The Virginia Ancestry

of

Alice Upshaw Blake

wife of

John Daniel Baker

by Joyce H. Lindsay
To The Memory of

Alice Upshaw Blake
(Mrs. John Daniel Baker)
1855 - 1942

Whose Virginia ancestry is cherished by her descendants
"Mount Clement," Essex County, Virginia where Edwin Upshaw took his bride
The progenitor of the Upshaw family of Essex County, Virginia, "William Upshaw, Gent., planter," was living in Petsworth Parish, Gloucester County, Virginia, in 1699. On January 9th of that year he purchased for a consideration of one hundred pounds sterling, from Harry Beverley, Gent., and Elizabeth his wife, of the county of Middlesex, 1017 acres of land in Essex County. This tract was situated on "Gilson's Maine Run," and adjoining the lines of Major Morris, Thomas Button, deceased, John Doughty, and Thomas Streshley. (Essex Deed and Will Book 10, pp. 46, 47.) The Virginia Quit Rent Rolls for 1704, show William Upshaw as owning 490 acres of land in Petsworth Parish, Gloucester County, and 1000 acres of land in Essex County; the land in Essex being designated "William Upshaw's Quarter."

Owing to the loss or destruction of the early court records of Gloucester County, little information can be gleaned regarding William Upshaw prior to his removal to Essex County. The Vestry Book of Petsworth Parish, Gloucester County contains the following references to him:

At a meeting of the vestry held October 2, 1700, it was ordered "that Mr. Upshaw be continued as overseer of the highways for the upper parts."

On October 26, 1703, it is recorded that the vestry stood indebted to William Upshaw for one hundred pounds sterling. On the same date he and Mr. William Bernard, also a churchwarden, were ordered to "forthwith demand and collect together 41½ pounds of tobacco of every tithable person in the Parish of Petsworth, it being this years Parish levy."

April 10, 1704, William Upshaw subscribed the Test denying that there is any Transubstantiation of the elements of bread and wine in the Sacrament of the Lord's Supper.

February 5, 1714, the vestry chose Mr. Richard Seaton as vestryman "in the room of Mr. William Upshaw."

It appears that he removed about this time from Gloucester to Essex where he maintained the same social standing and prominence which he held while a resident of Gloucester.

July 15, 1718, William Upshaw was appointed appraiser of the estate of William Irvin, deceased, and August 19th of the
same year, one of the appraisers of the estate of Thomas Todd, deceased. (Essex County Order Book 5, pp. 134,162.)

He was a vestryman of South Farnham Parish, Essex, and was recommended as a Gentleman Justice. He appeared at a court held July 21, 1719, and upon being requested to take the oaths of a justice, for some reason not now known, asked for time to consider the same. However, at the next court, which was held on Tuesday, the 18th of August 1719, it is recorded that he took the oaths and subscribed the test. (Order Book 5, pp. 339,345.) In the Essex records he is referred to many times as "Captain" Upshaw.

He was a widower with two daughters when he married Hannah, widow of James Carber, deceased, who also had a daughter, Mary, as is shown by the following document:

"Received of William Upshaw full satisfaction for all dues and demands due from him to my wife Mary as he marrying my wife's mother the widow and executrix of my wife's father James Carber, deceased and do hereby acquit and discharge him the said Upshaw from all gifts or legacies which are or may hereafter become due to me or my wife Mary by any of the ways aforesaid. Witness our hands and seals this Ninth day of February, 1718.

Thomas Cooper Dickinson Seal her
Mary N Dickinson Seal

Recorded in Essex Court, March 20, 1749." (Will Book 8, p. 302.)

The will of Captain William Upshaw, Gent., written and signed by himself, is preserved among the records of Essex County. It was proved at Essex County Court, May 17, 1720, by the oaths of James Griffing and Thomas Streshley, Jr., the witnesses thereto:

"In the name of God Amen I William Upshaw considering the uncertainty of this life and being of sound and perfect memory at this present Praise be to Almighty God do by these presents make and ordain appoint and constitute this to be my last will and testament - revoking and disannuling all others my will and testament whatsoever in manner and form as followeth - first I do will and bequeath my soul unto the Almighty God who gave it to me and when he shall think fit of his good will and pleasure to take me home do hope to receive remission of my sins through
the merits of my blessed Lord and Savior Jesus Christ also do bequeath my body to the earth to be decently buried as my executrix hereafter mentioned shall think neat and convenient - Item I give and bequeath to my son Jeremiah Upshaw the plantation that I now live on three hundred and fifty acres of the lower part of the tract to be his forever - Item I give and bequeath to my son Richard Upshaw all the remainder part to him and his heirs forever - Item I give and bequeath to my son William Upshaw all my Quarter Land lying in the Fork of Gilson's Swamp to him and his heirs forever - Item I give and bequeath to my son John Upshaw my plantation in Gloucester to him and his heirs forever - Item I give and bequeath to my mother Cordelia Martin during her life three pounds a year credit in a store - Item I will and constitute all the rest of my estate to be equally divided between my loving wife and children that I had by her making my well beloved wife Hannah Upshaw my whole executrix in witness whereof I have hereunto set my hand and seal this sixteenth day of December 1716. (Essex County Will Book 3, p. 143.)

On May 20, 1720, letters of administration were granted to the widow and executrix, Hannah Upshaw. James Alderson, William Winston, and Thomas Cooper Dickinson went on her bond. (Order Book 5, p. 421.) At the same court Thomas Streshley, Jr., was appointed Surveyor of the Highways in the room of Captain William Upshaw, Gent., deceased.

The inventory of the estate of Captain William Upshaw covering nine pages of the record book, was returned to Essex Court by the appraisers, James Rennolds, Jr., Charles Waller, and Henry Tandy, June 21, 1720. Among other items in the inventory is a "parcel of old books," some of which had been bequeathed to him by the will of his friend, Captain Leonard Tarrant, proved in Essex July 16, 1718, who names as his executors, "my loving friends, Paul Micou and William Upshaw," to whom he leaves "all my books." (Will Book 3, pp. 26, 167.)

Hannah, the wife of Captain William Upshaw, was born about 1679. Being left a widow the second time when her eldest son, Jeremiah Upshaw, was scarcely sixteen years of age, she lived to see her sons zealous churchmen and prominent in civic and military affairs of the day, and her daughters married to influential men of Essex. She purchased and patented land and continued to manage the estate until her death. September 15, 1729, she assigned to her son, Jeremiah Upshaw, all her right and title to the 200 acres of land which she bought of Robert Smith, lying between the main swamps of Piscataway and Hoskins Creek, "being the land whereon the
said Jeremiah now dwells." This seems to have been a gift of exchange for Jeremiah Upshaw in return deeded to his mother for the consideration of ten pounds, "all the plantation whereon Hannah Upshaw now dwelleth, situated and being in the Parish of South Farnham, Essex County, part of a tract of land my father, Captain William Upshaw, purchased from Harry Beverley, Esq." (Deeds, Etc., Book 19, pp. 53, 56.)

At a court held for Essex County at Tappahannock on the 20th day of March 1743, the following bill of lading was presented by Mrs. Hannah Upshaw and on her motion was admitted to record:

HLVI.2.3.4. Shipped by the Grace of God Impost & Cocquett in good order and well con­ not payed ditioned, by Mrs. Hannah Upshaw in and upon the Good Ship called the Restoration whereof is Master, under God, for this present voyage, John Magier and now riding at anchor in the River Rappahannock and by God's Grace bound for London to say four hundred tobacco three of which at the rate of eight pounds per ton the other one at the rate of ten pounds per ton being marked and numbered as in the margent, and are to be delivered in the like good order, and well con­ ditioned, at the aforesaid port of London (the danger of the seas only excepted) unto Mr. Jonathan Forward merchant there or his assigns he or they paying freight for the said goods at the rate of eight pounds ten shillings sterling per ton with primage and average accustomed. In witness whereof the Master or Purser of the ship hath affirmed to bills of lading, all of this tenor and date; the one which bills being accomplishe the other to stand void; and so God send the Good Ship to her desired Port in safety. Amen, Dated in Virginia this 17th of February 1741 Inside and Quality unknown to

John Magier

(Deeds, Etc., 23, 1743-1745, p. 110.)

June 21, 1748, Hannah Upshaw deeded to her son, John Upshaw, for "love and affection," 100 acres of land in Essex. The witnesses were her son Forrest Upshaw, and William Upshaw Davis (a grandson) and James Griffing. (Deeds, Etc., 24, p. 268. On the same day she conveyed by deed of gift to her son, Forrest Upshaw, a part of the tract of 376 acres granted to Phillip Major and Thomas Pills, 21 October 1687, the title of which lapsed and a re-grant was made to William Major by patent dated 16 August 1715. The title having again lapsed,
it was re-granted to Mrs. Hannah Upshaw by patent 5 August 1731. (Obid., p. 269) March 21, 1755, Forrest Upshaw and Ann his wife, for a consideration of fifty pounds, re-conveyed this land to his mother, Hannah Upshaw. (Deed Book 27, p. 108.)

She died between December 1, 1762, the date her will was written, and June 20, 1763, the date her will was entered for probate in Essex County Court. She made bequests to her son, John Upshaw; daughter Margaret Hipkins; grandsons, Richard Hipkins, Le Roy Upshaw and John Upshaw; Granddaughters, Milley Upshaw, Mary Upshaw, Sarah Upshaw, Mary Anne Roane and Martha Hipkins. "The residue of my estate to be divided into seven equal parts amongst the representatives of my daughters, Hannah, Ann, Sarah and Margaret; of my sons, Jeremiah and John Upshaw and grandson, Thomas Cooper Dickinson." She names as her executors her son-in-law, Colonel Samuel Hipkins, Colonel Thomas Roane and her son, John Upshaw. The witnesses were Thomas Reynolds, William McIntosh and Richard Graves, Jr. (Will Book 12, p. 50.)

The division of the estate of Hannah Upshaw was recorded at a court held for Essex County, March 18, 1765. Among the beneficiaries were Mr. James Upshaw in right of his wife who is a representative of Mrs. Hannah Jones, deceased; Mr. James Upshaw and Hannah, wife of Daniel Sullivan, representatives of Jeremiah Upshaw, deceased; representatives of Mrs. Ann Davis, deceased; Mr. John Upshaw; representatives of Mrs. Sarah Roane, deceased; Colonel Samuel Hipkins in right of his wife, Margaret; Thomas Cooper Dickinson. (Will Book 12, pp. 164, 165.)

Of the children of Captain William Upshaw by his second wife Hannah, we have the following information:

I. Jeremiah Upshaw born probably in Gloucester County. He was married, but the name of his wife is not known. His will, proved in Essex County February 18, 1746/7, names his sons, James and William Upshaw, and a daughter, Hannah Upshaw.

II. Richard Upshaw, according to his deposition, was born about the year 1712. He died before he was thirty-five, and without issue. His will was probated in Essex, January 21, 1755, naming as his beneficiaries his wife, Hannah, and his mother.

III. John Upshaw, of whom later.

IV. William Upshaw, Jr. of St. Anne's Parish, married Tamazen, daughter of Captain Thomas Shreshley. The will of William Upshaw, Jr., dated July 4, 1760, and recorded in Essex
the same year, names son, Thomas Upshaw; daughters, Mary and Sally Upshaw, and appoints his son, Thomas Upshaw and nephews, James and William Upshaw, executors. (Will Book 11, p. 281.)

V. Forrest Upshaw, not named as were his brothers, in the will of his father, Captain William Upshaw, was born not later than 1718. Forrest Upshaw married Ann, the widow of John Hunt, Sr. and was appointed guardian to his step-daughters, Elizabeth and Rachel Hunt. He served in the French and Indian War as Captain, Essex County Militia. ("Essex County Militia, 1753" - Archives Virginia State Library.) Captain Forrest Upshaw appears to have died about 1759, leaving at least three children: Le Roy, Milley, and John Upshaw. Archibald Ritchie was appointed administrator of his estate.

VI. Hannah Upshaw, eldest daughter named in the will of Hannah Upshaw, widow of Captain William Upshaw, married Captain Thomas Jones, Gent.

VII. Ann Upshaw married a Davis, first name unknown. Her will, dated November 30, 1749, and was proved in Essex County, March 20, 1750. She named as her executor her son, William Upshaw Davis. Also named were daughter Sarah, and her husband Samuel Elliott, and a granddaughter, Eliza Elliott. (Will Book 8, p. 430.)

VIII. Sarah Upshaw married Colonel William Roane. (See Roane Family.)

IX. Margaret Upshaw, youngest daughter of Captain William and Hannah Upshaw, married Samuel Hipkins, son of John Hipkins of Richmond County. The will of Samuel Hipkins, dated March 9, 1764, names his wife Margaret, four sons, and two daughters. (Will Book 12, p. 142.)

John Upshaw, son of Captain William Upshaw and Hannah, his wife, was born in Essex County July 21, 1715, and died there July 23, 1801. He married Mary Lafon, born 1744 in Essex County, died 1807. She was a daughter of Nicholas Lafon, said to have been of Huguenot descent, who died in Essex before March 20, 1749. They were married at some time between October 16, 1750, when John Rennolds was appointed guardian to Hannah, Richard, Mary, and Elizabeth Lafon, orphans of Nicholas Lafon, (Will Book 8, p. 373) and August 21, 1769, when John Upshaw, with the consent of his wife, Mary, sold his share of Nicholas Lafon's estate to John Rennolds who had intermarried with Elizabeth, widow and relict of Nicholas Lafon. (Deed Book 30, pp. 281, 284)
September 18, 1749, John Upshaw paid fifty pounds to Charles Waller, Gent., of Overwharton Parish, Stafford County, for the remaining 200 acres his father, Captain William Upshaw, had deeded to Charles Waller, Sr. in 1703. Elizabeth, wife of Charles Waller, relinquished her right of dower (Deeds, Etc., 24, p. 427.)

There is a deed of record in Essex County, Deed Book 24, page 374, dated October 17, 1749, by which John Upshaw for "the love and affection I do owe and bear to my godson, Thomas Coleman, son of Robert Spilsby Coleman, and Sarah his wife, of the county of King and Queen, conveys to the said Thomas Coleman one lot No. 74, on the riverside in the Borough or Town of Tappahannock, as by the plan and survey made by Robert Brooke, Gent., Surveyor."

John Upshaw, Gent. of Essex County, planter, September 12, 1746, for eighty-seven pounds, purchased from Lt. Col. John Henry, Gent., and Sarah his wife, of St. Paul's Parish, Hanover County, a plantation of 500 acres of land in the Parish of Northam, County of Goochland, beginning at Captain William Winston's corner pointers in the county line dividing Louisa and Goochland Counties, part of a tract of 3400 acres granted to John Syme by patent 28 September 1730, and by him in his last will and testament proved in Hanover Court 5 April 1739, given to the above named Sarah, his wife. Witnesses to this transaction were David Lyle, William Winston, Robert Depriest, and Robert Donald. (Goochland County Deed Book 5, pp. 185,186.)

John Upshaw served Virginia with zeal and distinction through a long series of years and in important stations. In 1742, he was appointed Tobacco Inspector at Hobbs Hole. (Essex County Order Book 13, p. 87.) He was one of the Gentlemen Justices of Essex; Churchwarden of South Farnham Parish in 1764. (Meade: Old Churches, Ministers and Families of Virginia, I, 393.) Sheriff in 1770, and from 1758 to 1765 he represented Essex County in the House of Burgesses, and was Chairman of the Committee of Safety for Essex County in 1775. He appears as a signer of the "Articles of the Westmoreland Association," drawn by Richard Henry Lee and presented by him to a meeting of restive patriots held at Leedstown, in Westmoreland County, February 27, 1766, which in opposition to the odious Stamp Act, was pledged to use no articles of British importation, and on May 18, 1768, was a signer of the resolution of the Williamsburg Association, which met in the Apollo Room of the Raleigh Tavern, in that city, and who bound themselves to abstain from the use of proscribed British merchandise, and to promote and encourage industry and frugality, and discourage all luxury and
extravagancy. (Virginia Magazine of History, XXIV, and Hardesty Historical and Geographical Encyclopedia, p. 357.)

When the people of Essex County met at the Court House in Tappahannock, Virginia, July 9, 1774, "seriously to consider the present dangers which threaten ruin to American liberty," John Upshaw was chosen Moderator. The fourteenth resolution which was proposed and unanimously agreed to was: "That a subscription be set on foot for raising provisions for the poor of Boston who now suffer by the blocking up of their port, and that Robert Beverly, John Lee, and Muscoe Garnett, in Saint Anne's Parish and Archibald Ritchie and John Upshaw, in the upper part of South Farnham Parish, and Meriwether Smith and James Edmondson, in the lower part thereof, take in subscriptions for that purpose, etc.; and the before mentioned gentlemen are empowered to charter a vessel to send it to Boston." (Force's: American Archives, Vol. I, p. 527.)

Court held for Essex County, October, 1778: "John Upshaw, Gent., is appointed Treasurer of this county, which is ordered to be certified." (Order Book 29, p. 381.)

In 1787, he was one of the judges of Essex County Court. (Calendar of Virginia State Papers, IV, 381.)

John Upshaw died July 23, 1801, and his will recorded in Essex County reads as follows:

In the name of God amen. I John Upshaw of the County of Essex within the State of Virginia being aged and infirm, but of disposing sense and memory, do make and ordain this my last will and testament in manner and form following. Viz:

Imprimis - I lend to my wife Mary during her natural life two hundred and fifty acres of land beginning at the mouth of the New Design Branch and running up the same to the head thereof - hence in a straight line to Captain Rennold's line so as to contain the said two hundred and fifty acres, and the Mansion House, and improvements and household furniture. Twelve negroes - her choice of the home stock of negroes, the chariot and two horses, and two plow horses, half the home stock of cattle, sheep, and hogs. I further wish that a reasonable provision be made my wife for her support the year in which I shall die.

Item - My daughters, Sarah and Lucy, hath received their part of my estate.
Item - I give and bequeath to my daughter Maria twelve negroes and two hundred pounds when a sufficient sum can be made from the debts due to the estate, or the grain or other produce thereof.

Item - I give to my daughter Hannah twelve negroes and two hundred pounds to be paid from the same fund and in the same manner as I have directed her sister Polly's.

Item - I give to my daughter Cordelia twelve negroes and two hundred pounds to be paid in the same manner as her sisters.

Item - I give and bequeath to my son Edwin the remaining part of my King and Queen tract of land being about five hundred and twenty odd acres to him and his heirs forever. And the residue of his part of the negroes over the ten he hath received by promise if any remains in proportioning.

Item - I give to my son John Horace all the residue of this home house tract of land together with the part that's lent his mother and the piece that is on the south side of Hoskin's Swamp that was Chaney Gatewoods — to him and his heirs forever — I also give him twelve negroes.

Item - I give to my son William my White Marsh tract of land and all the lands on the south side of Hoskin's Swamp not already disposed of to him and his heirs forever, except that in the general opinion of my executors (that qualify) William misbehaves or conducts himself so as to render his character obnoxious and undeserving, in that case this devise to be a void one, and the whole of it divided amongst the other legatees and their heirs equally. I wish further that my son William may receive twelve negroes in the event of his conducting himself prudently.

Item - If any recovery is had in Kentucky I give one half of it to my son Edwin and his heirs forever and the other moiety to be equally divided between my other legatees and Lucy and if any of the said legatees dies unmarried or without lawful issue his or their parts to be equally divided between all the survivors and Lucy and their heirs forever.

Item - I do hereby constitute and appoint my worthy friends Streshley Rennolds, James Upshaw, Jr., and John Jones,
Gentlemen, and my two sons Edwin and John Horace executors of this my last will and testimony thereof I do hereinto set my hand and seal this twenty-third day of June 1801.

John Upshaw (seal)

Teste:  
J. H. Upshaw  
Humphrey Stuart  
William Hawkins

At an intervening court held for Essex County at Tappahannock on the 21st day of September 1801 - this last will and testament of John Upshaw, deceased, who was of the County of Essex, aforesaid, and State of Virginia, was brought into court by John Horace Upshaw one of the nominal executors, and was proved by the oaths of J. H. Upshaw, Humphrey Stuart, and William Hawkins, the witnesses to the same subscribed, as required by law. Whereupon the motion of the said John H. Upshaw, the same last will and testament was ordered to be recorded.

Teste: John P. Lee, Clerk

At an intervening court held at the place aforesaid on the 9th day of October 1801 on the motion of John Horace Upshaw, one of the executors named in this last will and testament of John Upshaw, deceased, a certificate is granted him for obtaining probate he having first entered into bond with security taken the oath as in such cases required by law.

Teste: John P. Lee, Clerk

(Essex County Wills No. 16, pp. 94-96.)

An inventory of the personal estate of John Upshaw covers six pages and is recorded in Essex County Will Book 16.

Edwin Upshaw, son of John Upshaw and Mary Lafon, was born April 29, 1771, at "Whitehall," Essex County. On May 28, 1800, Edwin Upshaw was married to Lucy Roane (Register of Christ Church Middlesex County, p. 281.) Lucy, the daughter of Thomas Roane and Mary Ann Hipkins, was born May 25, 1777, at "Newington," King and Queen County.

After his marriage Edwin Upshaw continued to live in Essex County occupying the brick mansion "Mount Clement" built about 1765 by John Clement. In 1808 Edwin Upshaw and Lucy sold this estate to Captain Jeremiah Upshaw of Carloine County and
moved to "Mount Maple Farm" in King and Queen County.

Active in civic and military affairs, Edwin Upshaw served as a lieutenant in the War of 1812 in the company of Captain Richard Rouzee from the Fourth Regiment, Virginia Militia, commanded by Lt. Col. Archibald Ritchie. (Muster Roll of the Virginia Militia War of 1812, p. 680.) Elected in 1811, as a member from King and Queen County, Edwin Upshaw served in the General Assembly of Virginia for five terms. (Register of the General Assembly of Virginia: Swem and Williams, p. 440.)

Edwin Upshaw died "at his residence in King and Queen County on the 26th day of February, after a severe illness of one week." His obituary appeared in the Richmond Enquirer, 2 March 1849.

The following entries were faithfully copied by Alice Upshaw Blake from an old memorandum book kept by her grandmother, Lucy Roane Upshaw:

Edwin Upshaw was born at Whitehall in Essex County, Virginia, April 29, 1771.

Lucy Roane was born May 25, 1777 at Newington, King and Queen County, Virginia.

These folks were married together 23rd of May 1800.

Elinora Seymour Upshaw, daughter of Edwin and Lucy was born February 15, 1801, died September 17, 1807.

George Augustus Upshaw was born August 20, 1802.

John Roane Upshaw was born February 29, 1804 and died August 19, 1804.

Samuel William Upshaw was born October 16, 1805.

Lucy Eleanor Upshaw was born November 1, 1807.

Edwin Upshaw was born January 26, 1810.

Mary Ann Upshaw was born July 27, 1811.

Thomas Roane Upshaw was born February 28, 1813.

Mrs. Lucy Upshaw died October 23, 1814.
According to family records kept by Alice Upshaw Blake, her grandfather, Edwin Upshaw, married as his second wife a Miss Harrison. It is not known who made the remaining entries in the memorandum book of Lucy Roane Upshaw which are as follows:

John Upshaw son of Edwin and Patsey Upshaw was born November 4, 1820 and departed this life September 13, 1826.

Martha Charlotte Upshaw was born January 28, 1822 and died November 3, 1822.

Martha Catharine Upshaw was born March 27, 1823.

Caroline Virginia Upshaw was born November 17, 1824.

An infant boy not named departed this life immediately after birth, February 1, 1826.

William Harrison Upshaw was born April 16, 1827, and died August 12, 1827.

Mary Ann Upshaw, daughter of Edwin Upshaw and his wife Lucy Roane, was married on October 22, 1835, in King and Queen County, to Charles Henry Blake. (See Blake Family.)
The will of Robert Roane, Gent., of Chaldon, Surry, England, reads in part, "to son Charles Roane and to his child or children, if any, 600 pounds and discharge him and them of all sums paid for his use since his transport to Virginia. To his wife, Mrs. Frances Roane, 20 pounds. To his son, Robert Roane, 100 pounds if his father be living and Robert likewise." Charles Roane, the son of the testator, came to Virginia as early as 1664, and settled in Gloucester County. (Virginia Magazine of History and Biography, Vol.16, pp. 66,68.)

September 13, 1664, Charles Roane patented 200 acres of land in Gloucester County, and on December 6, 1665, he patented 100 acres - both tracts being on the branches of the Pianchetanck River. (Cavalier and Pioneers, Nugent, pp. 518,550.)

That Charles Roane served as a vestryman of Petsworth Parish is shown by various entries in the vestry book of that parish.

Mr. Charles Roane present at a meeting of the vestry held November 13, 1679. page 10.

Mr. Charles Roane present at a meeting of the vestry held October 14, 1680. page 14.

Mr. Charles Roane present at a meeting of the vestry held September 9, 1684. page 24.

September 6, 1684, ordered that Mr. Charles Roane be churchwarden for the upper part and Mr. John Buckner for the middle part and lower part of this parish, and that they or their sidesmen (whom they are hereby empowered to nominate and appoint) do collect of every tithable person in this parish this present year the sum of 34 pounds of tobacco. page 26.

Mr. Charles Roane present at a meeting of the vestry held September 22, 1684.

Charles Roane was among the many loyalists sufferers in Bacon's Rebellion. In the report made by the loyalists it is stated that one of them was "Mr. Charles Roane - one that had his dwelling house and other houses burnt down to the ground, and most of his goods and provisions destroyed and carried away
by a party of the rebels commanded by Gregory Walkate after Bacon's death." (Winder Papers, Archives Virginia State Library.)

Due to the loss or destruction of the court records of Gloucester County and the register of Petsworth Parish, there is no positive information as to the children of Charles Roane. There can be little doubt that William Roane of "Petsworth Parish, Gloucester County," who in June 1726, bought land in Essex County, was one of his sons. A short time after this purchase William Roane removed to Essex County.

June 21, 1726, Henry Martin and Jane his wife of the County of Spotsylvania convey to William Roane of the Parish of Petsworth in the County of Gloucester, planter, for the sum of 25 pounds current money of Virginia, one plantation or tract of land containing by estimation 93 acres - lying and being in the Parish of St. Anns in the County of Essex. This deed was witnessed by Thomas Jones, Thomas Sthresley, Jr., and William Webb. (Essex Co. Deed Book 18, p. 185.)

William Roane served his county long and faithfully as is shown from the following entries recorded in the court order books of Essex:

January 26, 1738, it is ordered that William Roane, Gent., be surveyor of the road which goes from the bridge by Captain Travers Smith's Quarter to King and Queen County. (Order Book 1738-1740, p. 67.)

March 18, 1739, William Roane, Daniel Gaines, and John Rowzee, Gent., took the oath and subscribed the same with the test as the law directs as Captains of foot company in this county. (Order Book 1738-1740, p. 308.)

February 7, 1740, William Roane, Gent., is appointed to try and adjust the scales and weights at Bowlers and Piscataway warehouses. It is recorded January 19, 1741, that William Roane was paid three shillings and nine pence current money for carrying the standard weights of the county to the warehouses to try the warehouses weights by. (Order Book 1740-1741, pp. 95,301.)

October 19, 1742, William Roane and William Dangerfield, inspectors at Hobb's Hole, presented an account of the transfer tobacco that is now in their hands. (Order Book 1742-1743, p. 78.)

May 17, 1743, William Roane, Gent., is appointed to take
the lists of tithables in the lower precincts of South Farnham Parish. (Order Book 1742-1743, p. 148.)

That William Roane also served as a gentleman justice for Essex County is shown on page 230 of the court order book for 1738-1740.

William Roane married Sarah Upshaw, daughter of William Upshaw and his wife, Hannah Carber. (Essex County Will Book 12, pp. 164, 165.) Sarah Roane died between August 11, 1760, when her will was dated, and December 15, 1760, on which date the will was presented for probate. (Essex County Will Book 11, p. 287.) William Roane's will was dated November 17, 1757, and entered for probate by his executors at a court held for Essex County at Tappahannock on the 20th day of December 1757. It was proved by the oaths of John Upshaw and James Upshaw two of the witnesses thereto:

In the name of God amen. I William Roane of the Parish of South Farnham of the County of Essex, Gent., being sick and weak of body but of perfect sense and memory Blessed be Almighty God therefore calling to mind the uncertainty of this transitory life do make this my last will and testament in manner following: First, I will that my body be buried in a decent manner at the discretion of my executors hereafter named trusting through the merits of my blessed Savior Christ for the salvation of my soul and for the disposal of my worldly estate with which it hath pleased God to bless me, I give devise and bequeath the same as followeth; viz: Imprimis, I give and bequeath to my son Thomas Roane the tract of land I purchased of Philip Vass whereon he now lives also the tract where his Quarter now is on Piscataway formerly Doctor Philip Jones' and also the Ordinary Tract with their and each of their appurtenances to him and his heirs forever. Item, I give and bequeath to my son William Roane all that tract of land that was John Haul's, also the tract I purchased of Thomas Gatewood joining it, and all the tract I purchased of Henry Crittenden with this and each of their appurtenances to him and his heirs forever. Item, I give and bequeath to my son John Roane all my land in Culpeper County; viz: one tract containing by estimation thirteen hundred and fifty acres purchased of Joseph Bloodworth, also the tract I purchased of Charles Cavenaugh and also a tract adjoining Cavenaugh's lately purchased of John Williams with this and each of their appurtenances to him and his heirs forever. Item, I give to my daughter Mary Ritchie as much money as will make her fortune eight hundred pounds current immediately inclusive of what she hath already received being upwards of six hundred pounds as per my ledger and at my
wives decease I give her two hundred pounds more. Item, I give to my daughter Sarah Roane eight hundred pounds current money to be paid her at the age of eighteen or day of marriage and two hundred pounds more at my wives decease. Item, I give to my daughter Lucy Roane eight hundred pounds current money to be paid her at the age of eighteen or day of marriage and two hundred pounds more at my wives decease. Item, I lend my loving wife, Sarah Roane, all the tract of land I live on with the piece I bought of Robert Johnson and my water grist mill with all their appurtenances during her natural life and after her decease I give it to be equally divided between my three sons Thomas, William, and John and their heirs forever. Item, I also lend my said wife twenty negroes (her choice) and all my household furniture (except half the plate) all the stock that belongs and is on this my dwelling plantation during her life and after her decease to be equally divided amongst all my children and their heirs forever. Item, I give and bequeath all the residue of my estate to be equally divided amongst my three sons, Thomas, William, and John and their heirs forever. Item, My will and devise is that if either of my children die before they attain to age or marriage that then their part or parts be equally divided amongst all my children and their heirs forever. Item, I do hereby appoint my three sons, Thomas, William, and John executors of this my last will and Testament. In testimony whereof I have hereunto set my hand this 17th day of November Anno Dom. 1757. (Essex County Will Book 11, pp. 28-30.)

A pedigree of the descendants of William and Sarah Roane was prepared by the late Samuel F. Harwood of "Newington" King and Queen County, who was born in 1817, and was the great grandson of William Roane. (William and Mary Quarterly, Vol. 18, Series 1, p. 199.) According to Samuel F. Harwood, the children of William and Sarah Roane were as follows:

1. Thomas Roane married Mary Ann Hipkins (of whom later)
2. John Roane married 1st Miss Jones, 2nd Betsy Taylor.
3. William Roane married a Miss Ball (parents of Judge Spencer Roane)
5. Sarah Roane married Dr. John Brockenbrough.
Thomas Roane, son of William Roane and Sarah Upshaw, his wife, was born about 1730 in Essex County, and died February 4, 1799, in King and Queen County. He married his cousin, Mary Ann Hipkins, daughter of his mother's sister Margaret, who had married Colonel Samuel Hipkins.

That Thomas Roane took an active part in the affairs of his county, both as a churchman and in civic matters, is evidenced by the following items gleaned from the court order books of Essex County:

At a court held for Essex County on the 18th day of August 1752, William Roane, Sr., Justice presiding, Thomas Roane was recommended as a proper person to execute the office of inspector at Hobb's Hole Warehouse. (Order Book 1752-1753, p. 144.)

At a court held for Essex County at Tappahannock on the 15th day of July 1755, William Roane, Sr., Justice presiding, Thomas Roane, Gent., produced a commission from under the hand of the Honorable Robert Dinwiddie, Esq., appointing him lieutenant of a company of foot soldiers under the command of Captain John Latane and thereupon the said Thomas took the oaths according to law and subscribed the test. (Order Book 21, p.116.

15 August 1758, Thomas Roane, Gent., was recommended to his Honor the Governor as a proper person to sit as a justice of Essex County. (Order Book 22, p. 213.)

21 November 1758, William Dangerfield, Samuel Hipkins, William Covington, Archibald Ritchie, Thomas Roane, and John Upshaw, Gent., took the oaths appointed by Act of Parliament, and subscribed the test and took the oath of a justice of common law and chancery, and then proceeded to hold a court. (Order Book 22, p. 240.)

15 September 1766, Thomas Roane and John Upshaw, Gent., are appointed to try and adjust the scales and weights at Hobb's Hole Warehouse. (Order Book 26, p. 407.)

20 October 1766, Thomas Roane, Esq., presented a commission bearing date the 18th day of October 1766, appointing him sheriff of Essex County. (Order Book 26, p. 414.)

17 November 1767, Thomas Roane and James Upshaw, militia captains, took the usual oaths and subscribed the declaration and test. (Order Book 27, p. 37.)
16 September 1776, Thomas Roane and William Roane named vestrymen of South Farnham Parish. (Order Book 29, p. 303.)

At the courthouse of Essex County on the 19th day of August 1776, under the Commonwealth of Virginia, pursuant to the ordinance to enable the present magistrates to continue the administration of justice, the following gentlemen, viz: Thomas Roane, John Upshaw, Meriwether Smith, William Roane, John Beale, and William Smith took the oath therein directed, and then proceeded to hold a court. (Order Book 29, p. 299.)

16 June 1777, Thomas Roane, Esq., is recommended to his Excellency the Governor as a proper person to be county lieutenant of Essex. (Order Book 29, p. 327.)

Thomas Roane also served as a member of the Essex County Committee of Safety, and during the Revolutionary period furnished supplies for the use of the Continental Army. (18W258, Public Service Claims, Archives, Virginia State Library.)

Prior to October 1, 1781, Thomas Roane removed to St. Stephens Parish, King and Queen County. Evidence of this is found in a deed recorded in Essex County in which Thomas Roane is identified as being of King and Queen County. (Essex County Deed Book 32, p. 240.)

Tax records of King and Queen show that Thomas Roane was one of the largest land owners in the county being assessed for 341 acres. His estate, "Newington," on the north bank of the Mattaponi River, was about three miles below Mantapike. "Newington" was first patented by John Maddison and Captain William Taylor, and at one time was the home of Captain Jacob Lumpkin, Jacobite Colonist. It is perhaps best known as the birthplace of Carter Braxton, a signer of the Declaration of Independence. (A True Relation of the History of King and Queen County 1607-1790. p. 12.)

The will of Thomas Roane was presented for probate in King and Queen County April 8, 1799. Although the court records of King and Queen were destroyed, the will of Thomas Roane is preserved as it was also recorded in Essex County:

In the name of God Amen I, Thomas Roane of the Parish of St. Stephens and County of King and Queen do make this my last will and testament. Imprimis, I lend to my beloved wife for and during her natural life, she committing no willful waste thereupon, all my lands in the Parish of St. Stephens and County aforesaid, viz: my tract called Newington, my tract called the
Neck quarter, the tract I purchased of Richard Rowe and which was conveyed to me by Col. Brooke's executors, the slip of land I purchased from Mr. Richard Brooke for which I paid him fifty pounds but have not yet received a deed, the slip of land I purchased of Anderson Lipscomb, the piece I purchased of Robert Pynes and the small piece purchased of Benjamin Pynes. Item, I lend unto my beloved wife for and during her natural life forty slaves proportioned in value to the whole of the slaves now in my possession in sex, age and quality and it is my meaning that these slaves shall be of same value with reference to the value of all my slaves as aforesaid, and it is further my meaning that those slaves shall be allotted her out of those living on the lands lent her as above and that Billy the blacksmith shall be one of the number.

Item, I lend unto my beloved wife during her life, the stocks of all kinds, which shall be on the plantations lent her as above called Newington, and the Neck quarter at the time of my decease as also the whole of my household and kitchen furniture and the plantation implements and utensils which may be on the said plantation at the time aforesaid provided that my said wife shall furnish each of unmarried children as they shall marry or come of age respectively such proportion of household furniture as the other children have been supplied with. I also devise that the sums necessary to be expended in furnishing the repairs of the buildings be paid for out of my estate and that my said wife shall be entitled to all the provisions and liquors which may be in the house at the time of my decease.

Item, I give devise and bequeath unto my daughter Sarah Campbell for and during her life the tract of land whereon she now lives including the buildings and as much more of my land adjoining to be laid off in a convenient manner as will make up the quantity of seven hundred acres. I also give unto my said daughter during the term aforesaid the following negroes to wit: James, Jery Bland, Winney, Lydia, and Suckey being the residue of the negroes formerly by me lent to her husband Hugh Campbell in his lifetime (he having with my leave sold two of them named Pitt and Jenny and another named Dixon having died) together with the increase of said negroes since the time of the loan aforesaid and their future increase. I also give unto my said daughter during the term aforesaid the stocks I have already delivered to her in lieu of a sum deficient in the value of a tract of land formerly given to her said husband, the whole of the said lands, negroes, and stocks to be equally divided among all the children she may leave and the descendants of such as may be dead succeeding to the shares of their respective ancestors immediately on the decease of my said daughter.
Item, I give and bequeath unto my daughter Margaret Garnett until the period when her youngest son Thomas Harwood shall or in the event of his death before would have arrived at the age of twenty-one years, one half of the profits of the tract of land I formerly lent my said daughter and whereon she has erected buildings. I also lend unto my said daughter during her life the negro wench Amey now in her possession together with her two children and their future increase.

Item, I give and devise the other moiety of the said tract of land in equal proportions to her two sons Archibald and Thomas Harwood and their heirs, but in case of the death of either of them under age and without issue, then the whole to go to the survivor, as also shall the moiety of the said tract and the negroes with their increase before limited to their mother from and after the determination of her interest therein respectively and if both her and her sons above named shall be dead, under age and without issue, at the time of the determination of her interest in the said land and negroes respectively then the whole of the said tract and the negroes with their increase shall return to my estate and be equally divided among all my other children and the descendants of such as may be dead, standing in the place of their respective ancestors excepting my said daughter Garnett and her descendants.

Item, I give and bequeath unto each of her said two sons Archibald and Thomas Harwood a negro boy and girl of about their own ages to go over together with their increase in case of the death of either and both of them as before stated and specified in the manner above limited. Item, and whereas I have been bound heretofore as security for Christopher Harwood in his lifetime, it is my will that if my estate should ever be compelled to pay anything on that account the sum or sums so paid shall be reimbursed to my said estate from and out of the property above devised to my said daughter and her children in equal rate and proportion.

Item, before the negroes hereby lent to my said daughter shall be delivered to her by my executors, she or some person for her shall give bond with security to my said executors not to alien transfer or otherwise dispose of the said negroes or any of them so as to impede or frustrate the effect of the limitations thereof at the time they shall take effect by the determination of her interest therein.

Item, I do nominate and appoint my sons Thomas and Samuel Roane and the survivor of them trustees for the said Archibald and Thomas Harwood to receive their legacies for them and otherwise carry into effect the provisions of this will in their behalf.

Item, I do give and confirm unto my son-in-law Sterling Ruffin (he having before had a dividend of land) the nine
Two negroes heretofore delivered to him and named as follows: viz: Peter, Sam, Anthony, Charles, Violet, Judy, Sarah, Young Sarah, and Sally Pickles together with their increase since the time of the said delivery and their future increase, as also the stocks heretofore delivered to him.

Item, I give and devise and bequeath unto my son-in-law Richard Barnes and his heirs forever a tract of land in the County of Essex whereon he now has a quarter to be conveniently laid off so as to contain the quantity of five hundred acres — also the stocks already delivered to him as well as the negroes to wit: Isaac, Gilbert, Robin, Amy, Jany, Judy, Nancy, Phill, and Peggy together with their increase since the said delivery and their future increase.

Item, I give devise and bequeath unto my two sons Thomas and Samuel Roane and their heirs forever the forge tract of land including the tract lately purchased from Robert Baylor to be held by them and their heirs in severalty according to the line of division lately agreed as run by William Jones. I do also give, bequeath and confirm unto my said two sons respectively the stocks and negroes heretofore delivered to them together with their increase thereof since the said delivery and their future increase the negroes delivered to my son Thomas being named as follows, to wit: George, Dick, Billy, Jany, Kate, Janet, Esther, Mary, Robin and their descendants — to my son Samuel being named George, Nelson, Tom, McGeorge, Charles, Nancy, Tilloh, Lydia and Sarah — and whereas the purchase money for the tract of land bought from Baylor is still due it is my will and desire that after the payment of my debts and pecuniary legacies the residue of what money may remain on hand either as having been in my possession at the time of my decease, having been collected from my debtors, or what may be conveniently spared from the proceeds of my crops shall be applied in payment of the debt aforesaid, but any deficiency which may exist after the application of the above funds shall be paid in equal proportions by my said two sons Thomas and Samuel Roane.

Item, I give and devise and bequeath unto my two sons Thomas and Samuel Roane, and to the survivor of them in trust for the use and benefit of my daughter Patsy Hipkins Ritchie and her children for and during her life the tract of land now in possession of her husband Archibald Ritchie by delivery from me called Smiths, the seven negroes now also in his possession by delivery as aforesaid named Charles, Godfred, Hancock, Aggy, Hannah, Patience and Venus and two others such as will make the dividend equal in value to those given to my other daughters together with the increase of the said negroes since the said delivery and their future increase as also as many of the stock now in the said Archibald Ritchie's
possession by delivery from me as aforesaid as will make her proportion equal to that given to Richard Barnes and the said land, slaves, and stocks in trust from and after her decease to be divided in equal proportions among all the children my said daughter may leave and the descendants of such as may be dead they representing their respective ancestors, and if at the time of her death all of the children of my said daughter should be dead under age and without issue then all the above property bequeathed in this clause to return unto my estate and be divided equally among my children and the descendants of such as may be dead representing as aforesaid except my daughter Garnett and her descendants.

Item, I give devise and bequeath unto my two daughters Lucy and Catherine Roane and their severally and respectively as much of my land to be conveniently laid off from my lands not herein particularly devised as if of the value of five hundred pounds for each to be estimated according to the same ratio of value as has governed in the valuation of the lands heretofore given to my other daughters - and I also give and bequeath unto each of my said daughters a proportion of negroes and stocks such as shall be equal in number and value to the proportions respectively heretofore given to my other daughters.

Item, I give devise and bequeath unto my son John Roane and his heirs from and after the decease of his mother all the land hereby devised to her for her life but in case his said mother shall be living when he comes of age and it should be the mutual desire of them both my will is that he then take possession of the plantation before mentioned called the Neck quarter.

Item, My will is that my son John shall receive after my decease a proportion of the negroes and stocks equal in number and value to each of those his brothers Thomas and Samuel have respectively received.

Item, It is my will and desire that what negroes, stocks and plantation utensils may remain after the proportions above devised to my beloved wife and children and the descendants of such of them as may be dead representing their respective ancestors excepting my daughter Garnett and her descendants and provided also that the share of my daughter Ritchie shall go in trust to the same persons be limited in the same manner and to the same uses as the other property hereinbefore devised to her - and it is further my will and desire that after the death of my beloved wife all the property which may remain in her possession as at that time except the land shall go in the same manner and under the same exceptions and limitations as before mentioned in this clause.

Item, It is my will and desire that the residue of my lands
in the counties of Essex and Caroline after the several dispositions hereinbefore made are allotted and set apart and my lots in the town of Port Royal and Dunkirk shall be equally allotted and proportioned among all my daughters and the descendants of such of them as may be dead standing in their places respectively excepting my daughters Campbell and Garnett and their descendants and provided that that proportion which may fall to my daughter Ritchie shall be limited to the same persons in trust for the same uses as the land and property hereinbefore devised to the use of her and her children.

Item, It is my will that all the dispositions of lands hereinbefore made requiring a division and allotment be allotted and set apart by my executors or in the event of their declining to do it or its being disagreeable to the devisees thereof by such persons as may be appointed by said executors and such of the said devisees as may be of age or their husbands on their behalf - and whereas it may be better that the whole of land intended for my daughter Ritchie should be in one entire tract it is recommended to my executors to substitute for the land now in her husbands possession called Smiths and devised by this will, other land of the same value which may be convenient to be annexed to her proportion of the residuary land in which case the land so to be substituted shall enure to all intents and purposes as the other is intended to do by this will and that other shall in that event be considered as a part of the residuary land.

Item, It is my will that if the titles of any of the lands hereinbefore devised or heretofore conveyed to any of my children or their husbands shall prove defective so that they may be deprived of the whole or any part thereof the loss accruing by such eviction shall be made good to them respectively out of my estate, if before a distribution thereof and if after then each child (excepting my daughter Garnett and her children) and their respective representatives shall contribute to her or them their representatives so losing a proportion of the value so lost according to the proportions they may severally have received of my estate.

Item, My will is that my blacksmith's tools shall go to my beloved wife together with the blacksmith and fall into my estate after her decease and go as the other personal estate lent to her.

Item, My will is that my daughter Campbell shall have the absolute property of the stocks herein bequeathed to her notwithstanding anything in this will before contained to the contrary.

Item, I do hereby nominate and appoint my two sons Thomas and Samuel Roane executors of this my last will hereby revoking all others by me heretofore made and I do bequeath to each of
my said sons a likely young negro man or woman at his election in consideration of the duties hereby imposed and in lieu of commissions and in the event of either of my said sons refusing to act, the other shall be entitled to the negro intended for him. In testimony whereof I have hereunto signed my name and affixed my seal this twenty-seventh of January one thousand seven hundred and ninety-nine.

Thomas Roane (Seal)

Signed sealed published and declared by the testator as and for his last will in presence of us the subscribers who have signed our names thereto in his presence and at his request he being of sound and disposing memory and understanding.

John Roane
Spencer Roane
Robert Pollard
John Mealy
Thomas Brooke

Probated at King and Queen County April 8, 1799. Recorded in Essex March 18, 1839.

Robert Pollard, C.C.

This will names a son John not mentioned in the pedigree prepared by Samuel F. Harwood. The pedigree also shows that his daughter Patsy Hipkins Roane married her cousin, Colonel Archibald Ritchie. Children named in the pedigree are:

1. Sarah Roane married Hugh Campbell
2. Margaret Roane married 1st Christopher Harwood; 2nd John Garnett
3. Alice Roane married Sterling Ruffin, father of Chief Justice Thomas Ruffin of North Carolina
4. Molly Roane died unmarried
5. Mary Ann Roane died of consumption - age 19
6. Rebecca Roane married Richard Barnes, her cousin
7. Patsy Hipkins Roane
8. Lucy Roane married Edwin Upshaw (see Upshaw family)
9. Catherine Roane married Archibald Ruffin

10. Roane

11. Archibald Roane died in infancy

12. William Roane killed himself, aged 24 years

13. Thomas Roane married Mary Ann Nelson

14. Samuel Roane died in his 30th year, unmarried

JUDGE SPENCER ROANE

Spencer Roane, nephew of Thomas Roane and son of William Roane and his wife, a Miss Ball, was born in Essex County, Virginia, on April 4, 1762, and died at Warm Springs, Bath County, Virginia, September 4, 1822.

Judge Roane was twice married, first to Patrick Henry's oldest daughter, Anne, the marriage taking place on September 7, 1786. His second wife was Elizabeth Hoskins, who survived him. Upon the occasion of her marriage to Judge Roane, Patrick Henry wrote to his daughter the most beautiful letter which posterity has from his pen. The letter was filled with tender paternal advice and, referring to Judge Roane, contained the following: "You are allied to a man of honor, of talents, and of an open, generous disposition. You have, therefore, in your power all the essential ingredients of happiness."

Judge Roane was carefully educated for his future career. From early childhood his father and tutors grounded him in the classics and in the democratic principles. He continued his academic education at William and Mary College and later attended the law lectures of Wythe, after which he studied law in Philadelphia.

While a student at William and Mary, Roane became a member of Phi Beta Kappa Society, founded only three years before as a secret organization and with its primary purpose the pursuit of literary subjects.

Roane was admitted to the bar in 1782, and began practice in Essex County, but he was naturally constituted for public life and his career at the bar was destined to be brief. In 1783, he was elected to the House of Delegates from Essex and
was re-elected the following year. As a member of that body he served on committees with such men as Patrick Henry and John Marshall, and quickly demonstrated his comprehensive mind and his independence of view.

On November 19, 1784, Roane was elected to the Privy Council, although he did not take his seat until June 2, 1785. It was customary to name to that body only the oldest and most experienced men in public life, and it will be remembered that Pendleton criticized the appointment of John Marshall to the Council because of his youth. After two years as a member of that body, Roane resigned, but was elected to the Senate to represent the Counties of Essex, King William, and King and Queen.

After two sessions in the State Senate, he became in 1789, a judge of the General Court. Having tried cases for five years, in all parts of the state and before an able bar, he was elected by the Legislature in 1794, at the age of thirty-two, to the Court of Appeals. It is worthy of note that Judge Roane's outstanding qualities were so well recognized that he was elected on the first ballot, although every judge then a member of the General Court had been put in nomination.

Judge Roane took his seat on the Appellate bench on April 10, 1795, when only thirty-three years of age. His four associates, Pendleton, Carrington, Lyons, and Fleming were practicing law when Roane was born. He was thoroughly imbued with the spirit of his age, and plunged headlong with the most advanced thinkers of his day while his associates on the bench kept glancing back to English ways and English customs. While Pendleton lived, Roane was overshadowed by him, but upon Pendleton's death in 1803, Roane was recognized as the great man he was, and during the remainder of his life wielded a greater influence than any other member of the Virginia judiciary.

His judicial career covered a period of thirty-three years, and nothing could tempt him to abandon his chosen field. Thomas Jefferson had wished him to become a candidate for the Vice-Presidency on a ticket with Crawford, so that Roane would succeed to the Presidency upon Crawford's anticipated death, and he was mentioned frequently in the press in connection with the latter office. However, he denied any such ambition.

Roane served his state not only as a jurist, but in other varied capacities. He was twice named as a revisor of the Virginia statutes, and three times he sat in the electoral college. He played an important role in the early history of
the University of Virginia, and was among those who chose the site of the University.

Roane maintained at "Spring Garden" in Hanover County a good-sized estate. Here he lived after moving from Essex in 1802. In 1815, he built a substantial residence in Richmond close to the home of John Marshall.

In March 1822, when suffering from an indisposition which he could not throw off, Roane made his last will. About this time Judge Roane journeyed to Warm Springs in the vain hope of recovering his health. He lingered through the summer, and died on September 4, 1822. He retained the vigor of his great mind to the last, and met death with that invincible fortitude which he had evinced on every other occasion. (Reports-Virginia State Bar Association, Volume XL, pp. 446-463, and Dictionary of American Biography, Volume 15, pp. 642,643.)

An account of the Roane family was published in the William and Mary Quarterly, Volume 18, Series 1, from which the following excerpts have been selected.

The three brothers (John, Thomas, and William Roane) lived about twenty miles apart, almost at the three corners of a triangle, each on a large tract of land, and each owning other large detached tracts. Someone once asked one of them why, considering their very great attachment to each other, they had not settled close together; and the reply was sensible and characteristic: "It is precisely because of our attachment to each other, and our wish to preserve it, that we have separated, upon full deliberation, and gone so far off that when we meet at each other's houses it will be as brothers and guests. Brothers should never join fences; for if they should agree, it is likely their wives and children might not; and if we quarrel, there will be the devil to pay."

They were too old to take an active part in the field during the Revolutionary war, but they kept things straight at home, and carried on generally with a pretty high hand. Colonel William Roane would get into politics, and then he was pretty rough on the Tories. John Roane was not less zealous and prompt than his brother, William in support and aid of the cause of the Revolution, of which let this instance be cited in proof: At that time and for years afterwards, every gentleman considered himself bound to dine at the courthouse tavern on public days, and John Roane had taken his seat for that purpose
at one King William court. Exactly opposite to him sat two persons, one of whom was a public man suspected by some person of secret Tory sympathies; and the other a bolder man, was more openly disaffected to the American cause. John Roane had just poured out a glass of wine and sent the servant with the bottle to a gentleman at the upper end of the table with an invitation to drink with him, and was watching to catch his eye, when he caught the sound of some treasonable remark made by the Tory to the pseudo Whig. At that moment he bowed, merely sipped his glass to his friend, and then staved it at the head of the Tory; but missed him and struck the other on the ear emptying its contents therein. Instantly springing to his feet he addressed them both with the expression, "Badly aimed, but d----d well hit." He was never in public life, I believe, farther than to act as Justice of the Peace.

Colonel Thomas Roane was a less turbulent man than either of the others, but was equally determined, and a man of great personal strength as the others were. But he had a rather squeaky voice, which on one occasion misled a gentleman to his cost. He was at the time member of the Senate of Virginia, and had given a vote which greatly displeased a leading gentleman and a man of virulent and arbitrary temper on the other side. When the body adjourned this gentleman, whose measure had failed, was very violent in the abuse of several of his opponents, who, as he was known to be a very powerful man and a great fighter, took it rather quietly. Just as they were descending the stairs, he overtook Thomas Roane with the expression "And you too d--n you," when Roane seized him by the collar, whirled him over the banister, and keeping him suspended, remarked in his small voice: "One more word and I'll let you drop to the bottom. I'll teach you how to curse your equals." The gentleman for once in his life was prudent and saved his bones by holding his tongue. He was several times, I think, in public life as a member of the Legislature, and was, as I have intimated, in the Convention, voted against the adoption of the Constitution of the United States, and was colonel of militia at the battle of Yorktown.

Besides his farm at Newington, he had other and large estates in King and Queen, Essex, and Middlesex, and was a very successful manager of his property. Though his hospitality was bounded only by the size of his house; and that contained fifty-four beds, which were all filled once a month - King and Queen Courthouse was only two miles distant - and many of them occupied at other times; and though he had eight (certainly nine, and probably ten) children out of a total born to him of fifteen in all - ten daughters and five sons - yet he gave
them all estates; some as much as 1500 acres of land. Of his daughters, Alice was married to Sterling Ruffin; Katharine to my uncle, Archy Ruffin; Martha to my greatuncle, Archibald Ritchie, brother of Thomas; Lucy to Mr. Edwin Upshaw, and Margaret, or Peggy, first to Mr. Harwood and afterward's to Mr. Thomas Garnett, the father of Col. H. T., John R., and James Garnett. Of his sons, John came to a very unfortunate end; Sam, a very amiable but weak man, died early, and Thomas (Tom Roane of the Forge as he was called, after the name of his farm) died in the prime of his life universally bewailed by his country men, who rode, some of them, more than fifty miles to proffer aid, and show their interest in him. William H. Roane has told me that he was the finest fellow he had ever known, the most engaging and the most universally beloved. The same qualities he transmitted to his son Thomas Roane, of King William, my very, very dear friend, who though crippled by rheumatism at ten years of age, and thenceforward unable to walk, or even to sit upright, yet bore his misfortune with such uncomplaining, manly, cheerful, happy fortitude, and manifested such marvelous energy in the management of his small property, such eager concern in public affairs - he was an ardent and untiring Whig against overwhelming odds - such lively sympathy in the trials and triumphs of his personal friends, such love of right and such scorn of wrong as won him the love of all good, and the homage of the bad men. I never heard a harsh word spoken of him.

The sons of John Roane, Jr., of "Uppowoc," were not distinguished, but John Roane, Jr., himself, I always thought, was one of the most remarkable men I ever knew. He was of square, massive stature; broad shouldered, lank, full muscled, with a face to match; blue eyes; brown, waving, stiff hair, short and combed straight back, a la Methodist; a full, broad, and deeply transverse wrinkled forehead, most prominent midway between the eyes and hair, with a Grecian nose, slightly depressed at the bridge; with lips meeting exactly and firmly over his teeth, and a chin square, lean and slightly curved upwards, he looked to me to be the very impersonation of force. He might, if he had spoken, have made a much greater mark than he did; but he had early acquired the influence he possessed in his county, had a hot and arbitrary temper, which had never been checked among his own people, and he had become too fixed in his habit of impatience to conciliate opposition or trust himself in legislative debate.

Like his Uncle William, he occasionally got into frolics. On such an occasion, returning one dark night from court, when he had become exasperated with the Federalists, he overtook a
pedestrian and asked his name. "John Adams," was the reply. "Well," said he, dismounting, "I shall give you a thrashing." "Why, what for, Mr. Roane? You know me, Jack Adams, who lives on your land." "No, sir; you said John Adams; you made yourself a Federalist, now you must take the consequences," and then and there he thrashed him with his horsewhip. Yet this man, whom I knew very well, a harmless, inoffensive, worthless creature, had been his tenant for many years, and so continued to his death, rent free.

I never saw him dressed but in homespun of his own manufacture, nor in a carriage, but of his own making (the nondescript affair of the kind that I remember, he never called anything else than "The Thing") nor with horses but of his own raising. He had but one carpet in his house, calling them "dirt hiders."

He had a fair set of china, but his favorite table service was of pewter. "His father," he said, "had been satisfied with that." His table was the most abundantly supplied and the best - not the richest - I ever saw. He used honey whenever he could as a substitute for sugar, because he said sugar was protected by the tariff.

But I find I am becoming garrulous about this grand old original, and go to the next prominent member of the family, Judge Spencer Roane, son of Colonel William Roane, the clerk of Essex. His character was as strongly marked as his cousin John's, but he had fewer detracting peculiarities, owing to very different early association. Called to the bar very early, he gained his first cause against his preceptor, the celebrated "Lawyer Warden," who said when twitted with it, "Oh! I taught the boy to speak," and took part in the debate the day of his admission, and rose so rapidly in favor and public repute that he was made judge at the age of twenty-six or twenty-seven.

He was in person more than six feet high, and though rather thin was very strong, and so active that when a young man he could walk under a bar that touched his head, and turn around and leap it. His hair was light brown; his eyes - he was near sighted - a very light gray, rather sleepy looking in repose; his nose and chin like John Roane's; his forehead not so full, broad or expansive. He was a man of social, though strictly temperate habits, especially fond, as John Roane was, of young company and jocularity, good tempered in the main, but choleric, and very violent when roused, and a strong partisan.

The wife of Thomas Roane, of Newington, was, I think, a Miss Hipkins, of most reputable family.
John Roane, of "Uppowoc," married, I believe, a Latane, of a Huguenot family, from whom was descended Captain Latane, that was killed in the late war near Captain William Newton's, as is represented in a picture by artist Washington, full of tenderness and beauty and imagination.

Alice Roane (who married Sterling Ruffin) was first cousin to John Roane, Jr., to Judge Spencer Roane, to Dr. John Brockenbrough, to Judge William Brockenbrough, of the Supreme Court of Virginia, to Thomas Ritchie, of the Enquirer, to Colonel Archibald Ritchie, likewise her brother-in-law, for many years a leading man in Essex, and the hottest and most ill-tempered man I ever knew, if he was my uncle, but a man of great pluck and force of character; and to Captain John Ritchie, who so far retrieved an ill-spent and dissolute life by a heroic death on the field of battle in Canada in the last British war, that the General Assembly several years afterwards voted a commemorative sword to his oldest surviving brother. He was also first cousin once removed to William H. Roane and to Judge John W. Brockenbrough, of Lexington, son of Judge William who up to the war was Judge of the Western District of Virginia. She was thus of near kin to several persons, who in their day were among the most distinguished men of the State.
"Oakland", Mathews County, Virginia
The Blake Home
Included in the manuscript collection of the Virginia State Library is a list of marriage licenses issued in Gloucester County, Virginia, between October 20, 1777, and October 20, 1778. This record shows that Benjamin Blake paid one pound to the Commonwealth of Virginia for his license to marry Frances Curry, and that the marriage took place sometime after October 20, 1777.

Due to the destruction of the Gloucester court records little is known of Benjamin Blake between the time of his marriage in 1777, and the time of the first appearance of his name on the personal property tax lists in 1782. Benjamin Blake was assessed for taxation on 300 acres of land. He appears to have sold part of this tract about 1791, and thereafter was taxed on 164 acres. This land is described as being near the Pianchetanck River, and about ten miles northeast of the courthouse.

He removed to Mathews County prior to 1814, for the tax lists of Gloucester for that year show the notation "in Mathews County." He died sometime between 1814, and 1815, as the taxes for the later year show his land "transferred to Charles Blake by Benjamin Blake in his will recorded in Mathews County." Unfortunately, the court records of Mathews were also destroyed, and the will is not extant.

Recorded in the Parish Register of Christ Church, Middlesex County, is the birth of Charles Blake, son of Benjamin and Frances Blake on November 21, 1778. (Register of Christ Church, p. 282.) This record agrees with the Bible record of Charles Blake which also records the birth of his wife, Mary, on July 14, 1774. Charles Blake and Mary, his wife, were married April 8, 1802.

In 1820, Charles Blake, then a resident of Gloucester County, inherited from Joel Foster 279 acres of land in Mathews County. Thus, it would appear that Mary, the wife of Charles Blake, was a daughter of Joel Foster who had married Mary Diggs. This assumption is further borne out by the use of both the Diggs and Foster names in subsequent generations of the Blake family.

The Foster property in Mathews County, in which Charles Blake inherited a life interest, was called "Oakland." Located
on the North River, it was about six miles southwest of the courthouse. The residence apparently dates from 1797, as that date is marked on one of the chimney bricks.

The Blake Bible shows the death of Mary, the wife of Charles Blake, on September 29, 1836. Charles Blake died August 13, 1842. Also recorded in the Bible is the record of the children of Charles and Mary Blake.

1. Frances Blake, daughter of Charles and Mary Blake, was born June 15, 1802, and died September 1804.

2. Joel Foster Blake was born February 17, 1806, and died January 15, 1829.

3. Mary Frances Blake was born June 23, 1808, married Samuel Diggs.

4. Charles Henry Blake was born May 11, 1814. He was married on October 22, 1835, in King and Queen County, to Mary Ann Upshaw, born July 27, 1811, daughter of Edwin Upshaw and Lucy Roane of "Newington" King and Queen County.

On the death of their father, Charles Henry Blake and his sister, Mary Frances, inherited "Oakland." In 1843, Charles sold his interest in the estate to his brother-in-law, Samuel Diggs. He appears to have left Mathews County that year as his name does not appear on the tax lists after that date. He removed to Blandville, Kentucky, and was in that state by March 16, 1844, when his daughter, Mary Frances, was born.

Charles Henry Blake and his family lived in Kentucky until after April 27, 1855, as the family record shows his daughter, Alice Upshaw Blake, was born in that state. He and his family removed to Dallas, Texas sometime before July 18, 1870, on which date his son Joel Foster Blake died.

Mary Ann, wife of Charles Henry Blake, died March 22, 1872, and Charles Henry Blake died July 3, 1895. Both were interred in the cemetery at Granbury, Texas, and both graves are marked.

The children of Charles Henry Blake and Mary Ann, his wife, as recorded in the Blake Bible were:

1. Charles Edwin Blake born August 30, 1836, died August 30, 1842.

2. Joel Foster Blake born November 1, 1838 in Virginia
and died July 18, 1870 in Texas.

3. Thomas Roane Blake born February 1, 1841 in Virginia.

4. Mary Frances Blake born March 16, 1844, Blandville, Kentucky.

5. Samuel Diggs Blake born June 3, 1847, Blandville, Kentucky.


7. Lucy Roane Blake born August 12, 1852, Blandville, Kentucky.

8. Alice Upshaw Blake, daughter of Charles Henry Blake and Mary Ann, his wife, was born April 27, 1855, in Blandville, Kentucky, and was married October 26, 1876, in Granbury, Texas to John Daniel Baker, born March 23, 1848, in Walker County, Alabama. John Daniel Baker died April 2, 1899, in Henrietta, Texas. His wife survived him many years and died in Oklahoma City, Oklahoma, April 13, 1942.

Three of the Children of Alice Upshaw Blake and John Daniel Baker died unmarried. Charles Robert Baker was born January 20, 1878, and died February 1908; Alice Ethel Baker was born June 29, 1881, died March 23, 1894; Joel Harris Baker, born May 1, 1885, died August 12, 1924.

Mary Brockenbrough Baker, the only surviving child of John Daniel Baker and his wife, Alice Upshaw Blake, was born December 26, 1891, in Dallas, Texas. She was married November 4, 1915, in Oklahoma City, to Joseph Francke Rumsey, who died January 23, 1946.

Mrs. Rumsey has lived an active and useful life, taking an interested part in the religious and civic affairs of her city. She is a member and attends Westminster Presbyterian Church. She was one of the ten founding members of the Junior League of Oklahoma City and its first president, and is a member of the Colonial Dames. Among her artistic pursuits has been the study of piano and serving as a member of the board of directors of the Oklahoma City Symphony Society. The scope of her interests has included serving as a member of the Board of Regents of Gunston Hall and as a member of the National Trust.

Mrs. Rumsey is the mother of two sons and has three grandchildren.
Joseph Francke Rumsey, III, was born July 13, 1920, in Oklahoma City, and was married July 29, 1951, to Virginia (Briscoe) Upshaw, who was born March 13, 1918, in Marlow, Oklahoma. They are the parents of three children: Mary Baker Rumsey, born March 17, 1952, Joseph Francke Rumsey, born February 26, 1953, and Mark Briscoe Rumsey, born September 8, 1954.

Charles Baker Rumsey was born December 16, 1926, in Oklahoma City, and was married on October 6, 1954, to Louise Ann Watson, from whom he was divorced two years later.
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