

## THE ORIGINS OF BENJAMIN<sup>1</sup> NYE: EXAMINING THE SOURCES

*Ian Hilder, George R. Nye, and Jonathan A. Shaw*

The origins of Benjamin<sup>1</sup> Nye of Sandwich, Massachusetts, as set forth in *A Genealogy of the Nye Family* (1907) by George H. Nye and Frank E. Best, have long troubled researchers attempting independently to verify Benjamin<sup>1</sup> Nye's ancestral line, a line which is asserted to extend back ten generations into England and Denmark.<sup>[1]</sup> The Nye Family of America Association has endorsed and supported, through donations by its members, further genealogical research. This article summarizes that research (and earlier research), and reviews the claimed Danish and English origins of Benjamin, with emphasis on his immediate English origins, in order to offer clarification and to refute references that are in error or have proved to be unsupported by evidence. The second part of the article will contain a genealogical summary of Benjamin<sup>1</sup> Nye and his children.

### Danish Ancestry

Before beginning a review of Benjamin<sup>1</sup> Nye's immediate English ancestors, it is useful to summarize his purported ancestry in Denmark as set forth in the *Nye Genealogy* where his line of descent is given as follows:<sup>[2]</sup>

LAVE<sup>1</sup> NYE, 1316 Bishop of Roskilde  
SVEN<sup>1</sup> NYE, heir of Bishop of Roskilde (*Danske Arkive*)  
MARTEN<sup>H</sup> NYE, heir of Sven (*Historia Sjellandia* Vol. I, p. 68)  
NILS<sup>G</sup> NYE, son of Marten, land in Tudse deeded to son (*Landnamabok*)  
BERTOLF<sup>F</sup> NYE, son of Nils, 1466 (*Necrologium Daniae Vetus*)

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\* This article has been greatly assisted by the expertise of dedicated Nye family researchers, notably David E. Nye of the international Nye One-Name Study, who has freely shared the results of his research. He can be contacted by e-mail at [nye@one-name.org](mailto:nye@one-name.org). We would also like to acknowledge the assistance of the following professional researchers who have checked privately-held indexes or inspected local archive collections: Mark Bonthron, Matthew Copus, Barbara Gill, Russell A. Lovell, Jr., David Nicholls, Gillian Rickard, BA. Dip.Loc.Hist., Sydney G. Smith BA (Hons), and John Warren.

<sup>1</sup> George Hyatt Nye and Frank E. Best, compilers, *A Genealogy of the Nye Family*, David Fisher Nye, ed. (Cleveland, Ohio: The Nye Family of America Association, 1907; it was reprinted without alteration in a second edition (n.d., n.p.)). George Hyatt Nye was a banker who started to compile the Nye genealogy in the 1890s. The response was so great that he enlisted a professional genealogist, Frank Eugene Best, to compile the American descendants of Benjamin<sup>1</sup> Nye. The Foreword to the *Nye Genealogy*, states: "The Danish and English matter is taken from the records, references being given in every instance, while American data was tabulated and completed by Mr. Frank E. Best." It is noteworthy that the researcher of the Danish and English Nye history is not disclosed, and efforts to discover the researcher's name have not been successful.

<sup>2</sup> *Nye Genealogy* [note 1], 20. To the names that appear in the *Nye Genealogy* the authors of this article, for ease of reference and not to establish authenticity, have added the standard, genealogical, alphabetically-reversed superscripts to indicate pre-immigrant generations.

Our research suggests that the Nye surname is almost certainly English in origin and that the Danish "Ny" coat-of-arms is wrongfully attributed to the Nye family.

Dictionaries of British surnames establish that variations of the surname Nye were already in usage in England in the thirteenth century, i.e., Robert atteneye 1269, William Atteneye 1276; and a Gilbert de la Nye appears in 1315. The name is topographical in origin, meaning "from a residence near some low lying land." The usage arises from a mis-division of the Middle English (ca. 1150–1500) word atten(e)ye which means both "at the river" and "at the island." The usage evolved to atte nye, atte neye, and eventually Nye.<sup>[3]</sup> Thus, it is extremely unlikely that the English surname Nye has Danish roots.

In the *Nye Genealogy*, the identification of the Nye family surname with nobility begins by recounting a "rumor" that an individual settled in the thirteenth century in Sjælland, Denmark, who was the descendant of Harold "Bluetooth" who died in 985, through his daughter who married one of the most famous of the Swedish heroes, "Styribiorn, son of Olaf, King of Sweden." Lave Nye of Denmark is then identified as a descendant of the above.<sup>[4]</sup>

There was indeed a Lave Ny who bore, as his coat-of-arms, the shield of a new moon on a blue background.<sup>[5]</sup> The record is further embellished by stating: "Lave Nye was a man of great prominence and in 1316 was Bishop of Roskilde."<sup>[6]</sup> In actual fact the real Lave Ny was not a bishop.<sup>[7]</sup> Moreover, a Danish researcher has found a reference in a yearbook of the Danish nobility<sup>[8]</sup> which mentions that "Ny" is a family of Fyn, Denmark, descendants of a branch of a German family von Halberstadt.<sup>[9]</sup> In the opinion of the President of the Danish Heraldry Society, Sven Tito Achen of Copenhagen, there is no medieval Danish family called Nye for "in the Middle Ages very few Danish families had fixed surnames; the family of 'Ny' is known from documents from 1419–1517.

<sup>3</sup> P.H. Reaney and R.M. Wilson, *A Dictionary of British Surnames* (London: Routledge & Kegan Paul, 1958), 253; Patrick Hanks and Flavia Hodges, *A Dictionary of Surnames* (Oxford: Oxford University Press, 1988), 392.

<sup>4</sup> *Nye Genealogy* [note 1], 20.

<sup>5</sup> Correspondence from Hans Ove 10 February 1997 to David E. Nye of the Nye One-Name Study. (A "One-Name Study" is a person or group studying all references to a surname worldwide. Surnames being researched in this way are registered with the Guild of One-Name Studies, formed in 1979. The Guild maintains a web site [including a list of registered surnames] at [www.one-name.org](http://www.one-name.org).)

<sup>6</sup> *Nye Genealogy* [note 1], 20.

<sup>7</sup> Correspondence from Hans Ove to David E. Nye, dated 10 February 1997, indicates that Lave Nye was connected to the Cathedral of Roskilde in the following way: according to the Danish historian Ariild Huitfeldt of Odersburg, in his *Bishop's Chronicles* (1652) Lave Ny was among Archbishop Esge Juul's "witnesses" in Helsingborg and the founder of Our Lady's Chapel in Roskilde Cathedral.

<sup>8</sup> *Danmarks Adels Aarbog*, 22 (1906):336–37.

<sup>9</sup> Correspondence from Hans Ove to David E. Nye, dated 10 February 1997.

'Ny' is a label put on it for convenience, by genealogists and historians, and [is] derived from its coat-of-arms, a new moon. New equals 'ny' in Danish."<sup>[10]</sup>

The Danish National Archives, the Rigsarkivet, was consulted about the Danish references. With regard to the source cited in the *Nye Genealogy* for Bertolf<sup>F</sup> Nye, their reply was: "We have no knowledge of any document, manuscript . . . called '*Necrologium Daniae Vetus*.'" The Chief Archivist, Historical Division, then went on to say diplomatically: "As the information you give about the Nye family seems to have been completely unknown to Danish genealogists that have written about the Danish family Ny (whose coat-of-arms is identical with the one you sent), we are led to assume that such a document does not exist in Danish collections but must be sought somewhere else."<sup>[11]</sup>

A later inquiry to the Rigsarkivet requesting a further evaluation of the Danish genealogy and references for the descendants of Lave Ny(e) resulted in the following reply from Edit Rasmussen, Assistant Keeper, Historical Division: "We regret to have to state that your pieces of information still are of such a vague character that we are not able to carry out official research on this basis. Nor can we recommend you to let an archivist do it — in his private capacity and against payment — as this . . . will hardly lead to any results."<sup>[12]</sup>

#### English Ancestry

Let us turn now to the purported English ancestors of Benjamin<sup>1</sup> Nye as we systematically test the validity of the sources cited in the *Nye Genealogy*.<sup>[13]</sup> Quotations from the *Nye Genealogy* appear in bold.

**RANDOLF<sup>E</sup> NYE settled in Sussex in 1527. He is mentioned in the Rolls as excusing himself on account of illness from attendance at the Assize held at Lewes. (Coram Rege Roll, 20 Hen. VIII).**

<sup>10</sup> Correspondence from Sven Tito Achen to George R. Nye, dated 19 April 1968 and 24 April 1968. Thus, there is no evidence to support the assumption by the Nye Family of America Association of the Danish Ny coat-of-arms. The absence of a Nye coat-of-arms in English records was confirmed by Major Gordon Lett, Assistant to Somerset Herald of Arms, College of Arms, London (personal communication to George R. Nye, dated 22 March 1968).

<sup>11</sup> Correspondence from Sune Dalgard, Chief Archivist, Historical Division, Rigsarkivet, to George R. Nye, dated 12 June 1968.

<sup>12</sup> Correspondence from Edit Rasmussen, Assistant Keeper, Historical Division, Rigsarkivet, to George R. Nye, dated 7 November 1969.

<sup>13</sup> The Nye Family of America Association commissioned the senior writer of this article, Ian Hilder, to attempt to trace the English ancestry of Benjamin<sup>1</sup> Nye, who is said to have been on the *Abigail* that arrived in Boston, Massachusetts Bay Colony, in October 1635. Initial research was based on confirming the sources cited in the *Nye Genealogy* [note 1] for his parentage, but after several of these sources proved to be untraceable, the authenticity of all the English sources cited in the *Nye Genealogy* appeared to be open to question. The task then became to test the validity of the sources cited in the *Nye Genealogy* and to consider alternative sources as they emerged during research.

Assistance in locating the reference in the Coram Rege Rolls had been sought from the College of Arms, London in 1968. The reply from the Richmond Herald there details their unsuccessful attempts at identification.<sup>[14]</sup>

Coram Rege Rolls recorded all proceedings in the Court of the King's Bench. This was the highest court of common law, dealing with matters directly concerning the King or the King's peace (for instance, trespass and riot). Coram Rege means before the King's person. The civil pleas in this court were recorded on membranes, in Latin, with the name of the relevant county written in the left-hand margin.

There were about fifty membranes written on both sides, only the entries under Sussex were searched. There was no mention of a Nye. We also searched the Rolls for 27 Henry VIII, in case a mistake has been made in ascribing this to 1527, but again nothing was found.

#### He held land in Uckfield, County Sussex (*Rotuli Hundredorum 33 Hen. VIII*).

The Hundred Rolls contain mainly "the returns (in Latin) of county by county fiscal enquiries during the reigns of Henry III and his son Edward I, 1255, 1274-75 and 1280."<sup>[15]</sup> The original records are held by The National Archives (formerly the Public Record Office) in class SC5, and have been published in two volumes as the *Rotuli Hundredorum*. Inspection of these volumes and The National Archives catalogue confirms that this class of record is confined to the thirteenth century, so are too early to record a Nye living during the reign of the sixteenth-century monarch, Henry VIII.

Both of the above (untraced) references suggest that Randolph<sup>E</sup> Nye was a resident of Uckfield, a parish and small town in East Sussex in the 20th and 33rd years of the reign of Henry VIII (i.e., 1528/9 and 1541/2). In an attempt to trace an alternative contemporary English source, the published Lay Subsidies of 1524/5 were searched,<sup>[16]</sup> but the section for Uckfield has not survived. It is not easy therefore to determine whether any member of the Nye family lived in the parish of Uckfield at that date. This is also well before the earliest surviving parish registers.

In a further search made in 1969 for possible descendants of Randolph Nye in the earliest parish registers for Uckfield, the then County Archivist for East Sussex reported that "The earliest register of that parish presents considerable difficulties in legibility and interpretation. However, a careful search [from 1538] up to the year 1567 inclusive has revealed no entries for the surname Nye."<sup>[17]</sup>

<sup>14</sup> Correspondence from J. P. Brooke-Little Esq., Richmond Herald, College of Arms, to George R. Nye, dated 17 May 1968.

<sup>15</sup> Stella Colwell, *Dictionary of Genealogical Sources in the Public Record Office* (London: George Weidenfeld & Nicolson Ltd., 1992), 90.

<sup>16</sup> *The Lay Subsidy Rolls for the County of Sussex 1524-25*, Sussex Record Society Series, vol. 56 (Lewes: Sussex Record Society, 1956).

**WILLIAM<sup>D</sup> NYE (-1556) . . . married Agnes, daughter of Ralph Tregian of Ballancé-Hornéd, County Hertford. William studied for the ministry and became Rector of the Parish Church of Ballancé-Hornéd before his father's death. (26 Hen VIII. 1534 also *History of Hertfordshire Vol. I, p. 274*).**

A link between the (untraced) references for Randolph<sup>E</sup> Nye in Uckfield, East Sussex, to a marriage for his son at a location in "County Hertford" (i.e., Hertfordshire), over sixty miles to the north, seems unlikely without strong supporting evidence.

This lack of supporting evidence is confirmed by the research of David E. Nye of the Nye One-Name Study in England, who concludes that "elementary checking in UK records shows that there neither is nor was a Parish of Ballancé-Hornéd in Hertfordshire." There was however, "a Church at Little *Hormead* in Hertfordshire, which happens to be next to a 'Ballons' Farm (once in the Manor of Ballance), and it would seem that [in the *Nye Genealogy*] 'Ballons, Hormead' has become 'Ballancé-Hornéd'." A search of the surviving sixteenth-century taxation returns for Hertfordshire, held at The National Archives, has failed to find any references to Ralph and Agnes Tregian or William Nye at Little Hormead.<sup>[18]</sup>

There was however, a later Nye connection with the parish, which may have drawn the unidentified original researcher to Hertfordshire. The rector of St. Nicholas, Little Hormead, from 1648 until his death in 1719 was the Rev. Stephen Nye. "This dating is, of course, more than one hundred years after the claimed link between William Nye and 'Ballancé-Hornéd'"<sup>[19]</sup>

**. . . we read that he claimed the land which his father who had evidently died the year before had 'given unto him' in Uckfield . . . (*Town Depositions Chancery 2 Edw.VI.*)**

Town Depositions are the answers of deponents taken in London on behalf of litigants in the Court of Chancery. At the time of publication of the *Nye Genealogy* in 1907, these Depositions (now in class C24 at The National Archives) were listed in chronological volumes by the surname of the principal plaintiff in each suit. Therefore, the original researcher working without the benefit of more recent indexes to deponents is unlikely to have found any such evidence.<sup>[20]</sup>

<sup>17</sup> Correspondence from C.G. Holland, County Archivist, East Sussex Record Office, to George R. Nye, dated 24 September 1969.

<sup>18</sup> Research undertaken by independent researcher Tina Hampson on behalf of David E. Nye.

<sup>19</sup> Information supplied by David E. Nye of the Nye One-Name Study. As an aside, he notes that the Rev. Stephen Nye is recorded in the *Dictionary of National Biography*, 22 vols. (London: Smith, Elder & Co., 1908-09), 14:724-28, as the grandson of the Rev. Philip Nye and is credited with originating the expression "Unitarian Church."

<sup>20</sup> Chancery proceedings and other sources are indexed in the invaluable Bernau Index which was compiled between 1914 and 1929 [after publication of the *Nye Genealogy*] under the leadership of Charles A. Bernau. Microfilm copies of the original slip index are held by the

No documentary evidence has been found to indicate the end of William Nye's life. No burial entry has been traced, nor are there any testamentary documents for a William Nye in the Archdeaconry of Lewes or Prerogative Court of Canterbury during the mid-sixteenth century. A search of Inquisitions Post Mortem between the reigns of Henry VIII and Philip & Mary also proved negative.<sup>[21]</sup>

**RALPH<sup>C</sup> NYE . . . married June 18, 1555, Margaret Merynge of St. Mary, Woolchurch (Marriage Licenses of the Bishop of London, B.)**

Confirmation has been found that a marriage license was issued to a couple named Ralph "Neyes" and Margaret "Merynge," by the Vicar General of the Bishop of London.<sup>[22]</sup> However, this source contains no residential evidence to link this Ralph to any known branch of the Nye family.

**He had five children who are mentioned in *Inquisitiones Post Mortem*.**

An Inquisition Post Mortem was taken on the death of a tenant-in-chief of the Crown. The local escheator and a jury of respected local men would establish the extent of the deceased's estate, and confirm the rightful heir. As this is the only stated evidence for Ralph's children, a search was made for the source document. The only Nye entry appearing in the indexes to IPMs drawn up during the reign of Queen Elizabeth I (1558–1603) was a Richard Nye of Sussex in 1575/6.<sup>[23]</sup>

**Ralph Nye was executor of his father's estate in 1584 (*Proceedings Court of Claims*).**

This statement appears under the heading of Thomas<sup>B</sup> Nye, and should perhaps have read *Thomas<sup>B</sup> Nye was executor of his father Ralph's estate*. However, it has not been possible to verify this potentially important and useful information. The document most usually naming an executor would be a will, or perhaps a later court case concerning a testamentary dispute. In this instance the cited source is "Proceedings [in the] Court of Claims." This seems a very unlikely

Society of Genealogists in London. The Bernau Index contains the names of deponents extracted from the original depositions, including the names of thirteen Nyes appearing in Town Depositions before 1660. Unfortunately, none of these references is earlier than 1590, some forty years after the supposed date of William Nye's deposition!

<sup>21</sup> Public Record Office, *Lists and Indexes*, 55 vols. (London: Majesty's Stationery Office, 1894–1929), vol. 22 (*Lists of Inquisitions Ad Quod Damnum Preserved in the Public Record Office, Part 2*).

<sup>22</sup> Joseph Lemuel Chester, *Allegations for Marriage Licenses Issued by the Bishop of London, 1520 to [1828]*, Volume I, George J. Armytage, ed., Publications of The Harleian Society, Visitation Series, 25 (London, 1887):16.

<sup>23</sup> Lists and Indexes [note 21], vol. 26 (*Index of Inquisitions Preserved in the Public Record Office, Volume 2*). Full details are in *Sussex Record Society vol. III, A Calendar of Post Mortem Inquisitions relating to the County of Sussex, 1–25 Elizabeth* (Lewes: Farncombe & Co., 1904), 108.

source, as the Court of Claims met only "before the coronation of a new monarch to determine who possessed the right to perform services of honor about the sovereign during the ceremony."<sup>[24]</sup>

**THOMAS<sup>B</sup> NYE, son of Ralph and Margaret (Merynge) Nye, married September 9, 1583, at St. Andrew, Hubbard, Katherine Poulsden of London. She was the daughter of the late Mr. Poulsden of Horley, County Surrey. (*Marriage Licenses Bishop of London Court*).**

The parish registers of St. Andrew Hubbard in the City London confirm the above marriage of Thomas Nye ("Nec" in the register) on 10 September, the day after the license was granted. Thomas Nec was described as "of Charlwoodde, Surrey" and Katherine was of St. Andrew Hubbard.

Searches were carried out in primary sources to discover how deep the suggested Nye and Poulsden connections with the parish of Horley went. However, no mention of the surname Poulsden was found in the Horley parish registers for 1578–1600. Two Nye baptisms were located: Katherin[e] Nye on 29 September 1583, no father named in the register entry, and Joyce "daughter of William Nye" on 28 January 1587/8. These entries were followed on 20 September 1598, by the burial of Agnes Nye.

The baptism of a Katherine Nye, just twenty days after the marriage of Thomas Nye to Katherine Poulsden in London is interesting, but poses problems. Was she the first child of the London couple, or was she (perhaps more likely) an earlier daughter of the William Nye whose daughter Joyce was baptized there four years later?

Further searches were made of wills in Surrey probate courts,<sup>[25]</sup> the Surrey Record Office Deeds and Miscellaneous indexes, and Surrey Lay Subsidy Returns of 1595.<sup>[26]</sup> These sources revealed Nye and Poulsden/Pollysden references in the Surrey parishes of Charlwood<sup>[27]</sup> and Betchworth.<sup>[28]</sup> Follow up searches were made in the contemporary parish registers for these two parishes but failed to reveal any individuals connected with Thomas<sup>B</sup> Nye, or his wife Katherine Poulsden's relatives.

Unfortunately, but characteristically, the *Nye Genealogy* suggests that Thomas<sup>B</sup> and Katherine (Poulsden) Nye were the parents of the Rev. Philip Nye and Rev. Henry Nye. This has been proved incorrect by the eminent genealogist,

<sup>24</sup> Public Record Office, *Public Record Office Guide* (London: Public Record Office, 1998), Class Descriptions, C195, Court of Claims: Coronation Proceedings James II to 1952.

<sup>25</sup> Cliff Webb, ed., *Surrey Probate Records to 1649: A Union List of Surrey Probate Records Which Survive from Before the Year 1650* (London: British Record Society, 1990).

<sup>26</sup> Five entries for the Nye surname were found in the published Lay Subsidy Returns for Surrey (Alfred Ridley Bax, *The Lay Subsidy Assessments for the County of Surrey in 1593 and 1594* (Guildford: Surrey Archaeological Society, 1904; repr. from Surrey Archaeological Collections, vol. 18).

<sup>27</sup> Charlwood parish registers begin in 1595. No Nye entries were found in baptisms 1595–1600.

<sup>28</sup> No Nye entries were found in Betchworth, Surrey, baptisms and burials 1558–1600.

the late W.H. Challen, who has shown that these two prominent Churchmen — both well documented in the *Dictionary of National Biography* — were the sons of John and Dorothy (West) Nye.<sup>[29]</sup>

**THOMAS<sup>A</sup> NYE**, son of Thomas and Katherine (Poulsden) Nye of Bidlenden, County Kent, was a haberdasher. On June 10, 1619, he married for his second wife Agnes Rye. The name of his first wife is not known. His second wife, whose age is given as thirty-nine, was of the same Parish and was the widow of Henry Rye (*Marriage Licenses, Archbishop of Canterbury Court*)

This marriage license has been traced,<sup>[30]</sup> and confirms that both parties were from Biddenden, Kent, and that Agnes/Anne was indeed the 39-year-old widow of Henry Rye, "late of Biddenden."<sup>[31]</sup>

Published historical background material for Biddenden suggests that it had a thriving cloth trade, and there is also a local tradition of emigration in the 1630s "for religious reasons."<sup>[32]</sup> However, a thorough search of the Biddenden parish registers failed to reveal anyone named Benjamin Nye.

Research in the original parish registers for Biddenden<sup>[33]</sup> did reveal, however, the following earlier entries for Henry Rye:

2 Jul 1609 Were married in Canterbury in St. Margaret's Church by way of licence Hen Rye and Anne Walter of this parrish.

4 Jun 1618 Henry Rye buried.

Evidence of Anne's children by her first marriage was sought through a possible will for her first husband, Henry Rye, in the Archdeaconry of Canterbury and the Prerogative Court of Canterbury, but nothing was found.<sup>[34]</sup> A search of the index to probate accounts,<sup>[35]</sup> and the card index of Archdeaconry of Canterbury probate inventories at the Centre for Kentish Studies also failed to reveal anything for Henry Rye. In addition, there is no mention of any Rye children in the Biddenden parish registers. Doubts must be expressed, therefore, as to whether Anne/Agnes Rye, a widow, without known issue from her first

<sup>29</sup> *Notes & Queries*, August 1961, 284-88; *Dictionary of National Biography* [note 19], 14:724-28.

<sup>30</sup> The "East Kent Marriage Index," compiled by Mrs. J. Jones of Maidenhead, Berkshire, records the marriage of a Thomas Nye as follows: "Thomas Nye, wdr. abt 37, haberdasher of Biddenden & Agnes or Ann Rye abt. 39 of Biddenden, wid. of Henry 10 Jun 1619 Canterbury St. Margaret, Licence."

<sup>31</sup> J.M. Cowper, ed., *Canterbury Marriage Licences*, 6 vols. (Canterbury: Cross and Jackman, 1892-1906), 2:718.

<sup>32</sup> *The Story of Biddenden*, 4<sup>th</sup> ed. (Biddenden, Kent: Biddenden Local History Society, 1996), 19.

<sup>33</sup> Centre for Kentish Studies, Maidstone, Kent, call number P26/1/2.

<sup>34</sup> Centre for Kentish Studies, call number PRC 3/30 & 31.

<sup>35</sup> Centre for Kentish Studies, call number PRC 1, 2, 19, 20 and 21.

marriage, would have given birth to her first children in her early forties (Benjamin Nye in 1620 and Thomas in 1623 as asserted by the *Nye Genealogy*).

Haberdashers' Company Records were then explored, following the clue in Thomas<sup>A</sup> Nye's marriage record that he was a haberdasher. In general practice an apprentice would be bound to his master for seven years from around the age of fourteen, obtaining his "freedom" around the age of twenty-one. If Thomas were aged 37 at the time of his marriage license in 1619, he would have been born about 1581-82 and therefore would have reached the age of fourteen around 1595. A search of the records of City Freedoms at the Corporation of London Record Office (CLRO) for 1591-1605 appeared advisable. Unfortunately, no comprehensive register survives. The CLRO has a card index to references to Freedoms granted before 1681, compiled from the Proceedings of the Court of Common Council and the Court of Aldermen. The sources used to compile the card index cover only freedoms by redemption (i.e., purchase) and these, according to the CLRO Guide, only accounted for ten percent or so of freedoms, so this card index is far from being complete. There are no entries for Nye, Ny, Nay, or Ney.

The neighboring Guildhall Library holds a collection of City Company records, including those of the Haberdashers' Company. Amongst these documents was found record of the admission on 17 August 1609 of Thomas Ny, Hugh Powell, Edward Lee and Thomas Dangerfield.<sup>[36]</sup> Unfortunately, this source fails to state whether admission was by "redemption" (purchase), "patrimony" (being the son of a freeman), or "servitude" (following an apprenticeship). If we assume the latter, Thomas would have served an apprenticeship of at least seven years, commencing his indentures in September 1602, at the age of about fourteen. This would suggest a birth year of about 1587 or 1588 (six years later than the year calculated from the marriage license).

**July 4, 1637, he [Thomas<sup>A</sup> Nye] granted to his youngest son Thomas four acres of land in Bidlenden . . . and stated in the document 'my oldest son Benjamin having gone to New England.' (Clerk of the Peace Rolls).**

This reference in the *Nye Genealogy* appears, rather conveniently we think, to connect Benjamin<sup>1</sup> Nye of "New England" to property in Biddenden, Kent. The verification of this document is crucial to the linking of Benjamin<sup>1</sup> Nye to his English roots. The Research Archivist at the Centre for Kentish Studies, Maidstone, Kent, was unable to trace such a reference in Clerk of the Peace Rolls,<sup>[37]</sup> or in the catalogues to the various deeds collections held by that office.<sup>[38]</sup> The only references to the surname Nye were found in the office's

<sup>36</sup> Register of Freedom Admissions of the Haberdashers' Company, Guildhall Library, London, Ms 15,857/1 f.160B.

<sup>37</sup> Centre for Kentish Studies, call number Q/C.

<sup>38</sup> Deeds and Awards [call number Q/RD] and Misc. Deeds [call number Q/RDz], at the Centre for Kentish Studies.

miscellaneous Personal Names Index, but none pertained to the Biddenden area.<sup>[39]</sup>

Litigants in legal disputes often had recourse to the Court of Chancery. There is no consolidated index to this mass of legal documents, but a proportion of the numerous Chancery classes are covered by the Bernau Index, which is available on microfilm at the Society of Genealogists' Library in London. An extract was made from the Bernau Index of all Nye entries before 1660. Many entries before 1600 could be eliminated by reference to the date or county as not immediately relevant. This left twenty-one entries to follow up, but none was found to relate to a Kentish Thomas Nye.

The *Nye Genealogy* states that the children of Thomas and Agnes Nye were:

- i Benjamin, born May 4, 1620; married Katharine Tupper and settled in Sandwich, Mass.
- ii Thomas, born Sept. 16, 1623; married Margaret Webster and left descendants in Bidlenden. (*St. Peter, Cornhill, Parish Register*).

The first public mention of a birth date for Benjamin<sup>1</sup> Nye, within the American genealogical community, appears to have occurred during the address of George H. Nye to the first Nye family reunion in 1903.<sup>[40]</sup> One has to question any source that gives an exact date of birth in the early seventeenth century, as birth dates are rarely recorded in parish registers before the nineteenth century.

This almost certainly spurious birth "event" has found its way into the IGI, but it cannot be supported by a documented baptism in the Kent parishes of Biddenden,<sup>[41]</sup> Benenden, or Tenterden. A search for Benjamin's and Thomas'

<sup>39</sup> Research Report from the Centre for Kentish Studies, dated 31 May 2001.

<sup>40</sup> In August 1903, descendants of Benjamin<sup>1</sup> Nye of Sandwich established an organization to be known as the Nye Family of America Association. At that first meeting/reunion, George Hyatt Nye, for the first time, as mentioned earlier, gave an account of the European and English origins of Benjamin<sup>1</sup> Nye (*Nye Family of America Association, Proceedings at the First Reunion at Sandwich, Massachusetts, August Fifth, Sixth and Seventh 1903* (New Bedford, Mass.: E. Anthony & Sons, 1903), 24. The section on Benjamin<sup>1</sup> Nye's origins was further expanded in 1907 with the publication of the first edition of the *Nye Genealogy*. In the 1960s additional genealogical volumes were published, extending the descendants of Benjamin<sup>1</sup> Nye to the twelfth and thirteenth generations, and also including a volume on Nyes of German origin in the United States. In L. Bert Nye, Jr., compiler, *A Genealogy of American Nyes of English Origin* (East Sandwich, Mass.: Nye Family of America Association, 1977), the section on Benjamin<sup>1</sup> Nye was further expanded — and certainly embellished — and English and Danish source citations were deleted. A review of genealogical literature prior to 1903 finds nothing regarding Benjamin<sup>1</sup> Nye's birth and origins and therefore confirms that the Nye Reunion Proceedings of 1903 and the *Nye Genealogy* of 1907 are the sole sources of all the speculative or unproven assertions for Benjamin<sup>1</sup> Nye's birth and origin.

<sup>41</sup> A report from the College of Arms to George R. Nye, dated May 1968, states that searches were made of Biddenden parish registers: baptisms 1571–1593 and 1606–1636, marriages 1614–1630, and burials 1619–1673. All searches were reported as negative. A second search was completed recently and it also was negative.

baptisms in the parish registers for St. Peter's, Cornhill, London<sup>[42]</sup> covering 1618–30 also proved negative. There was a similar negative result for St. Margaret's, Canterbury, where Bishop's and Archdeacon's Transcripts — together covering the period from Lady Day (March 25<sup>th</sup>) 1619 to Lady Day 1630 — were searched.

An important source for seventeenth-century London is Boyd's *Inhabitants of London*, a series of manuscript volumes held at the Society of Genealogists' Library in London. It lists details of City freemen and their families compiled from parish register entries, wills, and City of London Guild archives, etc. A search failed to reveal any Nye entries, and this suggests that there was no continued family presence in any of the city companies throughout the seventeenth century.

#### Possible English Origins — in Sussex

There is, however, circumstantial evidence that Benjamin<sup>1</sup> Nye originated in Sussex, as claimed by Charles Edward Banks.<sup>[43]</sup> Dennis Geere, a known Sussex emigrant to New England, made a bequest to Benjamin<sup>1</sup> Nye in his will dated 10 December 1635 and signed at "Saugust" (Saugus, now Lynn, Massachusetts).<sup>[44]</sup> Geere had arrived in New England only a few months earlier on the ship *Abigail*. Geere's English origins almost certainly lie in Ovingdean, Sussex, where his mother Barbara (widow of Thomas Geere who died before 15 May 1624) made her will on 11 June 1632, leaving thirty pounds each to her sons Thomas and "Dynniss."<sup>[45]</sup>

<sup>42</sup> G. W. G. Leveson Gower, ed., *A Register of all the Christnings, Burialles & Weddinges within the Parish of Saint Peeters upon Cornhill: Beginning at the Reigne of our Most Soueraigne Ladie Queen Elizabeth, Volume I*. Publications of The Harleian Society, Parish Register Series, 1 (London, 1877).

<sup>43</sup> Col. Charles Edward Banks, *Topographical Dictionary of 2885 English Emigrants to New England 1620–1650*, Elijah Ellsworth Brownell, ed. (Philadelphia: Bertram Press, 1937; repr. Baltimore: Genealogical Publishing Co., 1963), 172. Passenger Lists are almost non-existent before 1635, and so have been partially reconstructed from the "Licences to Pass Beyond the Seas," (such as Register for the Port of London, December 1634 to December 1635, The National Archives, E157/20) granted to the prospective emigrants by their parish priests. The above-cited work by Banks and John Camden Hotten, *The Original Lists of Persons of Quality* (New York: J.W. Bouton, 1874; repr. Baltimore: Genealogical Publishing Co., 1962), have been reviewed. Banks' listing shows thirty-two Sussex emigrants from twenty-four different parishes, but no specific parish for Benjamin Nye.

<sup>44</sup> Dennis Geere's will was proved at Boston 6 August 1637 and in the Prerogative Court of Canterbury on 28 June 1642 (The National Archives PROB 11/189 ff.288LH–288RH; Henry F. Waters, *Genealogical Gleanings in England*, 2 vols. [Boston: NEHGS, 1901; repr. Baltimore: Genealogical Publishing Co., 1969], 1:6–7).

<sup>45</sup> Archdeaconry of Lewes will, proved 11 January 1633, East Sussex Record Office, W/A23 f.79r–80r. The most recent and thorough account of Dennis Geere appears in Robert Charles Anderson, *The Great Migration: Immigrants to New England 1634–1635, Volume III G–H* (Boston: NEHGS, 2003), 43–45. Jeremy Geere, Geere family historian, in a letter to David E. Nye and George R. Nye, dated 19 February 2002, points out that Dennis Geere of Ovingdean and

From his estate in New England, Dennis Geere gave Thomas Topper five pounds, Thomas Braines three pounds, Thomas Launder three pounds, Benjamin Nye thirty shillings, and Thomas Grenmill ten shillings. In addition, bequests were to be made to various family members, with the residue to be used as determined by his executors for good works within "the plantations settled within the Patent of Massachusetts." The witnesses of the will were Edmond Freeman and John Greene.

Of those mentioned in the Geere will or witnessing it and who settled at Sandwich in the Plymouth Colony are the following: Edmund Freeman; Thomas Grenvill/Grenmill [Greenfield]; Thomas Launder [Landers]; Benjamin Nye; and Thomas Topper [Tupper].<sup>[46]</sup> Benjamin Nye, Thomas Greenfield and Thomas Tupper, though they settled at Sandwich, are mentioned in the will but do not appear in the recorded, but known to be incomplete, lists of passengers assembled by Banks and Hotten.<sup>[47]</sup> A search of published genealogical literature indicates that the origins in England of Thomas Landers and Thomas Greenfield are not known at the present time. The origins of Thomas Tupper are believed to be known; of him more later when we address the origins of Katherine Tupper, Benjamin Nye's wife.

Edmond Freeman, a prominent citizen of Pulborough, West Sussex, and later of the Plymouth Colony in New England, was aboard the *Abigail* with his wife and family.<sup>[48]</sup> The town historian of Sandwich, Massachusetts, Russell A. Lovell Jr., and others have noted that Edmond Freeman was influential in the Plymouth Colony, particularly in the early years, for Freeman's brother-in-law John Beauchamp had invested heavily in the Colony. Arriving first at Saugus in the Massachusetts Bay Colony, Freeman later moved to Plymouth and Duxbury in the Plymouth Colony, and then on to Sandwich, also in the Plymouth Colony. At each

Elizabeth Moncke of Beeding obtained a marriage license 18 December 1630, as shown in Edwin Hadlow Wise Dunkin, *Calendar of Sussex Marriage Licences Recorded in the Consistory Court of the Bishop of Chichester for the Archdeaconry of Lewes, August 1586, to March, 1642-3* (Lewes: Farncombe, 1902), 187. [Editor's note: Mr. Anderson recently reviewed the Bishop's Transcripts of Ovingdean for the 1630 marriage of Dennis Geere and found the date to be 21 December 1630, (not 21 November 1630), three days after the granting of the license].

<sup>46</sup> Brackets indicate the customary spellings of their names in later Sandwich records.

<sup>47</sup> It is unknown if the John Green who, together with Edmund Freeman, witnessed Dennis Geere's will is the same John Green who settled at Sandwich. However, the will of John Green of Sandwich, dated the last of February 1659/[60], leaving all his estate to his unnamed sister and her child, was witnessed by Stephen Wing and Benjamin Nye (C. H. Simmons, editor, *Plymouth Colony Records, Vol. 1, Wills and Inventories 1633-1669* [Camden, Maine: Picton Press, 1996], 492-94). Green was buried at Sandwich 4 April 1660 (Caroline Lewis Kardell, and Russell A. Lovell, Jr., compilers, *Vital Records of Sandwich Massachusetts to 1885*, 3 vols. [Boston: NEHGS, 1996], 1:17). Of Thomas Braines almost nothing is known (Robert Charles Anderson, George F. Sanborn Jr., and Melinde Lutz Sanborn, *The Great Migration: Immigrants to New England 1634-1635, Volume I A-B* [Boston: NEHGS, 1999], 388-89).

<sup>48</sup> Robert Charles Anderson, George F. Sanborn Jr., and Melinde Lutz Sanborn, *The Great Migration: Immigrants to New England 1634-1635, Volume II C-F* [Boston: NEHGS, 2001], 576-82.

location, a number of families followed him, with many settling at Sandwich. That Benjamin<sup>1</sup> Nye must have come to Sandwich from Saugus (where the Geere will was signed) appears undisputed, but no specific links are known to Edmund Freeman or other members of the group of men who accompanied him to Sandwich and settled there.<sup>[49]</sup> Moreover, a search of published literature indicates that no kinship links are known which would connect Benjamin<sup>1</sup> Nye to other New England settlers.

In order to explore references in Sussex, Richard and David Nye of the Nye One-Name Study were consulted. They have worked extensively on the West Sussex Nyes and have transcribed all Nye probate documents for Sussex from 1600 to 1649 and beyond. They have found no references to a Benjamin Nye.<sup>[50]</sup>

Although no familial links have been found, there is an occurrence of the Nye surname in the early records of the Massachusetts Bay Colony. The Rev. Philip Nye was admitted at London as a freeman of Massachusetts Bay and its Company in 1629,<sup>[51]</sup> although it seems he did not emigrate as he does not appear in New England records. This is the probable source of the erroneous assertion in the *Nye Genealogy* that he was an uncle of Benjamin<sup>1</sup> Nye.

To provide a focus for further research into the place of Benjamin<sup>1</sup> Nye's origins, an attempt was made to map the distribution of the Nye surname in the southeastern counties of England in the early seventeenth century. In addition to Sussex, records of probate courts for London, Kent, and Surrey were examined for references to Nye testators prior to 1650. All the sources consulted, including W.H. Challen's pedigree of the Nye family of Slinfold, Sussex, at the West Sussex Record Office, showed no trace of a Benjamin Nye.<sup>[52]</sup>

(to be continued)

<sup>49</sup> Russell A. Lovell, Jr., *Sandwich, A Cape Cod Town*, (Taunton, Mass.: Town of Sandwich, Massachusetts, Sandwich Archives and Historical Center, 1984), 4-7.

<sup>50</sup> Letter from David E. Nye to Ian Hilder, dated 29 November 2002. A letter from John Hurd, Billingshurst Local History Society, to George R. Nye, dated 2 November 2002, indicates that the Nye surname appears in Billingshurst as early as 30 September 1400 when the death of a Thomas Nye was recorded (West Sussex Record Office, Parham Papers, Acc. No. 8285 Box 29).

<sup>51</sup> On 25 November 1629 at a General Court of Massachusetts Bay held in London it was decided that their enterprise might be "sanctified by the prayers of some faithful ministers resident heere in London" and therefore admitted into the "freedom of this Company Mr Jo: Archer & Mr Philip Nye, ministers heere in London, who being heere present, kindly accepted thereof" (Nathaniel B. Shurtleff, ed., *Records of the Governor and Company of the Massachusetts Bay in New England, 1628-1686*, 5 vols. in 6 [Boston: Press of William White, 1853-54], 1:63).

<sup>52</sup> This list of sources and other information is expected to be made available in a year or two to several major genealogical libraries, including NEHGS, for researchers who wish to undertake further research on the origins of Benjamin Nye and need to review a list of sources already examined in order to avoid a tedious duplication of effort.