

Gibbs (Gibbes, Gibs), John ^[1]

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by Mattie Erma E. Parker, 1986

fl. 1682–95

See also: [John Gibbs](#) ^[2] (Research Branch, NC Office of Archives and History), [Gibbs's Rebellion](#) ^[3]

John Gibbs (Gibbes, Gibs), acting governor, presumably was the John Gibbs of Norwich, England, whom the [Proprietors](#) ^[4] of Carolina named to the nobility of their province, with the rank of [cacique](#) ^[5], on 9 Oct. 1682. The appointment provided a plausible basis for him to claim the governorship of North Carolina and to exercise its powers for several months some years later. Gibbs was a kinsman of Christopher Monck, Duke of Albemarle, the Proprietor who nominated him to the nobility. His family, which had roots in Devonshire, had long been active in American colonization, both as promoters and settlers. Among its members were prominent colonists in Virginia, Barbados, and South Carolina, several of whom were named John but appear not to have been the John Gibbs associated with North Carolina.

In November 1682 and again the following March, the Proprietors directed South Carolina officials to grant Gibbs extensive tracts of land upon his application, but he appears not to have taken up land in that colony. By 1690, however, he held several tracts in North Carolina and at least 3,400 acres in Virginia. When in North Carolina he apparently lived on a plantation in Pasquotank Precinct. His Virginia home was in Lower Norfolk County in the Currituck area.

Gibbs bought his Pasquotank plantation on 16 Nov. 1689. He arrived in North Carolina at some earlier date, for he was identified in the deed as "Governor" of the colony. He probably assumed the governorship soon after the banishment of Governor [Seth Sothel](#) ^[6], which seems to have occurred in September or October 1689. It is not known whether Gibbs was in the colony when Sothel was ousted or whether he came from his Virginia plantation or elsewhere upon news of Sothel's banishment.

One of the few surviving records of Gibbs's career is a copy of an act of assembly headed, "An act of Sembly made in the year 1689 Capt. John Gibbs being then Governor." The act, intended for "the better Establishing of unity and tranquillity," prohibited use of "opprobrious language" against any person concerned in "the late transactions of the County." The council members named in the manuscript were [Thomas Jarvis](#) ^[7], William Wilkison, Richard Sanderson, [Thomas Miller](#) ^[8], and [John Hunt](#) ^[9]. The speaker was [John Nixon](#) ^[10], and the burgesses were [Henderson Walker](#) ^[11], John Lewis, John Wingate, [Thomas Pollock](#) ^[12], and John Philpott. Participation in his government by these prominent leaders indicates that Gibbs's claim was generally considered valid by the colonists. Little more is known of his administration, which ended in effect the following spring when [Philip Ludwell](#) ^[13] took office as governor under a commission from the Proprietors.

Extant documents do not state the grounds on which Gibbs claimed the governorship, but they make it clear that he believed himself legally entitled to the office under the [Fundamental Constitutions](#) ^[14] of Carolina. It also is evident that knowledgeable men of his day thought his claim had merit. Even Philip Ludwell appears to have been uneasy about his own right to the office, despite his commission from the Proprietors. The governor of Virginia likewise indicated doubt as to the validity of Ludwell's appointment.

The Fundamental Constitutions did contain provisions that appear to have been good ground for Gibbs's claim. Both of the versions adopted in 1682 restricted the office of governor, or "[palatine](#) ^[15]'s deputy," to Proprietors, heirs apparent of Proprietors, [landgraves](#), and [caciques](#) ^[5], giving precedence to those ranks in the order named, with preference to the eldest member, and requiring personal presence in the colony for qualification as governor. So far as extant records show, there were no Proprietors, heirs apparent of Proprietors, or landgraves in North Carolina after the departure of Sothel (a Proprietor), and Gibbs was the only cacique then in the colony. Under the apparent meaning of the constitutions, therefore, it seems that Gibbs would have become interim governor automatically, as he was the only person then in the colony who was in one of the categories of persons designated to act as governor when a vacancy developed. Moreover, the pertinent provisions also appear to mean that the Proprietors, in formally filling the vacancy, had no choice but to commission Gibbs unless some other person in one of the specified categories were to come to the colony in the interim.

Although Gibbs seems to have had a strong claim as a cacique, he appears to have contended that he was a Proprietor and to have claimed the governorship in that capacity. The Fundamental Constitutions provided plausible support even for that claim, for under their provisions concerning the descent of proprietorships by inheritance, Gibbs probably would have inherited the proprietorship of his kinsman, [Christopher Monck](#) ^[16], who died childless in 1688. Those provisions specified that in the absence of male heirs the proprietorship was to go to "that Landgrave or Cacique of Carolina . . . descended of the next Heir Female." Inasmuch as Gibbs apparently was the only relative of Monck, who was a member of the Carolina nobility, he probably thought that this and related provisions of the constitutions made him heir to Monck's proprietorship. Inheritance of Monck's proprietorship, however, was not determined by the Fundamental Constitutions of Carolina but, like the rest of Monck's estate, by the laws of England. After lengthy litigation in England, another kinsman,

John Grenville, Earl of Bath, was designated heir at law.

Whatever rights Gibbs had under the "Fundamentals," they were ignored by the Proprietors, who never considered the constitutions fully in effect or binding upon themselves. In December 1689 they appointed Philip Ludwell of Virginia to be governor of North Carolina. Although Ludwell in no way met the specifications set forth in the constitutions, he took office and set up his government the following spring, probably in May.

Gibbs did not relinquish the governorship quietly. On 2 June 1690 he issued a Declaration ^[17] denouncing Ludwell as "Rascal, imposter and usurper" and offering to fight with swords, "as long as my Eyelids shall wagg," anyone who undertook to justify Ludwell's assumption of the office. He commanded the colonists to "consult the Fundamentals" and render him "due obedience," forbidding them to assume any office by virtue of a commission from Ludwell and proclaiming his determination not to permit himself to be wronged by "the Lords Proprietors ^[4], or Country."

Gibbs did not content himself with words. On 6 July 1690, assisted by a group of armed men he broke up the Pasquotank Precinct court ^[3], which was sitting under commission from Ludwell. He seized two of the magistrates and took them to his Virginia plantation, where he held them prisoners. As Ludwell was in Virginia at the time, the deputy governor, Thomas Jarvis ^[18], sent the militia to rescue the magistrates. The attempt was unsuccessful, for the forces could not follow Gibbs into Virginia. Jarvis then wrote to the Virginia governor, requesting assistance in releasing the prisoners. He also wrote to Ludwell, informing him of the episode and the actions taken. Ludwell likewise wrote to the Virginia governor, who effected the release of the North Carolina justices and advised both Ludwell and Gibbs to refer their dispute over the governorship to the Proprietors.

Subsequently, both Gibbs and Ludwell went to London and laid the matter before the Proprietors, who upheld their appointment of Ludwell. They also suspended the Fundamental Constitutions, removing whatever basis the "Fundamentals" afforded for Gibbs's claim.

Although Gibbs desisted from efforts to assert his claim by force, he did not abandon belief in his right to the governorship. In late June 1695 the Proprietors wrote Ludwell that there was "no force" to Gibb's claim, which Gibbs had recently reasserted in a letter to Ludwell.

If Gibbs returned to North Carolina after his seizure of the Pasquotank justices, it was only briefly. By February 1690/91 he had appointed an attorney, Edward Mayo, to handle his affairs in the colony. Mayo sold a portion of Gibbs's land, the remainder of which eventually escheated and was granted to other colonists.

Gibbs's wife apparently was named Mary. He had a son, John, Jr., and a daughter, Mary, who became the wife of Martin Bladen (1680–1746), a member of Parliament and of the Board of Trade ^[19]. In surveying the dividing line between North Carolina and Virginia in 1728, William Byrd noted that "the neck of land included betwixt North River and Northwest River, with the adjacent marsh, belonged formerly to Governor Gibbs but since his decease to Colonel Bladen ^[20]." Nothing is known of Gibbs's later life. He may have spent his latter years in Princess Anne County, Va., where a Captain John Gibbs held 3,100 acres of land in 1704.

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