property was the old place of William Vaughan. Vaughan had many connections to the Overby family.) In 1807 he sold 100 acres on Great Buffalo Creek. In 1824, he sold 21-1/4 acres on Great Buffalo Creek. He was 71 years of age and may have given up farming. He grew older and some of the children went west to Kentucky to Henderson County. Alexander, now past 80 years of age, left Virginia and moved to Henderson County, appearing in the 1840 census there. He is reputed to have lived to be 95 years of age² so he must have died in 1848. His widow Sarah was living in the home of her son in 1850 and she appeared on the tax list in 1859.

Known children of Alexander Overby:³

- I. John
- II. Peter V.L.
- III. Locky Ann
- IV. Yerby (or Irby)
- V. Elkanah (Elcana)
- VI. Angelina

¹Some records give his birthdate as 1757.

²Letter from Stephen M. Overbey, of Urich, Mo. to Mr. Frank C. Overbey in Louisiana, dated September 30, 1895.

³As determined by the late Hugh Overby.

- VII. Susanna
- VIII. Nancy
- IX. Elizabeth
- X. William Henry
- XI. Sarah

PETER Z. OVERBEY

Peter Z. Overbey was the son of Zachariah Overby. He was born about 1760. During the Revolution, Peter Z. and his brothers assisted their father in the manufacturer of hand cards to card cotton and wool. Toward the close of the war Peter enlisted as a soldier. After the war Peter went into farming, selling whiskey and entertaining travelers.⁴

Peter was often identified as "Peter, son of Zachariah" to distinguish him from the other Peter Overbys. In time he was called Peter Z. (Middle names were very uncommon at that time.)

Peter Z. was probably the Peter Overby who purchased 50 acres of land from Zachariah in 1793, 145 acres in 1800, 80 acres in 1801, another 124 acres in 1801. In some instances it is difficult to distinguish between the various persons all named Peter Overby. In general, Peter Z. Overby lived around Buffalo Creek while "Land Grant Peter" Overby lived on Aaron's Creek.

In 1779, Peter, then about nineteen years old, built his home. The house, located on Route 602 south of Buffalo Springs in Mecklenberg County is still standing. The house has two tall double-breasted brick chimneys. There are three windows on the first floor front and four on the second floor. There are two rooms and hallway on the first floor; two large rooms on the second floor and two rooms in the attic. The first floor ceilings are high and the rooms were wainscoted as was the custom. The enclosed stairway was common on the frontier; the steps were narrow, especially where they formed the turn. Peter used the prevailing carpentry procedures of that day with pegs instead of nails. That structure is now 207 years old, certainly a tribute to Peter's skill.

⁴All information in this paragraph was taken from a letter from Stephen M. Overbey to Frank C. Overbey, dated September 30, 1895. This writer has been unable to verify Peter's enlistment in the Continental forces. Actually Peter appears to have been born in 1759 according to his tombstone inscription.

The house, used as an ordinary or tavern later, was called White House No. 1. It would be interesting to know how this designation came into use. Perhaps at one time it was painted white as were many wooden houses of that period. These houses were frequently 20 feet deep and 40 feet wide. Flooring was usually yellow pine, five to eight inches wide. Heat and cooling was provided by chimneys at the outer ends of the houses. The double-breasted chimneys, such as Peter used, were wide at their base and then sloped over each fireplace - both first and second floors - and became much smaller stems as they rose to the roof.

In the November Court 1819, the Commonwealth began proceedings to bring Peter Z. to the Grand Jury for selling "spirituous liquors" at his home without a license. Peter Z. pleaded "not guilty" but he was found guilty in March 1821 and fined \$30.00. Peter had been granted a license to keep the tavern at his home by the May Court 1817, also May 1818; that evidently did not confer the right to sell liquor. His request of 1820 was denied.

Peter Z. and Ann sold this "tavern house" to their son R. Y. Overby on February 7, 1824.⁵ It is likely that Peter Z's home was not called the White House No. 1 until after Robert Y. built his home - called White House No. 2. (See R. Y. Overbey.)

Peter Z. married Anne Yancey⁶, daughter of Robert Yancey⁷ of Mecklenberg County. The mother of Ann Yancey Overby was Philadelphia Jones

⁵Mecklenberg Order Book 21, page 90.

⁶Ann Yancey was born October 23, 1773 and married to Peter Z. on February 25, 1795 per John A. Coke Bible Record.

⁷Robert Yancey was named in the will of his father, Richard Yancey. The will is dated 1768 and recorded 1780. Ref: Meck. Probate, Book 1, pages 349-352. Richard was prosperous; his personal estate consisted of many slaves, it was valued at over eighty thousand pounds.

Robert Yancey, father of Ann Overbey, was also a man of means. His will in Mecklenberg Co. Will Book 8, pages 444-446 makes bequests of over 1,800 acres and slaves. This will was recorded in 1818.

The Yancey family has roots deep in early Virginia. According to The Descendants of Jackson M. Yancey and Elizabeth B. Goode, His Wife, by L. R. Garrison, The Egan Co., Dallas, 1962, the Yancey line is as follows: Richard Yancey was the father of Robert Yancey. As such, he was the grandfather of Ann Yancey Overby. (His wife was said to be Mary Bolling in other references.) Richard was the son of a Charles Yancey II, 1678-1735. He, in turn, was the son of Charles Yancey who arrived in Virginia before 1674 and died 1690.

daughter of John Jones, Sr. Prior to her marriage to Robert Yancey she was married to Francis Griffin. He died about 1765 (will was recorded April 8, 1765) leaving Philadelphia with two children, Sarah Griffin and James Griffin, and another child on the way. (This child must have been Frances Griffin who was mentioned in her grandfather's will. Also Philadelphia and her sisters were to share the Mountain Tract of 478 acres according to their father's will in 1791.) When Peter Z. Overby died one of the properties sold was 142 acres of the Mountain Tract. This had been devised to Ann Yancey Overby by her father Robert Yancey who got it from his wife Philadelphia Jones Yancey who inherited it from her father!

Ann Overby also inherited a slave and furniture from her father according to his will dated 1817. The tract in question is referenced as "1/2 of tract of 350 acres". Ann's mother must have been deceased when her husband died as there is no mention of her.

Peter Z. became involved in many lawsuits, mainly to recover debts owed him. In most instances Peter Z. was awarded the indebtedness and interest.

Peter died June 13, 1824, the date his will was written. His children are:

- I. Francis Overby
- II. Robert Y. Overby m. Mary P. Poole
- III. Eggleston Overby m. Sarah Williamson 1817
- IV. Edmond P. Overby m. Dulcema Vaughan 1819
- V. Hezekiah Asbury Overby m. Eliz. Jane P'Pool 1823
- VI. Netty Overby m. John Culbreath 1821
- VII. Henderson Overby m. Eliz. Royster 1826
- VIII. Eliza Overby m. Thomas Williamson, January 1825
- IX. Susie Overby (Louisiana) m. Geo. Moore Dec. 9, 1824

Peter and Ann are buried in the Peter Overbey Cemetery near Clarksville, Virginia. Inscriptions give birth and death dates for Peter as shown in this chapter. Ann died June 1859.

Abstract of the will of Peter Z. Overby

.....I, Peter Z. Overby of the County of Mecklenberg....being in weak body but of sound mind and memory....my beloved wife Ann Overby one negro man Buck and his hire for the present year and her choice of two of the remaining negroes, and one third of the remaining part of my estate....the remaining part of my

estate....divide among all my children by name Frances Overby, Robert Y. Overby, Eggleston Overby, Edmund P. Overby, Hezekiah Overby, Netty Overby wife of John Culbreath, Henderson Overby, Eliza Overby and Luse (Louisiana) Overby....I....appoint my son Robert Y. Overby guardian for my daughter Francis Overby⁸....manage her property as he thinks best; 13th June 1824.

Peter Z. was a well-to-do man at his death. The Inventory of his estate showed 27 slaves and money was owed him by many people, mainly family.

In 1825 Robert Y. Overby, the executor of Peter's will, submitted a bill for \$3.00 for "cutting letters and smoothing two tombstones." One must have been for Peter Z., perhaps the other one was for his widow, or possibly Peter's son, Hezekiah, who died in October 1824.

MACHADIAH OVERBY

Machadiah Overby was born in 1762 in Mecklenberg County to Zachariah Overby.⁹ Machadiah probably participated in his father's manufacture of hand cards during the Revolution. His wife was Amelia Vaughan, daughter of John Vaughan.¹⁰ Amelia was called Millie in a few records but her name was clearly Amelia.

Machadiah was a farmer in Mecklenberg County. He purchased 100 acres on Great Buffaloe Creek from his father, Zachariah Overby on May 25, 1799.

⁸Francis Overby was "of unsound mind".

⁹Stephen M. Overbey's letter to Frank C. Overbey, 1895.

¹⁰The will of John Vaughan, recorded October 18, 1813 in Mecklenberg Co. lists his son Stephen (deceased), sons John and William, daughters Amelia Overby, Sarah Blanks, Mary Green and Susannah Harrington. Ref: Will Book 8, Page 9 -- Mecklenberg Co. Wills. The will of his wife Amelia Vaughan, recorded June 21, 1830 gives the same descendants. Amelia Vaughan's father was John Jones, Sr. His will in Mecklenberg Co. Will Book 3, pages 85 and 86, names Amelia Vaughan as one of his daughters. (This John Jones, Sr. was probably the John Jones who was the lay reader at Grassey Creek Church in 1760.) In addition to a bequest of furniture, Amelia Jones, wife of John Vaughan, was willed a share interest in a tract of land called the Mountain Tract. It consisted of 478 acres. Also sharing in this bequest were Amelia's sisters, Philadelphia Yancey, Ann Blanks, and Francis Wilkins.

John Vaughan was the son of William Vaughan whose will was dated March 20, 1785 and proved in Mecklenberg Co.

It appears that Zachariah died shortly thereafter as excessive proofs were required for this transaction. Machadiah sold 25 acres of this land in 1813 and the remaining 75 acres in 1817. In 1827 they sold 50 acres; this had been purchased from David Overby.

Aside from a few miscellaneous entries involving land in Halifax County, Machadiah is curiously absent from the land records. It may be that he was a craftsman and derived most of his living from that.

Machadiah and Amelia came to Kentucky about 1837 with their son Zachariah and his wife Eliza (maiden name Overby). It was one of the children of this family, Stephen M. Overbey, who penned a most interesting family history to Frank Overbey in 1895.

In this letter Stephen states that Machadiah was a farmer and that he was born in 1762 and died in 1852. Machadiah came to Kentucky and lived with the parents of Stephen M. for fifteen years in Christian County. Stephen stated "that he has heard Machadiah tell of the ups and downs Nicholas Overbey had with the Indians". (This must have been Nicholas the immigrant.) The Census of 1850 shows that Machadiah B. was living with the family of Zachariah Overby and that Stephen M. was a member of that family. It also gives Machadiah's age as 87 which is more or less confirmed by the above birthdate of 1762.

Machadiah had been widowed by the death of his wife Amelia who came to Kentucky with him. She made her will in Christian County where it appears in Will Book L, page 599. An abstract follows:

I, Amelia Overby, wife of McAdise Overby formerly of Mecklenberg County Virginia and now of Christian County, Kentucky do make..my last will...

I give...to my son Zachariah all my right title...to the estate of Henry Green deceased late of Mecklenberg County...which estate was bequested to myself and others by...said Henry Green...3rd day of November 1843.¹¹

Signed Amelia Overby

¹¹Amelia's sister, Mary Vaughan married Henry Green on August 2, 1799. (The marriage record calls her Molly Vaughan.) Henry Green died in 1841; his will specified that his wife Mary was to receive his entire estate but at her death certain bequests were to be paid. Among these was a sum to be divided by Mary's sisters; named were Milly Overby and Macadiah, her husband, Susannah Arrington, and Sarah Blanks.

Machadiah was exempted from the county tax levy in Christian Co., Kentucky on November 1, 1847 on account of old age and poverty. He would have been 84 years old.

The Boynton, Virginia Fiduciary Book shows that on March 19, 1856 "R. Y. Overby qualified as Administrator of Michadiah Overbey and Milley Overbey estates with bonds of \$2000 in each case."

According to their grandson, Stephen M. Overbey, Machadiah and Amelia were the parents of five sons, James, William, John, Henry, and Zachariah.

STERLING OVERBY and LUDWELL OVERBY

Sterling or Starling Overby was the son of Zachariah Overby. He was born about 1768. He left Virginia when quite young and was gone forty years before anything was heard of him. He had gone to Tennessee.¹²

No known descendants.

Ludwell Overby was the son of Zachariah Overby. He died quite young.¹³

No known descendants.

JECHONIAS OVERBY

Jechonias Overby was born about 1772, the son of "Land Grant" Peter and his wife Ann. He married Jane Greenwood on January 11, 1796 in Mecklenberg Co. Va. Jane's parents were Thomas and Jane Greenwood. Thomas Greenwood's will¹⁴ mentions his daughter Jane Overby; his widow Jane Greenwood also mentions Jane Overby as her daughter in her will.¹⁵

Jechonias was the administrator of the estate of Benjamin P. Pool in 1803.

Jechonias was mentioned in the will of his father Peter who bequested him "two negroes named Moses and Sall with every other species of property heretofore lent him..." It appears that Peter "lent" his children slaves and farm land and then willed them to the children at his death. Peter was prosperous and could well afford to aid his children in the manner used at that time.

¹²All information came from Stephen Overbey letter, 1895.

¹³Ibid.

¹⁴Mecklenberg Co. Va. Will Book 7, page 76.

¹⁵Mecklenberg Co. Va. Will Book 8, page 21.

Only the will of Jane Greenwood¹⁶, mother of Jane Greenwood Overby, mentions any of the children of Jechonias and Jane. A bequest is made to Jane G. Overby who is stated as a granddaughter. This will was dated October 25, 1811. The 1820 Census of Halifax Co. Virginia shows Jechonias Overby with his six children. Jane G. (probably Greenwood) Overby must have been singled out as her grandmother's namesake.

In 1816 Jechonias and Jane sold 182¼ acres on the waters of Aaron's Creek to Peter Overby who was a son of Zachariah Overby. This land appears to be part of the original land grant that first belonged to Peter Overby the father of "Land Grant" Peter and the grandfather of Jechonias.

Jechonias was the administrator of his father's estate. In 1816, three to four years after his father died, Jechonias requested that an appointed committee examine and settle his account as executor of the estate of Peter Overby, deceased. Jechonias submitted some interesting expenses in connection with his father's estate. There was the cost of Peter's coffin which was 1 pound and 16 shillings; the "funeral occasion" cost 1 pound and 10 shillings. This may have referred to liquor and/or food served after the funeral. There were three entries for "brandy in connection for the sale of the estate and one entry for 1 pound, 4 shillings for "spirits while surveying."¹⁷

Jechonias Overby was recommended to become an Ensign in the 69th Regiment of Militia in 1801. In 1802, Jechonias was judged qualified as an Ensign. Thomas Howerton, Gentleman, returned a certificate to wit: Halifax County, November 13, 1802 - this day Jechonias Overby came before me, a Justice of the Peace for said Co. and qualified to be commissioned as Ensign in Capt. Pointer's Co. 1st Battalion of 69th Regiment of Militia.¹⁸

Jechonias died prior to December 26, 1836 when his will was recorded. Evidently Jane, his wife, was deceased by that date as she is not mentioned. The will appears to give a complete list of their children. Also listed is a Peggy Davis "for service rendered family".

¹⁶There is a Thomas Greenwood; wife Jane, of Mecklenberg Co. Va. who is listed in the DAR Patriot Index for public service during the Revolution. Doubtless it is Jane Greenwood Overby's father.

¹⁷Mecklenberg Co. Will Book 9, p. 146.

¹⁸Court meeting of December 12, 1802, Halifax Co. Va.

Children of Jechonias Overby¹⁹ are:

- I. Nancy (married a Puryear) no further information
- II. Thomas - no further information
- III. Jane (married a Puryear) no further information
- IV. Martha - no further information
- V. Jeconias
- VI. Isaac
- VII. James L. - deceased by December 14, 1835 when will was written as James L. Overby's portion is to go to his daughter Susan T. Overby. This line not traced.

HEROD OVERBY

Herod Overby was a son of Peter and Ann Overby. He was born October 16, 1765;²⁰ he married Edna Jones on January 6, 1794 and died in October 1810; all events occurring in the Halifax-Mecklenberg area.

Herod was granted a license to keep an ordinary, or tavern, in his house for one year on June 10, 1790.²¹ At that time Herod was twenty-five years old and unmarried. This venture may have been a sound business venture on Herod's part as heavy migration from the eastern counties of Virginia had started in the mid-1780's. Kentucky, Tennessee, and the Carolinas were beckoning and the Halifax-Mecklenberg area was on the trail westward and toward the Carolinas. (Some Halifax and Mecklenberg residents joined the migration but mainly in the 1820's and 1830's.)

Edna Jones, Herod's wife, was the daughter of Captain James Jones whose will²², dated September 29, 1799, mentions his daughter Ednea Overbee.

¹⁹Jechonias Overby was listed in the Land Tax Book of the North District, Halifax Co. Va. in 1836. He paid a head tax on 9 persons. This includes any family members living there and servants or hired person. The Peggy Davis listed in his will was probably a house servant. He also paid the tax on 10 slaves. The 1830 Census of Mecklenberg County showed Jechonias with 20 slaves. It may be that he had slaves in both counties.

²⁰Ref.: Herod Overby Family Bible Record, courtesy Hugh A. Overby Collection.

²¹A license was also granted on July 9, 1792 and the license above was renewed in 1791.

²²Mecklenberg Co. Va. Will Book 4, page 153.

Subsequent documents involving this will mention Herod Overby. The relationships of the Jones and Overby family are unbelievably intertwined. Edna's father, James Jones, may have been the James Jones who was the son of John Jones, Sr. who has been mentioned in earlier generations.

In 1805, Francis Jones, widow of James Jones, gave slaves and personal property to her children. Named in the document were William Jones, Hampton Jones, Edna Overby, wife of Herod Overby, and Lewisa Jones.

In 1806, Edna and Herod sold 177½ acres of land located on Aaron's Creek.

Herod died in October 1810. He was only 45 years old and left a large family. His father, Peter, died a few years later; in his will Peter made the following provision for his son's family...."It is my desire that the remaining part of the estate of my son Herod Overby, deceased, that I have lent him should remain for the benefit of his lawful heirs, in particular one negro boy named Banister. I lend to Edna Overby during her natural life or widowhood, then I give the said Negro named Banister to my grandson, Peter Overby, son of Herod...I also lend to Edna Overby the former wife of said Herod Overby, deceased, one hundred acres of land lying where the said Edna Overby now lives in the county of Halifax on Aaron's Creek, including all improvements for the term of her natural life.

The inventory of Herod's estate was made December 11, 1811 and recorded March 23, 1812 in Halifax Co. In it are listed four slaves, one yoke, three horses, four head of cattle, twelve geese, plantation utensils, shoemaking tools, furniture, loom, pots and pans, cotton gin, scythe, cradle, three raw hides, books, candlemaker.

Edna owed Stephen P. Pool, the Admr. of Herod's estate, \$745.19 so she deeded Robert Y. Overby all her personal property including a negro "Joe" and a negro girl "Edith" on October 5, 1822. The settlement of Herod's estate did not take place until 1823, thirteen years after his death! By that time expenses had eaten it up.

Edna's life was not an easy one. Left a widow with many children and few resources she had still another problem. Edna went to Halifax County Court in 1811 to get money. This was awarded to her from Herod's estate for raising two sets of twins! The record stated that one set was two years old and one set was three months old at Herod's death in 1810! The names of these children do not appear in Herod's Bible record but Henry Overby may be

one of the children since he was born in 1808. So at the time of Herod's death Edna had four children two and under, plus about seven others! For those involved in "helping" Edna manage her affairs it seems criminal that his estate was not settled for thirteen years.

Edna continued to live in Halifax County on the 100 acres mentioned in Peter Overby's will. She appeared on the Personal Property and Land Tax Lists through 1828.

On October 6, 1828, Edna Overby and William Talley were married with William Vaughan as bondsman.²³ William Talley died in 1849.

The known children of Edna and Herod Overby were:²⁴

- I. Frankey B. Overby born March 1, 1795, deceased by 1856; married _____ Hite. No further information.
- II. Anderson Overby born May 30, 1798.
- III. Louisa Overby born October 15, 1801. No further information.
- IV. James Overby born June 16, 1796.²⁵
- V. Peter Randall Overby born July 13, 1804.
- VI. Silvana Overby born June 20, 1806.
- VII. Henry Overby²⁶ born January 17, 1808; married October 21, 1834 to Martha Owen.

PETER OVERBY

Peter Overby was referenced in documents as "Peter, son of Peter" to distinguish him from the many men named Peter Overby in the Halifax-Mecklenberg area. Most, but not all, of the Peter Overbys are descended directly from the father of "Land Grant Peter".

Peter Overby married Susannah Stovall on July 1, 1799 in Granville County, North Carolina.²⁷ Her parents were John Stovall and Mary Ann

²³Halifax Co. Va. Marriage Book 1, page 129.

²⁴Children's name and birthdate from family Bible, Record of Herod Overby, Hugh Overby Collection.

²⁵There is another child not listed here: Sabrina Overby was listed as a sister in the will of James Overby. Silvana is also listed so it is not a confusion of similar names.

²⁶Henry Overby was not listed in Herod's family Bible record. His birthdate and relationship comes from his Bible.

Wilkins. Peter was probably about twenty four years of age when he married. He, too, must have been helped in his early years by his father whose will gives him "two negroes named Jack and Nancy and their increase and every other species of property heretofore lent to him..." The will goes on to give Peter the 182 acres where his parents were then living (after the death of his mother it would descend to Peter). This 182 acres was an original land grant to a Peter Overby back in 1740. In addition, Peter shared the remainder of his father's estate with his brothers Sylvester and Jechonias, and his sister Sylvania Puryear.

The Mecklenberg County Order Book 10 for 1798-1801 shows many of the Overbys living in the same area. All the male laboring tithables of Macadah, Peter Sr. (Land Grant Peter), Peter, Jr., Wm. Overby, and Peter Z. were ordered to work on the road from Big Buffalo (Creek) to Peter Overby's. The order book indicates that they are "to assist the surveyor". Often the orders were for hard labor in cutting a road; slaves were used for this work if the family owned them.

Peter and Susannah lived on Aaron's Creek, certainly in 1807 when a deed involving others gives that land description. The same deed also mentions the "old mill" and the "new mill". This deed concerns Stephen P. Pool, known to have owned a mill on Aaron's Creek. In 1810 Peter sold 130 acres on Aaron's Creek and bought 155 acres on Harris Creek. Both transactions took place on the same day and appear to involve adjacent properties.²⁸ In 1815 he bought 92 acres nearby and the following year he sold 163 acres which was not either of the parcels mentioned here.

Peter died a rather young man of about forty three years. His will is dated July 9, 1818 and it was recorded November 16, 1818.²⁹ In it are listed his sons James, David, and John. All his sons were minors at the time of Peter's death as his will infers that they are under the age of twenty one.

²⁷Stovall family closely parallels the Overby family. The immigrant was Bartholomew Stovall who came to Henrico Co. Va. about 1684. Stovalls married Puryears and Overbys married both! See The Stovall Family in America by Carmae Massey Smith, 1979, Library of Congress No. 79-81178. This history of the Stovall family is well-documented and it involves some places and people that touched the lives of early Overbys.

²⁸Mecklenberg Co. Deed Book 14, pages 251-252.

²⁹Mecklenberg Co. Will Book 8, page 490.

The inventory of Peter's estate lists twenty four slaves plus personal property.³⁰ David Overby was Peter and Susannah's eldest son for he is listed as guardian of John and James in 1823.

Peter's will was produced in court on September 21, 1818 and David Neal contested it. On November 16, 1818 it was again produced; David Neal and Franklin Moore objected; Jesse Browder and Jonathan Browder who witnessed Peter's will testified that Peter was of sound mind and memory at the time he made his will and the will was proved and recorded. It would be interesting to know the objections of Neal and Moore to Peter's will.

The Franklin Moore who objected may be the man of that name who married Elizabeth Overby, daughter of Obadiah Overby. Moore appears to have no relation to Peter Overby; Elizabeth Overby and Peter were distant cousins. Franklin Moore was a witness to a sale of land by Peter in 1810. In November 1822, Franklin Moore was security for David Overby (age 21) who had become the guardian of his brothers, James M. (age 16) and John S. (age 13) so there must have been a close relationship.³¹

Susannah Overby's father died in 1820 and she was willed a slave which she had in her possession; she was also to pay two hundred dollars for a slave girl named Bett Extra. Her sister Phoebe Stovall Royster was willed a slave named Bette.

Peter's will is very interesting because it gives very specific instructions which give a glimpse of his character. Susannah, his wife, was to inherit all his estate real and personal except for bequests to his children. David was to get 138 acres on both sides of Aaron's Creek, 5 negroes and as much as Susannah thought proper to spare out of Peter's estate and David was to get ten dollars in cash when he married or became twenty one! At Susannah's death he was to have another seventy two acres but this was not to interfere with "the mill on 50 acres laid off for use of mill". The proximity to Aaron's Creek provided the power for mills which may explain the many Overby tracts on both sides of Aaron's Creek. James was to receive the 110 acres that Peter purchased from his brother Jechonias, 5 negroes and \$20 in cash at age 21, plus other property. Son John was to receive the tract where Peter lived

³⁰Mecklenberg Co. Will Book 9, page 217 lists the slaves by name. Also listed among the personal property is "1 still - the one repaired."

³¹David, John and James are sons of the deceased Peter Overby.

with the mill and 50 acres and the outbuildings (after the death of Susannah). He was to receive 5 negroes and when he reached 21 he was to get \$40 cash! Susannah was to do as she thought proper with the remaining land but if she remarried (as she did)³² she was to receive only 1/3 of Peter's estate. Peter stated that he wanted his sons to be educated out of the money arising from his estate.

Susannah had married John Howard by August 16, 1822 when John Howard to Granville County, North Carolina appointed David Overby his attorney for his affairs in Mecklenberg "he has intermarried with Susannah Overby, widow of Peter Overby".³³

Children of Peter, son of Peter:

- I. David
- II. James M.
- III. John S.

SYLVESTER OVERBY

Sylvester Overby was likely the eldest son of Peter and Ann Overby. He was born about 1763, probably on his father's land around Aaron's Creek.

Sylvester's first marriage took place around 1785 when he married Elizabeth Pettypool, daughter of William Pettypool, a Mecklenberg County neighbor. The fathers of the young couple - Sylvester and Elizabeth - had many similarities in their backgrounds. William Pettypool's American origins were in Prince George County where his grandfather, also a William Pettypool, was living in the closing years of the 17th century. Sylvester's great grandfather was Nicholas Overby, ye younger, who was living in Prince George Co. at that time. Both fathers - William Pettypool and Peter Overby - were large landowners and each owned eighteen to twenty-four slaves so it can be said that both Elizabeth and Sylvester came from substantial backgrounds.

Elizabeth and Sylvester had one child, a son named William Pettypoole Overby. William P. Overby was born about 1787 according to his age of 63 on the 1850 Federal Census for Calloway County, Kentucky. Elizabeth died when

³²Susannah married John Howard; Ref.: Hugh Overby Collection. In 1823 David "hired out" one of his slaves to John Howard for \$1.75.

³³Mecklenberg County Deed Book 20, page 330.

William P. was a small boy - possibly four years of age. Sylvester Overby then married Elizabeth Shotwell, daughter of John Shotwell³⁴ and his wife Elizabeth.

Elizabeth Shotwell and Sylvester Overby had at least 2 children by 1800. On August 16, 1800 William Shotwell (Elizabeth's brother) appointed Sylvester "my trusty friend" as his attorney regarding his portion of his father's estate coming to him at his mother's death. William stated "If I never return I wish my nephew Bird Overbey to have whatever may be coming..."³⁵ On that same date Thos. Shotwell, another brother of Elizabeth Overby, likewise appointed "my trusty friend Sylvester Overby...If I never return I wish my nephew Robert Overby to have whatever I may have coming..."³⁶ It appears that both Thomas and William were young and unmarried and about to embark on an adventure with considerable risk.

Sylvester lived on land in Halifax County which had been lent him by his father "Land Grant" Peter who had also lent him three slaves.³⁷ He subsequently inherited both at his father's death.

Sylvester, by his two wives, raised a family of boys and there is no mention of any girls. Sylvester's son, Robert, mentioned above as the heir of Thomas Shotwell,³⁸ is not mentioned in Sylvester's will of 1817 so he must have died, without heirs, prior to that time.

Sylvester and his oldest son, William Pettypoole Overby, may have had some animosity as William was given just one slave as his portion of his father's estate. A few years earlier, William inherited his mother's portion at the death of his grandfather in 1813.³⁹

³⁴Deceased prior to January 1798 when his will was recorded, Will Book 3, p. 452, Mecklenberg Co. Va. One of his sons was a Robert Shotwell.

³⁵Mecklenberg Co. Deed Book 11, pages 273-274.

³⁶Ibid, pages 274-275.

³⁷According to the will of Peter Overby, quoted in a previous chapter.

³⁸A. R. Shotwell married Sarah Overby, daughter of Obediah, according to the will of Obediah previously mentioned.

³⁹William Pettypoole owned 880 acres of land and eighteen slaves at his death. William Pettypoole Overby was one of the eight heirs to his estate.

Sylvester wrote his will in 1817 when he described himself as being "weak in body" but his will was not recorded until February 22, 1819 so he died sometime in the interval between October 24, 1817 and February 22, 1819. He was a relatively young man, early fifties, when he died. His executors had to post thirty five thousand dollars bond so he held substantial personal property in addition to close to eight hundred acres of land. His second wife Elizabeth Shotwell, is not mentioned in the will so she must have died prior to 1817. Sylvester's will made the following bequests:⁴⁰ my son Byrd Overby one negro boy named Ned, one mare and one bed and furniture which property he has received...my son Peter Overby two hundred pounds Virginia money...my son John Overby two hundred pounds Virginia money...my son Albert Overby two hundred pounds Virginia money...my son William Overby one negro woman named Rachel and her increase...which property he has received...my grandson Sylvester Overby one negro boy named Erasmus...my land to be divided into four equal lotts between my sons Byrd Overby, Peter Overby, John Overby and Albert Overby...balance of my estate to be equally divided between my four sons namely Byrd Overby, Peter Overby, John Overby and Albert Overby.

SHADRACK OVERBY

Shadrack Overby was a son of Nicholas Overby and brother to Meschak and Drury. He was probably born in the 1740's in Mecklenberg County. In 1792 he sold 100 acres in Halifax County to Abner Overby. This land appears to be parcel which had belonged to Nicholas, father of Shadrack.

Shadrack married Margaret Owen⁴¹ on July 25, 1790 but it appears that was a second marriage. The first marriage may have been to a woman surnamed Smith as Shadrack is listed as an heir of Luke Smith in Halifax County.

Shadrack was appointed guardian of Nancy, Charles, Susannah, Benjamin, and Robert White, orphans of Charles White in 1802.

In September 1804, Peggy Overby the wife of Shadrack, deceased, and Bartlett, the youngest child, sued the other children. On February 25, 1805

⁴⁰Will of Sylvester Overby, Will Book 11, page 283, Halifax County, Virginia.

⁴¹Her father was Ivan Owen.

the Halifax County Court decreed that 110 acres of land should be sold and the proceeds divided between Bartlett Overby, Joab Overby, Lemuel Overby, Lewis Overby, Peter Owen and Polly his wife, Smith Vaughan Overby and Sally, his wife.

The children of Shadrack Overby are:

- I. Joab married Rebecca Owen, moved to Rockingham, N.C.
- II. Lemuel may have moved to Pope Co., Il.
- III. Lewis
- IV. Polly married Peter Owen
- V. Sally married Smith Vaughan Overby, also went to Rockingham, N.C.
- VI. Bartlett

No further information on descendants.

DRURY OVERBY

Drury Overby, the son of Nicholas, was born about 1740 probably in Dinwiddie County. Drury patented 514 acres by Warrant 15095 issued February 4, 1783. The land was located on Aaron's Creek and was surveyed on June 17, 1784.

The approximate date of 1740 for Drury's birth is earlier than that stated by other researchers. That date is offered in light of this entry: On November 9, 1778 Peachtree Smith⁴² sued Zachariah Overby. Richard Overby, son of Drury Overby was the security for Zachariah.⁴³ (Peachtree died prior to May 10, 1779 so the suit was called off.) This entry probably indicates that Richard Overby, son of Drury, was at least eighteen years of age by 1778 (when he was Zach's security). It appears that his latest birthdate would have been 1760. This would mean that Nicholas, who was born in 1722, was eighteen when Drury was born in 1740 and Drury was twenty when Richard was born in 1760. All these men were younger than would be anticipated by the usual age of marriage at that time.

Drury appears on the tax list of Mecklenberg County for 1782 and 1785. In each instance he is listed with five whites.

⁴²One can't help but wonder if Peachtree Smith who died in 1779 is related to Peartree Smith whose estate was appraised in 1779. OR could it have been a confused court clerk?

⁴³Mecklenberg County Order Book 4.

Maude Thompson of Ty Ty, Georgia, mentioned in a previous footnote, stated that Drury was sometimes called "Shamus". She did not elaborate on this matter.

Drury Overby is classified as a Patriot for contributing 325 pounds of beef for the Continental forces during the Revolution.

There is no indication of the source of Drury's given name. The name Drury is uncommon at the present time but in Virginia in the eighteenth century it was exceedingly popular. There was a Drury family but there appears to be no connection to this family in many family lines with proven genealogies. Families evidently used this as a given name without a family relationship. This may, or may not, have been the case with Drury Overby.

Drury's will is abstracted:⁴⁴

...I Drury Overbey of Mecklenberg County, Virginia...in perfect mind and memory...my three beloved sons Nicholas Overbey, Richard Overbey and Daniel Overbey...300 acres to be equally divided...all my personal estate...to...my loving wife Amie Overbey...my sons and daughters Abner, Nicholas, Richard, Daniel, Sarah, Elizabeth and Mary Overbey...this 3rd day of May 1789.

Drury Overby

Drury died between 1789, the date of his will, and 1795 when his widow Amie moved to Rockingham, North Carolina and purchased land.

Additional proof of date of death between 1789 and 1795 can be found in Mecklenberg Deed Book 9, Page 290 which mentions the orphans of Drury Overbee in the description of land being sold in 1796 by Abner Overbee to Charles White. This also tells us that Drury had minor children in 1796.

There is no indication of the maiden name of Amy Overby, Drury's wife. When she moved to Rockingham County, North Carolina, she purchased land from John Jones. A John Jones was one of the executors of the will of Drury Overby back in Mecklenberg Co., Va.; it may have been the same John Jones. This man appears to be the John Jones whose father John Jones, Sr. named him in his will of 1791. The younger John Jones was the uncle of Ann Yancey, wife of Peter Z. Overby, and of Amelia Vaughan, wife of Machadiah Overby.

⁴⁴Ref.: Mecklenberg County Will Book 4, Page 103.

Shortly after Drury's death, Amy moved to North Carolina where she was listed in the 1800 Federal Census. Soon after she moved to Sumner Co., Tennessee.

Children:

- I. Nicholas
- II. Richard - no further information
- III. Daniel
- IV. Abner
- V. Sarah - no further information
- VI. Elizabeth - no further information
- VII. Mary married Isaac Short, July 22, 1813 in Sumner Co., Tennessee where they lived and died. They had at least 9 children, including sons, Isaac, James and Drury.

MESCHAK OVERBY

Meschak Overby was the son of Nicholas Overby whose father was Peter Overby of Prince George County. Meschak was born in 1753, probably in Mecklenberg County, Virginia where his father Nicholas was known to live.⁴⁵ Meschak's early years were spent in the area of Aaron's Creek. His name is absent from transactions in Mecklenberg County but he is listed on the tax records of Halifax County for 1782 and 1785 and he was one of the male tithables named to work on Hyco Road from Boyd's Ferry to Andrews Ford. On June 23, 1788, Meschak Overby and his wife sold 200 acres on the Hyco River; the buyer was Jacob Faulkner. Meschak had purchased this land from Edward Wade on March 16, 1769 when he was sixteen years old. Meschak and family moved to South Carolina after the land was sold. On October 4, 1790 Meschak rented 105 acres on the Saluda River; the rent was "one pepper corn." It appears that he purchased 200 acres of land the next day for 55 pounds Sterling.⁴⁶

When Meschak and his wife Mary moved to South Carolina they lived in Laurens County where Meschak and his son Nimrod both appear in the Federal

⁴⁵Much of the data on Meschak is taken from a letter from Maude Dowd Thompson (now deceased) of Ty Ty, Georgia to Camden Meyer, dated August 29, 1955. Maude Thompson was a great granddaughter of Meschak Overby. She stated Meschak's wife was Mary Mitchell.

⁴⁶Deed Book C, Page 344, Laurens Co., S.C.

Census of 1800. His son Benjamin was a minor when Meschak made his will on January 14, 1801, but Benjamin died unmarried and without descendants. An abstract of Meschak's will follows:

State of South Carolina, District of Laurens...I, Meschak Overby...low state of health...my lands to be equally divided between my sons Nimrod, Nicklus (sic) and Benjamin Overby...when Benjamin comes of age...my wife Marey (sic)...the plantation and house whereon I live during her widowhood...my wife Marey and my children Nimrod, Nicklus and Benjamin Overby, Mary Wells, Elizabeth Green and Ann Atwood...I intended to give my daughter Jonah (sic) Moss I do hereby in a special manner will and bequeath to her...my son Nimrod Overby and my son-in-law Moses Wells my executors...pay eighteen dollars which I owe to my sons Nimrod and Benjamin.⁴⁷

Meschak died prior to 1816 when his estate was settled in Will Book 15, Page 209. This states that "Benjamin Overby was deceased before his father without an heir." It appears that Nimrod and Nicholas bought out the other heirs.

Children of Meschak:

- I. Nicholas ("Nicklus")
- II. Nimrod
- III. Benjamin, died without issue before 1816
- IV. Mary married Moses Wells
- V. Elizabeth married Green
- VI. Ann married Atwood
- VII. Jonah (sic) married Moss

SIXTH GENERATION

⁴⁷Will Book D-1, Page 323, Laurens District, S.C.

FRANCES OVERBEY

Frances Overbey was the daughter of Peter Z. Overbey and Ann Yancey. The unfortunate tags of "idiotic" and "of unsound" mind were destined to carry her throughout her long life. Her date of birth is uncertain as there is conflict with her age on census returns, but it is likely she was born about 1794.

When her father died in 1824, Robert Y. Overbey was named in his will as guardian of all of the estate that was coming to Frances.

In the 1850 Census, Frances was living with her widowed mother, Ann Yancey Overbey, who was 74 years old. They lived next to Robert Y. Overbey's home.

Frances was then fifty-six and according to the census, was "of unsound mind". Ann Yancey Overbey died June 17, 1859. It is not known what provision was made for Frances until 1870 when she is listed in the Census return as "idiotic". Living with her was Frances, a 30 year old black domestic servant.

Frances is not buried in the Overbey cemetery where her parents and several brothers are buried. Poor Frances, separated from her family in both life and death.

HENDERSON OVERBEY

Henderson Overbey was a son of Peter Z. Overbey and Ann Yancey. When his father died in 1824, he was a minor and his brother, Robert Y. Overbey, was appointed his guardian on November 15, 1824. His birthdate is given in the Dance Family Bible as March 20, 1807. His marriage bond to Elizabeth Royster was dated November 1, 1826 in Granville County, North Carolina and they were married November 14, 1826.¹ Elizabeth Royster was the daughter of John Royster who named her in his will of 1844.² Elizabeth E. (Royster) Overbey died on April 29, 1838, the day after the birth of her seventh child, Pantheah Royall. Her death, at thirty one, left Henderson with seven children, the oldest only ten. There was more tragedy when nine year old Stellah Annabel died on November 19, 1838.

¹Dance Bible Record, photocopy provided by Elsie Rohre, Round Rock, Texas.

²Granville County, North Carolina Will Book 16, page 130.

On January 7, 1839, Henderson married Ann Hinton Dance.³ She was thirty six years old at the time. Ann died March 19, 1867 and Henderson married a third time on September 6, 1868. This new wife was Mrs. Harriet Gordon.

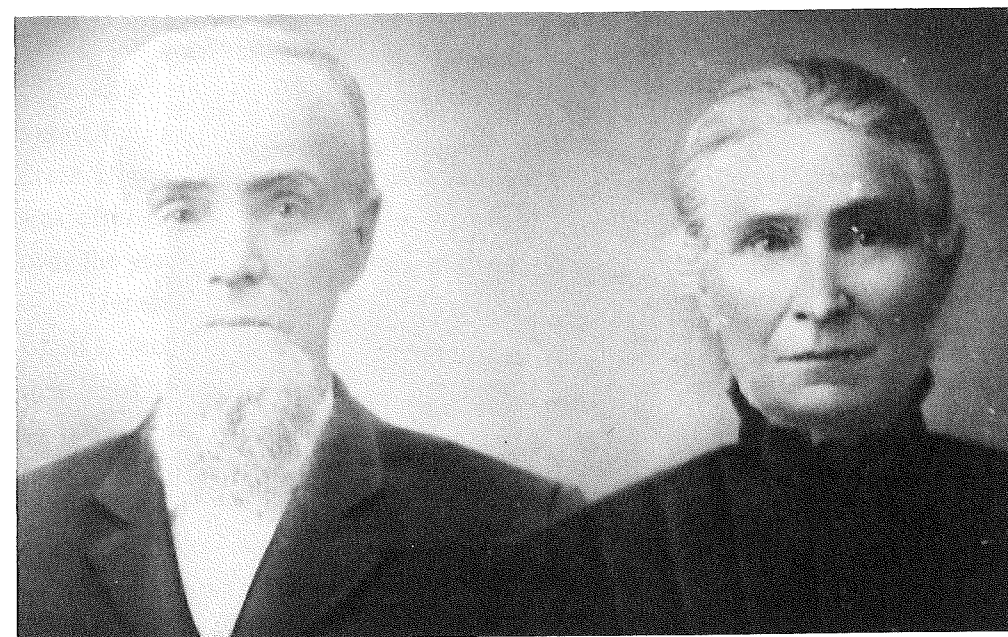
According to a letter from F. H. Overbey to Oehlan Overbey, dated June 3, 1924, Henderson went to Lincoln County, Tennessee. He was killed by lumber from a stable or barn falling on him. This occurred at Awalt, Tennessee near Lynchburg.

Children:⁴

- I. Robert A. Jobe Overby - born February 25, 1828, married Ann M. Brown December 12, 1849.
- II. Stellah Annabel Overby - born April 3, 1829, died November 19, 1838 (Last number has been changed).
- III. Ann Elizabeth Overby - born August 26, 1830, married James K. Culbreath on July 18, 1850, died February 26, 1853.
- IV. Mary Virginia Overbey - born October 15, 1833.
- V. Caroline Royster Overbey - born August 16, 1835.
- VI. Phibe (sic) Stovall Overbey - born February 8, 1837.
- VII. Pantheah Royall Overbey - born April 28, 1838, married Joseph Rae Nichols on August 2, 1859 in Rutherford County, Tennessee. She died March 25, 1917; he died January 3, 1914.
- VIII. Sarah C. H. Overbey - born March 29, 1840, married J. W. Newsom on December 21, 1858. He died 1892, she died October 31, 1899.
- IX. Edward A. D. Overbey - born October 21, 1842; died January 8, 1863. (Died of wounds in service of C.S.A.).

³All dates concerning Henderson's wives are obtained from the Dance Bible Record. Elizabeth Royster Overbey was born November 26, 1807, Ann Hinton Dance was born August 6, 1803.

⁴All information on the children of Henderson was taken from the Dance Bible Record, previously referenced.



Panther Royal Overby, daughter of Henderson Overby, shown with her husband Joseph Nichols.

photo courtesy of
Elsie Rohre



Hezekiah Asbury Overbey, son of Peter Z. Overbey and Ann Yancey.
This picture was probably taken in commemoration
of his marriage of Elizabeth Pettypool in 1823.

picture courtesy of
Miriam Overby
from the Hugh Overby Collection

HEZEKIAH ASBURY OVERBY

Hezekiah Asbury Overby was the son of Peter Z. Overby. Born in 1803, the popularity of Francis Asbury, father of American Methodism, may be reflected in Hezekiah's name although his marriage to Elizabeth Pool was performed by Pleasant Gold, a Baptist minister. Both Hezekiah and Elizabeth P'Pool⁵ must have been underage as both fathers, H. (sic) P. Pool and Peter Z. Overby gave their consents⁶ when the marriage took place on November 27, 1823.

Pictures of both Elizabeth and Hezekiah have survived to this time and are included in this book. Hezekiah appears to be tall, slender and attired with the gold chain and silk hat that characterize portraits of that time. These portraits were probably made in commemoration of the marriage of Elizabeth and Hezekiah. Elizabeth is very plain according to the standards of today but in her time she may have been considered very attractive. Her dress is typical of that worn by small-town brides of that era. The material was often a taffeta in a medium blue or green. The dress received much use over the years as a "best dress".

Hezekiah and his brother, Robert Y. Overby, went to the house of Nancy Blanks, deceased, on December 17, 1823 and beat one Thomas Hendricks.⁷ For this deed they were indicted on May 18, 1824. This beating took place less than a month after the marriage of Hezekiah and Elizabeth. No reason for the beating is given in any record. (Court records have many entries of fighting and gambling in addition to the ever-present lawsuits.) Both Hezekiah and R. Y. were to appear at Court on August 1824. Evidently Hezekiah did appear

⁵The marriage record gives Elizabeth's name as "Pool" and her father as P. Pool. In 1813, the family had legally changed its name from Pettypool to P'Pool. This is pronounced Pa-pool. Although the printed record of Mecklenberg County marriages gives her father's name as H. P'Pool, other records indicate that he was Stephen P'Pool. Elizabeth is listed in Stephen's will as his daughter. By that time (1857), Elizabeth was married to Joseph McConnell.

⁶According to Pettypool Family History, D. B. P'Pool, Tennessee Library and Archives, Nashville, Elizabeth P'Pool's birthdate was August 12,

⁷Mecklenberg Co. Order Book 23, p. 153. At the same time Wyatt Vaughan and Phelix Gregory were indicted for gambling at cards at Robert Y. Overby's store and Thomas Tillotson, Jr. was indicted for striking Henderson Overby at R. Y. Overby's store. Both events took place on the same day.

but none of the other defendants, including Robert Y. Overby, came to court. They were issued summons for the November court.

Hezekiah died on October 7, 1824 and Robert Y. obtained letters of administration for the estate of Hezekiah, deceased. Hezekiah had been married less than a year and he was no older than twenty one by previous calculation. His bride of less than eleven months was now expecting a child. Little Elizabeth Jane Overby was born June 2, 1825 some eight months after the death of her father. The case against Hezekiah and his brother Robert Y. Overby was finalized in court on November 16, 1824. The court record states that "Deft, Hezekiah Overby having departed this life this prosecution is abated against him; Deft Robert Y. Overby is found guilty as alleged and is fined \$45.86 besides his cash, plus costs of this prosecution"...

Hezekiah died intestate and his brother took over his affairs. Robert Y. was appointed guardian for little Elizabeth Jane. It is fortunate that Elizabeth's father was Stephen P'Poole who was very prominent in Mecklenberg County and was able to help her because her brother-in-law, Robert Y. certainly didn't. In October 1826, Elizabeth sued Robert Y. for her dower right to Hezekiah's inheritance from his father, Peter Z. The Court ordered Robert Y. Overby to pay Elizabeth one third of Hezekiah's share from the sale of lands of Peter Z. She was also to get one third of the slaves allotted to Hezekiah.

Elizabeth P. Overby and little daughter Elizabeth Jane continued to live in Virginia for many years. Elizabeth P. moved to Trigg County, Kentucky where she purchased a parcel of land lying in Trigg County and Caldwell County Kentucky in November 1845.⁸ In January 1849, Elizabeth P. Overby decided to remarry after a quarter century of widowhood. Her intended bridegroom was one Joseph McConnell who had evidently been married previously. Elizabeth P. was then about forty-five years of age. Elizabeth must have learned to manage her affairs during her long widowhood and she might have been suspicious of the motives of others, with just cause. Prior to her marriage to Joseph McConnell, Elizabeth P. Overby sold her daughter Elizabeth J. the 300 acre tract previously mentioned. Also included in the purchase were "one negro woman named Harriett, one negro girl named Ann,

⁸Trigg County Kentucky, Deed Book 1, page 104. This tract contained 300 acres.

one negro girl named Louisa, one negro boy named Henry and one negro boy named Billy". The document stated that if Elizabeth P. survives McConnell then Elizabeth Jane might be required to convey one half of the land back to her mother and the slaves as well, if so desired. The deed goes on to say that this act transferred to Elizabeth Jane all the property or money from her father's (Hezekiah's) estate. On the same day, Joseph McConnell made a similar pre-nuptial agreement which stated that Elizabeth was not to have any ownership of McConnell's property and that his property was to revert back to his heirs.⁹ On the surface this appears a good solution to any property problems with two families involved but it seems that the property was not given to Elizabeth Jane when Elizabeth and Joseph married. Elizabeth Jane and her husband must have gotten tired of waiting and over 3½ years after the pre-nuptial agreement was signed they went to court to force Joseph McConnell and her mother for possession of the property. The court ruled in favor of Elizabeth J. and she was awarded the property.

Elizabeth Pool Overby must have been wary of the motives of her intended second husband, hence the detailed pre-nuptial agreement which appears to have been meaningless to Joseph McConnell. A 300 acre farm and 5 slaves to work it could make many a middle age widow very attractive.

Elizabeth Pool Overby and Hezekiah had one daughter:

I. Elizabeth Jane Overby

⁹Trigg County Kentucky, Deed Book J, page 270.



Elizabeth Pettypool, wife of Hezekiah Overbey.
This picture was probably made on her wedding day on 1823.

picture courtesy of
Miriam Overby,
from the Hugh Overby Collection

EDMUND POOLE OVERBEY

Edmund Poole Overbey was the son of Peter Z. Overbey and Ann Yancey. He was born September 22, 1810¹⁰ in the Halifax-Mecklenberg area so long the home of the Overbys.

Edmund married Dulcema Vaughan on July 17, 1819. Evidently both Edmund and Dulcema were underage as consent was given by S. W. Vaughan, Dulcema's father, and Edmund's father, Peter Z. Overby. A family story gives Dulcema's father as a David Vaughan, a physician from Scotland. It is possible that David was of an earlier generation. One court record lists S. W. Vaughan as a doctor.

Edmund's name appears in the Mecklenberg records during the 1820's chiefly as the defendant in lawsuits involving his debts. In February 1823 Edmund transferred a negro girl named Edy to John Culbreath. When Edmund's infant son Littleberry was twenty one, the slave girl was to be given to him. John Culbreath was Edmund's brother-in-law by his marriage to Netty Overby. Evidently Edmund was indebted to Culbreath and the debt would be satisfied by twenty years of labor by the slave. The following year his financial situation must have become serious. In September 1824, Edmund acknowledged he owed money to his brother Robert Y. Overby. He transferred his portion of real estate coming to him from his recently deceased father, Peter Z. Overby, to James Williamson, plus livestock and furniture.¹¹ This was a goodly inheritance and one wonders how Edmund got so deeply in debt to so many people.

At the same time Edmund was having financial problems, he and Dulcema were involved in many court actions concerning her late father's estate. The widow of Spencer Vaughan, the former Elizabeth Williamson, sued her children for her dower rights to Spencer's estate. There was also litigation involving the Williamsons, and Edmund and Dulcema were among the defendants.

It must have been a very stressful decade for both Edmund and Dulcema.

¹⁰This date is taken from his tombstone. It is in error, 1800 is more likely.

¹¹Edmund owed money to Robert Y. and this transfer was to take care of that debt. He could redeem his possessions by January 1, 1825, (if he repaid Williamson for settling with Robert Y.)

Edmund died October 2, 1831 and is buried in the Overby graveyard near Clarksville.¹²

Family letters indicate that Edmond and Dulcema had four sons, Hezekiah, Littleberry, John H., and Edmond.¹³

EGGLESTON OVERBY

Eggleston Overby was the son of Peter Z. Overby and his wife Ann Yancey. Eggleston was born in Mecklenberg County, Virginia about 1795 and married Sarah Williamson, daughter of Robert Williamson. Their marriage bond, dated November 17, 1817, Mecklenberg County, gives her name as Sally Williamson. Consent was given by Robert Williamson, father of Sally, so she must have been underage at that time. This was another first cousin marriage. Sarah Williamson's mother was the former Mary Yancey, sister to Ann Yancey, mother of Eggleston.

Eggleston bought 195 acres of land on the waters of Grassy Creek on April 15, 1825.

Eggleston was a participant in the prevailing activity of that period—lawsuits. He sued Edmond P. Overby for debts on several occasions but Eggleston was also sued for his debts.

Eggleston was appointed an Ensign in the Virginia Militia in May 1823.¹⁴

Peter Z. Overby, Eggleston's father, died in 1824 leaving some minor children. Eggleston was appointed guardian for Eliza Ann Overby who was his sister. Eggleston and some of his brothers and sisters sued the remaining brothers and sisters over the division of their father's estate. In addition, Eggleston was sued concerning the division of his wife's father's estate! The overwhelming number of family lawsuits makes one wonder if litigation was the chief form of entertainment at that time and place.

A most amusing entry can be found in the Mecklenberg County Order Book 21, page 191. In the November Court 1821, Eggleston had been

¹²This cemetery is across the road from site of Robert Y. Overby's home "Overland" but called the "White House" by the slaves. Uncle Billy Overbey, a favorite slave of the family and their carriage driver, is also buried in this cemetery.

¹³Letters from O. Z. Overbey of Bunkie, LA to D. M. Quarles, 1933-1940.

¹⁴Eggleston's brother, Robert Y. Overby, was a Captain and commander of the same company.

summoned by the Grand Jury for "gaming at cards on the seventh day of April 1821 in the town of Clarksville...near one of the public streets." He was found guilty and ordered to pay a fine of twenty dollars to the president and directors of the Literary Fund. This fund was to support the public schools in that area. There were twelve jurors who heard this case.

Eggleston resigned his commission in the Militia in May 1830. By that time he had advanced to Captain.

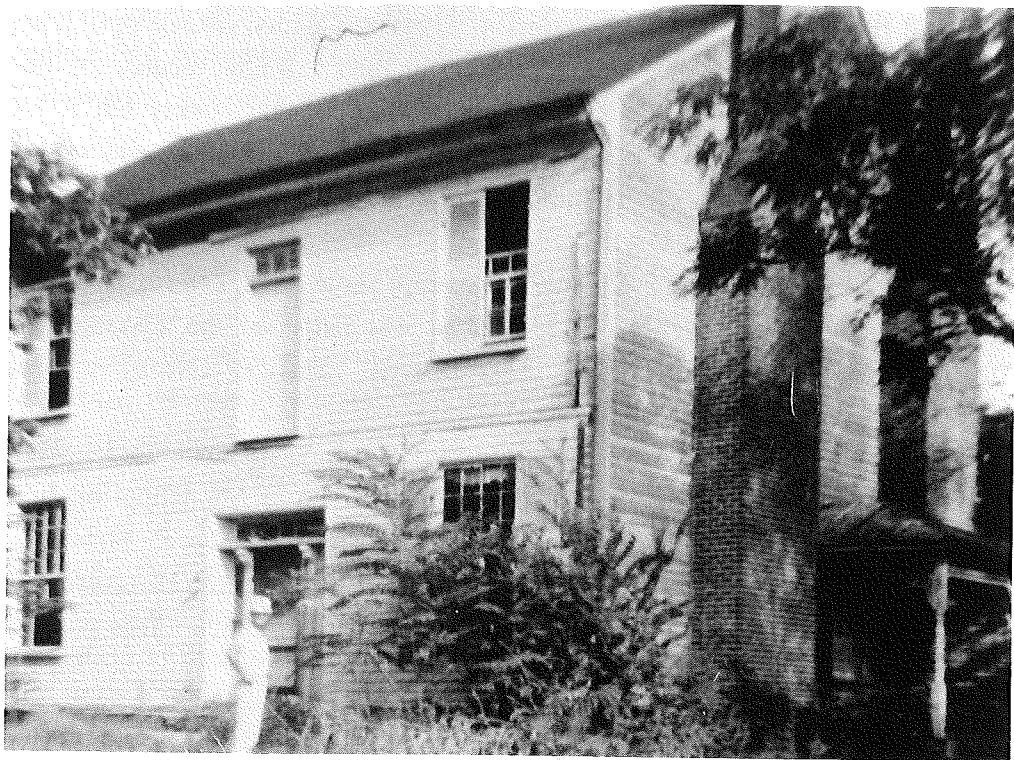
Eggleston and Sarah were last found in Mecklenberg County records in 1833 and they were in the 1840 Census of Simpson County, Mississippi. They appeared in the Census of that county until 1880. Many records of that county were lost by fire. Eggleston built a house in that county but it has fallen down. Reputed to be a log house, the outline of the house was said to be visible from the ruins of the foundation.¹⁵ The family cemetery is up the hill from the house site.

The records of Simpson County, Mississippi show an E. Overby as Justice of the Peace in District 1 in 1853, and he was listed as the Constable of District 1, Simpson County for the years 1858-64. This "E" Overby must be Eggleston.

The only known child of Eggleston and Sarah Williamson Overby¹⁶ is George Washington Overby born 1820 in Virginia, died in Mississippi on June 27, 1890, married Susan Warren. A family story says that George W. was an only child. The Census records of 1850 and 1860 show a Peter H. Overby, 22 years old in 1850 and a James W. Overby, 21 years old in 1850. It is possible that they are also sons of Eggleston.

¹⁵Data in Hugh Overby Collection.

¹⁶Sarah's father Robert Williamson, died prior to 22 October 1824 when his estate was inventoried; eighteen slaves were listed. In March 1826, John Williamson sued the other heirs; named were Sarah's brothers and sisters: James, Robert, Nancy, Philadelphia Nobbin, Polly Yancey, Susannah and Jane Barber.



"The White House", Mecklenberg County, Virginia, shortly before it was demolished. This property was owned by Robert Yancey Overbey; it is said to have been built in 1834-1836. The original house had a second floor porch with New Orleans grill work around the roof area and the ceiling area on the first floor.

photo taken in the 1950's
courtesy of Rebecca Bass, Nelson, VA

ROBERT YANCEY OVERBEY

Robert Yancey Overbey was the son of Peter Z. Overbey and his wife Ann Yancey. Robert Y. was born March 17, 1797 in the Mecklenberg-Halifax area where his branch of the Overby family had lived long before the Revolution. It is assumed that R. Y. grew up in the house his father built in 1779 named the "White House". It was later called White House 1, after R. Y. built "White House" 2.

It is not known how much education R. Y. had but he comes through as a very intelligent person. Public education at that time consisted of "old field schools". These were one room log buildings built on old, useless fields. There was an old field school in Mecklenberg County as early as 1748. The wealthy provided resident tutors for their children, while the others may have attended old field schools, if any were nearby. So many settlers lived remote from other human contact that schooling was out of the question.

Robert Y. first appears in the court records of Mecklenberg County on August 18, 1820 concerning a deed of transfer. In 1823, when he was 26 years old, he purchased his first land. This was described as 140 acres on the waters of Great Buffalo Creek.

In 1824, shortly before he died, Peter Z. Overbey deeded "his tavern house" and some surrounding land to his son Robert Y. Overbey. The following year Robert Y. purchased 315 acres of his deceased father's land. For the next forty years, Robert Y.'s name runs throughout the court records of Mecklenberg and Halifax Counties. Robert can be found bringing suit against family and friends for debts owed him. Robert and Stephen P. Pool evidently conducted a general store operation. Credit must have been freely given, but when payment time came and money was not forthcoming, R. Y. took them to court and always won the judgment. In addition, he was always awarded interest on the amount due.

The May Court of 1827 granted Robert Y. a license to keep an ordinary in his home. An ordinary was the term used for a tavern or inn. He maintained a tavern at "White House" until 1836.¹⁷

¹⁷His father, Peter Z., had maintained a tavern at the White House at the close of the Revolution and for some years after, according to Stephen M. Overby in 1895.

Robert Y.'s business activities are described in many ways by many sources. He butchered hogs, ran a tanyard, he worked extensive lands with his slaves numbering almost one hundred, he was the Postmaster of White House. He ran a general store operation and he ran a tavern. As an afterthought one might add that Robert Y. made a lot of money.¹⁸

Robert Y. Overbey married Mary Pettypool, according to their license of November 20, 1820. Mary was the daughter of Stephen Pettypool, or P'Pool as it was later called. Stephen was a prominent man in Mecklenberg County. His father was William Pettypool, a well-to-do farmer and slave owner. Stephen's daughter, Elizabeth, married Hezekiah Overbey who was a brother to R. Y. Stephen P'Pool and his son-in-law, Robert Y., must have been a formidable business duo. Stephen owned a mill complex on Aaron's Creek and was a local attorney. He was an officer in the War of 1812 and Robert Y. was an officer in the county militia. Both men must have been innovative and with high ambition. Their joint business operation was a general store in the Mecklenberg-Halifax area.

In 1836, Robert Y. built an estate suitable for a prosperous family.¹⁹ Robert called his estate "OVERLAND" but the negro slaves called it White House which was also the name of R. Y.'s much more modest childhood home.²⁰

The picture of the White House accompanying this text was taken shortly before it was demolished, but a picture taken some 80 years previously (which the writer has seen) showed the house in its full glory. There was a balcony full across the second floor front (in true southern style) and access was gained through the door in the center. Supporting columns ran the full two stories at either end. The balcony and columns were decorated with New Orleans grill work. The shutters were dark, perhaps black. The impression given was not that of a southern mansion, but rather a New Orleans home transported to a different way of life.

¹⁸Letter from F. H. Overbey to O. Z. Overbey dated June 3, 1924.

¹⁹Life Along the Roaring Roanoke, Bracey, 1977 gives 1836 as the date of construction of the White House.

²⁰Letters from O. Z. Overbey to D. M. Quarles, 1933-1940.

Robert Y. was involved in the development of railroads in that part of Virginia. The first railroad to be built in Mecklenberg County was the Roanoke Valley Railroad which was incorporated in 1851. Robert Y. was one of those to direct the sale of stock in that company. In 1867, he was one of those in charge of stock sales for the new Norfolk and Great Western Railroad. Pleas for the support of railroads were largely unheeded and it took many years to establish an adequate network.

The Census of 1860 gives a clue as to Robert Y.'s financial condition. He is shown with \$80,000 in real estate and \$299,474 in personal items. The total approaches four hundred thousand dollars; converted to today's dollars Robert Y. is a very rich man (as he must have been then).

A family cemetery is across the road from the site of Robert Y.'s home. One of the earliest death dates is that of Hezekiah Overbey, R. Y.'s brother. This date is October 9, 1824 (Hezekiah was 21 years, 7 days old.) Their brother, Edmond P. Overbey, also sleeps there, dead at thirty. A large shaft marks Robert Yancey's grave with dates of March 17, 1797 and August 18, 1872. His wife, Mary, joins Robert Y.; her date of birth was December 4, 1800 and she died July 28, 1886. Many of their children and their spouses are buried there. R. Y.'s parents are there also, and some of R. Y.'s grandchildren. Beneath the shaft marking the graves of Robert Y. and Mary is the epitaph:

"To live in hearts one leaves behind
is not to die not changed, but glorified."

Their children:²¹

- I. Minerva born around 1827, married James Haskins, died 1916.
- II. Rosalie born December 24, 1829, married Charles Edwin Williams, died July 19, 1923.
- III. Eugenia born c. 1832, married James Temple Pace.
- IV. Narcissa born c. 1834, married Dr. James Carr.
- V. Adeline born c. 1836, married Dr. William Shelton.
- VI. Robert Camillus, born 1838, married Anna Nelson Williams.
- VII. Ann Celestia (Fannie) born August 26, 1840, married William Louis Trice, died 1916.

²¹Taken from Pettypool Family History 1700-1960, by Dr. David Bruce P'Pool.

- VIII. Cornelia born c. 1841, married Major B. W. L. Holt.
- IX. Alice Rebecca born c. 1842, married Thos. Daniel Jeffress, died July 1922.
- X. Emma born 1844, married Capt. John Coke.

ELCANA OVERBY

Elcana Overby was the son of Alexander Overby and his wife known only as "Martha". His name appears with several spellings - Elkanah and Cain being the usual variants. Elcana was born about 1803 in Mecklenberg County, Virginia, probably in the vicinity of Buffalo Creek.

Elcana married Sarah (Sally) White on June 3, 1824 in Mecklenberg County.²² Sally was the daughter of William White and his wife Frances Greenwood. The marriage took place at the Buffalo Baptist Church and it was performed by Pleasant Gold. Other than a year's residence in Granville County, North Carolina, Elcana, Sally, and their sizable family, spent their entire lives in Mecklenberg County. They lived near present-day Averett near County Road 735. This was near Robert Y. Overby's home, the "White House", and referenced in an 1848 court document, as the "road from Boston Road near Robert Y. Overby's to the Red House Road near Elcana Overby's".

Elcana never owned any real estate that appears in court records. Perhaps he lived with his father Alexander Overby, whose blacksmith's shop was in the vicinity, or on land owned by his father. The 1850 census shows Elcana as a "baker", a trade that is hard to reconcile with the agrarian and agrarian-dependent economy of that area. In letters written by Elcana in 1826, he gives no hint that he is involved in anything other than farming.

The following correspondence involves Elcana and his family. The letters give insight into the concern of families one hundred and sixty years ago.

Letter from Alexander and Sally Overbey to Alexander's daughter Lockey

²²Sarah White was born June 26, 1804. Her brothers and sisters were Larkin, William H., Mary A., Frances G., Nancy G., Jane D. Her father was William White born February 11, 1763. William White and Frances Greenwood married July 22, 1791. Doubtless her mother, Frances Greenwood, was related to other Greenwoods who intermarried with Overbys. Sarah White Overby's grandfather was another William White who died in 1804. All information concerning the White family is taken from letters to Hugh Overby from Mrs. James S. Priest.

and her husband Larkin White. (Alexander and Sally were living in Mecklenberg County Virginia at that time):

Addressed to Mr. Larkin White, Henderson Court House, Kentucky. Mail \$.25, April 1827.

April 13, 1827

I take this opportunity to write you a few lines to inform you that we are all well at this time, through the mercies of God, and hoping that these few lines will find you enjoying the same happy blessing. We received your letter November 14, 1826, dated August 20, 1826 and it gave all of us much satisfaction. I have never received but two letters from Yerby yet and have sent four or five. I do think very hard of it, and I should be very glad if you would send me a letter, how you and your family are. What is your wife's name and your daughter's?

Larkin, your sisters send their love to you all. They are all well at this time. David Dunn and his family are well. Corn is from four to five dollars a bushel, and flour is from 6½ to 7½ dollars a barrel. Tobacco is from two to six dollars a hundred and cotton is from seven to ten dollars a hundred. Bacon is from eight to twelve cents a pound.

I have nothing more at present but remember my love to you all. I will write every opportunity. You must do the same. (To) Larkin and Lockey White (From) Alexander and Sally Overbey.

(at the bottom of the same page)

(I) take up my pen to inform you that I am well and family. Sally wishes to be remembered to you all. We have two children, names John Henry and Locky Ann. Nancy White is living at Father's and Jane (White) is living at my house. Elcana and Sally Overby (to) Larkin and Locky White

Larkin White and his wife Sally (Overby) were living in Kentucky at that time, as was Yerby Overby, brother to Sally and Elcana. Elcana never joined the migration of his brothers, sisters, and father to Kentucky but the closeness of the family and the loneliness for each other is apparent.

Another letter from Elcana Overby to Larkin White is dated October 6,

1826. It is from Buffalo in Mecklenberg County, Virginia and is addressed to Mr. Larkin White, Henderson Court House, Kentucky.

"Dear Sir:

(I) take this opportunity to write you a few lines to inform you that we are all well at this time and hoping that these few lines may find you enjoying the same happy blessing through the mercy of God. I am afraid that you have forgotten us all for we have sent you many letters and no return.

Crops are sorry but much better than expected. Corn about four dollars from the stack, old corn about five dollars at this time. Wheat from 75 cents to one dollar a bushel; tobacco is about 2 to 10 dollars a hundred and cotton is 7 to 10 a hundred.

Larkin your sister is well about this time, and mother says that she remembers her love to her children all until death, and to send a letter whether you ever expect to come or not.

Father still follows his trade as much as he ever did.

Molasses (is) about 50 cents a gallon by the retail, and ginger is 12½ cents amount, alum is about the same, spices are about 37½ cents a pound and coffee is 20 to 25 a pound; and sugar is from 10 to 12½ cents a pound.

I have nothing more to write at present but write at every opportunity. I will do the same.

Elcana Overbey (to) Larkin and Lackey White and Irby Overby.
A note at the bottom of the page:

October 4th 1826

Dear Sir: I will inform you that me and my family are well, hoping these few lines may find you and yours enjoying the same happy blessing. I am living three miles above Halifax Court House. I still follow my trade and are doing a tolerable business. Excuse me. With our respects to you and Lockey and family,

David Dunn and wife (to) Larkin White and wife

David Dunn was married to Susanna Overby, daughter of Alexander and sister of Elcana and Lockey Ann. David Dunn was a hatter by trade. He and Susannah came to Kentucky after 1840.

Elcana and Sally White Overby were parents of a large family.²³ Known children are:

- I. John Henry Overby born July 19, 1825, died November 1908 wives (1) Nancy Griffin (2) Elizabeth Powell
- II. Lockey Ann born December 25, 1826
- III. William Alexander born December 18, 1828, died May 25, 1910
- IV. James Belfree (see biography)
- V. Susan Jane born January 6, 1833, married - Davie, died March 30, 1901
- VI. Sarah Francis born February 13, 1835
- VII. Larkin White²⁴ born February 15, 1837, married Betty (Elizabeth) L. Curl October 8, 1873, died March 14, 1903
- VIII. Marquis de LaFayette born January 6, 1839, lived in Bosque County, Texas in 1870. Later he moved to the present day Mills Co. on the Colorado River.
- IX. Ellen Caroline born August 15, 1840
- X. Elizabeth Emily born February 23, 1842
- XI. Elkanor (sic) Jr. born November 7, 1844
- XII. Bailey Warren born January 23, 1848

WILLIAM HENRY OVERBY

William Henry Overby was the son of Alexander Overby. He was born in Virginia²⁵ but moved to Henderson County Kentucky in 1836. His father Alexander also moved west with William H. William was a hatter by trade and followed that activity for awhile but gave all his attention to farming after a

²³Data taken from Larkin W. Overby Bible Record. Hugh Overby Collection.

²⁴Larkin W. Overby's will was filed in Warren County, North Carolina on March 21, 1903. In it he willed everything to Elizabeth L., his wife. In addition to 179½ acres of land, she must have received many interesting items shown in the inventory of Larkin's estate in Book 3, page 190. Examples are 28 chairs, 2 dozen cups and saucers, 3½ dozen plates, 1 dozen silver knives and forks, 1 dozen silver teaspoons.

²⁵According to the J. Lacy Overby Bible Record, Hugh Overby Collection, Wm. Henry Overby, was born in Petersburg, VA in April 1812 and died April 23, 1895. He married on January 30, 1849. Mary Jane Hicks was born August 4, 1827 and died December 26, 1925.

few years. He had purchased a farm in the Zion area of Henderson County. He married Mary Jane Hicks of Henderson County. They were members of the Baptist Church and William Henry was an independent voter. William Henry Overby died on April 23, 1895; Mary Jane survived him for another thirty years, dying at the ripe old age of ninety-eight. She was described as Henderson, Kentucky's oldest resident. She died at the home of her son, J. Lacy Overby, from injuries suffered in a fall six weeks earlier. Her mind was very active and she delighted in telling stories of her childhood days. She was the daughter of Archibald Jordan Hicks. She was a Baptist.²⁶

The 1870 Census of Henderson County, Kentucky, Spottsville Precinct, shows William's family at that time:

William H.	55
Mary J.	42
Alney (?)	20
Sarah	16
Wm. Henry	10 (attended school during year)
Winfield ²⁷	7
Lela	3
Jas. L.	8/12

JOHN OVERBY

John Overby was the son of Alexander Overby. He was born in Virginia but came west to the Henderson, Kentucky area in 1836 together with his elderly father and his brother, William Henry Overby.²⁸ John Overby married Elizabeth Childress back in Mecklenberg County, Virginia on June 11, 1804.

John is buried in a small cemetery in Farmington, Graves County, Kentucky. His tombstone is inscribed John Overby, aged 69 years, 7 months, 7 days 1849. Since he died October 12, 1849,²⁹ this would make his birthdate March 5, 1780.³⁰ His sons A. R. and Peter William were both school teachers

²⁶Clipping in the Hugh Overby Collection, a newspaper obituary which gave date of December 11, 1925. (Newspaper name unknown).

²⁷Winfield was probably the Winfield Scott Overby who married Drusy Bethel December 29, 1886, according to Henderson County marriage records.

²⁸Letter from F. H. Overby to Oehlan Z. Overby dated December 29, 1924.

²⁹Ref.: Hugh Overby Collection.

and their cousin William Henry was exceedingly well educated for that period. These grandsons of Alexander must have been very intelligent.

Children of John Overby:

- I. Peter William Overby
- II. Ludwell Overby
- III. A. R. Overby

The following children of Alexander Overby are not traced beyond their generation:³¹

LOCKY ANN OVERBY was the daughter of Alexander Overby of Mecklenberg County, Virginia. She was born January 1, 1798. She subsequently married Larkin White who was born June 19, 1794. Larkin was the oldest child of William White and Frances Greenwood. Larkin's sister, Sarah (Sally) White, married Elcana Overby. Elcana was the brother of Larkin's wife, Locky Ann.

Locky Ann and Larkin moved to Kentucky where Locky died August 10, 1873. She had been a widow for many years as her husband Larkin died July 13, 1854. They are buried in the Larkin White Cemetery near Zion in Henderson County.

PETER V. L. OVERBY was born between 1790 and 1800. In 1830 he resided in Stokes County, North Carolina. In 1811 he was positively identified on the tax list as Alexander's son.

YERBY (or Irby) OVERBY was born 1800 and died 1864. He was the first of this line to migrate to western Kentucky where he was on the county tax roll (Henderson County) as early as 1821. He was a blacksmith and farmer. He married Elizabeth Willingham on November 10, 1825.

ANGELINA OVERBY, called Lina by her family, was born about 1804 and

³⁰This calculation makes John Overby 36 years older than his sister Sarah. Their father Alexander is known to have been married twice which would explain this wide span of years between these two children.

³¹All information on this generation from the Hugh Overby Collection.

died 1827. She married Robert Williamson in Mecklenberg County on June 20, 1822.

SUSANNA OVERBY, born about 1805, married David Dunn of Halifax County in January 1824. David Dunn was a hatter; this family remained in Virginia until after 1840 when they came to Kentucky. David Dunn became a prosperous planter in Kentucky.

NANCY OVERBY, born about 1804, married Zephaniah Griffin in Mecklenberg County on February 18, 1830. They went to Henderson County, Kentucky before 1840.

ELIZABETH OVERBY, born about 1812, married Faunteroy Nunn in Granville County, North Carolina in April 1833. They later came to Henderson County, Kentucky.

SARAH OVERBY was born June 1, 1816 and died December 27, 1883 according to her tombstone in the family cemetery in Henderson County, Kentucky. She married Thomas A. Tillottson of Mecklenberg County in March 1835. He died in January 1857.



Nicholas Overby, son of Meschak Overby,
born 1784, died after 1863.

picture courtesy of
Miriam Overby
from the Hugh Overby Collection



Mary Hallum, wife of Nicholas Overby
who was the son of Meschak Overby

picture courtesy of
Miriam Overby
from the Hugh Overby Collection

NICHOLAS OVERBY

Nicholas Overby was the son of Meschak Overby and his wife. He was born in Virginia on January 20, 1784. His parents moved to South Carolina when Nicholas was five years old. His brother Nimrod was much older than Nicholas (according to Census data) but Nimrod and Nicholas bought and sold land to each other over the years, purchased land jointly, and lived near each other so they must have had a close relationship. They had a brother, Benjamin, who died before their father died. He was young and without heirs. Nicholas married Mary Hallum on January 10, 1812. A son born September 18, 1818 in Anderson, South Carolina was named Benjamin Mitchell Overby, doubtless for his deceased uncle.

The 1830 Census of Anderson County, South Carolina shows Nicholas with 4 children, three boys and a girl. He also had 9 slaves at that time.

Nicholas made a Deed of Gift of one square acre of land to the Methodist Church, the Trustees, and their successors. (The land was located where Lynn's Meeting House stood in Anderson County, South Carolina.)

Nicholas and Nimrod bought out their sisters who had received land after their brother Benjamin died. Their mother was still alive and signed over her rights to the land. This was 1816 and Meschak had died.

Nicholas left South Carolina on November 3, 1863 and landed in Stewart County, Georgia November 18, 1863. This move was made during the Civil War when Nicholas was almost eighty years of age.

Known children of Nicholas Overby and Mary Hallum:

- I. Basil H. born October 19, 1814.
- II. Ann Elizabeth born January 12, 1816. She married B. Allen on June 3, 1845. They were the parents of Bannister, Basil, Mary Asenath, E. S. Haralson, and Elizabeth.
- III. Benjamin Mitchell

All data from the Hugh Overby Collection, many items from the Henry Walton Chapter, DAR, Madison, Georgia.

NIMROD OVERBY

Nimrod Overby was the son of Meschak Overby, probably his eldest son. When Meschak moved from Virginia to South Carolina, Nimrod moved with him. The 1850 Census of Laurens County, South Carolina gives Nimrod's age as 80 so he was born in 1770.

Nimrod was one of the petitioners to the Committee on Pensions in December 1800 in behalf of Michael Finney, a disabled Revolutionary War veteran from the Laurens County, South Carolina District.

Nimrod was listed in the 1840 Federal Census of Laurens, South Carolina District but no elderly females were listed indicating that his wife was deceased at that time. Nimrod had eight slaves.

Nimrod's gravestone in Laurens, South Carolina gives the following:

"April 9, 1770 - May 22, 1855"

There is a gravestone which is marked "Eliza Overby 1790-1836". This is the only other Overby in the cemetery which is known as the Pinson graveyard. (Two of Nimrod's children married Pinsons.) Under these circumstances and with the dates shown, it is probable that "Eliza" was Nimrod's wife.

In a letter to Camden Meyer from a Mrs. Horace Slimp, dated 1956, Mrs. Slimp states "Nimrod's wife was a Miss Caldwell, near kin to John C. Calhoun's mother".

Nimrod's will names his children:

Mitchell Griffin Overby

Nimrod Washington Overby

Martha (married George Ball, son of George and Jemima)

Eliz-Ann married _____ Crawford

Nancy Clarke married _____ Smith

Sarah Ann married _____ Pinson

Carolina married _____ Campbell

Adeline married _____ Pinson

Nimrod's will was signed February 20, 1854. He indicated that the two boys were to "receive all real estate to be enjoyed in common". Nimrod states that his daughters Margaret Adeline Pinson and Carolin (sic) Campbell were deceased.

This line not traced further.

NICHOLAS OVERBY

Nicholas Overby was the son of Drury Overby of Mecklenberg County, Virginia. He was born in Virginia on March 2, 1776. His father died around 1791; sometime after that his mother, Amy Overby, moved to Rockingham

County, North Carolina where she purchased a tract of land on Little Rockhouse Creek Watershed on February 1, 1795.³²

Nicholas moved to North Carolina with his mother and he is believed to have married Elizabeth McKinny around 1795. Elizabeth was the daughter of John and Margaret McKinny who lived in the same area as Amy Overby.³³ Nicholas was listed on the Census of 1800 for Rockingham County; both Nicholas and Elizabeth were in the 16-26 age group on the Census listing. Also named were two males 0-10 years of age.

In 1801, Nicholas and his brother Daniel sold the 300 acres bequeathed them by their father's will. This land, which was located back in Mecklenberg County, Virginia, was deeded to Daniel Wilson. Curiously, there is no mention of Richard, their brother, who was to share the 300 acres with Nicholas and Daniel. Mecklenberg County records give no clue concerning Richard's fate.

Migration from Virginia began in earnest after the Revolution as people pushed westward and throughout the southeastern states. People traveled in groups and each group had at least one common thread. It might be the persons were members of the same church, or were friends and neighbors, or were related by blood and/or marriage. The migration of Nicholas and his mother consisted of a rather large extended family. There was Nicholas, then about 19, his mother Amy with three daughters and two sons.³⁴ There was also Daniel who was close to the age of his brother Nicholas. Other Overbys who went to Rockingham County were Joab and his wife, Rebecca Owen, and Smith Vaughan Overby who married Sally Overby. All these shared a common Overby heritage and were former Mecklenberg County citizens.

Between 1804 and 1807, Nicholas and Amy and their families moved from North Carolina to Sumner County, Tennessee. Locating to the west of Portland, they lived on adjacent farms.

³²Amy Overby purchased the land from John Jones. The Jones family of Mecklenberg County, Va. intermarried with the Overbys in many instances and some of those owned land in Rockingham County.

³³John McKinney's will was proved in 1791 and Elizabeth was mentioned as his daughter.

³⁴There were probably other children who went with Amy in 1794/5 but were married by 1800. The three daughters and two sons were given in the 1800 Census of Rockingham County.

Nicholas Overby volunteered for the War of 1812 and served from December 10, 1812 to April 22, 1813 as a private in Captain John Moore's Company of Tennessee Volunteer Militia.³⁵

According to his son, Drury Overby, Nicholas was in New Orleans at the time of the battle but he did not participate because he was ill at the time.³⁶ The Battle of New Orleans was in January 1815 so perhaps Nicholas served a second tour which is not recorded.

Daniel Overby, brother of Nicholas, also moved to Tennessee as he is shown as a witness to a deed when Nicholas purchased sixty acres of land in 1816.

About 1829 Nicholas moved from Sumner County to Sangamon County, Illinois. Many settlers from the southern and border states were attracted to Illinois and Indiana in the 1820's and for the several decades following. (The best known family to relocate to that area was that of Abraham Lincoln. His parents first went to Indiana before settling in Illinois.) The winter of 1829-1830 was known as the "Winter of the Deep Snow" as snow covered Illinois five to seven feet deep! Such a startling greeting for the new settlers coming from warmer climate! Undaunted, Nicholas is said to have raised a crop there in 1830. His family moved to Greene County, Illinois by 1840 when he appears in the Census of that county. His son, Archibald, was living there also.

Nicholas's wife, Elizabeth McKinny, died in 1841. Based upon her age in the 1830 Census, she would have been between 61 and 71 years of age at her death.

Nicholas received two land grants for service in the War of 1812. Warrant No. 8436-80-5 was made for 80 acres of land in Clayton County, Iowa and was dated 1850. Some of the children of Nicholas and Elizabeth were living in Clayton County in 1850, daughter Amy and her husband James Short, daughter Elizabeth and her husband Peter Hobson, and Mary Overby and her husband John Ballow. Many deed records show interchanges of land among these families.

³⁵Tennessee State Archives, Vol. 5, War of 1812, page 61.

³⁶Drury gave this information about this father in a History of Greene Co., Illinois by Roodhouse. Many men did serve several non-consecutive tours of duty in this war. Sometimes the tours were very short. This war, the first of the fledgling republic, appears to be very unstructured and the records certainly reflect that.

By 1855 Nicholas had sold the 80 acres in Clayton County and Land Grant 28082-89-55 granted him another 80 acres believed to have been located in Greene County, Illinois.

Nicholas died in Illinois on September 6, 1857. He was over eighty years of age at that time. Nicholas and Elizabeth Overby are believed to be buried adjoining their son, Drury, in the Short Cemetery in Greene County, Illinois. A gravestone next to Drury's is marked "Mother".

Nicholas had lived in five states: Virginia, North Carolina, Tennessee, Illinois and Iowa. This was the story of the nineteenth century pioneer, ever seeking the young settlements, building, making crops and moving on.³⁷

Children:

- I. Archibald -- 1796-1878, married Sally Barnard
- II. Richard -- not researched, no record of him after 1828
- III. Susan -- 1804-1851, married Joseph McKinny
- IV. Catherine -- 1817-1849, married Judge Thomas J. Short
- V. Amy married James Short, brother of Thomas
- VI. Drury -- 1814-1881, married Sarah Scott
- VII. Mary -- married John M. Ballow
- VIII. Elizabeth -- married Peter Hobson

BYRD OVERBY

Byrd or Bird Overby was the son of Sylvester Overby and his second wife, Elizabeth Shotwell.³⁸ He was born in the closing years of the eighteenth century, perhaps 1792-1793, since he is known to have married Catherine Hite on May 20, 1813 in Granville County, North Carolina. Catherine was the daughter of Standley Hite who named her in his will in 1827. (Standley also left a legacy to Byrd's daughter Eliza Overby.)

On August 3, 1824, Bird mortgaged the 150 acres where he was living to secure a debt for \$200.75; also included was a negro slave "Davey".

³⁷The information on this generation has been furnished by Camden Meyer and Mark Denman.

³⁸There was only one child by Sylvester's marriage to Elizabeth P. Poole. There was an agreement among all heirs of William Pettypoole, deceased. Mentioned is William Overby, the only child of Elizabeth Overby. Halifax County, Virginia Will Book 24, pages 411-413.

Bird died prior to April 14, 1828 when his estate was inventoried and sold. Catherine survived Byrd by nearly thirty years. An account of Catherine's estate was filed in 1857 with expenses back to 1853. It appears that Catherine may have been ill several years before her death.

In 1836, Stephen P. Pool was appointed guardian of Byrd's minor children. Listed were John B., Eliza, Martha, Nancy and S. Jane. Stephen had also served as guardian to the minor children of Sylvester Overby, Byrd's father, in 1819.

Children:

- I. John Buriel - married Elizabeth Daniel, probably the daughter of Joshua and Rebecca Daniel,³⁹ and had the following children: John, Ditrion, Lafayette, Warren.⁴⁰
- II. Elizabeth
- III. Martha
- IV. Nancy
- V. S. Jane

PETER OVERBY

Peter Overby was the son of Sylvester Overby and his second wife, Elizabeth Shotwell. His birthdate is uncertain but he was a minor when his father died in 1819. Judging from the age of his wife, Peter's birthdate would be around 1808. He was called Peter Vesta to indicate that he was the son of Sylvester. The use of the name "Peter" for so many descendants of Land Grant Peter created problems of identification. Peter inherited a slave girl named Lucy from his grandfather Peter, who remembered his namesake grandsons in his will.

Peter married Cynthia Worsham on May 1, 1827; she was the daughter of S. V. Worsham who gave his consent to her marriage. They evidently continued to live in Mecklenberg County where Peter died intestate prior to December 30, 1835. The Tax Book, Volume 3, of Halifax County shows Peter's estate with 284 acres, 2 horses, and one slave. Cynthia was a young woman with five small children and financial problems. In August 1839 Robert Y. Overbey, the administrator of Peter's estate, was directed to pay Peter's orphans out of the principal of Peter's estate as they were too young to be

³⁹Halifax County Deed Book 46, page 371 shows this relationship.

⁴⁰Data from the Hugh Overby Collection.

bound out by the Overseer of the Poor and the profit from their estate was not sufficient to maintain them.

In June 1842, the Pleas Book M-1 lists the children as Louisa, Edmond, Alexander, Mariah and Panthea. They were granted \$110 for support that year. Peter's estate had been settled the previous year so this entry is not clear.

Cynthia appears in the 1850 Census of Halifax County. She was 40 years old then. Children listed were Edward 19, Alexander 18, Maria 16, Panthea 4 (probably 14) so at the time of Peter's death her children were 4, 3, 1 and newborn in addition to Louisa who was not listed in the Census.

This line was not researched beyond this generation.

ALBERT OVERBY

Albert Overby was a son of Sylvester Overby and Elizabeth Shotwell. Albert was a minor when his father died in 1819. His marriage license was dated October 17, 1832 and his bride was Emily Worshow (sic). This may be a misspelling of the name "Worsham". If so, then Emily may be related to Cynthia Worsham who married Byrd Overby, Albert's older brother.

Albert was evidently in Kentucky by 1836 for the Halifax County, Virginia Tax List shows him with 120 acres of land; his name was followed by (Kentucky). Stephen P. Pool paid the tax on that land. It may be that Albert came to Kentucky several years earlier with his half-brother, William P. Overby. Albert purchased land in Callaway County, 250 acres in 1837, 180 acres in 1842, and 160 acres in 1844. Only 100 acres of these 490 acres were sold during his residence in Callaway. In 1847, Albert moved to Ballard County where he died in September 1856.⁴¹ His age at death was recorded as 40; the 1850 Census of Ballard County shows him living in the household of Thomas Myers and 45 years old. A birthdate of 1805 is more consistent with his marriage date. There was no wife listed. He is reputed to have had one child, a daughter.

WILLIAM PETTYPOOLE OVERBY

William Pettypoole Overby was the son of Sylvester Overby and his first wife, Elizabeth Pettypoole. William P. was born about 1787⁴² and was the only

⁴¹Kentucky Vital Statistics (1850-1860).

child of that marriage. His mother died while William was quite young, perhaps four or five years old. William P. was named for Elizabeth's father, William Pettypoole, who was a prosperous landowner in the Halifax-Mecklenberg area. When William Pettypoole died about 1813,⁴³ his grandson William P. Overby inherited his mother's portion of her father's estate. This was quite an inheritance for a young man, enough to establish him so he could build to a sizable estate. He received a 122 acre farm and slaves from his grandfather, but that seemed to be all that William P. ever owned in Virginia.

In 1830, William P. was in debt to Robert Y. Overby for \$160.89 and it was due June 13, 1830.⁴⁴ Since he couldn't pay that day, he put three slaves in trust with Asa Moore. If he didn't pay Robert Y. Overby by March 1, 1831 then the slaves were to be sold to pay off the debt. The Mecklenberg County 1830 Census shows William P. with five slaves.

William P. married a woman known only by her first name of "Martha". Extensive research has failed to prove anything about her ancestry. One family story says her maiden name was "Sothern". Other suggestions are "Craddock" and "Elliott". Martha and William P. had a large family. According to the 1830 Census of Halifax County, Virginia, the family of William P. consisted of 5 boys and 1 girl. A story passed down among some descendants concerns either 4 or 5 sons coming together from Virginia, the number depending upon the interpretation of the statement "Crad came from Virginia; there were 4 brothers who came".⁴⁵

William P. and Martha sold the land that he had inherited from his grandfather for \$305 for 122.75 acres of land. This transaction was dated November 7, 1833 and recorded in Halifax County, Virginia on April 8, 1834. William P. then appears on the Trigg County, Kentucky Tax List of 1834 with three horses and two cows. The Spring of 1834 may mark the time of the family's move from Virginia to Kentucky.

⁴²Based upon his age in the Kentucky 1850 Census.

⁴³His estate was inventoried in March 1813.

⁴⁴Halifax Deed Book 38.

⁴⁵Lacy R. Overby says that he heard that story from childhood but it wasn't clear if Crad was included in the four brothers.

But before William P. left Virginia there was a problem. William's son, Sylvester, had inherited a slave named Erasmus from his grandfather Sylvester Overby. Sylvester was a minor so the slave had been in William's possession; William had sold the slave without the consent of Allen P. Poole who was the executor of the will of Sylvester. To correct this injustice to the young Sylvester, his father, William P., had to give a slave named Mary to Allen P. Pool. William P. was to pay Sylvester the cost of the slave Erasmus whom he had sold. This payment must be made when Sylvester came of lawful age; otherwise, Mary would be sold to pay Sylvester.⁴⁶

William P. may have been irresponsible or he may have been the victim of circumstances. There must have been some problem between William P. and his father, Sylvester. William was essentially excluded from his father's will. He was willed a slave "already in his possession" and that was it. All money, slaves, and land were divided among William's half-brothers.

William P. lived in Trigg County in 1834 but appeared on the Callaway Tax List in 1838 with no land; in 1840 William P. had 160 acres in Wildcat Creek in Callaway County.

When William P. and Martha came to Kentucky they brought two boys surnamed Elliott according to family stories.⁴⁷ There was a Craddock Elliott and a James P. Elliott who were contemporary with the children of William P. and Martha. Since one of the children of Martha and William carried the name Craddock, there is a suspicion that her maiden name might have been Elliott and the two boys were her nephews.

William P. was missing from the 1860 Census of Callaway County. His wife, Martha, was living in the household of Alexander Holesapple, next door to George W. Overby and his wife Nancy J. William P. sold land in Callaway County on July 9, 1859 so his death occurred after then and before the 1860 Census. He was 72 at the time. In the 1870 Census, Martha was living with her son, George W. Overby, and his family in Callaway County. That is the last record of Martha. She was 78 years old at that time.

⁴⁶Trigg County, Kentucky Deed Book E, page 133.

⁴⁷According to Obara Brown who was a great, great granddaughter of W. P., the family brought two small boys with them. They were James P. and Ben Elliott. She said her great grandfather, James Madison Overby, was "12 or 13 when they came to Kentucky". Letter to Hugh Overby from Obara Brown, dated June 5, 1970.

William P. and Martha are buried on the old Overby farm at Elm Grove Church. This farm belonged to James Madison and then to George M. Overby.

There must have been close family ties among the children of William P. and Martha. They named many of their children after their brothers and sisters.

Children of William P. and Martha Overby:

- I. Sylvester, who was born April 16, 1815, appears to be the oldest child. He was named for his grandfather Sylvester Overby. The younger Sylvester married Louisa Ladd on November 21, 1835 in Trigg County. His name appears in records of Callaway County where he owned land and a slave. He died August 14, 1888.
- II. James Madison (see biography)
- III. William Craddock (see biography)
- IV. Seth Pettypooles Overby was born about 1823 in Virginia. The name Seth Pettypooles must have come from his great uncle of the same name. The older Seth was a brother of Elizabeth Pettypool who was William P. Overby's mother. Seth Overby married Mary C. McNabb. There were four children listed in the 1870 Census of Callaway County: George G. age 16, Robert B. age 14, Eliza F. age 13, and Mary O. age 6. The 1850 Census of Christian County shows two girls, Saluda, age 1 and Susan W., age 4. By 1870 these girls were not living at home, possibly because of marriage. Seth's wife is shown as "Clarinda". Perhaps her full name was Mary Clarinda, if one fuses the two pieces of information.
- V. Durall B. was born about 1825. His wife was Catherine Elkins whom he married July 30, 1842. In the 1850 Census of Calloway County he is shown with four year old William and two year old Sarah E. The 1860 Census shows "Dural" with a wife "Nancy" and three more children in addition to William and Sarah. These children are Seth P. 10, Silvester 5, and Susanna 1. "Nancy" is probably the "Nancy Catherine" shown as Durall's wife in the 1850 Census.
- VI. Martha A. Overby was born around 1829; she married Morris Green Burton on July 29, 1843. The 1860 Census gives Martha's age as 31, Morris Green Burton is 43. Their children are Mary J. 16, Sally

A. 15, Eliz. 12, Seth 7, Deurel (sic) 7, James M. 3, and a one year old named Ira or John.

M. G. Burton is buried next to James Madison Overby in Old Salem Cemetery in Callaway County. There is an unmarked grave next to Burton's; perhaps it is Martha's.

- VII. Louisanna Overby was born about 1832. She married James P. Elliott about 1849 as the 1850 Census record of Calloway County indicates that they were married within the past year. Their children on the 1880 Census are U. S. (26) male, Martha 24, Vanadis (f) 19, Josie 16, John W. 14, Bettie 7. There may have been other children who were married by 1880. Louisiana's name is spelled "Louzane" on her grave marker which adjoins that of her husband J. P. Elliott. They are buried next to her brother, James Madison, in the Old Salem Cemetery in Callaway County.
- VIII. George Washington Overby was the youngest child of William P. Overby and his wife Martha. George was born in 1835, the year after the long trek from Virginia to Kentucky by his family. He married Nancy McDougall on December 20, 1859 according to Calloway County Marriage Records. The 1870 Census shows this family with William 10, Mary 6, Bulah L. 7/12. George's mother, Martha Overby, age 78, is living with them. Family stories say that George W. and his family moved to Weakley County, Tennessee.

DAVID OVERBEY

David Overbey was the eldest child of Peter, son of Peter, and his wife Susannah Stovall. He was born about 1801⁴⁸ in the Mecklenberg-Halifax area. Both his parents came from substantial backgrounds; his father Peter was very prosperous. But Peter was destined to join his brothers Herod and Sylvester in an early death; all three men died in their forties. Peter's three sons were under age at the time of his death in 1818. David appears to have had his life under control at an early age. His mother had remarried; David's stepfather was John Howard of Granville County, North Carolina. Howard

⁴⁸David's age was given as 69 in the 1870 Census of Granville County, North Carolina. The above birthdate of 1801 is based on that.

appointed David as his attorney for his affairs in Mecklenberg County.⁴⁹ This was in 1822 when David was twenty-one years of age. In that same year David was appointed guardian of his brothers, James and John.⁵⁰

David purchased 48 acres of land on Aaron's Creek on September 18, 1822. By the terms of his father's will he inherited 130 acres of land on both sides of Aaron's Creek when he reached the age of 21.

David had a special need to establish himself at that time because he was newly married. He was married to Nancy Chandler on December 31, 1821 in Mecklenberg County by Pleasant Gold, a Baptist minister.

David was listed as the guardian of his brothers, James and John, in 1823. But he must have been replaced by his stepfather, for in 1824 David sued his stepfather, mother, and brothers.⁵¹ (He could not have sued his brothers if he was still their guardian.) This must have concerned the provisions of the will of Peter Overby. This case appears to be resolved on November 21, 1825 when the court made reference to the division of the deceased Peter Overby's land when Susannah got her dower at her marriage to John Howard. David evidently didn't like the division of land and this suit was his protest. The verdict was that the division should stand.

Shortly after this verdict both John Howard and David Overby requested that the court settle the accounts of James and John.

David and Nancy had sold much of the land inherited from Peter by deeds on April 21, 1825. Nancy's father had moved to North Carolina.⁵² David and Nancy also moved there, residing in the Granville County area. Brothers John S. and James also moved there and all three families lived in

⁴⁹Mecklenberg County Deed Book 20, page 330.

⁵⁰James's age in the 1870 Census, Sassafras Fork Township, North Carolina, was given as 64, making his birthdate about 1806 and confirmed by age of 44 in Granville County, North Carolina Census, 1850. The latter Census gives John S. (Stovall) as 41 years of age so his appropriate birthdate is 1809.

⁵¹Mecklenberg County Deed Book 23, page 319.

⁵²David Overby's wife, Nancy Chandler, must have been no stranger to the Overby family. Her father was David Chandler, her mother was Milly (Mildredge) Vaughan, daughter of William Vaughan. (See will of W. Vaughan in Will Book 2, page 149, Mecklenberg County.) David Chandler's will in Will Book 14, page 279, Granville County, North Carolina names his daughters Nancy Overby and Mary Ann Overby. Mary Ann had married John Stovall Overby, the brother of David.

the County Line District according to the 1855 tax list where they owned over 2,200 acres of land and 28 slaves. According to a Dr. Winston of Clarksville, Virginia. "Captain David built the first good house now existing in the part of North Carolina".⁵³

David's wife, Nancy Chandler, died sometime before 1850 when she is missing from the Granville County, North Carolina Census showing David's household. A most interesting document can be found in Mecklenberg County Deed Book 33, page 160 where Mary A. C. Holloway of Mecklenberg County and David Overby of Granville County, North Carolina entered into a pre-nuptial agreement on September 3, 1849. Mary wanted to make some provision for her son, George F. Holloway, and David agreed. For one dollar Mary conveyed to David the following slaves: Jesse, about 10 years of age, Tom, a boy about 8 years of age, Patty, a girl about 7 years old, Reuben a boy about 5 years of age including any children Patty might have in the future. David was to hold this property in a special trust until Mary decided to make some disposition of the slaves by gift or by her will. If she died without a will, George Holloway was to inherit the slaves. George was evidently a minor as the instrument discussed disposition if George died under the age of 21.

The marriage bond for David and Mary A. C. Holloway is dated August 16, 1849 in Mecklenberg County records. Mary's children are mentioned in the will of Charles W. Baird who appears to be her father.⁵⁴ Mary must have been deceased by September 23, 1854 when Charles Baird mentions "my grandson George F. Holloway and his half-sisters Ann Claiborne and Frances Gregory Overbey." It would appear that Mary Ann Baird was married three times -- to a Claiborne, to a Holloway and to David Overby, Sr.

There are many deeds involving David Overby in the buying and selling of land but one is particularly interesting. David sold Henry Tillotson 8 acres of land, but David reserved the right to mine for gold.⁵⁵ The date is

⁵³Notes from interview of Dr. Winston by Hugh Overby on November 29, 1970, Hugh Overby Collection. Captain David Overby appears to be Dr. Winston's great-great grandfather.

⁵⁴Will Book 18, page 514, Halifax County, Virginia.

⁵⁵Granville County, North Carolina, Grantor Deeds, Deed Book 17, page 430.

November 9, 1853 and the discovery of gold in California in 1849 had made many hopeful that they would discover gold, perhaps close by.

David's brother, John Stovall Overby, married Elizabeth Puryear in Granville County, North Carolina on January 21, 1848 according to their marriage bond recorded there. They are known to have had two children, Robert and Elizabeth, named in the will of their uncle, Robert Puryear, in 1862.⁵⁶ His first marriage was to Mary Ann Chandler, sister of Nancy Chandler who was David Overby's first wife. Both were daughters of David Chandler who named them in his will in 1837.⁵⁷

One of the most sensitive documents encountered involved John S. Overby. It involved the will of one William Cousin and is dated July 7, 1832.⁵⁸ Evidently Cousin was a free black man whose family was also free except for a son named William. (In some instances, slaves had been able to buy their freedom and labored for years to free family members who were still enslaved.) In his will, Cousin willed John S. Overby his wife Sally, and her five children, and any other children she might have; also, "everything else I own". "It is my wish that John S. Overby get my son William back from John Webb so that the whole of my family may be together." This must surely be a tribute to the character of John S. Overby. What a fine man he must have been for William Cousin to entrust him with his family. And let us not forget William Cousin who chose to place his family in benevolent slavery to preserve the family unit.

David Overby's marriage to Mary A. C. Holloway was destined to be short-lived. He married Ann E. Harris of Wake Forest, North Carolina on November 14, 1855.⁵⁹ They were both listed in the 1880 Census of Granville County, North Carolina. David was 79, Ann E. was 70 and son Thomas was 45. David died prior to October 1881 when his will was probated in Granville County. In it were listed his wife, Ann E. Overby and daughters, Anne C. Lassiter and Fannie G. Overby. His son Thomas was the executor.

⁵⁶Will Book 21, page 671, Granville County, North Carolina.

⁵⁷Will Book 14, page 279, Granville County, North Carolina.

⁵⁸Will Book 19, page 107, Granville County, North Carolina.

⁵⁹Marriage and Death Notices, Raleigh Register and North Carolina State Gazette. Broughton.

ANDERSON OVERBY

Anderson Overby⁶⁰ was the son of Herod and his wife Edna Jones. Anderson was born March 30, 1798 in the Halifax-Mecklenberg area of Virginia. Anderson's father died when he was only twelve years of age.

Anderson was appointed the Constable for Halifax County in May 1830. This was for a two year period. The Court was of the opinion "he was a man of honesty, probity, and good demeanor". Anderson was appointed Overseer of the Poor for Halifax County in 1848.

Anderson did not marry until July 30, 1828 when he was past his thirtieth birthday. It may be significant that his marriage took place about the time his widowed mother married Wm. Talley. Anderson's bride was Sally Newton, daughter of James H. Newton and his wife Elizabeth. Sally was born January 3, 1806.

Their children were:

- I. Elizabeth Jane born 1829, married Richard Yancey 1848, died 1894.
- II. James Herod born 1831, died 1835.
- III. Patrick Henry born 1833, killed at Gettysburg in July 1863.
- IV. Ann Judson born 1837, married Howell Nelson August 20, 1857, died July 27, 1905.
- V. Daniel Baker born 1839, died 1861.
- VI. Sarah Newton born 1842, married Semore (sic) Chandler 1866.
- VII. Emma Newell born 1845, died 1845, age 1 month.
- VIII. Martha Haseltine born 1847, married Ruben Chandler, 1872, died 1921.

Anderson Overbey died November 25, 1876; his wife Sally had died August 11, 1861.

This line not traced further.

HENRY OVERBY

Henry Overby was the son of Herod Overby and Edna Jones. He was born January 17, 1808 so he was only a toddler when his father died in 1810. Henry was married to Martha Owens on October 21, 1834. She was the daughter of Thomas Owens who named her in his will in 1846. The Owens

⁶⁰All information taken from Anderson Overby Bible Record, North Carolina DAR Bible Records, State Library, Raleigh.

family lived on Buffalo Creek which adjoined many tracts belonging to various members of the Overby family.

Children:

- I. William Radford b. September 13, 1835
- II. William Leander b. February 1, 1837
- III. James Leonard b. November 16, 1838
- IV. Ann Matilda b. May 3, 1841, married John Booth Overby
- V. Thomas Wesley b. August 21, 1843
- VI. Isaac Medley b. March 5, 1845
- VII. Drucilla Francis b. February 18, 1847
- VIII. Martha Emma b. April 20, 1849
- IX. Melissa Bloomfield b. August 12, 1851
- X. Henry Carrington b. September 16, 1854
- XI. George Washington Randolph b. November 27, 1856
- XII. Andrew Davidson b. December 9, 1860

Above data is from Bible in possession of Furman Overby, Warrenton, North Carolina. Furman Overby, who was interviewed by the late Hugh Overby on May 23, 1970, was a great grandson of the above Henry Overby.

Peter Randall Overby was the son of Herod Overby and Edna Jones. He married Emily Newton on November 4, 1829. Emily was the daughter of James H. Newton who gave his consent to the marriage. Peter and his brother Anderson married sisters. Peter Randall must have died before 1838 when James H. Newton made his will. Newton left Emily's portion in trust to Anderson Overby who was to use it for the benefit of Emily and her children.

There is no information concerning descendants.

James Overby was the son of Herod Overby and Edna Jones. He was born March 1, 1795 and died in 1856. His will made no mention of wife or children as one must surmise that he never married. His sister Sabina and brother Henry were the principal beneficiaries.

Sylvania Overby was born in 1806 to Herod and Edna (Jones) Overby. Information on her can be found in the chapter devoted to her husband Henry Overby, son of Machadiah.

ZACHARIAH OVERBY

Zachariah Overby was a son of Machadiah Overbey and his wife Amelia Vaughan. Zachariah, who was named for Machadiah's father, was born December 2, 1806 in the Halifax-Mecklenberg area where so many of the Overbys lived. While his father did own some land, it was not the extensive acreage of some family members. This may indicate that the family engaged in a trade of some kind. There were five boys in the family (according to family stories) and they could have managed several large farms.

Zachariah's wife, Elizabeth, was also an Overby. There are just no indications of her parentage. Her son, Stephen M. Overbey, wrote about his family in 1895 but all his remarks were confined to the male line.⁶¹ Of course, Stephen's statements were based upon stories heard from his grandfather, Machadiah, and were confined to that line.

Zachariah and Eliza (so spelled in the Halifax marriage record) were married in Halifax County, Virginia on September 28, 1828. According to Stephen, Zachariah and Elizabeth moved to Trigg County, Kentucky in 1836.⁶² Other members of the Overby family from Halifax and Mecklenberg counties had come to Trigg and Christian counties in recent years and other families from that part of Virginia had moved there also.

Stephen would have been about five years old when his family walked from Virginia to Kentucky and there were two younger children! One of Zachariah's descendants has the hickory walking stick made for Machadiah for the long trek with his son's family.⁶³

Zachariah built a double log house; it had two rooms at the front separated by a hallway and there was a second story over that portion. Along the back side was a side room which functioned as a kitchen and dining room. (The house has been replaced by a frame house.)⁶⁴

⁶¹Letter from Stephen M. to Frank C. Overbey, dated September 30, 1895.

⁶²Zachariah Overby appeared on the Trigg County, Kentucky Tax List in 1834. Judging by birthplaces of children, 1834 is more accurate.

⁶³Interview with Charles Rowles Overby (son of Rufus, grandson of Zachariah) by the late Hugh Overby on October 5, 1969. The stick was reputedly made by a man named _____ Winters.

⁶⁴Ibid.

Zachariah and Elizabeth raised a large family. According to the 1850 Census, Trigg County, Kentucky, Zachariah was 43, Elizabeth was 40, Stephen M. 19, William S. 17, Andrew K. 13, Robert H. 12, Rufus 9, Martha E. 7, Ann E. 5, Mary F. 2, and Marcadiah (sic) was 87. Zachariah's mother, Amelia, had died several years previously in Kentucky leaving Zachariah a bequest coming to her from Virginia relatives.

Elizabeth Overby died August 26, 1875 according to her tombstone at the Lander Cemetery in Christian County, Kentucky. Less than three years later the widowed Zachariah, then 72 years old, deeded his farm to his son Rufus.⁶⁵ Rufus was to have the farm for five years and in return he was to feed and clothe Zachariah and feed one horse for him. Rufus was to pay the taxes and keep the house and farm in good repair. Zachariah reserved the right to dismiss Rufus for mistreatment. Almost as an after thought, Zachariah stated that in case he did not live the full five years he wanted Rufus to have the farm for five years without further consideration. This document was dated March 4, 1878 and Zachariah died four days later on March 8, 1878. He is buried alongside his wife in the Lander Cemetery.⁶⁶

ISAAC OVERBY

Isaac Overby was the son of the older Jechonias Overby whose father was "Land Grant" Peter. Isaac was born around 1808.⁶⁷

Isaac was the executor for the will of his father, Jechonias, who was a well-to-do planter. Littlejohn McCarge and George R. McCarge owed Jechonias the sum of \$85.00 plus interest and costs. As executor, Isaac had to recover this money. The sheriff ordered to the McCarge's to deliver one negro boy from Littlejohn's property to satisfy this debt. This boy was evidently purchased by one J. G. Sneed to satisfy the debt which now had grown to \$120.18.⁶⁸

⁶⁵Trigg County, Kentucky, Deed Book Y, page 552.

⁶⁶Zachariah evidently had 10 children but the name of the eldest is not known. Stephen stated that he was the second child; also when Zachariah's estate was settled each child got 1/9. Daughter Mary Frances had preceded her father in death so there were 9 living children. Reference: letter to writer from Zelma Cook, San Carlos, California dated August 1, 1987. Ms. Cook's mother-in-law was the great granddaughter of Zachariah and Elizabeth.

⁶⁷Federal Census, 1870, Charlotte County, Virginia gives his age as 62.

Isaac's first marriage was to Ann E. Jones. The Mecklenberg County, Virginia Marriage Bond is dated October 29, 1831 and her guardian gave consent so she must have been underage. In 1835 Isaac and Ann E. Overby were living in Charlotte County when they sold acreage on Aaron's Creek. The 1836 Halifax Tax Book shows that Isaac owned 378 acres on Cole's Ferry Road.

Pittsylvania County marriage records show Isaac marrying Martha Hunt on March 21, 1843 and then we find that he must have contracted a third marriage for Isaac married Martha Jane Smith on January 24, 1857 according to Halifax County marriage records.

The 1870 Federal Census shows Isaac, age 62, and wife Bettie, age 50. The children were James 31, John 23, Daniel 17, William 18, Rosa 18, and Herbert 5. William was listed as a clerk in (a) store and James was a country merchant. Doubtless there was a family-run store, for Isaac, the father, was listed as a merchant. Son John was a railroad clerk. The household also consisted of a white housekeeper and four black female servants. The wife, "Bettie", has not been discovered in records searched. Either it is "Martha" or Isaac married a fourth time.

It would be interesting to know if the four black female servants had been slaves owned by Isaac. 1870 was only a few years removed from the Civil War. Although the slaves were technically free many were unable to break loose from the dependency associated with a slave society. Females of that era, be they black or white, had few marketable skills other than domestic.

Not researched beyond this generation.

JECHONIAS OVERBY II

Jechonias Overby II was a son of the older Jechonias and was listed in his will.

Jechonias appears to be a citizen of some stature in the community. He was one of three persons appointed by the county court of Hampden District to lay off roads and allot workers for each district.⁶⁹

⁶⁸Halifax County Executions Books, Volume 2, Halifax, Virginia.

⁶⁹History of Prince Edward County - Bradshaw.

In 1853, Jechonias was appointed a commissioner for one of the county school districts.

Jechonias Overby, Esquire, married Ann Cabell Flournoy on March 12, 1848.⁷⁰ She had previously been married to Dr. David Flournoy. Her parents were Clementine and Jesse Irvin Cabell. Both Jechonias II and Ann Cabell are buried in the Methodist Cemetery in Meherrin, Virginia. Their monuments are inscribed: "In memory of our father, J. Overbey, who died in his 74th year, At Rest", "Ann Cabell, daughter of Clementine and Jesse Irvin Cabell, and wife of Jechonias Overbey."⁷¹

Children:

- I. Mary Landon Overbey
- II. William Irvine Oberbey
- III. Patrick Cabell Overbey
- IV. Martha Jane Overbey
- V. Sarah Asa Overbey
- VI. Jessie Irvine Overbey
- VII. Ellen Peck Overbey

HENRY OVERBY

Henry Overby, son of Machadiah Overby and his wife Amelia Vaughan, married Sylvania Overby, daughter of Herod Overby and Edna Jones. Despite the same name, Henry and Sylvania were only remotely related in the Overby line.

Henry was born in Mecklenberg County around 1804; Sylvania was born there June 20, 1806. Her lovely name must have come from her Aunt Sylvania Overby who married John Puryear. Sylvania's father, Herod, died in 1810 so her childhood may not have been easy. Henry and Sylvania married on Christmas Day, 1827. They were married by Pleasant Gold, a Baptist minister who had officiated at other Overby marriages. They lived in Mecklenberg County, Virginia, Granville County, North Carolina, Stokes County, North Carolina and Claiborne County, Tennessee. Around 1865, they moved to Laurel County, Kentucky where Henry died in 1883 and Sylvania in 1888.

Children:

⁷⁰Cabells and Their Kin by Alex. Brown, 1939, Garrett and Massie, Inc.

⁷¹His stone is inscribed 1815-1889, hers is 1815-1897.

- I. Sally Ann Overbey
- II. William Henry
- III. J. Smith
- IV. Herod
- V. John Calvin
- VI. Christina
- VII. Louiza
- VIII. John Franklin
- IX. Andrew

This line not traced in this book as it has been extensively treated in Henry and Sylvania Overbey of Mecklenberg County, Virginia and Their Descendants, 1804-1874, by Paul L. Overbay, published 1974. Mr. Overbay is a descendant of Henry and Sylvania.

DANIEL OVERBY

Daniel Overby was a son of Drury Overby and his wife known only as "Amy". In 1795 Amy and her children moved to Rockingham County, North Carolina. In 1801 Daniel and his brother Nicholas sold the 300 acres bequeathed them in their father's will. This land was back in Mecklenberg County, Virginia and the buyer was Daniel Wilson. This action by Nicholas and Daniel cut the last physical tie they had to their early life in Virginia. Both men were destined to seek new horizons several times in their lives.

In the fall of 1814, Daniel moved to Hickman County, Tennessee, settling on the Barren Fork of Lick Creek. His wife was Emily Tyler who was related to President Tyler.⁷² Ruben Tyler mentions "my daughter Milly Overby" in his will in 1832, Rockingham County, North Carolina Will Book B.⁷³

The 1850 Census of Hickman County indicates that Daniel was 70 years of age and Emily (spelled Nelly on the Census) was 65 so his birthdate was around 1780. Emily's place of birth was North Carolina. Both Emily and Daniel died in 1869.⁷⁴

⁷²History of Hickman County, Tennessee by Spencer.

⁷³A Reuben Tyler is listed as a son of William and Jane Tyler in the will of William Tyler, recorded February 14, 1780 in Mecklenberg County, Virginia.

⁷⁴History of Hickman County, Tennessee by Spence.

Daniel Overby and Emily Tyler were the parents of a large family according to the Hickman County, Tennessee Census of 1820. The record indicates that he had four sons and five daughters.

Their four sons are believed to be:

- I. Johnson
- II. Daniel, Jr. born March 10, 1814, married Sarah Parker, daughter of Elisha and Rebecca Parker, on March 15, 1832; Rebecca Parker was a daughter of Garret Turman, Sr. a soldier in the Revolution. Daniel and Sarah named a son for this grandfather; Garret Turman Overbey was born October 13, 1834 and he married Emily Moss on December 23, 1858. Emily and Garret were the parents of six children, John T., W. W., America L., James D., T. F., and Annie C. (These would be great grandchildren of Daniel Overbey and Emily Tyler.) Daniel Overby, Jr. died February 2, 1865, his wife died December 15, 1890.⁷⁵
- III. Edmond
- IV. Wilson born October 4, 1822.⁷⁶

⁷⁵History of Hickman County, Tennessee by Spence has supplied much information on this line.

⁷⁶Several researchers have sought the maiden name of Amy Overby, wife of Drury Overby and mother of Daniel Overby. The use of the names Daniel and Wilson for Amy's son and grandson together with the sale of Drury's land to Daniel Wilson of Mecklenberg County suggest that there might be some relationship with the Daniel Wilson family.

SEVENTH GENERATION

JAMES MADISON OVERBEY

James Madison Overbey, son of William P. Overbey and his wife Martha, was born in Halifax County, Virginia on March 25, 1820. He came to Kentucky with his parents in November of 1833 at the age of 13 from Halifax County, Virginia. On August 8, 1844 he married Mary Ann Miles, the daughter of John and Matilda Miles. John Miles died in 1833 when Mary was a child of about seven. Her mother, Matilda, the daughter of Henry Poole, was married a second time to William Randle Boyd on March 18, 1835 in Christian County, Kentucky and lived there until her death in 1890.

James Madison and Mary settled in the southeastern part of Christian County. In 1850, he was an overseer for Dr. Thomas Henry in Christian County, Kentucky. He had established some links with Calloway County as early as 1849 when he and his brother Durrell each purchased 50 acres of land there. Within the year, James had sold his at a loss and the witness to the transaction was his father.

James and Mary had five children, all sons: John Henry, William Craddock, George Washington, Lucas Muke, and Bruce Sarah. All were born in Christian County and were too young to serve in the military during the Civil War. James perpetuated the custom of naming one's children for their uncles. George and William bear the names of two of James's brothers.

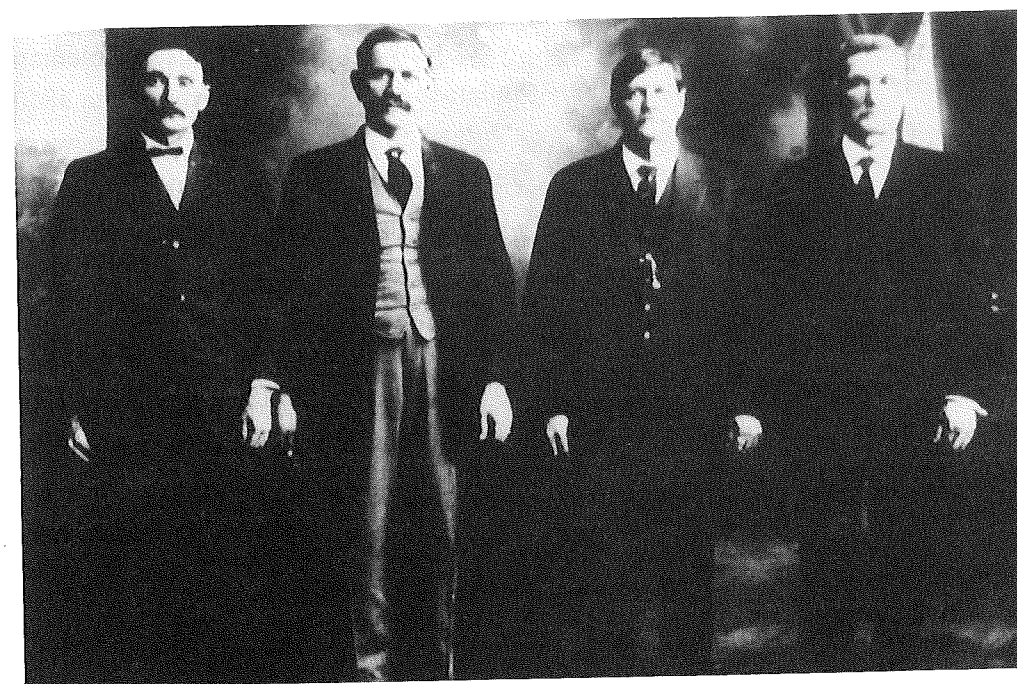
After the war James lived and farmed in Christian County and continued to do so until he and his family moved to Calloway County in the early 1870's.

There has been controversy as to the father of James Madison. However, in-depth research proves conclusively that he was the son of William Pettypoole Overbey. We find in Deed Book "O" on page 43 in Calloway County a statement confirming that James Madison was the son of William Pettypoole Overbey. The County of Calloway kept vital statistics for the year of the death of James Madison, 1876. The record shows his parents were W. (William) and M. (Martha) Overbey. He is buried next to his wife in the Old Salem Cemetery in Calloway County. His sisters, Martha Ann Burton and Louzane (Louianna) Elliott, with their husbands, are buried in the same plot. His religious convictions are uncertain; however, he was married by a Methodist minister and several of his sons were Methodists.

Children of James Madison Overbey and Mary A. Miles:

I. John Henry, born 1847, died after 1880. He never married.

- II. William Craddock (see biography)
- III. George Washington (see biography)
- IV. Lucas Muke, born February 24, 1865 in Christian County, Kentucky he married Martha Elizabeth Wallace November 9, 1889 in Henry County, Tennessee. Lucas died in Calloway County, Kentucky on May 4, 1933.
- V. Bruce Sarah (see biography)



Four sons of James Madison Overbey of Ky.

Left to right:
Bruce Sarah Overbey
Lucas Muke Overbey
George Washington Overbey
William Craddock Overbey

photo courtesy of
Dale Overbey

WILLIAM CRADDOCK OVERBY

William Craddock Overby was the son of William P. Overby and his wife Martha. William Craddock was born in Virginia October 7, 1822. He is listed in the 1850 Census of Christian County, Kentucky, but the ages shown are hard to reconcile with census ages of other years. His wife is known only as Mary Jane. Their marriage must have taken place about 1841 and Mary Jane was no more than seventeen years old; William Craddock would have been nineteen. By 1850 they had a large family, the Census shows J.R. 8, E. 7, John 6, H. A. 4, and S. B. 1. "E" and "S.B." were females. The full names of these children are known since many were within the memory of persons interviewed concerning the Overbys. J. R. was Richard who disappeared after his father died. John was really the J. W. Overby who married Susan Coleman September 5, 1867. H. A. was Henry Anderson and S. B. was Sybil. The 1860 Census shows two additional children, "July Ann", and B. P. (?) who were five and two years old, respectively. "July Ann" was Juli Ann and B. P. was Burnett Pryor.¹ Juli Ann married J. W. Coleman on March 31, 1871, according to Trigg County records.

William Craddock died December 30, 1873. He is buried in the Mark Jones Cemetery in Christian County, Kentucky. His widow, Mary Jane, was living with her son Burnett Pryor in the 1880 Census of Trigg County where she was listed as 50 years of age. She is buried next to William Craddock. Her tombstone tells us that she was born July 11, 1824 and died February 12, 1898.

LITTLEBERRY OVERBY

Littleberry Overby was the son of Edmond P. Overby and Dulcema Vaughan. Elizabeth Jane Overby was the daughter of Hezekiah Asbury Overby and Elizabeth P'Pool. Littleberry and Elizabeth Jane, whose Halifax County marriage bond is dated May 12, 1843, were first cousins. In addition to the close family relationship as children of brothers, they both experienced the loss of a parent. Elizabeth Jane was a posthumous child so she never knew

¹The late Oma Overby, who was Burnett's daughter-in-law, gave the writer much of this information in 1961. She had no recollection of Burnett's sister "E". That name was not in the 1860 Census so she may have died. William Craddock was referred to as "Old Crad". The significance of this is apparent as he had many nephews who were named for him.

her father. Littleberry's father, Edmond P., died in 1831 when Littleberry was around 8 years old.

After they married in 1843, Elizabeth J. and Littleberry came to Kentucky. The exact date isn't known but her mother, Elizabeth P. Overby came to Kentucky where she bought land in November 1845. This land was in both Trigg and Caldwell Counties. Up until 1850, Littleberry had from 2 to 5 slaves on each tax list but he did not own any land. That strongly suggests that Littleberry and Elizabeth J. lived with her mother. In 1849, Elizabeth J. married Joseph McConnell and she gave land and slaves to her daughter, Elizabeth J. This is reflected in the 1850 Tax List where Littleberry was taxed for 300 acres and 10 slaves.

Littleberry and his family appear in the 1850 Census of Trigg County. He is 27 years old, Elizabeth J. is 24, Cornelius is 5, Robert 3, Platt 2/12.

A deed executed September 16, 1870 indicates that the 300 acres (from Elizabeth Jane's mother) were sold. Curiously the deed states that Littleberry and his son, Cornelius, resided in Louisiana. Family stories say that Cornelius took cotton down the Mississippi by flatboat to New Orleans. Perhaps it was such a journey that found them in Louisiana at the time of the sale of this land.

Elizabeth Jane died January 24, 1879 and Littleberry died June 7, 1871. Children:²

- I. Cornelius Ferdinand Overby, born August 22, 1844, died February 17, 1910.
- II. Robert Yancey Overby, born August 12, 1847, died July 1, 1870.
- III. Platt Overby, born April 20, 1850, died of pneumonia October 11, 1855.
- IV. William (Nat) Overby, born March 15, 1851, died of pneumonia May 9, 1857.
- V. Otto Cunningham Overby, born July 23, 1852, died of typhoid May 24, 1870.
- VI. Hugh L. Overby, born October 28, 1854, died January 9, 1881.

²This line not researched beyond this generation. Dates taken from Pettypool Family History 1700-1960, by Dr. David Bruce P'Pool, Tennessee State Library and Archives.

VII. Ernest Clifton Overby, born October 15, 1860, died January 8, 1910.

VIII. Lelia Lee Overby born December 29, 1863, died May 25, 1905.

J. LACY OVERBY

J. Lacy Overby was a son of William Henry Overby and Mary Jane Hicks, residents of Henderson County, Kentucky. J. Lacy was born July 30, 1869. He married Flora Ellen LaRue on November 11, 1896. They had a small family of two daughters; Winna Louise was born in 1911 and died as a little girl of 8 in 1919. Mary LaRue Alexander was born in 1900 and died in 1945.

J. Lacy worked at the Henderson, Kentucky Post Office where his brother, William Henry Overby (II), was Postmaster in the early years of this century. J. Lacy was a Baptist. His mother, Mary Jane Hicks Overby, was widowed in 1895; sometime after the death of her husband Mary Jane made her home with J. Lacy and his family until her death in 1925.

J. Lacy retired from the post office in 1934 after a 37 year career there. He died suddenly at his home in Henderson on July 28, 1941, two days before his seventy-second birthday.

All information taken from newspaper clippings in the Hugh Overby Collection.

WILLIAM HENRY OVERBY (II)

William Henry Overby (II) was the fourth child born to William Henry Overby and Mary Jane Hicks.³ He was born November 8, 1859 in Henderson County, Kentucky and was educated in the public schools in Henderson Kentucky, graduating from that high school. He prepared for Yale at Hopkins Grammar School at New Haven, Connecticut. He subsequently attended Yale University where he completed his classical studies in 1885. Returning to Kentucky, he became Principal of Union Academy in Morganfield. William Henry then became principal of Henderson High School followed by an appointment to Deputy Collector of Internal Revenue. He took up the study of law and was admitted to the bar in 1894. In 1895 he was nominated for State Senator and in 1904 he was the Republican candidate for Congress from the

³Ref.: Memoirs of the Lower Ohio Valley, Volume II, Madison, Wisconsin 1905, Federal Publishing Co.

Second District. He later became president of the People's Savings Bank in Henderson. He served as Postmaster in Henderson during the administrations of Harrison, Roosevelt and Taft. In 1930 he moved to McGhee, Arkansas where his son William Henry III was living. He was ill for two months before his death August 19, 1934. His wife Fannie survived him.⁴

William Henry Overby II married Fannie B. Moore in 1887. They were the parents of five children, the first two dying in infancy. The family attended the Methodist Episcopal Church in Henderson.

Children:

- I. Harry Moore (died young)
- II. Yeaman Moore (died young)
- III. William Henry Overby (III)

SUSAN OVERBY

Susan Overby, daughter of Nicholas Overby and Elizabeth McKinny, was born in Rockingham County, North Carolina on July 4, 1804. As a child she moved to Sumner County, Tennessee with her parents. She married Joseph McKinny in Tennessee on June 15, 1825;⁵ Susan and Joseph were first cousins; her mother Elizabeth McKinny was a sister of Joseph's father John McKinny. Joseph and Susan had lived close to each other in Rockingham County, North Carolina when they were young children. Susan's parents left North Carolina and settled in Tennessee, followed by the McKinny family.

A family story says that Joseph McKinny was a foreman on a plantation and he would come courting Susan on horseback. After they married Joseph continued to ride horseback and Susan rode alongside in a surrey.

In 1829 Joseph and Susan, together with both sets of parents, the Overbys and the McKinnys, migrated to Sangamon County, Illinois. This journey was so typical of the era as extended families moved to new areas as a group. Winter began early that year in Sangamon County. By November the "Winter of the Deep Snow" had started. Many people and much livestock perished. With snow five to seven feet deep the animals were unable to graze

⁴Data from Hugh Overby Collection.

⁵Joseph was born April 23, 1802, the son of John and Temperance McKinny.

and live off the land. By this time Joseph and Susan had two small children. Susan also had a baby girl born May 13, 1829 who died July 26, 1829. It is not known if little Elizabeth was born in Tennessee or Illinois.

By 1835 it was time to move on for Joseph and Susan and their next home was eight miles south of Lancaster, Wisconsin. It is family lore that Joseph became a successful and much respected farmer in that area.

It was here that Susan died June 8, 1851 leaving several minor children. Susan was buried in the graveyard located on the family farm. In 1961 the plot was used as a hog pasture; the gravestones were down, broken and lying on the ground. Also buried there are John and Temperance McKinny. Susan's parents may have moved to Wisconsin, perhaps at the same time as Joseph's family.

Joseph married again on January 1, 1852, less than seven months after the death of Susan. His second wife was Alma Hull Robins. After their marriage they moved to Texas where Joseph died on January 24, 1892, a little shy of his ninetieth birthday.

Children:

- I. John born September 20, 1826, died May 27, 1827
- II. Nicholas M. born January 23, 1828, married Martha Jane Borah
- III. Elizabeth T. born May 13, 1829, died July 26, 1829
- IV. Sarah Jane born July 9, 1830, married Jacob Jarvis Borah
- V. May born March 26, 1832
- VI. Catherine born November 12, 1833, died October 16, 1834
- VII. Susan A. born April 15, 1835, died September 2, 1863
- VIII. Richard C. born November 29, 1836
- IX. James Edmund born August 13, 1838, married Eliza Reed
- X. Charles Wesley born June 26, 1840, married Mary Elizabeth Borah
- XI. Maria W. born February 19, 1842, died December 9, 1842
- XII. Joseph H. born March 10, 1844, married Elizabeth Harris
- XIII. Emily M. born September 6, 1846, died December 4, 1880, married Lewis Utt, lived in Stockton, CA.

The information on this generation was taken from One Line of Descent from Nicholas Overby by Camden B. Meyer who graciously consented to its use.

DRURY OVERBY

Drury Overby was the son of Nicholas Overby and Elizabeth McKinny and was named for the father of Nicholas. He was born August 31, 1814, probably in Tennessee where his parents had moved from North Carolina. He moved with them to Illinois where he married Sallie Scott on December 24, 1835. Sallie was the daughter of Welcome and Elizabeth Scott. She was born March 22, 1815. Sally and Drury were parents of the following children:⁶

- I. Louisa J. born October 7, 1836
 - II. Martha L. born June 8, 1838
 - III. Julia A. born July 5, 1840
 - IV. Mississippi born April 8, 1843
 - V. Elizabeth V. born December 7, 1845 (died October 5, 1865)
 - VI. Louisiana born April 17, 1848
 - VII. Henry E. born December 3, 1853
 - VIII. Lenda J. born August 3, 1856
 - IX. William T. born December 25, 1860
- No further information on this line.

ARCHIBALD OVERBY

Archibald Overby was the son of Nicholas Overby and Elizabeth McKinney. Born in 1796 in Rockingham County, North Carolina he was probably the oldest child in the family. While Archibald was still a young boy his family moved to Sumner County, Tennessee which was to be their home until 1828. This move was not unlike that of other pioneer families as three generations moved on to make their lives on newer land.

Archibald married Sarah Barnard on October 14, 1820 in Sumner County. Her parents were Zadoc Barnard and his wife, the former Polly Short. Sarah, who was born in Tennessee in 1802, was underage when she married. Isaac Short, probably a near relative, was bondsman on the marriage bond.

By 1828, the migration westward touched many families including the Overbys. Archibald and Sarah moved to Greene County, Illinois along with her parents, Zadoc Barnard and Polly Short, as both families appeared in the 1830 Census of Greene County. In 1879, Jefferson Overby, son of Archibald, is

⁶All information on Drury and his family was found in History of Greene County, Illinois, Chicago: Donnelley, Gossette and Loyd Publisher, 1879.

quoted: "the prairies for many miles remained unbroken and from the doorsteps of his father's cabin young Overby was wont to watch with childish glee the graceful flight of vast herds of deer as they disported themselves on the prairie, or became lost to view among the timber. Mr. Overby relates that during his earliest years the country was but thinly populated. At intervals in the timber was seen the pioneer's cabin, as few settlers had then ventured on the prairie."⁷

It was to this virgin land the pioneers came and made it home. It was not an easy life, nor is it unique as this story is repeated in many families. The loneliness of the frontier was easier to bear when friends and family traveled and lived together.

Archibald owned land in Greene County but principally he was a renter. His brother Drury was a prosperous land owner at Short, in Greene County. His sister Catherine Overby was married to Thomas Jefferson Short, of Short. He was a judge and reputed to be one of the richest men in the county. His brother, James Short, married Amy Overby, Archibald's sister. So Archibald was "well-connected" with very successful relatives.

Archibald had a distinction all his own. He was a veteran of the War of 1812, the Blackhawk War, and the Mexican-American War in the 1840's. His father, Nicholas, also fought in the War of 1812 and both may have seen action at the Battle of New Orleans.

The following obituary of Archibald appeared in the October 5, 1878 issue of the Whitehall Register.

Uncle Archie Overby

The sudden death of this old veteran and citizen, which took place last week near Whitehall, deserves more than passing notice. To be an honest man is a noble thing. To have been an acceptable and patriotic soldier in one war is praiseworthy, but to have been this in three wars is glorious. Uncle Archie Overby was a soldier of (the War of) 1812; a soldier of the Blackhawk War, a soldier in the Mexican War, and a brave and noble one too, he proved in each. He also would have been in the late war of 1861 but his age forbade it. He died between 96 and 100 years old. He was a good, harmless, honest, poor old man, and we think he ought to have a monument, and will head a paper for that project.

⁷History of Greene County, Illinois.

Archibald's age is exaggerated in the obituary. Census returns indicate that he was born in 1796, so he would have been 82 years of age at his death. He had been living in Greene County over fifty years and must have been one of the very oldest residents. Observers are prone to attribute an even greater age to the eldest citizens.

Sarah Barnard Overby was not mentioned in the obituary of her husband. She was listed along with Archibald in the 1870 Census and she is not listed in 1880 so she must have died between those dates and prior to Archibald's death in 1878. Sarah and Archibald are buried in the Jones Cemetery near Whitehall where many of their children and grandchildren are buried.

Children:

- I. Thomas born June 14, 1822, married Elizabeth Shelton December 30, 1847, died January 16, 1888. They were the parents of eight children.
- II. Milberry born January 18, 1823, married George Chapman September 30, 1858. She died March 19, 1910 as a result of a house fire which began as she put fuel in the stove. There were no children but Milberry has been remembered tenderly by nieces and nephews. George Chapman was a hired hand of Milberry's family.
- III. Mary Elizabeth (see biography)
- IV. Jefferson R. born 1833, married Elmina Emma Clark on November 8, 1863, died September 15, 1898. He was a successful farmer. He outlived his wife. His two children died of Tuberculosis as young adults.
- V. Zadock born 1835, married (1) Mrs. Eliza Jones on July 30, 1868, married (2) Margaret Baird Buck, died October 30, 1903. He was a tenant farmer. He had no children. He enlisted in the Union Army but deserted.
- VI. Sarah Angeline born 1838, married James Tucker on September 6, 1853. She died in childbirth leaving 3 children. She has been remembered by relatives as a kind and generous woman. She had a hard life as they tried to scratch a living from scrub land.
- VII. Caroline P. born 1840, married Abraham Depoister on February 26, 1860, died March 10, 1907. Parents of 8 children.

VIII. James Knox Polk born July 10, 1845, married (1) Zerilda Childress on November 15, 1866, married (2) Lavinia Jane Tucker on July 11, 1888, died September 24, 1920. J. K. P. Overby had a total of 12 children. He was a small farmer all his life. He was a "copperhead" during the Civil War. He rode through the countryside speaking the "joyous" news of Lincoln's assassination.

All information in this chapter was supplied by Mark Denman.



Tombstone of Archibald Overby, a veteran of three wars.
Tombstone was erected in 1975, Jones Cemetery, Whitehall, IL.

photo courtesy of
Mark Denman

PETER WILLIAM OVERBY

Peter William Overby was the son of John Overby and Elizabeth Childress and grandson of Alexander Overby. He was born in Mecklenberg County, Virginia in 1809. His wife was Elizabeth Overby, daughter of Edmund Pendleton Overby and Dulcema Vaughan and granddaughter of Peter Z. Overby. So descendants of Peter William Overby and Elizabeth Overby are twice descended from Zachariah Overby through his sons Alexander and Peter Z. Peter William and Elizabeth were married July 4, 1843 in Mecklenberg County, Virginia by the Reverend Dakes.⁸

Peter William was a school teacher in Graves County, Kentucky (according to the 1850 Census) but that term does not do justice to this man whose reputation proclaims him as a brilliant scholar. Peter's educational background is not known. It may be significant that he did not marry until he was thirty four years old. His grandson, Bob Overbey M.D., was the source of much information concerning Peter. Dr. Bob has stated that Peter taught mathematics in both Virginia and Graves County, Kentucky.⁹

Peter wrote a textbook on mathematics; the book is dated 1827 so he must have been only eighteen when he penned it. It is nine by fourteen inches, two hundred pages in perfect longhand! It was written by candlelight with a quill but there are no errors or smudges. Here is a sample brain teaser from Peter's textbook.

"What length of cord will fit to tie to the end of a cow's tail to allow her to feed on one acre of grass, and no more, supposing the cow to be 2½ yards long, tail included?"

Peter William died at noon on November 4, 1862. He was only fifty years of age. He is buried in Graves County, Kentucky.

Children of Peter William Overby:

- I. John Edmund (1845-1879) married Mattie Carter but left no male heirs.

⁸A letter from F. H. Overby to Oehlan Overbey, December 29, 1924 supplies much of the information on this line.

⁹Newspaper article from Paducah, Kentucky newspaper, not dated, but 1947 is inferred. Article is entitled "Sidelights on Paducah" by Fred G. Neuman. It consists of information supplied by Dr. Bob Overbey.

- II. Willie Camilla Overby (1849-) married (1) J. A. Dallam and (2) T. M. Handley.
- III. Ellen Virginia Overby (1846-1893) married J. E. Handley.
- IV. Frank Haskins Overby (1851-1927) married Mary Emma Hargrove.

Only the Frank Haskins Overby line has been researched beyond this generation.

JAMES BELFREE OVERBY

James Belfree Overby was born in Mecklenberg County on February 15, 1831 the son of Elcana and Sarah White Overby.¹⁰ When he was eighteen years of age he went to Cleveland County, North Carolina in the foothills of the Smokies. He married Elizabeth Jane Glasscock on December 19, 1852, John L. Gladden, J.P., officiating. Elizabeth Jane was born and raised in Cleveland County. James Belfree farmed and sold real estate in Cleveland County but on October 1, 1861 he enlisted in H Company, 34th Regiment North Carolina Infantry. The roll dated 10-25-61 at Camp Fisher stated that James was born in Mecklenberg County, Virginia age 32, a farmer, height 5 ft. 9 inches. He fought in the battles of Cedar Mountain, Malvern Hill, Bull Run, Chancellorsville, Gaines Mill, Sharpsburg, Harper's Ferry and the seven days fight at Richmond. He was captured in the retreat from Gettysburg where he had been in battle. The capture took place near Hagerstown, MD while James was serving as a rear guard protecting Lee's army which was delayed getting across the flood-swollen Potomac. He was taken prisoner July 14, 1863 at Falling Water, Maryland. He remained in a prisoner of war camp at Point Lookout, Maryland until he was released in a prisoner exchange at Savannah, Georgia on October 30, 1864. James B. had spent almost sixteen months as a prisoner of war. This must have been a dreadful experience for him and for his wife Jane who had remained in Cleveland County with their five children.

After the war James B. and Jane moved to Fayette County, Illinois where another child, Marcus, was born. Jane died in 1867, a young woman of about thirty four years. James B. remarried the following year; his second wife was

¹⁰References for information on James B. Overbey are History of Laclede, Pulaski, Dent, Etc. Counties, 1889, and History of Pulaski, Goodspeed Publishing Co. Descendants of this man state that his name was properly spelled "Belfry".

Lydia Deardeuff, daughter of Stephen and Margaret Deardeuff of Fayette County, Illinois. Lydia Deardeuff was born in Ohio March 17, 1853 but reared in Illinois. She was an educated woman for that period. About 1870 James and Lydia moved their family to Pulaski County, Missouri where he farmed 200 acres. James had a large family, six children by his first marriage and five in his second marriage. James and Lydia were members of the Christian Church and James was a Democrat.

James Belfree's son, Frank, remembered his father as "very taciturn". "He didn't cuss and he never talked to his kids about his family". "He was of medium height and weight, left handed with dark brown hair and eyes. He developed poor eyesight when he was fifty."¹¹

Children: mother, Elizabeth Jane

- I. Alfred W. married (1) Margaret Neathery on October 22, 1896
(2) Frances Roberts
- II. Mary J. married Zachariah Hensley
- III. Lucy B. married Ely Routh
- IV. James R. (1) married Mary Bates
(2) Missouri Belle Stockton
- V. Marcus L. married Anna Smith November 15, 1895
- VI. Zubia F. married James Ryal Smith

Children: mother, Lydia Margaret Deardeuff (Dearduff)

- I. William T. married Mary Duncan
- II. Tura A. (1) married Siles Wilkes
(2) married Lilly Grant
- III. John L.
- IV. Frank "Franky" Everett (see biography)
- V. Dora Medford (male) married Emma Brown
- VI. Elmer A. married Colesta Davis
- VII. Doria B. died young

BASIL HALLUM OVERBY

Basil Hallum Overby was born October 19, 1814 in the Anderson District, South Carolina. His parents were Nicholas (son of Meschak) and his wife Mary Hallum. He went to Georgia as a very young man and taught school.

¹¹Frank E. Overby to his son Hugh Overby, 1950. Hugh Overby Collection.

He then studied law under Judge W. H. Underwood and was admitted to the bar when twenty one years old. He practiced law in Watkinsville where he met and married Asenath Thrasher on May 18, 1837.

Basil was very religious, having joined the Methodist Church when eighteen years old. In 1841, when he was twenty seven, Basil became a "lay preacher". He was said to be very eloquent when preaching on his favorite topic of prohibition.

He aligned himself with the infamous "Know Nothing" party and was its candidate for the legislature. However, he was defeated.

Basil Hallum had a very successful career despite a few political setbacks. He was one of the incorporators of the Georgia Western Railroad in 1854. In 1855, he was a partner in the law firm of Overby, Bleckley, and Gordon.¹² All three of the lawyers became brothers-in-law by marrying daughters of General Hugh A. Haralson of La Grange, Georgia. Asenath Thrasher, Basil's first wife, had died June 29, 1851 and he married Elizabeth Haralson in June 1854.¹³ In 1855, Basil was nominated as a candidate for governor of Georgia by Temperance forces but he received only 6% of the vote.

Basil died a rather young man of 45 on November 27, 1859. His health declined in 1858 and he suffered a fatal stroke in 1859.

Elizabeth Haralson Overby, widow of Basil, died in Savannah in 1925 at the age of 93 years. Her obituary stated that her father, Hugh A. Haralson, was a congressman. (Elizabeth's sister, who married General John B. Gordon, was still alive in 1925 and living in Miami.) No children survived her but 2 granddaughters and a grandson survived.

Children of Basil Hallum Overby and Asenath Thrasher:

- I. Ann Olivia born November 25, 1840
- II. Mary Frances born January 12, 1842
- III. Nicholas N. born February 12, 1844
- IV. Barton H. born March 5, 1846
- V. Basil Earle born May 5, 1848

¹²The Gordon of this firm was John B. Gordon; he became a general in the Civil War.

¹³According to her obituary, Elizabeth Haralson Overby was married in 1851. This is an error.

Children of Basil H. Overby and Elizabeth Haralson:

I. Hugh Haralson born October 27, 1855

II. Elizabeth

This line not traced beyond this generation.

BENJAMIN MITCHELL OVERBY

Benjamin Mitchell Overby was the son of Nicholas Overby, son of Meschak, and his wife Mary Hallum. He was born in South Carolina on September 18, 1818. He married Lucy Carolyn Seay on August 18, 1841. Shortly after they married they moved to Stewart County, Georgia, settling in the Pleasant Valley community.

Lucy Carolyn Seay was reputed to be of French descent and it may be that someone assumed the Overby family was also of French ancestry. A Bible record of this branch of the Overby family shows Nicholas Overby, the immigrant, born in Paris, France. This is very possible but Nicholas was of English ancestry. (See previous chapters dealing with the English Overburys.)

Children:¹⁴

I. Sarah born March 27, 1843, a schoolteacher, never married

II. John Thomas born April 21, 1845, went to Nicaragua as a young man and shipped indigo. Later he moved to Texas, married and raised a family.

III. Basil Hallum born December 21, 1845, was a guard at Andersonville when seventeen years old. He married Virginia Walker, daughter of Freeman Walker. They were the parents of eleven children as follows:

1. Edna Lucy, born February 2, 1872, married A. F. Perkins

2. Mamie Virginia

3. Benjamin Walker, born October 25, 1875

4. Brantley Ida, born January 15, 1877, died August 22, 1906

5. David Seay, born April 22, 1878, married Mary Saunders in 1902 and died July 15, 1934.

6. John Basil Overby, born January 26, 1880, married Pearl Studsul in June 1906.

¹⁴Names and dates were taken from numerous letters in the Hugh Overby Collection based upon the recollections of family members.

7. George Mitchell, born May 3, 1882, married Sallie Dixon November 18, 1908.

8. Nicholas, born February 16, 1884, married Ivoline Parker, December 31, 1912. He was a physician.

9. Hallum Freeman, born February 18, 1886, married Ollie Battick October 24, 1914.

10. Lawrence, born June 9, 1888, married Clyde Shore on August 24, 1925.

11. Ethel Mae, born June 14, 1890, married E. M. Fain on January 14, 1915.

IV. Walter Knox Overby married Mary Sims.

Children:

1. Ernest

2. Marvin

3. Margaret

4. Lucy

5. Sadie

6. Houston

7. Samuel

8. George

V. Mary Ann Overby married William Dowd.

Children:

1. Maude

2. Sarah

3. Owen

4. Judith

5. Helen

6. Benjamin Dowd

VI. George Pierce Overby married Jennie Hobbs, several children

VII. Lucy Carolyn Overby married Henry Chambless, at least one child

VIII. Effie Crooks married Benjamin T. Marshall

IX. Berta Camilla Overby married John Singer

This line not traced further.

GEORGE WASHINGTON OVERBY

George Washington Overby was born in Virginia in 1820, the son of Eggleston Overby and Sarah Williamson. The parents last appeared in Virginia records in 1833, then they moved to Simpson County, Mississippi. George Washington is their only known descendant.

George W. Overby was appointed a Lieutenant in the Mississippi Militia on August 24, 1847. He was in the 26th Regiment of Simpson County, according to the Register of Military Appointments 1841-1848, Series K, Volume A. (Also listed is a Peter H. Overby who was appointed an Ensign. Peter may be George's brother. If so, then both sons were following the example of their father, Eggleston, who was a Captain in the Virginia Militia.)

The 1850 Census of Simpson County shows George W., age 31 with wife Susannah (sic) and three sons, Robert Y. 5, Augustus 3, and George F. (Frank) 2. The 1860 Census adds two girls, Caroline 5, and Rosella 2.

The 1880 Census of Simpson County shows George Washington age 59, born in Virginia and Susan, age 55, born in Mississippi, with an 18 year old son, Thomas.¹⁵ They lived next door to another son, Robert Y. Overby, age 35, his wife Elizabeth age 42 and children Georgina 13, Augustus 10, Amanda 7, Samuel J. 4 and Thomas R. 3. Also part of that household was Richard Cook, age 24, who was a stepson to Robert Y., indicating that his wife Elizabeth had been previously married. Augustus, who was ten years old in the 1880 census, was the father of Thomas Elbert Overby and this Thomas E. Overby was the father of W. A. Overby (see footnote).

George W. Overby died in 1890 and was buried in the family cemetery. His headstone, which is broken, indicates that he was a master Mason. The tombstone of his wife indicates that her name was Susanna Warren and that she was born April 30, 1824 and died January 15, 1896.

This line not researched beyond the above.

¹⁵In a letter from W. A. Overby to Hugh Overby dated December 13, 1972, he indicates that George W. and Susan had another son who died when he was a small boy.

Children of Zachariah Overby of Trigg Co., KY and their Descendants

Stephen M. Overby was born March 30, 1831 in Mecklenberg County, Virginia. His parents, Zachariah Overby and Elizabeth Overby, moved to Trigg County, Kentucky when Stephen was very young, around three years of age.

When the Civil War divided the nation, it also divided families with brothers fighting on opposite sides. Stephen Overby and his brother Rufus were such a divided family. Stephen enlisted in the Federal Army (his words) in 1862 and was mustered out in 1865. He was Captain of Company "C", 17th Kentucky Cavalry. His brother Rufus was a soldier in the Confederate Army. Both men survived the war but their divided loyalties must have created a lot of heartbreak for their family.

After the conflict, Stephen went to Missouri in 1867. (A wise move as most of Trigg County had supported the Confederate cause.) In Missouri Stephen became a farmer and stock raiser. He had married Margaret C. Reed, according to their Trigg County, Kentucky Marriage Bond dated September 27, 1852.

Their children were:¹⁶

- I. John A., born October 1853 in Trigg County, Kentucky. He married Serepta A. Redford in 1873. She was born March 1853, the daughter of A. B. Redford and his wife Hannah. They lived in Henry County, Missouri, in the Big Creek Township in the 1880 Census, in Bogard Township in 1900. John died in 1938. His children in the 1880 Census were Medora age 4 and Eddie F.¹⁷ In his correspondence Stephen said that John A. was in the insurance business in Urich, Missouri.
- II. Another son was William W. who was born March 1859 in Trigg County, Kentucky. In 1895, Stephen wrote that his son William W. was a telegraph operator in Odessa, Texas. In the 1900 Census, he is listed as a cattle rancher in Monahans, Ward County, Texas with

¹⁶According to Zelma Cook, Stephen and Margaret had eleven children but five died in infancy. Ref.: Letter from Ms. Cook to the writer, dated August 1, 1987.

¹⁷The History of Henry and St. Clair Counties lists his children as Mrs. Van Hall, William N., John A., Jr., Dick H., and Clinton S.

two children, a son, Armine, born May 1888 and a daughter, Edith, born March 1891.

III. Eugene Reed Overby was a farmer and must have lived near his parents in Urich, Missouri. In 1888, he married Minnie Post who was born in 1870 in Virginia. Both are buried in Hendricks Cemetery in Urich, Missouri. They left a large family:

1. Claude born June 1888
2. Walter born July 1889
3. Eugene born January 1891
4. Lena L. born 1893
5. Robert born 1895
6. Edward born 1898
7. Clara born 1902
8. Stena born 1904

IV. Robert A. was Stephen's youngest son. He was born in 1869 in Henry County, Missouri. In April 1900, he married Ella Mix who was born in 1881. He resided on the farm with his father. There was only one child, Eddie, born in 1900.

Stephen had two daughters but he did not identify them by name in his correspondence. Fannie was born 1867 in Christian County, Kentucky. This was shortly before her parents moved to Missouri. In 1888, she married Alvin Giltner. They lived in Clark County, Indiana in 1900 but moved to Cass County, Missouri in 1905.

Their children were Lillie born July 9, 1890, Hazel born October 7, 1892, Edith born February 5, 1895, and Benson B. born March 2, 1898. The other daughter was Margaret Overby born 1873, married Henry J. Starkey in 1893. They lived in Pettis County, Missouri. There were two children in the 1910 Census, Una age 16 and Bennett age 13.

Stephen was very interested in the history of the Overby family. In 1895 he corresponded with family members who were researching the family. Stephen's long letter of 1895 has been valuable in clarifying this line.

Stephen died April 10, 1913 and is buried in Hendrick's Cemetery in Urich, Missouri. His wife, Margaret, who is also buried there, had died January 13, 1905.

Other Children of Zachariah and Eliza Overby:

William S. Overby was born in 1833 in Virginia so he must have been an infant when his parents came to Kentucky. His first wife was Elizabeth Stewart, daughter of Wilson Stewart also of Trigg County. Their marriage bond was dated December 30, 1854. Elizabeth died in 1856. In January 1860, William remarried; his second wife was Mary Jane Newton. In 1900, the Census listed them with two children, Edwin B. born April 1872 and Gideon H. born April 1874.

Anna J. Overby was born to Zachariah in Trigg County, Kentucky in 1835. No other information.

Andrew J. Overby was born in 1837 in Trigg County, Kentucky. He was a farmer in Caldwell County, Kentucky. He married Sarah E. Blanks according to their Trigg County Marriage Bond dated December 14, 1857. The marriage, by Q. A. Patterson, took place on December 17, 1857 at the home of James Blanks. Their children were Ora, Maude, Hugh, Guy, and Albert P. He was deceased by 1895 according to this brother Stephen M.

Robert H. Overby was born in 1839 according to the 1850 Trigg County Census. He married Margaret Boyd.¹⁸

Martha E. Overby was born about 1843 (based on Census age). No other information. She may be the Martha Elizabeth Overby whose Trigg County marriage bond is dated January 3, 1860. If so, her husband was J. A. Newton.

Mary Frances Overby was born November 19, 1847 and died unmarried on October 11, 1873. She is buried in the Lander Cemetery. Birth and death dates are taken from her grave marker.

Ann Eliza Overby was born January 12, 1845 in Trigg County. She married Thomas E. Ladd on December 24, 1873 in Trigg County. They were living in Trigg County at the time of the 1880 Census but shortly afterward they moved to Urich, Missouri where Ann Eliza's brother, Stephen, was living.

¹⁸Christian County, Kentucky Marriage Book 5.

Stephen built a home on his farm for Ann Eliza and Thomas and their children. Ann Eliza died October 1, 1885 of tuberculosis, leaving three small children. Thomas died in 1894; both he and Ann Eliza are buried in the Hendricks Cemetery in Urich, Missouri. Their children:¹⁹

- I. Julia Frances Ladd, born March 29, 1875 in Kentucky; married George Maxwell Cook on October 26, 1892.
- II. Minnie Ladd, born August 1879 in Kentucky was married about 1901 to William Scott Buckley.
- III. Annie Ladd, born 1883, married Sumner Stucker about 1901.

Rufus M. Overby was born July 9, 1840 in Trigg County. Rufus married Jane Rogers in 1866, and they raised a family at Zachariah's old home place. Rufus gave land for the Buffalo Lick Baptist Church and another parcel to be used for a public school. Rufus's will was dated 1902 and his tombstone, a double stone, indicates that he was born July 9, 1840 and that he died March 9, 1902; his wife Jane was born March 28, 1839 and died March 28, 1916. They are buried in the Lander Cemetery in Christian County, near the graves of his parents.

Rufus and Jane had the following children: Walter, born October 23, 1867, died June 1, 1889, according to stone in Lander Cemetery. Ida and Ada, twin girls; Wallace no information, Rufie, married Julia Rogers November 7, 1891 (Christian County Marriage Book 14); Charles Rowles married Sally Rogers on November 6, 1890 (Christian County Marriage Book 15).

Parmelia Overby was the youngest child of Zachariah Overby. She is shown in the 1806 Census as 10 years of age. She is reputed to have married James Wilkey.

All information in this chapter, unless otherwise noted, is from correspondence of Stephen M. Overby dated 1895 and an interview with Charles Rowles Overbey by Hugh Overby in 1969.

¹⁹All information on Ann Eliza Overby and her family came from Zelma Cook, letter dated August 1, 1987. Ms. Cook's mother-in-law was the above Julia Frances Ladd.

EIGHTH GENERATION

SARAH JANE McKINNY

Sarah Jane McKinny was the daughter of Susan Overby and Joseph McKinny. She was born in Sangamon County, Illinois on July 9, 1830. Her parents moved to Grant County, Wisconsin where she married Jacob Jarvis Borah on November 9, 1848.

Jacob was born in Kentucky in 1822 and grew to adulthood south of Morgantown, Kentucky. In 1841, Jacob and his brother James went to Wisconsin to look over the countryside. They were evidently impressed for they returned to Kentucky the following year and once again began a family migration as their mother, brothers, and sisters moved to Grant County, Wisconsin.

Only a few months after his marriage in late 1848, Jacob was again struck by wanderlust. This time he headed west by pony with one of his brothers, probably Edmund. The discovery of gold in California inflamed many a less adventuresome soul than Jacob's. But he did not stay away long, perhaps because he was planning a spectacular adventure. He headed west in 1852 via the Isthmus of Panama with two brothers, Samuel and Elijah. Elijah died of yellow fever as their ship sailed into San Francisco Bay.

The next few years Jacob farmed at Mt. Ida, Wisconsin. But in 1865, the urge to go west took Jacob and his family to Omaha, Nebraska which was the starting point for covered wagons heading for California. They spent the winter in Jefferson City, Montana. Jacob was a carpenter and built miners cabins at the thriving mining town. Sarah Jane cooked for the miners at one of the many nearby hotels. The next year Jacob and Sarah Jane started again for California, they settled in the area of Stockton where they farmed wheat until 1871. Heading east they drove their horses as far as Ogden, Utah before they loaded them on the train for Omaha. From there they went to Hancock, Iowa where Sarah Jane died January 16, 1893. Shortly before her death, Jacob had purchased 320 acres of land in South Dakota where he died February 2, 1908. He was buried in Iowa beside Sarah Jane's grave in Oakhill Cemetery, Hancock, Iowa.

The restlessness so evident in the life of Jacob was typical of the times. Sarah's ancestors had moved westward for a hundred years, beginning with her ancestor, Nicholas Overby, who left Virginia about 1795. Subsequent generations lived in South Carolina, Tennessee, Illinois, Wisconsin, California, Iowa and South Dakota.

Children:

- I. William E. born August 6, 1849, died December 10, 1851
- II. Elijah born October 30, 1852, died November 21, 1923, unmarried (he was born crippled).
- III. Joseph Alphens born June 25, 1854, died September 3, 1855.
- IV. John Columbus born October 7, 1856, died December 25, 1931, married Flora Cahoon.
- V. James Jervis born June 19, 1858
- VI. Henry Fletcher born February 12, 1860, married (1) Lillian Smith, (2) Clara Hartig, (3) Lizzie Evans
- VII. Susan Downs born April 10, 1861, married George Henry Bales, died March 18, 1898.
- VIII. Mary born July 1, 1863, died in infancy
- IX. Emma Dora born April 2, 1868, died at 8 months
- X. Sarah Cora born April 2, 1868 married (1) Jackson Ellswick, (2) Henry Farvour, (3) Henry Gardner, (4) W. B. Lewis.

All data in this line was researched by Camden Meyer who graciously consented to its inclusion in this book.

MARY ELIZABETH OVERBY

Mary Elizabeth Overby was born to Archibald Overby and Sarah Barnard on March 9, 1830 in Greene County, Illinois.

She was married at seventeen to Francis Burton from Calhoun County. They lived in Calhoun County for some years and three children were born there. By 1858 they had moved to "Clay City", an area near Whitehall, Illinois. They purchased ten acres in 1873. Francis was a tenant farmer, a sharecropper, and a worker in the clay mines. He died in September 1875 leaving Mary Elizabeth with seven children still at home, the youngest only four months old.

Two sons of this family were killed one spring morning on April 12, 1882. Tom, age 17, and Ed, age 15, were sitting next to a bank of clay. With them was a cousin; the three boys were eating their lunch. The bank began to collapse and an onlooker yelled a warning; Tom and Ed ran but the cousin was too scared to move. The clay enveloped all three boys. Tom and Ed were killed, the cousin survived.

Mary Elizabeth was married a second time in 1891; her new husband was Warrenton H. Denham, whose daughter Martha had married Mary's son James. Warrenton Denham lived only four years, dying in 1895. Mary reclaimed the name of Burton and returned to her five-acre home where she died on March 13, 1898.

Mary Elizabeth had a poor, hard life. Her early years were characterized by very little of the world's goods; her later years were no better. The problems of this family were not unique. Countless families over the nation found themselves trying to earn a living from land that had no living to give.

Mark Denman relates a very touching story concerning his family. In 1898 his grandmother, a young woman at that time, attended the funeral of Mary Elizabeth; his grandmother was remembered as "a rich cousin in beautiful clothes from up-North". This memory was retained for 75 years by a member of the family. Mark explains that his grandmother wasn't rich but her clothes must have made her seem so to those who had so little of the good things of life.

Mary Elizabeth and Francis Burton were the parents of 10 children.



Mary Elizabeth Overby Burton (1830-1898,
daughter of Archibald Overby.

photo courtesy of
Mark Denman

GEORGE WASHINGTON OVERBEY

George Washington Overbey as one of the five sons of James Madison Overbey and Mary Ann Miles. Born in Christian County, Kentucky, George W. was named for his uncle. James Madison and his brothers named their children for their brothers. The younger George Washington was born on July 3, 1857. As a small boy he would walk up to the Hopkinsville-Russelville Tollpike and sit on a fence. As the Confederate soldiers would march by, George would yell "Hurrah for Jeff Davis". (This was close to the birthplace of Davis.) The troops would give George Confederate money.

George married Laura Rose Gilbert on November 6, 1884 in Callaway County. Two children, Essa Bell and Goldie Oneal, died quite young. There were twin boys, Euron and Buron Williamson, who were born February 28, 1888. Euron died at six months leaving Buron as the only child of this family who lived to maturity. George W. Overbey died July 2, 1927 in Callaway County, Kentucky.

- I. Buron W. Overbey married Ivy Virginia Luter on October 6, 1909 in Callaway County. Ivy was the daughter of Charles Henry Lewis Luter who was born 1857.

Children:

1. George Edward Overbey (see biography)
2. Mary Margaret Overbey was born April 14, 1918. She married Harold Lumsden in November 1938.

All information taken from a letter from George E. Overbey, Sr. to Paul Overbay, dated December 19, 1980.

BRUCE SARAH OVERBEY

Bruce Sarah Overbey was the youngest son of James Madison Overbey and Mary Ann Miles. Bruce Sarah was born January 17, 1871 in Christian County, Kentucky.

Bruce Overbey was married to Frocie Mae Wells on July 31, 1904 in Henry County, Tennessee. Her parents were Salinda and John F. Wells. Bruce Overbey was a farmer and a Methodist. Bruce died a relatively young man of forty-eight leaving young children and a posthumous child born eight months after his death. The date of death was June 19, 1919. The following March his only daughter, Pattie Mae, was born.

Children:

- I. Bruce Graves Overbey, born October 1905, one son Bruce.
- II. Wells Overby (see biography)
- III. Prentice Lassiter Overbey, died April 3, 1964 leaving three children, Prentice Ann, Calvin Wells; and Donald Lassiter.
- IV. Pattie Mae Overbey, born March 2, 1920, married a Mr. Moody.

WILLIAM CRADDOCK OVERBEY

William Craddock Overbey, son of James Madison Overbey, was born in Christian County, Kentucky on October 10, 1848.

On July 16, 1868, William married Virginia Victoria Overby, the daughter of Umbleton S. Overby and Eliza Lawrence McNabb, in Christian County, Kentucky. Eliza had died of cholera on July 23, 1852.¹ Her father then married Martha Caroline Elliott on October 21, 1853. Very little is known of her father, Umbleton, except that he had financial troubles and had to sell his farm and crop to settle his debts and nothing is known of him after that. It is very possible that Umbleton died young. A family story relates that Virginia Victoria was living in the household of James Madison when she married his son, William Craddock.

William and Virginia lived in Cadiz, Kentucky where he owned and operated a wagon and wheel shop in 1870. Two children were born to this marriage and both died as infants. Virginia also died shortly after 1870 within a day or so of the death of their second child. This child and Virginia are buried together in the same grave.

William Craddock moved to Calloway County with his parents in the early 1870's where he met and married his second wife, May Virginia Thornton, January 17, 1878. May Virginia was born in Tennessee May 28, 1850.

Eight children were born to this marriage: Malah, Ola, Smirtie, Ludie, John, Coleman, Frank and Edgar. William and his wife owned a very fertile farm north of Murray, Kentucky in the Clark River bottom. In 1879, he built their first home north of Murray on what is known today as Highway 641. It

¹Three days before her death Eliza L. had given birth to a little girl also named Eliza. Christian County Vital Statistics give Eliza's cause of death as cholera. On the day she was one month old, little Eliza also died of cholera. Cholera was a frequent cause of death in Christian and Trigg Counties in the early 1850's.

was located just across the road from where the Scotts Grove Baptist Church stands today. The lumber of this home was secured from one large poplar tree on his farm. He felled the tree and planed the wood himself. This home was destroyed when the present highway was widened. He built their second home of brick which he baked in a homemade kiln using the clay from his farm. Recently Frank Albert Overbey, a grandson of William, purchased this farm and refurbished the home his grandfather had built in 1907.

His second wife died of tuberculosis August 21, 1894 and William married a third time on April 13, 1902 to Fannie Lee Bogard Hutchens. She was the widow of George Hutchens and the daughter of Archibald Bogard and his wife, Fannie Jane Melugin West. Three children, Hafford, Ruth and Bradley were born to their marriage. Fannie died of spinal meningitis, February 18, 1921. Fannie started a Sunday School for children and an outgrowth of this effort was the establishment of the Scotts Grove Baptist Church. Sam Scott, a farmer in the community, gave the land and William made a sizable offering. Others also gave and the church was organized on September 18, 1912. The church is still a vital part of the community today. Fannie was the first one buried in the church cemetery and after his death on January 8, 1934 of uremic poisoning, William was buried next to her.

William Craddock Overbey was a talented and very creative person with his hands. The ownership of a wagon and wheel shop, the building of his own homes indicate his skill. His son, Hafford, tells of the day he went to his father and told him he needed a baseball bat. Most fathers would have purchased the bat; William Craddock made one.

William Craddock Overbey died in Callaway County, Kentucky on January 1, 1934 at the age of 85. He outlived all three of his wives.

Children:

by second marriage to May Virginia Thornton

- I. Malah born 1878, died 1885.
- II. Ola Mae Overbey born 1882, married William Mohundro in 1906, died 1910.
- III. William Smirtie Overbey, born 1883, married Myrtle Mohundro in 1905. He died in November 9, 1963.
- IV. Mary Ludie Overbey, born 1885, married Jacob Cole in 1903. She died in 1977.

- V. John James Overbey born 1877, married Gertrude Scott in 1917. He died in 1966.
- VI. Andrew Coleman Overbey, born 1889, married Susan Hargrove, died 1950.
- VII. Ruel Homer Overbey was born in 1890. He married Edith Holland. He lived to be over 87, dying in 1977.
- VIII. Edgar Homer Overbey was born in 1892 and married Elva Anderson in 1916. He died in 1978.

Among their children was Lt. Burgess Overbey who was born in 1921. He died on November 29, 1943, one of the many tragedies of World War II. Burgess was one of the 10-man crew of a B-17 bomber hit by enemy ground fire after a bombing raid near Bremen, Germany. Chased by German fighter planes over Germany and Holland, the disabled plane's engines gave out 45 miles off the coast of England. The men evacuated the plane safely and set adrift on two rubber life rafts. As the men awaited help (they had previously established radio contact with England), a severe storm blew up. The rafts capsized many times but no one drowned. After four hours, as they sat in the chest-deep water of the raft, the first death occurred as a crewman began nodding, as if dozing off; after a few minutes he was dead from the severe cold. Two more died that night, frozen, without complaint they slipped away. The next morning the second raft told the same sad story. All five of its occupants were dead, including Lieutenant Overbey.

(Of the two remaining only the pilot, Walter Chyle, Jr., survived. The second survivor died a few hours after they heard the search party overhead but the fog was so thick they could not be seen. Chyle woke up in Holland, having been picked up by a German patrol boat. He spent the rest of the war in a prisoner of war camp. Burgess Overbey had been the navigator on that fateful mission.)

by third marriage to Fannie Lee (Hutchens) Bogard:

- I. Hafford Overbey (see biography)
- II. Ruth Overbey, born 1905, married Thomas Crider.
- III. William Bradley Overbey, born 1907, married Gladys Hicks, died 1968.

All information on Burgess Overbey was taken from an article in the Louisville, Kentucky "Courier Journal" on May 30, 1984. Walter Chyle, Jr., the only survivor, gave a very touching account of the loss of nine young men.



House built in 1907 by William Craddock Overbey, son of James Madison Overbey. William Craddock baked the brick himself. The house, located near Murray, Kentucky, is the home of Frank Albert Overbey, grandson of William Craddock.

photo courtesy of
Dale Overbey

FRANK H. OVERBEY

Frank H. Overbey was born in Graves County, Kentucky in 1850, the son of Peter William Overbey and his wife Elizabeth. He lived in Graves County until 1884 when he moved to Marshall County to operate a sawmill. He returned to Graves County in 1886 to resume farming until 1894 when he started operating a store in Murray. After another stint at farming, he retired at Lone Oak, Kentucky where he did civil engineering. Frank Overbey was married to Mary Emma Hargrove on November 1, 1876 in Graves County by the Rev. Crawford. He was a Democrat and a staunch member of the Methodist Episcopal Church.²

Children of Frank H. Overbey and Mary Hargrove:

- I. Bob Claude
- II. Clyde M.
- III. Kelly G.
- IV. Roscoe R.
- V. Harry W.
- VI. Ruby (died at age of eighteen)
- VII. Guy (died at seventeen)
- VIII. Laura

Two children died in infancy.

The children of Frank H. Overbey were achievers. According to a letter penned by F. H. and dated June 3, 1924, he responded to an inquiry from Oehlan Z. Overbey concerning the Overby family. He gave the following account of his children:

Clyde Overbey was superintendent of the Commercial Schools in Richmond, Virginia, he had formerly been Superintendent of the Richmond public schools with a complement of 1,200 teachers.

Kelly Overbey was a teacher at the State Normal School in Indiana, Pennsylvania.

Roscoe R. Overbey was an auditor for the federal government based in Chattanooga, Tennessee.

Harry was a "traveling man", (this may have meant he was a salesman) and was located in Kentucky.

²History of Kentucky, Volume 5 by Judge Chas. Kerr, American Historical Society, Chicago and New York, 1922.

Bob was a physician in La Center, Kentucky. (There is a separate account of this man.)

Daughter Laura was described only as "married".

A letter from "Laura" to Oehlan Overbey, dated March 10, 1930, Paducah, Kentucky, throws some additional line on this line. She states that there are "no boys in the family except Clyde's" as follows:

1. Clyde Merritt, Jr. born January 19, 1914
2. Richard Haskin born September 11, 1916
3. Robert Winston born February 29, 1920

This is signed by Mrs. J. B. Pease which gives us Laura's married name. In a previous letter of January 14, 1930, she stated that her first husband lived only two years and that she had remarried.

WILLIAM HENRY OVERBY

William Henry Overby, the third of this name, was born in Henderson County, Kentucky on June 27, 1894 the son of William Henry Overby and Fannie Bell Moore. He was graduated from Phillips Exeter Academy in Exeter, New Hampshire in 1912. He then attended Yale University, as had his father.

On October 5, 1919, W. H. Overby was married to Irma Friedrich, daughter of Andrew and Elizabeth (Spring) Friedrich, both born in Germany.³ In 1923, he entered a career in banking when he joined his father's bank, the People's Savings Bank of Henderson. He subsequently moved to McGhee, Arkansas.

Children of W. H. Overby and Irma Friedrich:

- I. William Henry IV
- II. Bettie Ann

BURNETT PRYOR OVERBY

Burnett Pryor Overby was the youngest child of William Craddock Overby and his wife known only as Mary Jane. He was born October 20, 1859 which was close to the time of the death of his grandfather, William P. Overby. He was destined to spend his entire life in the Christian-Trigg area of his birth. His wife was Ella Stewart, daughter of John Fry Stewart and his wife Melissa, whose maiden name was also Stewart. They were first cousins. John Fry

³History of Kentucky, S. J. Clarke Publishing Co.

provided his family with a lovely home which this writer saw about thirty years ago. Time had taken its toll after a century but the large frame home and rolling green lawns must have been considered fine in its day. (It has since burned.)

Burnett was a large man in the memory of his grandchildren while Ella was a tiny woman with feet so small that she had to wear children's shoes. Both Lacy and May Overby remember their grandfather as a "Colonel Saunders" look-alike with white hair and a white mustache. He was an immaculate gentleman, tall and erect, with a black string tie and a snow white shirt.

Rather than raising crops Burnett raised sheep, buying and selling them around the country. He rode horseback as he collected sheep to be herded home, sometimes across the wide Cumberland River by ferry. The grandchildren remember Burnett's horse "Old Quickstep" and how attached Burnett was to the iron-gray saddle horse.

Burnett and Ella lived next to the Stewart home place with their family of six children. Burnett was an Overseer of the Canton Road in 1905. Burnett's wife, Ella died on April 7, 1928 and Burnett survived here only twenty days. Lacy Overby, a grandson of Burnett, remembers his funeral. "Carry Me Back to Old Virginny" was played and "Ole Quickstep" marched riderless in the funeral procession.⁴ Burnett and Ella are both buried in the Stewart Cemetery very near where they lived. Ella's parents are buried there also. Their children:

- I. Alious William (see biography)
- II. Eula born October 31, 1885, married Herman Hite
- III. Lula married Jesse Lawrence
- IV. Beulah married Mr. Alexander
- V. John Henry born April 29, 1891, married Odie Futrell. "Uncle Johnnie", as he was called, lived in the Christian-Trigg County area of his forebearers. He died on August 12, 1980. He was buried in the Stewart Cemetery where his brother, parents and Stewart grandparents are buried.
- VI. Zula never married. She is 90 years old at this writing, living in a nursing home in the Hopkinsville area.

⁴When Burnett's estate was settle, "Ole Quickstep" was not sold but remained with the land Burnett had owned.



Tombstone of Burnett Pryor Overby and his wife Ella Stewart and their son, Alious William Overby. This is located in the Stewart cemetery adjoining the old Stewart homeplace near Cadiz, KY.

HENRY ANDERSON OVERBY

Henry Anderson Overby was the son of William Craddock Overby and his wife, Mary Jane _____. He was born August 31, 1846 in Christian County, Kentucky. He was listed in the 1870 Census of Trigg County as a "24 year old bachelor, head of the house, and he worked on a farm". (His brother J. W. lived two houses away.) He must have married soon after that date. His wife was Rosanna Lee Chambers, daughter of John and Sarah Chambers. She was born October 20, 1849.

Henry was living in the Oklahoma Territory in the 1890's when he was visited by a niece and nephew, Eula Overby and her brother Alious of Trigg County, Kentucky. They were children of Henry's brother, Burnett P. Overby. This story was passed down in the family of Henry Anderson Overby. Perhaps it was important to them as a link to their Overby relatives back in Kentucky.

Henry and his wife are buried at Rush Springs, Oklahoma. Their children are:

- I. Walter Lesley born June 3, 1873, died May 15, 1958. he changed his named to Wesley.
- II. Bause (Boss)
- III. Henry Linsey born December 5, 1875, died April 18, 1900.
- IV. Mary Susan born April 6, 1880.
- V. Matthew F. born July 8, 1882.
- VI. Katie Iner (Ina) born January 15, (torn), died February 8, 1900.
- VII. Ernest Harry born November 3, 1887.

All information concerning Henry's wife and children came from his Bible Record, Hugh Overby Collection.

FRANK EVERETT OVERBY

Frank Everett Overby was the son of James Belfree Overby and his second wife, Lydia Margaret Dearduff. Frank was born in Missouri on March 26, 1875; his parents homesteaded at Crocker after their move from Illinois.

Frank had brown hair and dark brown eyes, according to his son Hugh Overby. He had a grade school education.

Frank married Susan Elnora Stockton in Pulaski County, Missouri on December 22, 1895 and they became the parents of nine children. Frank and Susan went to Oklahoma in 1907 where Frank farmed or was a section foreman

on the railroad. When Frank tired of working on the railroad he would return to farming for a stint. He bought two tracts of land in Latimer County, OK in 1921 which he farmed until 1930. He quit railroading, for the last time, in 1923. He was only 48 years old at that time.

Susan Stockton Overby died in October 1951; Frank sold his home in Wister, Oklahoma and moved to Oklahoma City to live with his daughter, Ruth. He had massive crippling strokes; fighting to regain his health, he suffered other strokes. He died on June 9, 1955.

Children:

- I. Rosella born 1896
- II. Minnie Mae born 1898
- III. Noble Thomas born 1901
- IV. James Franklin born 1904
- V. Ina Georgia born 1907
- VI. Irene Blanche born 1909
- VII. Hugh Allen (see biography)
- VIII. Ruth Daphne born 1915
- IX. Leroy Carl born 1918

NINTH GENERATION

WELLS OVERBEY

Wells Overbey was born December 24, 1907 to Bruce Sarah Overbey and his wife, the former Frocie Mae Overbey. Wells, who lived in Murray, Kentucky received his B.S. degree from Murray State University and his Juris Doctor degree from the University of Kentucky College of Law.

During World War II, Wells served as an officer in the U. S. Navy.

In addition to his private law practice, Wells had a notable career in public service. He was City Attorney of Murray, Kentucky from 1946 until 1953 and from 1958 until 1977. In that capacity, he made substantial contributions to the welfare and prosperity of that community in the drafting of ordinances and other legal instruments necessary for progress.

In addition to his service as Murray City Attorney, Overbey served as Callaway County Attorney for four years. He was a member of the Murray Board of Education and served as chairman. He served as a special judge in Marshall and Caldwell Circuit Courts and as a special prosecuting attorney in the Christian County Circuit Court. He was a Mason and an active member of the First United Methodist Church of Murray. His hobby was gardening. Wells and his second wife, the former Joyce Weeks, lived in Murray, Kentucky. Wells and his first wife, Mary Belle Clark, were the parents of two daughters.

Wells Overbey passed away on September 8, 1987 at Murray, Kentucky. He was 79 years old.

Children:

- I. Mary Wells Overbey, daughter of Wells and Mary Belle, is married to Thomas Evans.
- II. Lockie Belle Overbey was born to Mary Belle Clark and Wells Overbey on March 12, 1941. In 1963 she married Maurice Ronald Christopher.

Lockie Belle has had a distinguished career as an educator. She has been an elementary school principal and college professor. She has her doctorate. She received an Emmy Award from the National Academy of Television Arts and Sciences for her contributions to "Inside Out".

In 1985, she was named Supervisor of Staff Development for the Saginaw, Michigan School System. The school district is one of the largest in Michigan.

JAMES JERVIS BORAH

James Jervis Borah was born in Wisconsin to Jacob Jarvis Borah and his wife, Sarah Jane McKinny. He went to Beadle County, South Dakota where he homesteaded. On February 17, 1886, he married Lizzie Edna Bailey who was born April 10, 1868 so James was ten years older than his bride. In 1910, they moved to Huron, South Dakota where he became a partner in the Mid State Motor Company. Lizzie Borah died August 14, 1935 and James Jervis Borah died November 16, 1942.

Children:

- I. Lloyd born October 31, 1886, married Louise Eckhardt
- II. Edith born October 12, 1889, died January 2, 1905.
- III. Sarah born January 20, 1891, died July 20, 1891.
- IV. Mildred Lois born October 2, 1893, died July 29, 1982, married John Christian Meyer
- V. Delbert born February 18, 1897, died April 11, 1897.
- VI. James Carroll born June 19, 1898, married Lenora Cecilia Meyer
- VII. Herbert Preston born October 12, 1904, married Mildred Opal Allison.

ALIOUS WILLIAM OVERBY

Alious William Overby was the son of Burnett Pryor Overby and Ella Stewart. He was born in Trigg County on August 20, 1882. His father, Burnett, was a sheep raiser and Alious and his brother John Henry helped on the farm. The girls of the family-Eula, Beulah, Lula and Zula did not do farm chores for the most part. The ladies wore bonnets to protect their faces from the sun if they went outside as they were proud of their complexions.

Alious married Bessie Rutland on August 31, 1904.¹ Not much is known about Bessie; the writer has seen her picture and she was a sweet looking young woman with a head of curls. Bessie died about six months after her marriage. The family remembers that typhoid fever was the cause of her death.

Alious evidently related the story of his participation in the Night Riders raid in 1907. The publication of this in the "Cadiz Record" on April 19, 1984

¹Trigg County Marriage Register 10, page 274.

was a complete surprise to his children as they had never heard it mentioned in their household.

The newspaper story said that Alious related this tale some years ago. (Alious died in 1962.) In 1907, the tobacco farmers of Christian County were breaking under the power of the Duke Trust over tobacco prices. A large number of men decided to take the law into their own hands, they organized just like the military. Alious said this was exciting at first. The meetings were held in the dark and the speeches were rousing. The attraction of the Night Riders soon faded as men were told what to do and they feared for their lives if they disobeyed.

On the fateful night of December 6, 1907, telephone lines were cut all over town. Alious and another man were sent to watch the phone company operators to see that no one called. The rest of the men went out and burned tobacco warehouses. They were afterwards joined by Cavalrymen, deputy sheriffs, and angry citizens. As daylight approached, these people feared they might be recognized and they opened fire on the Night Riders, hitting two of them. Alious was across the road putting up his horse when he saw what happened. He and a friend put the horse back to the buggy and put the men in the buggy and drove off to safety. However, one of the men was already dead. Although he was a passive participant in this lawlessness, Alious said he felt guilty that he was associated with the group that did it.²

Alious married a second time on December 29, 1910.³ He was then 28 years old. His wife was Oma Catherine Thomas, daughter of George Lee Thomas and Martha Lee Ann Vinson.

Alious was of medium height, his dark brown hair was curly. He had a strong, distinctive voice that commended attention. He considered himself a farmer but left farming responsibilities to others. He was a skilled carpenter who built homes and barns, and his services were in demand. He conducted his building matters in a business-like fashion. He read blue prints, calculated his building supplies mathematically, and kept books on work under construction.

²In 1911, anti-trust legislation did away with the power of the Duke Trust had over the tobacco farmers.

³Marriage took place in Clarksville, Tennessee. May Overbey has the very elaborate wedding certificate they received.

Alious had several farms in Trigg County but farming, per se, was never his forte. He had sharecroppers, tenant farmers, and daily workers who did this for him. He was respected by these men for several reasons. He was a good leader and a prompt paymaster but he was also a respecter of persons. Alious paid his workers by check, a new experience for many of them. A check expressed a contractual relationship between equals, a concept far removed from the "Boss and Laborer" way of doing business. Psychology had not made many inroads in remote areas of Trigg County seventy years ago but Alious knew a lot about how to handle people.

Alious was well educated for the average man of his day. He read extensively and insisted on daily and weekly newspapers in his home; he belonged to various farmers associations and "Woodmen of the World Lodge".

Alious considered himself a builder rather than a farmer; he was absent from the farming operation which he left in the hands of his wife, Oma, who also had 4 children to rear.

Nella May was the oldest child, followed closely behind by Morris, Clara and Lacy completed the family but also living with the Overby children were two Humphries cousins, children of Oma's deceased sister. Life for the children centered around the one room school house nearby. Oma was ill at one time and the teacher suggested that she send Lacy to school with the other children. Lacy was then about 3 years old. Lacy probably started school in earnest that day for he was invited back as a full-time student!

Lacy remembers a custom then prevailing among the farmers. On Sunday, they were freshly bathed, clean-shaven and wearing their best clothes. They spent the day walking their fields and admiring the fruits of their labors. During the week, life was just too hectic for anything but work, either your own or that of an employee. Sunday was the day for truly "counting one's blessings".

School was very important in the household and all the children were good students. When May finished grade school, there was no high school for her to attend so the family arranged for her to live with a family at Linton, Kentucky where there was a high school. She stayed at Linton the full 4 years. Morris and Clara were taught by a hired teacher for awhile before the high school opened at Lafayette. Morris drove the "school bus" which was a team of horses pulling a wagon! His passengers were his sisters and cousins. Little Lacy was back at the one room school house in an ungraded setting.

Both parents did all they could to provide all the education rural Trigg County could provide in the 1920's.

For a time, the family lived "Between the Rivers" which was local parlance for the land between the Cumberland River and the Tennessee River. Some of this land is now submerged under Barkley Lake.

The Depression of 1929 was as economically devastating to the farmer as to the Wall Street broker. In the instance of Alious, there were no more barns or houses to build because no one had any money. There were payments due on farms and these bills soon became overdue with no money available. These problems, and others, had no solution for the Overby family; finally Oma and Alious separated and Oma moved to Nashville, Tennessee with their four children. By that time, May had completed high school and Morris and Clara were nearly through. Lacy had been in a one-room school in an ungraded setting where he had just completed "eighth grade" work in March. This was before the days of "official transcripts" and no one questioned this child whose age would have placed him in the fifth grade. Rather than being overwhelmed by the large Nashville "school system", Lacy attended eighth grade there from March to June and entered high school in September at the age of 10.

Life in Nashville was completely different than Roaring Springs, Kentucky.⁴ May got a job, Morris worked for his uncle, Herbert Thomas, who was a roofing contractor. Clara took a business course. Morris developed tuberculosis, another blow to this family desperately trying to make it. It was years before Morris was completely free of that disease. Those were difficult years for most families whose problems were only economic. The additional burden of serious illness was almost tragic. And tragic it was for Clara who also contracted tuberculosis. She died at twenty three leaving a grieving family who still remembers her so tenderly. Lacy remembers her as a bright and energetic girl who would entertain visitors back in Kentucky with her rendition of the Charleston. Lacy says he never understood how she learned it since her only possible exposure was to newspapers. Clara was an accomplished needlewoman and her many lovely cutwork pieces pay testimony to her skill. Clara strongly resembled her older sister, Nella May.

⁴Lacy was much impressed by banana pudding, a dessert he had never had on the farm. When company was expected on the farm, the "status" food was "light bread" and store-bought ham. The country ham and homemade bread considered "everyday" on the farm was "status" in the city.

May, as she is called, and Lacy are the only surviving children of Alious and Oma. Morris married Vira McCoin in 1937. Morris and Vira spent many years operating retirement homes for Church of Christ local congregations. Morris worked for the Ford Motor Company in Nashville in an engineering capacity. Morris developed diabetes in mid-life and there were some problems associated with this but with no severe restrictions. Morris suffered a fatal heart attack on January 20, 1970 when he was 57 years old. Morris's widow, Vira, lives in Nashville in the house which she and Morris bought several years before his death.

May Overby lives in Nashville in the home she bought in 1959. She worked for Washington Manufacturing Company for many years and then had another full career with a commercial building company. May, who was an office manager, decided one day that she was ready to retire and she did! However, her retirement has consisted of volunteer hospital and Red Cross work, volunteer Senior Citizen tax assistance and other wonderful activities that make retirement a positive experience.

Alious visited his family in Nashville for a few years after the separation and divorce but finally all contact ceased. Alious died in a nursing home in Murray, Kentucky on December 2, 1962. He was 80 years old. Alious had married a third time; his wife was a fellow patient at the nursing home.

Oma never really recovered from the sadness of those last years in Kentucky; the hard times and the illnesses of her children were just too much. She was a very creative person who stayed busy with her many projects and her garden but the sadness was there and could not be erased. She lived a long life by any standard; she passed away on February 2, 1972 at the age of 86. Lacy and May were at her bedside.

Children:

- I. Nella May Overby, born September 4, 1911 in Kentucky, lives in Nashville, Tennessee where she has made her home for over 50 years. She had several careers in the business world but is now retired. She is a Red Cross, hospital and Senior Citizens volunteer.
- II. Morris William Overby was born August 18, 1912 in Kentucky. On September 18, 1937, he was married to Vira McCoin. He worked as an engineer for Ford Motor Company in Nashville until he died of a fatal heart attack on January 20, 1970.

Children:

1. Sandra Lucille Overby was born on May 1, 1938. She attended David Lipscomb College. She married Donald Parman on July 18, 1958. They have lived in Memphis, Tennessee for many years.

Children:

Dona Lou	Naomi Elizabeth (Beth)
William Anderson	Jacqueline Denise
Amanda Elaine	Libby Morrisetta

2. Ann Morrisa Overby, who was born December 29, 1954, has lived in Nashville, Tennessee all her life. She attended David Lipscomb College.
- III. Clara Elizabeth Overby was born February 27, 1914. She attended Andrew Jackson Business College. She died of tuberculosis on July 24, 1937.
- IV. Lacy R. Overby (see biography)

HAFFORD H. OVERBEY

Hafford H. Overbey was born on January 16, 1902 in Calloway County, Kentucky. He was the first of three children born to the third marriage of William Craddock Overbey. He lived in Calloway County until he moved to Detroit, Michigan in 1921. He returned the following year and married Grace (Gracie) Lou Morris, his high school sweetheart. Grace was the youngest daughter of James Franklin Morris and Mary Brittanna Jones. Mary was born July 15, 1872 in Calloway County, Kentucky and died, in the same county, of tuberculosis January 24, 1905. James Morris was born December 8, 1868, in Graves County, Kentucky and died November 14, 1941 in Murray, Kentucky. His second marriage was to Emma Laura Albritten Miller February 7, 1906 in Calloway County, Kentucky.

Hafford and Grace were married in her home in Murray, Kentucky on November 28, 1922. They moved then to Detroit, Michigan where Hafford was employed by Ford Motor Car Company as a teacher for the Henry Ford Trade School. He accepted a position with the W. T. Rawleigh Company in 1930 and the family moved to Freeport, Illinois. By then Hafford and Grace were the parents of three sons, Edward, Donald and Dale.

During the depression, Hafford left the Rawleigh Company and went to work for the A&P Company as a manager of one of their stores in Dixon, Illinois. A subsequent move took the family to Wheaton, Illinois in August of 1935.⁵ The family had increased to include a daughter, Ruth, and another son, Kenneth.

Hafford and Grace, who were born again Christians and Baptists, had always been very active in their Christian service and had deep commitment to foreign missions. While living in Wheaton, Hafford and a close friend, Z. E. Clark, entered into an agreement with Missionary Joe Brandon of Brazil to start a foreign mission work to be known as Baptist Faith Mission. From this humble start, the work has grown to its present position with missionaries in the countries of Brazil, Peru, Philippines and Korea and at times has included Honduras and Columbia.

His involvement in Baptist Faith Missions can be best described by the inscription on the plaque presented to him by the Directors and Supporters of Baptist Faith Mission on November 24, 1981:

"Hafford H. Overbey (Mr. Missions) in recognition of 40 years of faithful and sacrificial service and leadership as Executive Secretary of the Baptist Faith Mission.

Baptist faith Mission began in 1942 when one man, Hafford H. Overbey, had a burden and a vision for foreign mission work in Brazil. From that beginning the work has grown under his leadership and now multitudes share his burden and vision for carrying out the Great Commission of Jesus Christ.

Presented by the Directors and Supporters of Baptist Faith Mission at the Twenty-seventh Annual Thanksgiving Conference, November 24, 1981."

⁵On August 16, 1937, as Hafford was returning to the A&P store in Wheaton, Illinois, he saw an elderly man crossing the railroad track as a train approached. Warning bells were ringing and Hafford told the man a train was approaching. The man responded verbally to Hafford but continued to walk toward the oncoming train. It soon became apparent that the man was going to be hit unless drastic measures were taken. Hafford ran across the tracks and carried the old man out of the path of the train just as it pulled into the Wheaton station. The man became angry at Hafford, shaking his fist as he walked away. The old fellow evidently never realized that Hafford had saved his life. Reference: "The Wheaton Daily Journal", Wheaton, Illinois, dated August 17, 1937. This was the headline story that day.

In 1944, Hafford, who was an outstanding Bible scholar skilled in Bible teaching, and as an outgrowth of his deep interest in missions, felt led by God to enter the ministry. The family, now including a daughter Mary Jane and a fifth son James, moved to Detroit, Michigan where their last child, Sue, would be born in 1946. Hafford remained Pastor of Twelve Ryan Baptist Church in Warren, Michigan for 35 years until his retirement in September 1979. Grace passed away on January 29, 1971, eight months after their son Kenneth was murdered while traveling in Europe. Hafford married Maude Crosslin Duncan, February 27, 1976 at the Twelve Ryan Baptist Church, Warren, Michigan. They now reside in Lexington, Kentucky.

Children: (all by first marriage)

- I. Edward Hugh Overbey was born May 6, 1924 in Highland Park, Michigan. During World War II, Edward had 30 missions over Germany on a B-24 Liberator. He is a graduate of Wheaton College, Wheaton, Illinois and Northern Baptist Theological Seminary. He is pastor of the South Lexington Baptist Church in Lexington, Kentucky. He also teaches at Lexington Bible College. On June 14, 1952, he married Jacqueline Ulrich.

Children:

1. Thomas Edward Overbey born October 23, 1954, married Mary Katherine Dix.
2. Martha Jane Overbey born February 27, 1957 married Mark Czecholinski.
3. Grace Ann Overbey born June 1, 1958 married Clark Henderson.
4. David Hafford Overbey was born June 24, 1960.

- II. Hafford Donald Overbey was born November 15, 1926. He served in China in World War II. He is a graduate of Wayne State University and works as a manufacturer's representative. On February 15, 1951, he married Joanne Ellen Navarre.

Children:

1. Gay Ellen Overbey born January 3, 1953 married Norman A. Williamson.
2. Debra Lynn Overbey born April 5, 1955 married David Nieva.
3. Robert Navarre Overbey born June 13, 1959.
4. John Morris Overbey born March 15, 1965.

On June 10, 1978, Hafford Overbey married LoVella Howard.
Child:

1. Emily Lorene Overbey born March 4, 1980.
- III. Calvin Dale Overbey (see biography)
- IV. Virginia Ruth Overbey was born June 15, 1931. She married Russell Darling on March 20, 1957.

Children:

1. Cathy Lynn Darling was born April 1, 1958. She married David Paul Jones on June 9, 1984.
2. Janice Denise Darling was born September 26, 1959. She married Brian Cook on August 6, 1985.
3. Russel Ward Darling was born January 31, 1963.
4. Karen Sue Darling was born October 4, 1964.
- V. Kenneth Lee Overbey (see biography)
- VI. Mary Jane Overbey was born May 18, 1937 and married Ronald Gibbs on August 20, 1955.

Children:

1. Sheryl Lynn Gibbs was born October 17, 1956.
2. Linda Jill Gibbs was born December 22, 1957.
3. Ronald Mark Gibbs born April 16, 1959 was married to Patricia Lynn Wilkenson July 14, 1984.
- VII. James William Overbey was born February 5, 1940. On June 9, 1962 he married Pamela Sue Richard.

Children:

1. Dianna Lynn Overbey was born April 2, 1963.
2. Dana Jill Overbey was born June 25, 1965.
3. Kenneth Keith Overbey was born August 19, 1972.

In September 1986, James William married Jeanna Lee Duke.

- VIII. Fannie Sue Overbey was born March 21, 1946. On June 5, 1965, she married Robert Herman Jones. Robert Jones is Pastor of the Bible Baptist Church in Clarksville, Tennessee.

Children:

1. Robert Bryant Jones born June 14, 1966.
2. Walter Scott Jones born October 9, 1968.
3. Anita Kay Jones born January 26, 1976.
4. John Mark Jones born October 25, 1978.

BOB C. OVERBEY

Bob C. Overbey was the oldest son of Frank H. Overbey and Mary Hargrove. He was born in Graves County, Kentucky on October 5, 1877. He first attended the rural schools in Graves County and was graduated from Murray High School in 1899. He entered the College of Medicine in Louisville, Kentucky (now the University of Louisville) where he received his degree of Doctor of Medicine in 1903. He later studied in Chicago, Illinois. He practiced medicine in Murray and Birmingham, Kentucky and settled in La Center, Kentucky in 1908 where he established a fine home. His marriage on April 20, 1910 united two medical families. His bride was Marie Rollings, the daughter of Dr. J. D. Rollings of Ballard County, Kentucky. She was a graduate of Forest Park University in St. Louis and also attended the Conservatory of Music in Cincinnati, Ohio.

Dr. Bob Overbey was active in many organizations; he was a Mason and a postmaster. He was a Democrat, a member of numerous medical societies, a member of the Methodist Episcopal Church, and Health Officer of Ballard County, Kentucky.

Dr. Bob had a brief stint in the U. S. Army in World War I. He entered the Army Medical Corps in November 1918 as a first lieutenant but the Armistice was signed that month and he was honorably discharged the following February. His wife, Marie was an active worker in the Red Cross during the war.⁶ There was only one child of the marriage of Dr. Bob Overbey and Marie Rollings. This was a daughter, Emmalee, described as a "beautiful young daughter." Alas, this beautiful young lady died of tuberculosis.⁷

WILLIAM HENRY OVERBY IV

William Henry Overby IV was the son of William H. Overby III and Irma Friedrich. He received degrees in law and in banking from the University of Arkansas after serving in the armed forces. His father, William A. Overby III, was a banker in Henderson, Kentucky and the younger William H. followed his

⁶History of Kentucky, Volume 5, by Judge Charles Kerr, Amer. Hist. Soc. Chicago and New York, 1922.

⁷Personal interview of Marie Rollings Overbey, widow of Dr. Bob Overbey by the late Hugh H. Overby. Account dated July 30, 1972. Hugh Overby Collection.

father's career. He had been Vice President and Trust Officer of City National Bank at Fort Smith, Arkansas. He resigned that position to become Vice President of the Trust National Bank of Little Rock, Arkansas.

ANNA ELIZA BURTON

Anna Eliza Burton was the daughter of Mary Elizabeth Overby and Francis Burton. She was born on February 18, 1853 in Calhoun County, Illinois. Tradition has it that Eliza was a beautiful girl. She was married to William Richmond Arnold on July 12, 1870. William Arnold had come to Illinois from Springwater, New York in 1864. William's father had purchased a farm in Butler Township, Vermillion County, Illinois and he sent William and Eliza to live there temporarily. This was virgin territory, the nearest neighbor was three miles distance through the tall prairie grass. One night William was away on business and Eliza, just 18, was alone. She heard men's voices in the barnyard. She was too terrified to confront them but felt they would leave if they thought someone was at home. She put her hands underneath the door of the cabin as far as her hands and arms would go. The men saw this sign of life and left without stealing anything. This homestead is still in the family. The original log cabin is part of a large, modernized farm house.

Three children were born to this family. When prairie fires would come close to their home Eliza and William would lower their children into the well, as was the custom of the time. The family prospered as William acquired over a thousand acres of farmland and a fine home in East Lynn, Illinois.

Eliza died of Bright's disease on August 10, 1902. She was only 49 years old. William Richmond died of pneumonia on March 8, 1913. He died a well-to-do man leaving a sizable estate. He also left a bequest to each grandchild; this was sufficient to provide a college education for each.

Mary Ella Arnold was one of the three children born to Anna Eliza Burton and William Arnold on June 15, 1882.

It was Mary Ella who attended her grandmother's funeral in 1898 and has been remembered for her beautiful clothes at that gathering. Mary Ella was the daughter of a very successful farmer and her life was far removed from the hard times of her grandmother's era.

She married Jay Quimby Denman on July 18, 1906 in Danville, Illinois. Ella had been a teacher for several years before her marriage. Jay Denman

was stationmaster at East Lynn, Illinois for the Nickel Plate Railroad for almost fifty years.

Both Ella and Jay were devoted Methodists and active in many church activities. In 1957 they sold their home in East Lynn and moved to Danville. The old home must have had many memories for Mary Ella. This was the house built by her parents in 1900 which had been "home" for 57 years.

Jay died on March 10, 1964 and Mary Ella died on January 18, 1967. They had two children.

HUGH ALLEN OVERBY

Hugh Allen Overby was born in Wister, Oklahoma on August 11, 1911 to Frank Everett Overby and his wife Susan Stockton. Hugh grew up in Oklahoma and was graduated from high school there.

Hugh spent many years in the Panama Canal Zone, going there initially in 1942. While in Newark, New Jersey on a business trip, he met Miriam Todd. They were married on February 18, 1945 at Bethany Presbyterian Church in Johnstown, Pennsylvania and Miriam first went to the Canal Zone in August 1945. Hugh worked for the Federal Aviation Agency. While in Panama Hugh attended college, and he was graduated from the Canal Zone Junior College. Hugh and Miriam left Panama in 1952, returned in 1955, and left in 1960. Hugh suffered his first heart attack in October 1959 while living in the Canal Zone. He made significant recovery from this attack. In 1960 Hugh and Miriam made their permanent home in Fairfax County, Virginia.

Following his retirement from Federal employment Hugh, together with Miriam and their beloved Pekinese dogs, began a fantastic journey through the highways and byways of America. His quest - to find Overbys! Hugh had been interested in genealogy for many years. Retirement years provided the hours necessary to pursue this hobby. Hugh and Miriam purchased a 31 foot Airstream trailer and a tow car. Doubtless, many reading this page have met with Hugh and Miriam. Using local telephone books and advance information from various Overby family members, they met many persons with Overby ancestry. In addition to these visits, Hugh and Miriam maintained an extensive correspondence with those seeking help in establishing their ancestry. In total, Hugh and Miriam collected about 28 stenographic notebooks of oral history and genealogy. Some of their work has been included in this book and is credited to them.

It has been a pleasure to read copies of the many letters Hugh wrote seeking information concerning the family. His enthusiasm never seemed to wane; his excited expectation was apparent in each letter he wrote. He often told his correspondents of the book he hoped to write about the Overby family. It is sad when one does not achieve a dream; while Hugh never wrote his book, he had the daily joy of working toward that goal.

Hugh's widow, Miriam, describes him as a good man and there can be no doubt about that. He took care of family members when they needed help, and he was a friend to all he met. He was a people-person; he belonged to the Shriners, the Masons, the Sons of the Confederacy; he was active in the International Christian Fellowship. He and Miriam attended the Presbyterian Church.

Hugh suffered from congestive heart failure and the last months of his life were marked by a general deterioration of his health. He died in Arlington Hospital on October 4, 1981. His widow, Miriam, continues to live in their home in Virginia.

TENTH GENERATION

MILDRED LOIS BORAH

Mildred Lois Borah, daughter of James Jervis Borah and Sarah Jane McKinny, was born in 1893 at the Borah Homestead near Bonilla, South Dakota. She married John Christian Meyer, son of Frederick and Wilhelmina (Schumacher) Meyer, on February 17, 1913. The Meyer family was of German descent.¹

Mildred and John Christian lived on the Borah Homestead all their married life except for one year when they farmed near Huron, South Dakota. Their first child, Camden, was born near Huron, but the remaining 8 children were all born at Bonilla, South Dakota.

John Christian Meyer died November 27, 1962 and is buried at Bonilla, South Dakota. Mildred continued to live in South Dakota for a few years before going to a nursing home. She suffered a stroke in May 1982; despite her age (88) and the severity of the stroke her family was hopeful. However, she died on July 29, 1982.

GEORGE EDWARD OVERBEY

George Edward Overbey, born January 24, 1913, was the only son of Buron Overbey and his wife, Ivy Virginia Luter.

George eloped with Reba Mae Key on December 19, 1931. He received his law degree from the University of Indiana. He was the founder of the law firm of Overbey, Overbey, and Overbey, located in the Overbey Building in Murray, Kentucky. George was a member of the Rotary Club, a Mason, and a member of the Methodist Church. Reba Mae, George's wife, died August 9, 1976 at the age of sixty-two. George married a second time on November 4, 1978. His bride, Dorothy Norris Johnston, was the widow of a boyhood friend and classmate.

George died February 20, 1981 in Murray, Kentucky at the age of 68.

¹The Meyer family's German origins are in the area about 100 miles north of Berlin, near Demmin. Camden Meyer has done much research on this family.

Children:

- I. George Edward Overbey, Jr. was born October 12, 1934. He married Jacquelyn O'Neill Arvin on September 22, 1962. He is an attorney in the firm Overbey and Overbey.

Children:

1. Kellie Lyn born November 21, 1964.
 2. David Winston born June 27, 1969.
- II. Robert Key Overbey was born June 22, 1937. He married Judith Ann Waldrop on June 2, 1957.
- III. William Donald is 15 minutes younger than his twin brother Robert Key Overbey. He received his B.A. degree from Murray State University and his Juris Doctorate from Vanderbilt University in 1962. He was an honor student at Vanderbilt where he served on the staff of the Vanderbilt Law Review. He is a member of the law firm of Overbey and Overbey. He holds membership in many legal associations and has served as Prosecuting Attorney for Murray, City of Murray Judge, and general counsel to the Murray Board of Education and the Western Dark Fired Tobacco Growers Association. He married Sue Underwood on September 6, 1958.

Children:

1. Stacy Brown Overbey, born January 30, 1961, a graduate of Wellesley College.
2. Mark, born September 24, 1962, is a graduate of Centre College, Danville, Kentucky.
3. Jonathan Charles, born August 14, 1965, was graduated from Emory University in May 1987.

All information was taken from newspaper clippings in the Dale Overbey Collection and from a letter penned by George E. Overbey, Sr. to Paul Overbey in 1980.

CALVIN DALE OVERBEY

Calvin Dale Overbey, son of Hafford H. Overbey and Grace Morris, was born in Highland Park, Michigan on December 1, 1929. Dale, as he is called, was born at the time of the Great Depression and his father changed jobs several times during Dale's early years. But it was a stable home for young Dale, his sister, and three brothers. Their father was well-employed, but beyond economic stability was the strong religious commitment of their parents.

In 1944, Dale's father entered the ministry at the age of 42 and the family, now increased to seven children, moved to Detroit, Michigan where his father had a pastorate.

Dale received his higher education at Wayne State University in Michigan. On June 2, 1951, Dale was married to Doris J. Lessley, daughter of Hasson and June Lessley. The following month Dale, age 22, began a two-year tour of duty with the U. S. Army. He was stationed at Eilson Air Force Base near Fairbanks, Alaska until July 1953.

Dale and Doris are the parents of a son, Randy Dale, and a daughter Robin Lessley.

Dale's parents were deeply religious and their children reflect such commitment. Dale is a member of Westmont Baptist Church, Westmont, Illinois where he has served as a Deacon and leader for some twenty years.

Dale's hobby is genealogy and he is an excellent researcher. On two occasions, Dale and Doris have traveled to England where they have visited the homes and churches of the Overbury family. In May 1987, they visited with Lady Beecham, widow of Sir Thomas Beecham, former director of the London Symphony Orchestra. Lady Beecham lives in the Manor House at Compton Scorpion. This was the birthplace of Sir Thomas Overbury who died in the Tower of London. The manor had been the home of Mary Palmer who was the mother of Sir Thomas. The lovely brick home, three stories high, looks as if it would be perfectly at home on the James River in Virginia. It is similar in architecture to existing colonial mansions in Virginia. It is not known exactly when the manor house was built but it is known to be over 400 years old. Lady Beecham was most gracious to Dale and Doris and permitted them to photograph the house and gardens of the estate.

In a recent phone conversation, Dale described another very emotional experience of that trip. Sir Nicholas Overbury (the Judge) had given a

communion chalice to the church at the Middle Temple. Dale had written the officials asking if he might see it. He was taken to the Silver Vault at the Middle Temple Hall where he was permitted to hold the silver chalice. Dale was deeply touched by this experience; that ancient sacred vessel became a real presence reaching out from the past joining Dale Overbey, born 1929, with Nicholas Overbury, born 1549.

Dale and Doris also visited the churches in the Cotswolds where Overburys of long ago were baptized, married, and died. The parish church was the focal point of life in Elizabethan England.

At present, Dale is Regional Sales Manager of the Midwest for Electro Signal Lab. His travels frequently take him to the sites of Big Ten universities where he spends his after-work hours in research libraries. He has uncovered much information on the English Overburys in this manner. Dale has also been the source of much information on the Western Kentucky Overbeys.

Children:

- I. Randy Dale Overbey was born January 19, 1954 in Highland Park, Michigan. He is a graduate of Bethel College, St. Paul, Minnesota. On May 30, 1981, he married Anne Mary Filippini, a graduate of the University of Indiana at Bloomington. They are the parents of two children:
 1. Christopher James Overbey born February 9, 1984.
 2. Megan Elizabeth Overbey born January 7, 1986.
- II. Robin Lessley Overbey was born to Dale Overbey and Doris Lessley on May 26, 1962 in Toledo, Ohio. Robin is a graduate of Elmhurst College where she received her BS/RN. On June 20, 1981, she married Jonathan David Freeburg, also a graduate of Elmhurst College.

KENNETH LEE OVERBEY

Kenneth Lee Overbey was born to Hafford Overbey and Grace Lee Morris on October 29, 1934. He was killed near Denizli, Turkey, May 16, 1970 by an unknown gunman. Kenneth was preparing for the ministry after ten years of counter-intelligence work with the Army Intelligence Corps. The trip was like a pilgrimage as Kenneth visited churches and religious sites mentioned in the New Testament. He bought a Volkswagen in Germany and his itinerary included sites in Europe and the Middle East. In Jerusalem, he planned to take post-graduate courses at Hebrew University.

Turkish police theorized that Kenneth was sleeping in his car on a road high in the mountains of western Turkey when robbers tried to get in the car. Awakened, Kenneth may have tried to drive away. The car had a slight hit with a nearby tree. His belongings, his wallet, camera, passport was untouched but Kenneth was dead from a single bullet in the chest. Turkish authorities felt the motive was robbery according to the American Consulate in Izmir.

After Kenneth's death, his parents discovered that he had been awarded a Bronze Star and an Oak Leaf Cluster with five leaves for his Army accomplishments.

Kenneth was laid to rest in Murray, Kentucky.



Dr. Lacy R. Overby
Alamo, California

photo taken
in 1986

LACY RASCO OVERBY

Lacy Rasco Overby was the youngest child of Alious William Rasco Overby and Oma Thomas. He was born July 27, 1920 near Model, Tennessee. His early years were spent on the several farms where his family lived in that decade. It was a carefree existence with horses to ride and playmates to enjoy.² He had a cart pulled by a goat which he drove around the farm. All the children were expected to help on the farm; Lacy remembers taking watermelons and cantaloupe to market with his brother Morris and plowing in the field.

Lacy was sent to school early in life as his mother was sick. No one is really sure how young Lacy was when he first attended school because this is one of those stories that improves with each telling. All agreed that he was far below the usual age. The one room school would teach two years together, for example grades one and two; sooner or later they would teach it again. Somehow or another, if one spent eight years there, one would get the usual eight years of schooling, all in the one room. But before Lacy's tenth birthday he had completed all the school had to offer! It was at this time that Lacy moved to Nashville where he graduated from high school when he was 14.

Lacy finished college at the usual age of 21 because he took time off to work. He had worked in advertising at Sears and Roebuck in Nashville when he got the job of advertising manager at a new Sears store in Hattiesburg, Mississippi. Lacy was only 18 and probably looked much younger than that. To hide his youth, he bought a hat hoping to make himself look older. After about fifteen months in Hattiesburg, Lacy returned to Nashville for his senior year at Vanderbilt University. He worked as a lab assistant for Arthur Ingersoll, Professor of Organic Chemistry. Lacy graduated from Vanderbilt with a major in chemistry in the class of 1941 and he promptly went to work for Dupont at an explosives plant in northern Wisconsin. World War II was on the horizon and many people, Lacy included, would find their old lives radically changed.

²Lacy had a very special friend as a young boy. John Walter Brandon was his age and lived nearby. The two boys spent many happy years "exploring" the farm, swimming in the pond, and playing with their pets. They met again in 1985 after 55 years. Both men were grandfathers by then.

Lacy was employed as a chemical engineer by Dupont; the critical nature of his job assured his deferment from the draft but in March 1943 he went to Milwaukee, Wisconsin and enlisted in the U. S. Navy. He went to boot camp at Great Lakes, Illinois and then to Midshipmen's School at the University of Notre Dame in South Bend, Indiana. In October 1943, Ensign Lacy Overby left New Orleans on an LST in the Amphibious Force. It would be almost three years before he returned to the U.S. Lacy participated in the invasions of the Philippines, New Guinea, Borneo, and Okinawa. In September 1945, he was in Tokyo Bay as Japan signed a peace treaty with the U.S. After this Lacy, now a Lt., was sent to China until June of 1946 when he returned to the U.S. and to Nashville.

Lacy, along with many returning veterans, went back to college. At first he was undecided, but after a few months he chose to seek a Ph.D. rather than an M.D. Science was definitely his field and he became a graduate student in chemistry under the tutelage of the late Dr. Arthur Ingersoll whom he had known as an undergraduate. Lacy received his M.S. in 1948 and his Ph.D. was awarded in 1951 (when his work was published) although he completed other requirements by 1949.

Vanderbilt in 1946 was principally a school for males, preferably bright ones. A small number of girls were admitted each year, frequently premed students or science majors. One day shortly after the opening of the Fall term in 1946 Lacy walked into his lab just as a senior chemistry major was leaving. Libby Hulette frequently joined the graduate students in their bridge games between classes. Proper introductions were made but dating didn't start for a few weeks. Libby received her bachelor's degree in August 1947 and went to work for the State Health Department. On October 1, 1948, Lacy and Libby were married at Christ Episcopal Church in Nashville. It was a small wedding attended by family and college friends with a weekend honeymoon. By Monday, Lacy was back at the lab. Their lifestyle was like that of many of the veteran couples in college because no one had much money. There were picnics, ball games, and lots of bridge. Lacy looks back very fondly on those years.

Lacy accepted a job with Abbott Laboratories in North Chicago, Illinois to begin in October 1949. He and Libby drove to Illinois with all their possessions in their 1940 Dodge. The back seat was piled high and Libby sat in the front, a chest containing their sterling silver reposed on her lap.

The early years in Illinois were spent in Waukegan where they bought their first house which they owned for the next eleven years.

Lacy was employed as a chemist at Abbott and he progressed to positions of increasing responsibility. Scientific knowledge was expanding beyond all expectations and industries were probing untried fields. In 1962, Lacy was granted a one year sabbatical to pursue a new scientific area. The family moved to Urbana, Illinois where Lacy was a Visiting Scholar in the Department of Microbiology of the University of Illinois. He worked with the late Dr. Sol Spiegelman, a pioneer researcher in virology and molecular biology. His one year sabbatical was extended almost another year as his research in Urbana showed great significance. The two years in Urbana were happy ones for the family and they were sad to leave. Moving to Lake Forest, Illinois from Urbana they rented while Lacy drew plans for the home they planned to build. In 1966, they moved into what they thought would be their permanent home. Great care had gone into planning every detail of the large colonial home with spacious grounds.

Lacy's career at Abbott expanded into new areas; he was in demand here and abroad to give lectures or chair scientific meetings. His very frequent trips to Europe and Asia would have been overwhelming had he not enjoyed excellent health. In addition to meetings, there were business trips to far corners of the world. One involved Abbott and the Russian government in which the Abbott group were "official" guests of the Russians. Lacy remembers a later trip when he joined some Abbott personnel and Russians in Moscow for a turkey dinner on Thanksgiving Day. In 1970, Lacy and Dr. Roslyn Yallow, a Nobel Prize winner, toured Japan, lecturing and meeting scientific personnel at all the major universities.

By 1982, Lacy was vice president of science and technology for the Diagnostics Division of Abbott. For many years he had been recruited by other companies but was not interested in making a change. In 1982, Lacy decided to plan on taking early retirement from Abbott and going with another company. This time around it was a small biotechnology company near San Francisco. Lacy's retirement from Abbott in 1983 was marked by the company with several gatherings. Many tributes to Lacy came from all over the world from scientists and physicians. Abbott presented Lacy with a plaque which states: "...Lacy's accomplishments have been numerous including establishment of the virology laboratory which provided the cornerstone of our

diagnostics business. Lacy leaves Abbott with a legacy of scientific excellence in the personnel he hired, the scientific reputation he established, as well as the many leadership products he brought us."

In June 1983, Lacy, Libby and their youngest child, Scott, moved to California to their new home in Alamo. Alamo is a small, upscale village some thirty miles east of San Francisco. Lacy has now completed over four years with the Chiron Corporation where he is vice-president. Chiron has increased in size ten-fold in four years and it has been highly acclaimed by technology market analysts. Chiron is located in Emeryville, California; this is between Oakland and Berkeley. Lacy's new job requires only a few overseas trips each year and perhaps only a dozen ones within the U.S. He does not miss the much more frequent traveling of the previous decade.

Lacy remained in the U.S. Naval Reserve rising to the rank of Commander before his retirement in 1970 with 27 years service. He always enjoyed his association with the U.S. Navy and looked forward to his annual two weeks of active duty.

Lacy was, and is, very much the family man and father. Megan Stewart, the first born, was followed by Stephen Lowry, Ross Vincent, Alison Brooke and Alexander Scott.

When the children were growing up, Lacy taught them that their fate in life was limited only by their own efforts. They were afforded the opportunity of going to any school in the country except Lacy warned them that "first it is your job to get admitted".

The family had many long trips together which they remember fondly to this day. In 1970, they had a vacation that really left its mark; Lacy and Libby and the four children went to Europe for almost a month. This kind of trip was uncommon for entire families and it was a rousing success with the Overby children. It was the first of many European trips for all the children; Ross decided early in life that he was going to see the world. In addition to Europe, he has visited South America, Africa, the Orient, Egypt, China, Russia, the South Pacific and made a trip around the world. Ross and Lacy went on a photographic safari to Kenya in 1981 which was a nice father-son experience.

Lacy was involved in Boy Scouts when Ross and Scott were Webelos and he was a Sunday School teacher for Ross's 5th grade class. (He was so happy when a reorganization of the classes did not require him for Scott's class!)

Although Lacy traveled a lot he devoted a lot of time to his children. Many might characterize the household as old-fashioned. The children were expected to dress properly for dinner (where attendance was mandatory) and dinner conversations frequently centered on scientific theories and moral dilemmas. The children were taught to think above the obvious at an early age.

Lacy and Libby have been active Episcopalians wherever they have lived. Presently, they are elected Deanery Convention Delegates from their parish, St. Timothy's in Danville, California, and they are involved in many other church concerns.

Lacy has many interests other than science; he swims almost daily, skis, plays golf and tennis, goes to Canada for fishing, raises roses and he refinishes and builds furniture. He and Libby entertain frequently.

Lacy has been included in past publications of Who's Who in the Midwest, American Men of Science, Who's Who in Science and Technology, he is listed in current Who's Who in America, and the upcoming Who's Who in the West. He is the author of 3 scientific books and over 100 publications and holds several patents.

In October 1986, Lacy received the Pasteur Award given by the Illinois Society of Microbiology for his contributions to the field of microbiology. Lacy was Adjunct Professor of Molecular Biology at Northwestern University for 16 years and was chairman of the Lake County, Illinois American Cancer Society.

Lacy's philosophy is best expressed by remarks he made at his early retirement from Abbott. He related his decision to retire to the story of Odysseus. "After years of adventure Odysseus became King of Ithaca but he gave this up to go to sea seeking more challenges...there's got to be another sea to sail."

Lacy is not too unlike his ancestors who sought new challenges, that of the New World, of the Land of Eden, and of the lands beyond Virginia. Perhaps Nicholas, the immigrant, also felt that there must be another sea to sail beyond this land of England.

Children:

- I. Megan Stewart Overby, born March 30, 1954, received her B.A. from Denison University where she was an Alpha Phi. Meg received her M.A. from the University of Iowa in 1981. She is a

Speech Pathologist. On August 6, 1976, she married Alan N. Hoenk, also a Denison graduate. They live in Lake Bluff, Illinois only a few miles from her childhood home.

Children:

1. Alison Marie Hoenk, born July 29, 1981.
 2. David Newell Hoenk, born July 8, 1984.
- II. Stephen Lowry Overby was born January 17, 1956 and died April 14, 1959 following a home accident. Stevie was a handsome blonde lad with high intelligence. His loss is still deeply felt.
- III. Ross Vincent Overby, born May 4, 1957. In 1979, Ross was graduated from the University of the Pacific with honors. Ross received his MBA from the University of Wisconsin-Milwaukee in 1984. Ross is a geologist. He lives in El Dorado Hills, California. Ross is a skilled craftsman. His many hobbies range from piano to astronomy to furniture building.
- IV. Alison Brooke Overby was born April 6, 1960. She attended prep school at Phillips Academy, Andover, Massachusetts, graduating in 1978. She was graduated from Northwestern University in Evanston, Illinois in 1982 where she majored in the Classics. She also attended the Institute for Classical Studies in Rome. During her collegiate stay in Europe, she visited archaeological sites in Greece and Italy. In May 1987, Brooke received the degree of Juris Doctor, with Highest Distinction, from the University of Iowa College of Law. She was awarded the Murray Prize for the graduate with the highest grade point average and received numerous book awards for scholarship. She was Sr. Articles Editor of the Iowa Law Review. She was elected to the Order of the Coif.
- V. Alexander Scott Overby was born March 15, 1965 in Lake Forest, Illinois which was to be his home for the next 18 years. Scott moved to California with his parents in 1983 but went back East to attend Emory University where he received his Bachelor's in Business Administration in 1987. Scott belonged to Alpha Tau Omega fraternity at Emory and he served as ATO President and Treasurer. He is working in Atlanta but plans to attend grad school for an MBA.

ELEVENTH GENERATION

CAMDEN BORAH MEYER

Camden Borah Meyer was born near Huron, South Dakota on December 29, 1913. He was the eldest child of John Christian Meyer and his wife, the former Mildred Lois Borah. In the spring of 1914, the family moved to the Borah Homestead near Bonilla. Camden and his brothers and sisters attended the Borah Elementary School as their mother had.

Camden attended Huron College in Huron, South Dakota, graduating in 1936. Huron College played an important part in the life of this family. Camden's mother had attended Huron before her marriage. His sister, Elaine, got her Bachelor's degree there; Leora went there two years, Lorna was graduated from Huron and Caryl attended Huron for two years. Kerwin was graduated from Huron but Camden's other brothers, Norman and Harlan, went elsewhere for college.

Camden married Marjorie Esther Brown on August 22, 1938. They were the parents of two sons, Gary, born in 1940, and Noel, born in 1942. Marjorie died January 7, 1944, one day after her thirty-second birthday.

On February 28, 1946, Camden and Marie Ineas were married. They are the parents of two daughters, Elise and Christine.

Camden's professional life has been in the educational field. He has taught in high schools, plus one year at the University of Idaho. He served as a school administrator for more than 25 years serving as Assistant Superintendent and Superintendent of several school systems.

Camden "retired" on June 30, 1979, but his life has been very busy in wonderful ways. He and Marie have traveled to most of the exotic spots on this globe, the Orient, India, the South Pacific, Australia, Hungary, most of Europe; the list is almost endless. When Camden is not traveling, he has been involved in civic affairs and he does manage to include golfing and fishing if there is a spare moment.

Camden has spent much time researching his family lines, including the Overbys, and he has published a history of the Borah family. (Camden and the famous Senator Borah of Idaho share common ancestors.) Camden has also published a paperback account of the Overby family. It is entitled One Line of Descent from Nicholas Overby and has been a most valuable guide for this writer.

In 1986, Camden and Marie toured South America in celebration of their

fortieth wedding anniversary. South America was the only continent, other than Antarctica, they had not visited.

In addition to his baccalaureate degree from Huron College, Camden earned a M.Ed. degree from the University of Southern California in 1946. He has done graduate work at a number of universities including Minnesota, Stanford, Columbia, Oregon, Washington State, Utah, Utah State and Idaho. He served as an officer of professional organizations in the educational field. He was named to Who's Who in the West and Who's Who in American Education.

Children:

- I. Gary Camden Meyers was born February 10, 1940 to Camden Meyer and his first wife, Marjorie Brown. He married Peggy Ryan on November 8, 1968. He received his B.S. degree from the University of Idaho, his M.S. from the University of Southern Illinois and a Ph.D. from the University of Minnesota. He is a college professor.
 1. Eric John Meyer born July 4, 1969.
 2. Jennine Rachel Meyer born February 8, 1973.
- II. Noel Lyndon Meyer was born to Camden Meyer and Marjorie Brown on December 12, 1942. He married Stephanie Wolfe on August 14, 1971. They are divorced. There is one child:
 1. Casey Anne Meyer born October 5, 1973.
- III. Elise Marie Meyer was born to Camden Meyer and Marie Ineas on February 4, 1947. Elise was a Gamma Phi Beta at the University of Idaho where she received her bachelor's degree in Elementary Education. She taught in Moscow, Idaho.
She married Steven Woodall on August 17, 1968. They have two children:
 1. Lisa Marie Woodall born April 3, 1971.
 2. Christopher Meyer Woodall born July 30, 1973.
- IV. Christine Lois Meyer is the daughter of Camden Meyer and Marie Ineas. Christine, born November 7, 1949, was a Gamma Phi Beta at the University of Idaho as was her sister, Elise.
She married Tom Aipperspack on August 8, 1970.

Children:

1. Meghan Anne born March 10, 1973.

WAYNE ARNOLD DENMAN

Wayne Arnold Denman was one of two children born to Jay Quimby Denman and Mary Ella Arnold. He was born in East Lynn, Illinois on June 27, 1924, a great, great, grandson of Archibald Overby who came to Illinois almost a hundred years earlier.

Wayne was an outstanding basketball star in his high school days, as well as a standout baseball player. He served in the Rainbow Division of the U.S. Army in the European Theatre. Like many returning veterans Wayne returned to the college campus, graduating from Illinois State University in 1948. He later received his Master's degree from the University of Illinois.

Wayne married Marjorie Ann Klamann in 1948. She had been graduated from Illinois State University in 1944. Both Wayne and Marjorie had long careers in the Danville, Illinois public schools. Wayne had 38 years as a teacher, elementary principal, director of elementary education, and acting assistant superintendent. Marjorie taught for 32 years, touching on all grades. Both Wayne and Marjorie are Roman Catholics. They are the parents of three children.

TWELFTH GENERATION

MARK DENMAN

Mark Denman is the son of Wayne Arnold Denman and Marjorie Klamman. He was born on September 5, 1953 in Danville, Illinois where he still resides.

Mark was graduated from Illinois State University in 1974 and he received a Master's in Educational Administration from the University of Illinois in 1980. Mark is a third generation educator. His grandmother taught school before her marriage and both his parents were in the field. Mark has been a classroom teacher, and he is the current principal of East Park Elementary School in Danville with a staff of 105. What a wonderful contribution from this family for three generations!

Mark is also a genealogist. He has researched the Overby family, particularly the descendants of Archibald Overby. This writer is indebted to Mark for his significant contributions to this book.