

Thomas Ivey
(c1603 – January 1655)

His ancestry is uncertain. The Ivey Family in the United States, by George Franks Ivey provides an ancestry for this Thomas Ivey which appears to be purely speculative.¹ For instance, it provides no evidence of the connection to his alleged parents, Thomas Ivey and Lettice Culpepper. As best I can determine there is no evidence that this couple had a son named Thomas, much less that he was the same person who immigrated to Virginia. Since this connection is so highly speculative, I have omitted this portion of the genealogy.² In fact, there is evidence (see below) that Thomas Ivey's mother was named Jane.

He appears to have been the first Ivey in Virginia, testifying in 1640 that he and his wife had arrived in Virginia on the ship *Rebecca* in 1637.³ He arrived in newly-formed Lower Norfolk County, which encompassed the entire coastline between the mouth of the James River and what would later become North Carolina. He first appears in the court records of Lower Norfolk County on 6 February 1638/9 when he was ordered to pay a debt to Henry Sewell of 200 pounds of tobacco, and another debt to John Sibsey and Robert Page of 483 pounds of tobacco "for commodities bought".⁴ These debts were probably purchases associated with establishing himself in the colony. The following year, at a court held on 17 March 1639/40 he requested the court "assure and confirm" a parcel of land he had bought from William Julian, one of the local Burgesses. The court ordered Julian to give Ivey "an assurance of the said land according to their agreement provided that said Mr. Ivey doe give Mr. Julian due and ample satisfaction for the same according to the said agreement."⁵ This land was apparently on the eastern shore of the Elizabeth River, as William Julian had patented 600 acres there four years earlier.⁶

At that same court, Thomas Ivey "aged 36 or thereabouts", also testified that he had bought a hog from William Julian which his "wife was to pay for in worke". If his wife failed to do the work, Ivey testified he was to pay Julian 140 pounds of tobacco for the hog. The court ordered the payment of 140 pounds of tobacco for the hog "and for butter milke and makinge fower shirts and smocks to some (sum) of eleven shillings, ten pence."

All of the people mentioned in these records lived on the eastern side of the Elizabeth River, near its mouth in the vicinity of Daniel Tanner's Creek (now called the Lafayette River), thus it appears that Thomas Ivey had settled there immediately after his arrival. He would remain there until his death. Virtually every person with whom he is associated in the records was also a resident of that part of Norfolk County.

¹ The Ivey Family in the United States, George Franks Ivey (Southern Publishing Co., 1941)

² There were a surprisingly large number of Thomas Iveys in England, several of whom could be this one.

³ Lower Norfolk County Order Book A, p54.

⁴ Lower Norfolk County Order Book A (contained within Deed Book A), p12. Lemuel Mason, son of Francis Mason, married Henry Sewell's daughter Ann. Thomas Ivey was later one of four arbitrators of his estate. Another indication of Thomas Ivey's location in the county.

⁵ Ibid., p32

⁶ Virginia Patent Book 1, p388. Dated 4 July 1636. Part of this land adjoined Francis Mason.

On 2 November 1640, as the first step in obtaining a headright patent ⁷, he testified to the Lower Norfolk County court that he had transported three persons to Virginia: himself and his wife in the ship *Rebecca* in 1637, and William Browne in the *Blessing* in 1637.⁸ John Sibsey was his witness. (Note that the couple apparently arrived with no children.) Little is known about either ship, although Hotten recorded the sailing of both ships from London in 1635.⁹ The *Rebecca* probably made a trip or two per year, carrying the Iveys sometime in 1637. The ship *Blessing* made several trips to Virginia and John Sibsey was a freighter in this ship on occasion. Servants named Edward Cooper, John Moore, and Jobe Seamore are also mentioned in court records as having arrived in the *Blessing* in 1637.¹⁰ Oddly, neither Thomas Ivey nor anyone else ever used his three headrights to claim land.

Virginia's early class society was much more highly stratified than most of us realize. Thomas Ivey seems to have been solidly upper middle class. He evidently paid his own passage to Virginia, but was not wealthy enough to avoid hiring out his wife's labor. Although the records never refer to him as a "gentleman", he clearly began with or acquired upper middle class status within a few years of his arrival. He served as a church warden from 1641 through 1648¹¹, is mentioned in court records as a constable on 17 July 1643¹², and was sworn in as under-sheriff to John Sibsey on 15 May 1645¹³ then to Francis Mason on 5 March 1647.¹⁴ He was clearly a landowner, as he served on several juries, a privilege limited to freeholders.

In addition to the land purchased of William Julian, Thomas Ivey acquired other nearby land, all in the area of Daniel Tanner's Creek on the eastern shore of the Elizabeth River. In late 1640 he struck a deal with Tristram Mason. Their agreement was that Mason would sell Ivey half of a parcel of land, and rent him the rest for a period of six years. Eight years later, on 1 February 1648/9, Thomas Ivey sued Tristram Mason over the disputed piece of land.¹⁵ A few months later a jury found in favor of Ivey, and Tristram Mason deeded Thomas Ivey half of his dividend, apparently 50 acres. Ivey was to pay with a "cove bigge with calf between this and Christmas next."¹⁶ He testified in court on 15 May 1643 that he was due 100 acres for the transportation of two persons, John Copeland and Will Wolts¹⁷ but never patented land for these two immigrants, and likely sold the headright certificate, as Roland Lawson used John Copeland as a headright for a 1651 patent. In 1648 the court granted him another certificate for 100 acres for

⁷ The only means of obtaining land grants at this time was by headright patents. One could claim 50 acres for each person imported into Virginia. The process for obtaining headright patents was to first obtain a "certificate of importation" from the local court, then exchange it for a "right" at the Colonial Secretary's office. The "right" was for fifty acres per "head". The law required that the imported person live in the colony for three years (or die) before a certificate could be issued, so the certificate of importation typically lagged the event by at least a few years. There were no restrictions on age, gender, or race of the imported persons; all were eligible.

⁸ Lower Norfolk County Order Book A, p54.

⁹ The Original Lists of Persons of Quality, John Camden Hotten (1874). Both ships sailed in 1635 for New England. Hotten does not record 1637 sailings for any ships.

¹⁰ Lower Norfolk County Order Book A, p5, 25, 101.

¹¹ Lower Norfolk Antiquary, Vol. 2, p12.

¹² Lower Norfolk County Order Book B (contained within Wills and Deeds Book B), p30a

¹³ Ibid., p43.

¹⁴ Ibid., p37.

¹⁵ Ibid., p38.

¹⁶ Ibid., p105, 112a, and 114a.

¹⁷ Ibid., p25a

the transport of William and Jeanne Butler.¹⁸ Although no subsequent patent appears in the records, this apparently resulted in a patent later sold by his sons.

On 18 November 1646 he was one of the commissioners appointed to take the tithables for the following year.¹⁹ His district was from Daniel Tanner's Creek northward to Capt. Thomas Willoughby's. This area covered the northernmost part of the Norfolk peninsula - from Tanner's Creek just north of Norfolk, to Willoughby's Bay at the northern point of the peninsula.²⁰ Undoubtedly Thomas Ivey was living in that district, which would become part of Princess Anne County in 1691. The resulting tithables list has not survived, but court records show there were 46 tithables in this district and 360 altogether in Norfolk county. (This indicates a total population of under 1,000 people.)

Thomas Ivey was sworn the second time as under-sheriff for Lower Norfolk County on 5 May 1646/7.²¹ Francis Mason was sworn in as High Sheriff. The office of High Sheriff was, in Norfolk County, a paid sinecure rotated among the Burgesses who, as gentlemen, could hardly be expected to perform the work themselves. The under-sheriff, appointed by the Sheriff, actually did the work. One of the under-sheriff's duties was the serving of court orders. At the court's request, Thomas Ivey sent a letter to a highly-placed widow named Sarah Gookin²² to inform her that the 5 March 1646/7 court had ordered her to give an accounting for the estate of her children, the orphans of Adam Thorowgood.²³ Two months later, on 13 July 1647, a defiant letter from Mrs. Gookin was read into the court record ironically addressed to "Thomas Ivey High Sheriffe of Lower Norfolk."²⁴ Some descendants have concluded from this record that he was actually holding that office, but it is clear that Francis Mason was the High Sheriff, appointed two months earlier and that Mrs. Gookin was merely indulging in irony. Mrs. Gookin's letter also referred to the court as "this Inferior Court". She refused to give an accounting until the children were of age – and never did. Within a few months she had remarried to the Governor's son and the whole matter was quickly dropped. Her letter added a postscript to Thomas Ivey: "My respects to your selfe and wife most kyndly remembered, to whome I have sent a small basket of apples p[er] the bearer."

On 16 December 1647, Thomas Ivey was granted a license to keep an ordinary (a tavern) "for the accommodation of dyett for strangers and the inhabitants of the county."²⁵ Apparently, his house was conveniently located for hungry travelers, for court was held at his house twice in late 1649. He was paid several times during this period for "rowing up the Burgesses" (evidently to Jamestown or Elizabeth City) again suggesting the convenience of his location. Thomas Ivey

¹⁸ *Ibid.*, p76A. The Butlers were man and wife. Her name appears as "Joanne" in other records. William Butler, age 26, testified for Thomas Ivey in his suit against Tristram Mason, saying that he was living with the Iveys in 1648.

¹⁹ *Ibid.*, p14.

²⁰ Daniel Tanner's Creek is called the Lafayette River on modern maps.

²¹ *Ibid.*, p37.

²² Sarah Offley (1609-1650), a granddaughter of the Lord Mayor of London, was successively the wife of Adam Thorowgood, John Gookin, and Frances Yeardley, being widowed by each husband. The children in question were those of Thorowgood: Adam, Elizabeth, Ann, and Sarah. The court had several times asked for an accounting. The March 1647 court finally threatened her with a fine.

²³ *Ibid.*, p37.

²⁴ *Ibid.*, p48a.

²⁵ *Ibid.*, p60.

evidently did not actually row his own boat – there are records of several payments for his “men”, suggesting that the headrights he claimed were for indentured servants.

We can be sure Thomas Ivey was a solid member of the Church of England. Besides his seven-year service as a churchwarden he, along with Richard Conquest and John Sibsey, signed a petition in 1648 accusing several local Puritans of sedition.²⁶ A few months later, on 1 August 1648, he was one of four men appointed as vestryman for Elizabeth River Parish, to replace those who were “lately deceased” or who “doe absent themselves and refuse to be of this vestry.”²⁷ Those vestrymen who were replaced were predominantly Puritans, who would shortly leave the area for Maryland. It was apparently the same Thomas Ivey who was one of four arbitrators appointed to settle the estate of Henry Sewell in 1649.

There are several suits in the court records with Thomas Ivey as either plaintiff or defendant. Only one of them is particularly interesting. On 15 April 1652 he sued one Henry Merritt. (Thomas Ivey had acted as Merritt’s bondsman and attorney a few years earlier when Merritt was sued by creditors.) Thomas Ivey and Henry Merritt apparently were partners in the construction of a kiln located at Ivey’s residence, an enterprise that was probably sorely needed to avoid importing earthenware. On that date, the court ordered Merritt to “*returne to the house of the said Ivey and there to use his best industry for the finishing upp of one kill of Earthen Ware: the said Ivey assisting him with two men according to a condi’con made betweene them. And the said Ivey to gett the kill finished up fittinge to burne the aforesaid Earthen Ware. And further the said Ivey is to bring in a full and just account of all disbursements and receipts whatsoever laid out or received by the said Ivey since their partnership at the next Court...*”²⁸ Less than two months later, on 1 June, the court reported the suit settled. Henry Merritt was to pay Thomas Ivey nearly 2,000 pounds of tobacco, the kiln was to be destroyed, and all materials split between the two men.²⁹ We can infer that Henry Merritt’s workmanship left something to be desired, since the kiln apparently did not function. Thomas Ivey was either plaintiff and defendant in a number of other suits of a minor nature.

At that same court on 1 June 1652, Thomas Ivey was again ordered to take the list of tithables from Daniel Tanner’s Creek to Capt. Willoughby’s.³⁰ [This time there were 40 taxable people located in that district, a decrease from a few years earlier, and 471 tithables altogether in the county.] As a reminder that this was a still dangerous place, this same court ordered the constables to give notice to residents “to have their arms fixed to be ready suddenly for the Indians.”

On 16 August 1652, Agnes Holmes, the wife of John Holmes of Little Creek, was indicted for beating a servant named Useba Rider to death – distressingly, a not uncommon occurrence between masters and their servants. Thomas Ivey was one of “the jury of life or death” which cleared her that same day.³¹ He was probably on the jury because he was in court that day for his own suit against Richard Conquest.

²⁶ Lower Norfolk Antiquary, Vol. 2, p14.

²⁷ Ibid., p15

²⁸ Lower Norfolk County Order Book B (contained within Wills and Deeds Book B), p 425.

²⁹ Lower Norfolk County Deed Book C (Orders 1651-1656), p11.

³⁰ Ibid., p 12.

³¹ Ibid., p 433.

An interesting series of connected events, requiring some explanation, occurred about this same time. John Sibsey, a Burgess and militia colonel who was a neighbor of Thomas Ivey, died in late July or early August 1652 leaving a will witnessed by Thomas Ivey.³² The will named his wife Elizabeth as executrix and split most of his property between Elizabeth and his only living child, Mary, the wife of Richard Conquest. Elizabeth Sibsey was not Mary's mother, as John Sibsey writes in his will that he hopes "my sd. wife will be a mother to her."³³ Thomas Ivey was one of those appointed to take an inventory of the estate on 15 August 1652, though it was not presented to the court until a year later on 15 August 1653.³⁴ The widow Elizabeth apparently was reluctant to part with her husband's property, since she was repeatedly sued by the other legatees. The daughter Mary Sibsey's husband, Richard Conquest, sued the widow Elizabeth Sibsey in early 1653 when she refused to deliver a servant due to his wife. Conquest also sued a second time "over division of the estate", and sued a third time for her refusal to deliver another servant that had belonged to Thomas Sibsey, Mary's deceased brother, for whom Mary was the "sole heir".³⁵ Mary Wickstead, who was evidently John Sibsey's sister, also sued Elizabeth Sibsey over her refusal to deliver a cow which had been left by the will to her daughter. Given this lady's reluctance to part with her husband's property, it wouldn't be surprising if Thomas Ivey might have weighed in with an ill-chosen public comment or two. By 15 June 1653, Elizabeth Sibsey was suing Thomas Ivey for slander, though the precise nature of that slander is not identified in the records.

On 1 November 1653, the jury found in favor of Elizabeth Sibsey. It ordered "*that the said Ivey shall stand in open Court the next that shall be held in this place from nine till 3 in the after noone with these exprest words in Capitall letters standinge before and behind on his hatt: I (Tho. Ivey) doe confess and acknowledge to have wrongfully defamed Mrs. Elizabeth Sibsey of the County of Lower Norfolk, for which I am hartly sorry and Crave her pardon.*" He was also ordered to perform the same duty at the next Grand Assembly in James City.³⁶ This type of penalty was reserved for the more outrageous types of slander against one's social betters, thus reflecting Thomas Ivey's social standing. Those at the lower end of the social order would have been whipped. Those in the topmost layer would merely have apologized.

Although John Sibsey had also mentioned his "beloved brother-in-lawe Thomas Lambert" in his will, it is not clear whether it was Sibsey's first wife or his widow Elizabeth who was Lambert's sister. Whatever her maiden name, Elizabeth Sibsey was to continue to play a role in the lives of the Iveys. After John Sibsey's death she married again to Benjamin Trenneman by 4 December 1660, when a deed identifies Elizabeth Trenneman as the "relict and executrix of Capt. John Sibsey."³⁷ On 16 June 1667, Benjamin and Elizabeth Trenneman deeded to George Ivey, the son of Thomas Ivey, 100 acres "now in the possession of Ivy", which Elizabeth had inherited from

³² *Ibid.*, p 432. He was "of Elizabeth River", another indication of where Thomas Ivey lived. Will dated 15 July 1652 and proved 16 August 1682.

³³ She married Sibsey sometime between 1645 and late 1649, judging from court records.

³⁴ *Ibid.*, p 431, dated 16 August 1752.

³⁵ Thomas Sibsey died a few years before his father, thus was not mentioned in the will. A 1645 court deposition suggests that John Sibsey's first wife was still alive in 1645.

³⁶ *Ibid.*, p 455-6.

³⁷ Lower Norfolk County Wills and Deeds Book D, p348.

her former husband John Sibsey.³⁸ Benjamin Trenneman died within a year or so, and Elizabeth married again sometime in 1668 to a widower named Thomas Blanch. George Ivey, and his wife Hannah sold that same 100 acres to Thomas Blanch in 1668.³⁹ When Thomas Blanch died in 1674, the appraisal order declares the widow Elizabeth to be of “great age and decrepitude.”⁴⁰ Her own will, dated 17 August 1680 and probated the following summer, left land to Thomas Ivey, son of George Ivey, and the rest of her property to five other children of George Ivey. Hannah Ivey witnessed the will. The most plausible of several possibilities, it seems likely that Elizabeth had a small daughter named Hannah at the time of her marriage to John Sibsey, who would later become the wife of George Ivey. [Note that researchers have widely reported George Ivey’s wife to have been the daughter of Elizabeth Branch. A little careful research tells us that Elizabeth Branch had been widowed at least three times, and that her apparent daughter Hannah must have been born prior to all three of the known marriages.]

A few months after the slander case, on 16 January 1653/4, Thomas Ivey obtained an attachment against the estate “belonging to the wreck of Capt. Luck’s ship, in the hands of Richard Conquest, to cover 2800 lb tobo due him by order of the Comm’rs for the wreck.”⁴¹ The incident was evidently an old one, as the Governor had ordered an accounting for this wreck back in 1650.

Thomas Ivey’s wife, and the mother of his children, was Anne Argent, deceased by 1653. On 16 August 1653, George Argent of Hoxton, St. Leonard’s Parish, Shoreditch, Middlesex County, wrote his will, which was proved on 23 April 1654. He named four children, one of them a deceased daughter named Anne Ivey. Since Thomas Ivey was the only Ivey in Virginia at the time who could have been the husband of Anne, this must be his wife.⁴² Argent’s will divided a portion of his estate four ways among three surviving children and “...*the other fourth part to the children of my daughter Anne Ivie, deceased, which were borne in Virginia where she died, to be equally divided betweene them, according to the will of Jane Baker, deceased, their grandmother.*”⁴³ *To my grandchild Anne Ivie, my chest, that standeth in the greate chamber and the sum of £200 upon condition that she doe not marrie without the consent of my executors...*” The residue of the estate was left to his only living son, George Argent, daughter Jane Steward, and “*to such of the children of my late daughter Anne Ivey as were borne in Virginia, to be divided amongst them, to be paid unto them when they shall accomplish their ages of one and twenty years.*” Among the witnesses were Anne Ivey, evidently the granddaughter.⁴⁴ Ann Ivey clearly was born before her parents emigrated to Virginia, and may never have set foot there herself. She would have been 16 or older in 1653 if she were born before her parents left England. That seems a certainty given the will’s language regarding her marriage, her witness to the will, and the reference to the children born in Virginia. If, as the will implies, she was old enough to marry without consent, she must have been of age, thus born by 1632. That she never

³⁸ Lower Norfolk County Wills and Deeds Book E, p21 and p36.

³⁹ Lower Norfolk County Wills and Deeds Book E, p37.

⁴⁰ Lower Norfolk County Wills and Deeds Book E (Orders), p120.

⁴¹ Lower Norfolk County Order Book B, p461.

⁴² There were two other Iveys in Virginia at the time, but neither seems to have had children, and there is no evidence that either was in Virginia by 1653. Robert Ivey was claimed as a headright in 1662 and William Ivy was a headright in 1664. (Patent Book 5, pages 169 and 303.)

⁴³ “Jane Brown” is a mystery. If she was Argent’s deceased wife why would she have left a will?

⁴⁴ Virginia Gleanings in England, Lothrop Withington, (Genealogical Publishing Co., 1980), p 429-31.

went to Virginia is suggested by her father never claiming her as a headright, though he assiduously claimed his servants and himself.

The identity of “*Jane Baker, deceased, their grandmother*” presents an intriguing mystery. Apart from her name, it is obvious that she could not have been George Argent’s own wife, for only a single woman or widow could make a will. Therefore, she could only have been Thomas Ivey’s own mother. This suggests that Thomas Ivey’s father had died leaving a widow named Jane who remarried, was widowed again, and left a will sometime prior to 1653. This would seem to be a promising avenue for additional research in England. Note also that George Argent’s residence in northeastern London would seem to place Thomas Ivey’s own origin in the vicinity of London

Thomas Ivey died intestate sometime between 15 December 1654, when he served on a jury⁴⁵, and 25 January 1654/5 when George Kempe, his “great[est] creditor”, was appointed administrator of his estate.⁴⁶ The appointment of Kempe suggests that Thomas Ivey’s debts may have exceeded his estate, a common reason for the appointment of a creditor as administrator. It also suggests that there were no close relatives in the area old enough to serve, and that all the children were minors. On 15 February 1654/5, an inventory of his estate was ordered on behalf of his creditors and “the poor distressed orphans”.⁴⁷ An unusually large number of people were appointed to take the inventory, suggesting that several were creditors: Thomas Willoughby, Thomas Lambert, Richard Conquest, Lemuel Mason, William Langley, William Jermy, and Jasper Hodgkinson. (All but William Jermy lived in the same district as Thomas Ivey; Jermy was the clerk of the court.)

The orphans are named in later records. As Withinton reports, on 7 March 1663/4, the Lower Norfolk court certified that Thomas Ivey (identified as the elder son) and George Ivey, both minors “borne in Virginia”, were the sons of Thomas and Ann his wife “who was the daughter of one George Argent liveinge about London, England, as she often reported.”⁴⁸ As further confirmation, on 23 October 1673, John Thrower renewed a patent for 100 acres on Little Creek in Lower Norfolk County “*being formerly granted to Tho. Ivey by patent dated ye 22 August 1648 and Tho. and Geo. Ivey his sonnes since his decease sould unto Wm. Richardson and by the sd. Richardson sould unto ye said Thrower...and [these sales appear] in the records of Lower Norfolk County in June 1673.*”⁴⁹ It is not clear when Thomas Ivey’s orphans sold this land, but the implication is that the sale occurred prior to 1673.

Thomas and George are the only children (other than Anne) proven by these records, which imply they were the only children in Virginia who were living at that time. Both were “borne in Virginia”, therefore were 17 or younger at their father’s death, since Thomas Ivey didn’t arrive in Virginia until 1637. Because their mother was already deceased, the children found themselves orphans in the modern sense, though thanks to George Argent’s will they were not destitute. I found no record of the appointment of guardians. It is possible that both George and

⁴⁵ Lower Norfolk County Wills and Deeds Book C, p114 and Lower Norfolk Antiquary, Vol. 3, p29.

⁴⁶ Lower Norfolk County Wills and Deeds Book C, p119

⁴⁷ Ibid., p125

⁴⁸ Ibid., p398.

⁴⁹ Virginia Patent Book 6, p472.

Thomas returned to England. It is also possible that they were taken in by a neighbor – and Elizabeth Sibsey is certainly an obvious candidate to have done so.