

Tomes (Tems, Thomes, Toms), Francis ^[1]

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by Mattie Erma E. Parker, 1996

ca. 1633–3 June 1712

Francis Tomes (Tems, Thomes, Toms), Council member, justice, customs collector, and prominent [Quaker](#) ^[2], moved from Virginia to the North Carolina colony, then called [Albemarle](#) ^[3], about 1664. He had migrated to Virginia in 1649 and lived for nine years in Martin's Brandon, Charles City County, where he was an indentured servant to one Francis Grey. About 1658 he moved to Ware Neck, Surry County, Va., where he lived until his removal to Albemarle. In Surry County he served in a militia force that brought the Weyanoke Indians to the English settlements for protection against the Nansemond Indians, who had killed the Weyanoke king. He also served with the detachment that returned the Weyanokes to their town when danger had passed.

Tomes soon became prominent in Albemarle. In 1672 he was identified as a justice of the peace by William Edmundson, the Quaker missionary who visited Albemarle that year. A deposition made by Tomes in the 1690s indicates that he held some office of importance as early as 1669. In February 1683/84 he was a justice of the county court, then the highest court of law in the colony. By November 1684, and probably as early as the preceding February, he was a member of the Council. He appears to have served on the Council continuously from that time until 1705, although there may have been short gaps in his service that are not indicated in the sparse surviving records of the period. As Council member Tomes was ex officio justice of various courts held by the Council, which included the Palatine's Court, the General Court, and the Court of Chancery. From February 1683/84 through February 1684/85 he was a justice of the county court, on which several Council members as well as others ordinarily sat.

In 1695 Tomes was commissioned customs collector for the colony. He also was a collector of quit rents in the late 1690s. Earlier in that decade he was clerk of the [Perquimans Precinct Court](#) ^[4]. The length of his service in those capacities is unknown.

Tomes was one of the earliest and most influential Quakers in Albemarle. He and his wife, Priscilla, were converted in 1672 by William Edmundson, who made his first visit to the colony that year. Tomes and his wife were so moved by Edmundson's first sermon in Albemarle that they invited him to hold his next service in their home, which he did. For many years the Perquimans Monthly Meeting was held regularly in Tomes's home, which frequently was also the site of quarterly and yearly meetings. When Edmundson again visited Albemarle in 1676, he was entertained in Tomes's home, where he again preached. Other missionaries, including George Fox and Thomas Story, also were entertained and preached there. In 1706 Tomes donated to the Perquimans meeting an acre of land on which by that time a meetinghouse had been built. In 1707 Tomes, like many other Quakers, suffered distraint of property, apparently for refusing to pay the recently imposed tithe to support the Anglican church. No doubt his religion was the primary factor in ending Tomes's public career, which came to a close when discriminatory restrictions on Quakers and other [dissenters](#) ^[5] replaced the religious toleration earlier characterizing the colony.

Tomes lived in Perquimans Precinct, where he owned more than a thousand acres of land. He was married three times. His first wife, Priscilla, bore him seven children: Penelope, Mary, Francis, Priscilla, Joseph, and twins Joshua and Caleb. The eldest child, Penelope, was born in December 1668 and the twins, who were the youngest, were born in 1679. Tomes's second wife was Abigail Lacy, the widow of John Lacy and previously the widow of William Charles. That marriage took place in May 1683. Abigail, who bore Tomes a daughter, also named Priscilla, died in March 1687/88. Tomes subsequently married Mary Nicholson, who had no children. Of Tomes's eight children, only four—Mary, Francis, Joshua, and the second Priscilla—appear to have lived to maturity. Those four married and had children of their own. Mary married Gabriel Newby, the son of William Newby of Nansemond County, Va. Francis, first married Margaret Bogue Lawrence, the widow of William Lawrence. His second wife was named Rebecca. He died in 1729. Joshua married, first, Sarah Gosby, the daughter of John and Hannah Gosby, and second, Rebecca Jones Sutton, the daughter of Peter Jones and the widow of Joseph Sutton. Joshua died in 1732. Priscilla's first husband was John Nicholson, the son of Christopher and Hannah Nicholson. She later married John Kinse, the son of John and Catherine Kinse of Nansemond County, Va.

On his death at age seventy-nine Francis Tomes was survived by his widow, Mary (d. ca. December 1717), by sons Francis and Joshua, and by daughters Mary and Priscilla.

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