

## **JAMES COFFEE, OF SURRY COUNTY, NORTH CAROLINA**

By Fred Coffey

(With collaboration by Bonnie Culley and Jack Coffee.)

In a genealogy search I stumbled across one "James Coffee in Surry County NC" by accident, and it was soon clear he was not one of my ancestors. But after a brief examination, I found he was an interesting person, living in an interesting place at an interesting time, and that he had an interesting genealogy and interesting DNA. With the thought that it might be useful to another researcher, here is what I learned about James:

### **THE INTERESTING PERSON: FINDING JAMES:**

My real interest was in researching my mother's family. She was a "Walker", and eventually the path led to Robert Walker, Esq., in Surry County, NC, where I found a fascinating document "Surry County, North Carolina Court Minutes, Volumes I and II, 1768-1789", transcribed by Mrs. W. O. Absher. This document contained over 200 references to various ancestors on my Walker side, and I spent many hours studying the index and the minutes for family clues.

And in that index, there were also 29 references to a "James Coffee". I had Coffey ancestors in Wilkes County, the next county to the west of Surry - could this James somehow be a relative?

### **THE INTERESTING PLACE: RICHMOND, SURRY COUNTY, NC:**

Don't look in your road atlas – you won't find a "Richmond" anywhere in North Carolina, let alone in modern Surry County. Some history may help explain:

Once there was only a "Rowan" county in the western part of NC. Then in 1771 Surry County was formed from part of Rowan. The county officials for the new county started out meeting in the homes of their members, and only fragments of the Court Minutes have been found for this time period.

In 1777 Wilkes County was formed, just to the west of Surry, and a slice of Surry was taken to form part of this new county. Many of our Coffey ancestors are found in this neighboring Wilkes County, NC.

In 1779 Surry finally got around to building a new courthouse at a new town called Richmond, and Richmond was pretty much right in the center of the county. Most of the Court Minutes start at this time.

In 1789 Surry was split in half, and Stokes County was formed. The above court minutes end, and the new Surry and Stokes counties both found the old county seat at

Richmond to be inconveniently located. They each opted for a new location, and Richmond was abandoned after serving for only 10 years.

Then in 1849 and 1850, Surry and Stokes were each split again, adding Yadkin and Forsyth Counties.

So where is "Richmond", on today's map? All that's left is an archeological site, located in modern Forsyth County, near the Yadkin River, about two miles west of Tobaccoville, NC. That would be about 15 miles northwest of Winston Salem, NC. (Google Maps GPS: 36.232 N, 80.424 W)

### **THE INTERESTING TIME: THE AMERICAN REVOLUTION:**

These court minutes cover the period of the Revolution. And there was a period in 1780 and 1781 when this region of North Carolina was very much involved in the conflict. If you are interested, do some historical research on the "Battle of Kings Mountain", which took place in South Carolina on October 7, 1780, and involved many men from the North Carolina Militia.

Also look into the "Battle at Guilford Court House" which took place in the next county to the east, on March 15, 1781, and which would have certainly involved people from Surry County.

But of most interest is what was happening in Surry County itself. You need to understand that, as was common in many communities, the citizens of Richmond and Surry were highly divided between those who supported the King ("Tories") and those who supported the Revolution ("Whigs" or "Patriots").

With many of the local Militia away at Kings Mountain, the local Surry Tories got involved in some minor skirmishes at the county seat of Richmond, and the local sheriff was killed in early October. This was quickly followed by "The Battle of Shallow Ford" on October 14, 1780. Several hundred local Tories, and several hundred local Patriots, had at each other at a ford on the Yadkin River in Surry County. The Tories were caught by surprise and fled in disarray.

If you want more perspective on this battle, there is a "Historical Fiction" first person account at:

<http://www.earlyamerica.com/review/spring97/shallowford.html>

The Surry Court Minutes deal mostly with mundane matters, and it is not obvious from those minutes which side of the war had James Coffee's sympathies. I suspect, because

he remained in office and because of his likely "Irish" opinion of the British, that he was on the side of the Patriots.

### **THE INTERESTING GENEALOGY: JAMES COFFEE:**

At first I thought that this was James, the son of John, who was the son of Edward Coffey. There are a large number of us "Coffey Cousins" who trace our ancestry back to Edward, and James thus would indeed be my distant cousin.

However, Bonnie Culley, editor of the Coffey Cousins Newsletter, offered the following: "The James Coffey of Surry Co., NC is the ancestor of Leonard Coffey who started CCC (Coffey Cousins Clearinghouse). This James is now assumed to be the son of Annister Coffey, daughter of Edward. If this is correct, he was an illegitimate son. Kathryn Johnson found the record in some Virginia records. I think we published it a very long time ago."

With this clue, I dug a bit further and did indeed find a reference that Annister "Was indicted by Grand Jury in Essex County, Virginia, on November 17, 1736 for 'having a base born child.' She named this child, James Coffey." (As a side note, Bonnie also told me that Annister's mother took legal responsibility for raising the child.)

This is very convincing, because the Surry Minutes offer evidence that the James Coffee found in Surry was indeed born in about 1735! See later discussion. And at the very end of this report you will find a link to more discussion about his mother, Annister Coffey.

Therefore, James is still my distant cousin, but by a slightly different path!

### **WHAT WAS JAMES COFFEE DOING IN SURRY COUNTY?**

James was a Constable in the county, and many of his entries in the court minutes relate to his official duties (and those often tie to my ancestor Robert Walker Esq., who was serving as a Justice on the County Court). Other entries refer to transactions and duties similar to those of many of the county citizens. Here are the specific references:

(13 Aug 1778): "James COFFEE delivered up the body of Daniel WELLS." (I would presume Daniel was quite alive, and that Constable James was just escorting him to court?)

(10 Aug 1779): "James COFFEE (and several other listed persons) appointed Constables."

(9 Nov 1779): "Deed from Nathaniel McCARROL to George CARTER, oath James COFFEE."

(16 Aug 1780): "Children of Samuel FRANCIS likely to suffer for want of proper care; Ordered James COFFEE, Constable, deliver them to John HORN to care for until next Court."

(15 Aug 1781): "Power of Attorney from Mary NOWLIN to James COFFEE; oath Thomas EVANS."

(14 May 1782): "Deed from Edward EVANS to William WHITE; oath James COFFEE."

(17 Feb 1782): "George WATKINS vs Richard MORRIS; Jury: (James COFFEE and 11 other jurors listed)."

(13 Nov 1782): "Ordered John SMITH appointed Constable in BLACKBURNS District in place James COFFEE, resigned."

(14 May 1783): "Deed from James COFFEE to Job MARTIN, oath said COFFEE."

(26 May 1784): (**About Robert Walker Esq:** The Robert Walker mentioned above died on this date. The inventory of Robert's estate named 78 people who owed him money, and one of those was **James Coffey**. James owed Robert 14 shillings, 3 pence. My guess it was for an open account at Robert's tavern? Perhaps James spent a night there, or had a meal, or a few drinks?)

(19 Feb 1785): "William CONNER vs James COFFEE." (The same jury of 12 men heard this case, and 13 other cases, on the same day – minutes do not show who won.)

(10 May 1785): "Ordered James COFFEE to be exempt from paying Poll Tax for future." (NOTE: This entry was almost certainly an exemption due to age. The exact age at which a person became exempt was left up to local authority in NC until 1801, at which time it was set by the state as "50". I found one reference that stated Surry County's upper age was "50" in 1788, so it was probably also "50" in 1785. This would mean that James was born in about 1735, which ties very nicely to the 1736 court case indicting his presumed mother for 'having a base born child'.)

(Same Day, 10 May 1785): "Ordered Drury WILLIAMS appointed Constable in Capt. BOSTICK District in room James COFFE (sic) resigned." (Did James decide "50" was too old for a Constable? But he'll be back – see 13 May 1788!)

(13 May 1785): "Deed from Thos. HUGHES and wife, to Thos. McCARRELL, oath James COFFEE."

(17 Aug 1786): "Ordered James COFFEE (and 15 other men) view best way from McANALLYS Ford on Dan River to Jacob PETREES Ford on Townfork."

(17 Nov 1786): "Ordered James COFFEE, overseer, open and keep in repair new road lately laid off from BLACKBURNS old field on Richmond road to Jacob PETREES Ford on Townfork"

(16 Feb 1787): "State vs John HARRIS; James COFFEE witness for State, 45 miles, 15 days." (NOTE: I am pretty sure the purpose of this sort of entry is to allow the County to compensate James for his time and travel distance?)

(15 May 1787): "Matthew WARNOCK vs. John CUMMINS; James COFFEE, witness for Pltf., 240 miles, 27 days."

(13 Nov 1787) \*: "Thomas COOK vs. James COFFEE and John MARTIN" (Jury members also named.)

\*(**Historical Footnote:** There was an historic figure in that courthouse on that day, 13 Nov 1787. An entry in the minutes just a few lines earlier reads: "William CUPPLES and Andrew JACKSON, Esqrs. Produced license from Hon. Samuel ASHE and John WILLIAMS, Esqrs. Authorizing them as Attorneys." Other references have confirmed that this new lawyer presenting his credentials was indeed Andrew Jackson, then age 20, who would 40 years hence be elected the 7th president of the United States. Andrew had just completed his legal education less than two months earlier and was really struggling to make a living as an attorney. The Surry jury heard 4 cases on that day, and perhaps Andrew had a role in the case involving James Coffee?)

(By the way, Andrew Jackson stayed at what had been Robert Walker's tavern. When Robert died in 1784, his wife Mary quickly claimed the tavern license. Then Mary remarried, to Jesse Lester on 20 May 1787, and Jesse thus came into possession of the license. Then the story per HistoryNet.com, is that "*During one of his travels to court in the town of Richmond, Jackson stayed at the inn of Jesse Lister, and apparently left without paying his bill. According to tradition, Lister later wrote in his account book that the charge was 'Paid at the Battle of New Orleans.'* (Jackson as president would deny the validity of this story when presented with the board-bill by Lister's daughter.)"

So James Coffee and President-to-be Andrew Jackson may also have been patrons at the same tavern on the same day?

(14 Feb 1788): "Elizabeth HEATH vs Oliver CHARLES, James COFFEE, witness for Pltf."

(13 May 1788): "Ordered James COFEE (sic), Constable in McANALLYS District in room of John McANALLY, resigned, William HEATH and Dan DAVIS securities."

(15 May 1788): "Samuel SPIRGIN vs Matthew WARNOCK and James COFFEE; (jury named); verdict for Defts."

(17 May 1788): "Elizabeth HEATH vs Oliver CHARLES; not tried; James COFFEE, witness for Pltf."

(12 Aug 1788): "Terry BRADLEYS Executors vs James COFFEE (jury named)"

(14 Aug 1788): "Matthew WARNOCK vs Richard GOODE; Caveat Land Docket. (Jury named); In favor GOODE, the Caveatee; James COFFEE, witness for Deft."

(2<sup>nd</sup> Tuesday November 1788): "Joseph WINSTON vs Joseph CARMICHAEL; James COFFEE, witness for Deft."

(2<sup>nd</sup> Saturday November 1788): "Elizabeth HEATH vs Oliver CHARLES; James COFFEE, witness for Pltf."

(13 May 1789): "Bill of Sale from Richard HEATH to Johnson HEATH; oath James COFFEE."

(15 May 1789): "Court appointed Justices and Constables list taxables 1789; (many names); McANALLYS District; James COFFEE"

(14 Aug 1789): "Committee appointed to receive County Claims... makes following report: ...James COFFEY (sic), Constable attending Courts 1784 and 1785, warning McANALLYS District 2 days 1788 and 2 days 1789..." (separate entry) "James COFFEE, attending on Committee" (NOTE: Believe this "Committee" was reporting that James had a claim for reimbursement for past County service, and that James may have also served on the same Committee? And I suspect the accounting was necessary as part of the pending split of Surry County into Stokes/Surry.)

### **MEMO ITEMS:**

I have seen a photocopy of a North Carolina land grant to James Coffey dated 18 May 1789. In one place it referred to "our County of Stokes (late Surry)". For what it's worth, this tells us that James was likely living on the Stokes side after the counties split. Also, of possible interest, this land grant, plus the court minutes of 14 Aug 1789, are the only ones where his name is spelled "Coffey" rather than "Coffee" – however since I don't know if he was literate, I can't say if this was a conscious change on his part.

Further, per the Surry Court minutes, on 17 Aug 1786 he was ordered to survey and maintain roads around "Townfork". Found a Townfork history, with names of settlers, and some land records for "Townfork Settlement". Our James Coffey is there. (Townfork became Germanton, then this would have been about 15 miles east of old Richmond, and on today's map is roughly on the center of the border between Stokes and Forsyth Counties, on the Stokes side.)

Found notes by Judy S Cardwell, posing the following question about James:

"James **COFFEY Sr.** was born ca 1736. **James COFFEY Sr.** first shows up in Townfork Settlement as a buyer at the estate sale of William **CARMICHAEL**. He has children Micajah **COFFEY** b. ca 1768 and James **COFFEY Jr.** b. ca 1776. Who did James **Coffey Sr.** marry? Who did his sons Micajah and James **COFFEY Jr.** marry? Where did Micajah **COFFEY** remove to after leaving this area?

The Surry Court Minutes also tell us approximately when James bought that land in Townfork Settlement from William Carmichael: The minutes for 9 November 1779 grant William's wife Sarah the "Letters of Administration" for his estate, and the minutes for 16 February 1780 report that the Administrator has filed the Estate Sale Account.

#### 1784-87 STATE CENSUS OF NORTH CAROLINA

James Coffey is found with one white male age 21-60 (James would be 49-52), two white males under age 21 (Micajah and James Jr.), four white females, and no blacks. He is in the "List of Inhabitants of Blackburn's District. Taken by Chas. McAnally." The list of inhabitants includes many of those found on the above "Townfork Settlement" records.

#### 1790 STOKES COUNTY NC CENSUS:

The only "Coffey" in the index for Stokes County is James Coffey. He is listed with 3 males age 16 and above, no males under 16, and 4 free white females, no slaves. (The males are partially consistent with Judy Cardwell's notes, claiming there was a James Sr. born about 1736, with sons Micajah born about 1768 and a James Jr. born about 1776. However, "James Jr. born about 1776" is NOT consistent with "no males under 16" in the census, since if born in 1776 James Jr. would be age 14. So I think James Jr. must have been born no later than 1774.)

#### 1795 STOKES COUNTY LAND TRANSACTION WITNESS:

"1795 07 Sep (Stokes NC DB 2/217) John BAILEY and David SMITH his attorney... [sell to] Daniel SMITH...each of Stokes Co... 40 pounds... land on waters of Camp Creek...100 acres. Signed David X (his mark) SMITH for John BAILEY; wit. Jas.

COFFEY & Sarah COFFEY; proved by James COFFEY Senr." (Now we know James' wife was Sarah – but it's not obvious if she's the wife of James Sr., or James Jr.?)

#### 1800 STOKES COUNTY NC CENSUS:

There are only two Coffey's listed in Stokes County. "James Coffee" has two males under age 10, one male 10-15, one male 45+, one female 10-15, one female 45+, no slaves. "Micajah Coffey" family consists only of one male age 26-44, and one female age 26-44.

(Memo: The "one male 45+" is only consistent with James Sr. (age ~65), since James Jr. would seem to be only about age 26? However, "two males under age 10" are then a real stretch to be James Sr.'s sons, because that James (and his wife) would be over age 55 when they were born. The "DNA Tested men" claim descent from Lewis M. Coffey, born 1 Nov 1798 in Stokes County, so Lewis should be in this census. I wonder if James Senior and his wife were caring for grandchildren, and if Lewis M. was one of the two males "under age 10"? If so, what happened to James Jr.? Also, this census should rule out Micajah as father of Lewis, since Micajah has no children in 1800 census.)

#### 1820 CENSUS, FRANKLIN COUNTY, IN:

A Micajah Coffee is found, age 45+, with a wife same age. No children. It's not obvious if this is the right Micajah, however.

#### **ANNISTER, MOTHER OF JAMES:**

There has been considerable discussion about James' mother, Annister, her connection to Edward Coffey's will, and who she later married. A link at the end of this paper will lead to more info on Annister.

James, by the way, was age 10 when his grandmother, Ann (Powell) (Coffey) Dulin died in early 1744/45. He was remembered in her will, being given "one spotted heifer". His mother, "Annisters Coffe", was executrix of the estate. Annister therefore must have married Stephen Chenault between 1745 and 1749.

#### **THE INTERESTING DNA:**

I've left this discussion for last, because I needed to draw on the preceding discussion:

As many of you are aware, we have a "Coffee/Coffey Surname Project" under way, that tests the y-DNA of men with the Coffey or Coffee surname. Since the y-DNA is handed down through the male line with only occasional changes, it can be used to show if the participants have a common (male) ancestor.

You can learn more about our project if you visit the following:



[www.coffey.ws/FamilyTree/DNA/](http://www.coffey.ws/FamilyTree/DNA/)

You can explore this site at your leisure. However, in the notes below, I will refer to several sub-pages within this project. So first click on “**Site Key**”, so you can see all the menu choices.

Now, as you will discover at the above site, we have tested three Coffey men for whom circumstantial evidence supports descent from this James, and their DNA matches each other. And the DNA test does indeed show that they are NOT descended from the male line of Edward Coffey. This is as would be expected if Annister (a female) was their connection to the Coffey ancestral line. But their paper trail evidence is not solid. You can see the genealogy of the tested men if you click on “**Genealogy Detail**” and look at the top of page 3.

We’ve been through three theories in our effort to determine the father of James:

#### JAMES' FATHER – THEORY 1:

Annister is reported to have later married Stephen Chenault II (see link at end of this paper). Could this Stephen Chenault also be our James Coffey's father? Well, the Rev. John Chenault, a descendent of Stephen, got a y-DNA test. It did NOT match that of the two tested Coffey men, so it appeared unlikely that James' father was a Chenault.

#### JAMES FATHER – THEORY 2:

Our tested Coffey men each had a 12-marker match to one "Scott Cleveland". And Scott had posted his family tree on FTDNA, so I had a look. Scott says he is descended from one Micajah Cleveland, a son of Alexander Cleveland and his wife Mary (Presley) Cleveland. And the Coffey family tree indicates that this same Alexander Cleveland had a son and two daughters who married into the Edward Coffey family. These Coffey and Cleveland families were VERY close in Virginia in the 1700's!

Alexander Cleveland had six sons, but the one named "Micajah" Cleveland was the most interesting. Remember the earlier discussion about Townfork Settlement and Stokes County? It noted that our James Coffey named one of his sons "Micajah" – not a name you pull out of the air! Combine this with the matching DNA and the close families, and I was ready to bet that James was naming his son after his father, Micajah Cleveland! All we needed to do to prove this was to upgrade the 12-marker test to 37-markers!

Then came the big letdown. We did the test upgrade to 37-markers. And it was NOT a suitable match to the Cleveland family. **So much for Theory 2!**

#### JAMES FATHER – THEORY 3:

A **NEW** (at least new to me) piece of information surfaced. John Chenault (see Chenault Connections discussion above) pointed out that S. P. Derieux had published a paper that included a copy of a page from Virginia "Order Book 11: 91, Court 20 Feb 1738/9" which read "It is ordered that the Churchwardens of St. Anns Parish do bind James Coffy a bastard child to James Samuel as the Law directs."

Ah, a new name! This James Samuel is made the guardian of James! Could he be the father, or maybe grandfather, of James? A little genealogical searching quickly turned up a "likely suspect" in the form of one James Samuel, born 14 Jun 1690, died 16 May 1759, married Sarah Boulware on 5 Apr 1714. He was reported as born, lived, married, and died in St. Ann's Parish, Essex County, VA.

And we looked at the long list of 12-marker DNA matches for descendants of James, and sure enough there was one "Samuel" man among them. You can't depend on a 12-marker test, but it's a start. We got in touch with that tested person, who called in a couple of "Samuel Family" genealogists, who confirmed that they were descended from a **brother** of the above "James Samuel who married Sarah Boulware".

This Samuel descendant was James Samuel (that's the name of the living descendant of the **brother**, not the original James!), and he agreed to a test upgrade to 67-markers. And the flurry of notes turned up another living person, Sam Samuel, who was actually a descendant of the original James Samuel and who also agreed to a test.

So, we have James Samuel (67-markers) and Sam Samuel (37-markers). And we have two tested Coffey men Robert Coffey (67-markers), and Joseph Coffey (67-markers), both of whom are descended from the original James Coffey.

**And we got a good match!** We have shown, beyond a reasonable doubt, that the father of James, son of Annister Coffey, was a male in the family of James Samuel (1690-1759). Go back to our DNA web page and click on "**Data Detail**". You'll see the data for the five tested men on Page 3, under Edward Connection: Samuel DNA.

This is in many ways like the famous "Thomas Jefferson/Sally Heming" case, where DNA proves that some male from the Jefferson family fathered at least one of slave Sally Heming's children. It could have been any male "Jefferson", but the overwhelming "circumstantial evidence" suspect is President Thomas Jefferson himself.

Likewise, the father of James Coffey could be any "Samuel" male, such as a son or brother of the named James Samuel. But James Samuel himself must definitely be the most likely suspect?

## **MORE ABOUT HIS MOTHER ANNISTER:**

We have a web page with expanded information on the Coffey families. If you click on the following, and scroll down, you will find a section on “Edward Connections”. that gives links to newsletters that discuss Annister, and to a “Chenault Connection” paper:

**THE COFFEY/COFFEE SURNAME: GENEALOGY INFORMATION ROADMAP**