

Mary (Simmons) Cater, wife of John Timmons

R. Maxcy Foxworth, Jr.

Proof of the origin of Mary Simmons, wife of John Timmons, (and therefore of her siblings Frances, wife of Daniel Myers; Simeon; Silas; and probably John Simmons) and of her earlier marriage to Syrack Cater is found in the following Johnston County, North Carolina Court Minutes [emphasis of relevant names added]:

Apr. Court 1765 – On Motion of RC **Mary Cater** obtain'd an order for Letters of Administration on the Estate **Syrack Cater** Dec'd giving for security **James Simmons** & Thomas Hood. Order'd that **Mary Cater** have liberty to sell the perishable part of the Estate **Syrack Cater** D'd.¹

Jan. Court 1767 – Order'd that Theop. Hunter Esqr., James Martin & Abram Hill be appointed to audit the Accot. of **John Timmons** & **Mary his wife** administrators of **Cyra Cator** & report the same to our ensuing Court.²

Apr. Court 1767 – Agreeable to a Decree of last Ct. Theops. Hunter, James Martin & Abram Hill Rendered an Acct of **John Timmons** & **Mary his Wife**, with the Estate of **Syra Cato** wherein there Appears a Balance due the sd. Estate of Seventy Eight pounds Eight Shillings & Three pence proc. which acct. is ordered to be fil'd.³

Apr. Court 1767 – Acct. Sale of part of the Estate of **Sira Cato** was renderd into Court by Richard Aycock Deputy Sheriff & orderd to be fil'd.⁴

Feb. Court 1768 – On Mo. of Jn. Wms. Atto. it is ord that Thos. Hood? security for the ads. of **Syra [sic]** the Estate of **Syra Cato** dec'd. take into his Possession the Estate of aforesd. **Syra Cato**, now in the possession of **Jn. Timmons** who intermaryd with the **Widow And relect** of the sd. des'd. to whome ad. has been granted until the sd. **John Timmons** & **Wife** shall give other Secuty. for the faith full ad. thereof.⁵

No further mention of the Cater/Cato estate nor of John Timmons and wife are in the Johnston County Court Minutes. Timmons was in South Carolina by 3 October 1769 when he petitioned for a Warrant of Survey for 100 acres of land⁶ resulting in a 24 Aug. 1770 grant on the north side of Lynches Creek.⁷

Additional Johnston County abstracts prove that James Simmons, Mary's security in the Cater estate, was of the right generation to be her father, and include Simeon Simmons as well as the neighboring and probably related Monk family, which also uses the given names Simeon and Silas [emphasis of relevant names added]:

12 March 1740 – **James Simmons** Land Patent 319 acres in Craven County [from which Johnston County was formed in 1746] S side Neuse river and Mills creek joining the creek.⁸

23 Feb. 1743/44 – **John Monk** Land Patent 300 acres Craven Co S side Walnut Cr. border: **James Simons'** plantation.⁹

28 Oct. 1752 – Theophilus Hunter Land Patent 380 acres Johnston County between **John Monk** and Edward Green jng. James McIlroy, James McIlroy's Mill Pond and **John Monk** surveyed 26 Oct. 1751 CB: **James Simons, Silas Monk**.¹⁰

13 Jan. 1761 – **James Simmons** Land Patent 700 acres Johnston County, Parish of St. Patrick jng. Belk's line and Halton's corner [signed] **Jas Simmons** Surveyed 28 Mar. 1760 CB: Jacob Patent, John Hutchens.¹¹

July Court 1761 – The Last Will & Testament of **John Monk?** Dec'd exhibited into Court and provid. by the oath of **Sirach Cater** a subscribing witness thereto & **Jonathan Monk** an Executor appointed by said will took the oath of an Exr.¹²

[Note below a Jonathan Monk in SC with Silas Simmons.]

13 Mar. 1762 – John Hutchins to **Serack Cato (Cater)** 35 Sh. 50 acres N side Walnut Creek . . . John Smith's line . . . **Caters Spring branch** . . . part of land granted sd Hutchins by Granville deed for 473 acres 8 Dec. 1760. Wit: Thes. Hunter, **James Sim**

mons, Saml. Pearson.¹³

Apr. Court 1765 – Order'd that Simeon Simmons mark be recorded which is a Crop & two Slits in the right Ear & one Slit in the left.¹⁴

24 Sept. 1767 – James Simmons to John Hutchins Junr 70 lbs. VA 136 acres N Side Warnat [Walnut] Creek . . . Siracks Spring branch . . . part of 8 Dec. 1760 grant to sd John Hutchens Jur Wit: Jno. Giles Thomas, William Abbot, Jethro Moore.¹⁵

James Simmons was in South Carolina by July 1772 when both he and Simeon Simmons purchased at the estate sale of John Myers¹⁶ (father of Daniel Myers who married Frances Simmons). On 21 Jan. 1785 James Simmons had a 100 acre plat surveyed on the S side of Lynches Creek.¹⁷

On 3 Nov. 1772 Simeon Simmons petitioned for 150 acres of land,¹⁸ the grant being on the SW side of Lynches Creek bounding S on Mr. Harrol's [Capt. Lewis Harrell] land, SW on sd Simeon Simons' & Hugh Irvin's land, NE on Reubin White's land, other sides vacant.¹⁹ He was taken prisoner during the Revolutionary War and died in confinement in May 1781; his widow Sophia was compensated for his service on 14 Sept. 1785.²⁰

Also on 3 Nov. 1772, Silas Simmons petitioned for 100 acres of land.²¹ He married Selah, daughter of Jacob Harrell²² (who had also come from Johnston County NC) and sister of Capt. Lewis Harrell (whose 2nd of 3 wives was Ann Timmons, daughter of John and Mary). He was a legatee in the will of Mathew Smith, witnessed by Jonathan Monk, proved in 1792 in the Parish of St. James, Goose Creek.²³

John Simmons, who received a 100 acre 5 Mar. 1770 grant on the north side of Lynches Creek,²⁴ is probably also a sibling, and is perhaps the John Simons who received a 300 acre 5 June 1770 grant on the north west side of Pee Dee River on the Great Swamp.²⁵ A John Simon is adjacent to Smeon and Silas Simmons on the 1778-1779 Petit Jury List for Prince Frederick's Parish.²⁶

Zachary Cater, perhaps a child of Mary Simmons by her marriage to Syrack Cater, is in both the 1784 and the 1786 Tax Returns for Prince Frederick's Parish,²⁷ and was a witness to a 1797 deed from Daniel Myers to his son James Myers (proved by Cater in 1800),²⁸ and to Daniel Myers' 1799 will (proved by Cater in 1802).²⁹ His 1790 census record lists 1 male 16 and over, 1 male under 16, 3 females and 4 slaves.³⁰

Notes:

1. *Johnston County, North Carolina Court Minutes, 1759-1766, Book I*, Weynette Parks Haun: 217; p. 115.
2. *Johnston County, North Carolina Court Minutes, 1767-1777, Book II*, Weynette Parks Haun: 5-132; p. 3.
3. *Ibid.*: 11-135; p. 5.
4. *Ibid.*: 15-137; p. 7.
5. *Ibid.*: 49-154; p. 21.
6. *Petitions For Land From The South Carolina Council Journals, Volume VI: 1766-1770*, Brent H. Holcomb, p. 246.
7. *South Carolina's Royal Grants, Volume Three: Grant Books 18 Through 24 1768-1773*, Brent H. Holcomb: 21, 59; p. 143.
8. *Colony of North Carolina 1735-1764 Abstracts of Land Patents, Volume One*, Margaret M. Hofmann: 2557; p. 180.
9. *Colonial Land Entries in North Carolina, Volume 1 (1735-1752)*, Dr. A. B. Pruitt: 876; p. 59.
10. *The Granville District of North Carolina 1748-1763, Abstracts of Land Grants, Volume Two*, Margaret M. Hofmann: 3171; p. 197.
11. *Ibid.*: 3312; pp. 211-212.
12. *Johnston County, North Carolina Court Minutes, 1759-1766, Book I*, Weynette Parks Haun: 84-42-3; p. 46.
13. *Johnston County, North Carolina Abstracts: Deed Books A-1, B-1, Transcript-1, D, D-1, 1759-1771*, Weynette Parks Haun: 155; p. 26.

14. *Johnston County, North Carolina Court Minutes, 1759-1766, Book I*, Weynette Parks Haun; 218-110; p. 115.
15. *Johnston County, North Carolina Abstracts: Deed Books E-1, Transcripts 2 & 3 (F-1, N-1, P-1, Q-1, R-1), 1764-1791 Vol. II*, Weynette Parks Haun; 188; p. 30.
16. John Myers, Account of Estate Sale, South Carolina Department of Archives & History, copy provided by Neil O. Myers.
17. *Abstracts of South Carolina Plats, Books 7 and 8 [1784-1786]*, Dr. A. B. Pruitt; 4479; p. 120.
18. *Petitions For Land From The South Carolina Council Journals, Volume VII: 1771-1774*, Brent H. Holcomb, p. 159.
19. *South Carolina's Royal Grants, Volume Four: Grant Books 25 Through 31, 1772-1775*, Brent H. Holcomb; 29, 522; p. 255.
20. *The South Carolina Magazine of Ancestral Research*, Volume I, Number 2, Laurence K. Wells, p. 69.
21. *Petitions For Land From The South Carolina Council Journals, Volume VII: 1771-1774*, Brent H. Holcomb, p. 159.
22. *Abstracts of Wills of Charleston District, South Carolina, 1783-1800*, Caroline T. Moore, p. 129.
23. *Ibid.*, p. 257.
24. *South Carolina's Royal Grants, Volume Three: Grant Books 18 Through 24, 1768-1773*, Brent H. Holcomb; 19, 276; p. 66.
25. *Ibid.*; 19, 475; p. 81.
26. *The Jury Lists of South Carolina 1778-1779*, Ge Lee Corley Hendrix and Morn McKoy Lindsay, p. 37.
27. *South Carolina Magazine of Ancestral Research: Volume III, Number 4*, Laurence K. Wells, p. 201; and *Volume XI, Number 1*, Brent H. Holcomb, p. 34.
28. Marion County Deed Book A, p. 128, Marion County Archives & History Center, Marion, SC.
29. Marion County Probate Roll 492 Daniel Myres [sic], Marion County Archives & History Center, Marion SC.
30. *1790 Census, Georgetown District, South Carolina*, Marvin A. Grant, p. 20.

Notes from Kathy Loyd:

John Foster Benton (1780-1834) who was the oldest son of Robert Foster Benton and Susannah Benton married Hannah Cater (1775-1829). John and Hannah left Williamsburg and went with Hannah's father Zacharia Cater and settled near the line of Demarcation established between the United States and Spain which separated the Mississippi Territory from Spanish Florida.

Elizabeth Benton married Rev. Samuel Timmons, son of John and Mary. John Benton's sister Violet who married Robert Cade, left Williamsburg after he died and moved to this same area of Mississippi. I descend from both Violet through the Cade line and Moses Benton another brother of John Foster through the Benton line. Moses Benton's who was the brother of Robert Foster Benton married Susannah Timmons who was also the daughter of John and Mary Timmons.

The information I have on Zachariah was that he was a Revolutionary War veteran. He died in 1824 on the property of John and Hannah. I do not know his wife's name but in addition to Hannah he had a daughter Polly, a son John who married Nancy, a daughter Mary who married Thomas Keller and Josiah Cater who appears to be another son and who filed a land claim on the Mississippi line as did Zachariah.

Robert Foster Benton and Susannah were married in 1779 Wake Co., North Carolina. These families must have known each other as they all came to Williamsburg County. *Maxcy Foxworth states that Thomas Keller was also a resident of present Florence County, South Carolina.

Information obtained from the book, "Benton's Ferry" by Lionel Kabel 1994. Used with permission.