THE RELATIONS BETWEEN THE BRITISH DOMINION OF VIRGINIA AND THE DOMINION OF CANADA.

A paper by Dr. J. Murray Clark, K. C., M. A., LL. B., of Toronto, Canada, read at Annapolis Royal, Nova Scotia, August 31, 1921, published in the Virginia Law Register for January, 1922, and now published with the permission of the author, in this magazine, with additional notes.

Over two years ago my friend, the late Professor A. H. F. Lefroy, of the University of Toronto, urged me to support the efforts of our distinguished Chairman, Mr. Justice Chisholm, who was then advocating the celebration of the 200th anniversary of the establishment of the first British Court of Judicature to sit in any part of what is now Canada. Professor Lefroy justly pointed out that a Court of Judicature was the symbol, indeed the very embodiment of "The Reign of Law,"¹ which I had discussed in my Presidential Address to the Royal Canadian Institute—of which, by the way, his father, the late Sir Henry Lefroy,² was one of the founders. And I should like to say here before passing on that Canada owes a greater debt than is generally known to both father and son for their contributions to the intellectual life of this country.

I come now to my main subject. In the minutes of the Council meeting called by His Excellency Richard Philipps, Governor of the Province of Nova Scotia, for April 19th, 1721, "to consider of establishing a Court of Judicature to be held for this Province" and adjourned until the next day, it was recited that

¹Transactions of Royal Canadian Institute, Vol. XII, p. 1.
²Transactions of Royal Canadian Institute, Vol. XII, p. 2.
the Governor had been directeda "by His Instructions" to make the 'Lawes of Virginia' the rule and pattern for this Government (where the same are applicable to the present circumstances until such time as the Government shall be settled upon a sure foundation according to the Lawes of Great Britain)"b and it was directed that a Courtc as constituted should be held as specified and that such Court should have the "Same Style and Cognizance of all matters and pleas brought before them and power to give judgment and award—Execution thereupon, by the same manner of proceedings as the General Court so called of Governor and Council has in Virginia, and practices at this time".d

Let us glance for a moment at the beginnings of the Virginia whose "Lawes" your Governor of two hundred years ago was directed to follow.

The name "Virginia" was adopted in the spacious days of Queen Elizabeth; and Spencer, in his dedication to her of the Fairie Queen, includes among her titles that of "Queen of Virginia." The project was largely due to the energy, foresight, and patriotism of Sir Walter Raleigh, who, with all his faults, must be regarded as one of the greatest Englishmen. His career marks an epoch in our history, and, following an eminent historian, we may regard the glorious Elizabethan era as extending for some years after her death, and not ending until the death of Raleigh, the last of the Elizabethan heroes, in 1618.

We must bear in mind that discovery and adventurous exploration had so widened their horizons that men could properly speak of a "new earth." Astronomical Science, aided by the famous telescope of Galileo, had destroyed the system of Ptolemy, and demonstrated the more harmonious system of Copernicus; so that

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men could truly speak also of "new heavens." It was the age of the Gilberts, half brothers of Raleigh, one of whom originated the name, if not the science, of Electricity; and another, after claiming Newfoundland, our oldest colony, for his Queen, and so for the British Empire, cheered his drowning sailors by reminding them that Heaven was as near on sea as on land. It was the age of Bacon and of Harvey, the discoverer of the circulation of the blood; the age of Frobisher, Grenville, Cavendish, Hudson, Drake, and Philip Sydney; of far-sighted statesmen, skillful diplomats, such as Knollys, Walsingham and Randolph; and of learned lawyers, of whom I need mention only Coke. It was the age of Champlain, to the fruits of whose strenuous efforts the British Empire has become heir. Above all, it was the age of Shakespeare, the greatest creative genius that Europe has yet produced. In such a time was Virginia founded, the settlers (among whom were officers and men who had taken an honourable part in defeating the Invincible Armada) taking with them as a precious heritage the laws of England, which they developed in such admirable fashion that in the following century the "Lawes of Virginia" were followed in Nova Scotia.

It is worth while to recall that Raleigh thoroughly understood the principles of self-government, often erroneously described as modern. The word "nation" is now used with various and vague meanings. Raleigh used the word with a precise meaning when he expressed the belief that he would live to see Virginia become an "English nation." If it is not now an English nation, it is an influential part of a great English-speaking nation—the United States of America.

Perhaps at this stage one should at least partially answer the question raised in my lecture at Harvard University, namely "Why the Lawes of Virginia?" The subject is a profoundly interesting, indeed fascinating one, but time will only permit a few words on it.

At a critical time, the agents of Virginia were able to show that Virginia had always been a convinced upholder of the monarchical form of Government and that its General Assembly "had never passed a law in derogation of the royal prerogative." As
long ago as 1675, these agents made the following significant statements: "The New Englanders have obtained the power of choosing their Governor; but the Virginians would not have that power, but desire that their Governor may from time to time be appointed by the King. The New Englanders imagine great felicity in their form of Government, civil and ecclesiastic, under which they are trained up to disobedience to the Crown and the Church of England, but the Virginians would think themselves very unhappy to accept of and live under a government so constituted," etc.

Dr. Bruce, one of the ablest of the historians of Virginia, points out how closely Virginia approached the system of the Mother Country and that not even the revolution could efface on our continent the mighty work which England had done through the growth of Virginia and the other American communities. He points out that her general principles of law and government, her standards of morality, her canons of literary taste, and her practical conservative spirit, have been too deeply stamped upon all those communities for a political revolution to diminish their influence, and he contends that American independence has really led to the most glorious of all England's triumphs. He points out that, as a separate nationality, "the United States has drawn a very large proportion of its citizens from the various countries situate on the European continent, and differing very radically in the character of these peoples. Transferred to America, these immigrants were destined to see their children grow up almost as deeply affected by the spirit of the fundamental institutions of England, as represented in the general framework of the American system, as if they were of the purest Anglo-Saxon stock." His conclusion is well worth quoting: "From this point of view, the foundation of Jamestown is the greatest of all events in the modern history of the Anglo-Saxon race and one of the greatest in the history of the world. From this point of view also the conditions prevailing in colonial Virginia—the foremost and most powerful of all the British dependencies of that day, and the one which adopted the English principles and ideas most thoroughly and was most successful in assimilating them—becomes of supreme in-
terest; for from these conditions was to spring the characteristic spirit of one of the greatest modern nationalities; and from these conditions was to arise a permanent guarantee that, whatever might be the fate of England herself, the Anglo-Saxon conception of social order, political freedom, individual liberty, and private morality, should not perish from the face of the earth."

Notwithstanding the present disturbances, I have great faith in "our crowned republic's crowning common sense," but many besides this Virginian Historian have, at various times, despaired of "the fate of England." Carlyle, writing in 1829, said "how often have we heard, for the last fifty years, that the country was wrecked and fast sinking; whereas up to this date the country is entire and afloat!" And again, "day by day, in all manner of periodical and perennial publications, the most lugubrious predictions are sent forth." For reasons I shall shortly indicate, we can in 1921 say what Carlyle said fourteen years after Waterloo, "Time and the hours will bring relief to all parties."

A time came in the course of English History, when policy was formed on the stupid advice of men like North, while the statesmanlike advice of men like Chatham and Burke was overruled; with the disastrous result that the connection between Virginia and the Mother Country was interrupted. Some Virginians thought that all the grievances could be remedied without severing the connection; and, not counting the tremendous sacrifices involved, determined to remain British, and to spend their lives and bring up their children under the flag of their fathers, which is still the flag of Canada. These Virginians and other United Empire Loyalists have had a powerful influence in the development of Canada which there is not time to detail. It is, however, pertinent to remark that while Ontario adopted its town and township system from New England, it derived its county system from Virginia. As administered in Virginia, the county system contained the germ of the federal principle, which is undoubtedly

7"Signs of the Times."
the greatest contribution of the United States to Political Science. The federal principle was discussed by the Greeks several thousand years ago and subsequently by others, but it may be correctly said that it was first put into successful practical operation in the great country to the south of us and that by its adoption in Canada and elsewhere the unity of the British Empire has been preserved. Further, in my humble opinion, it is by the extension of the federal principle that the permanent integrity of our Empire, which stands for liberty and justice, and is the greatest force for peace yet developed, will be permanently maintained.

If further proof is necessary to show that Virginia was a potent factor in developing and enunciating the federal principle, I need only refer to the work of Chief Justice Marshall, one of the great sons of Virginia, who was not only a famous Jurist but a far-sighted Statesman.

The first Parliament of Upper Canada (now Ontario) which met in pursuance of the Imperial Statute of 1791 (known as the Constitutional Act), at Newark (now Niagara), enacted that in all matters of property and civil rights resort should be had to the laws of England (as they stood on the 15th October, 1792). This must be qualified by the important exception, not expressed by the Legislature but implied by the Courts, of such English laws as are clearly not applicable to the state of things existing in the Province. The principle was well stated by Chief Justice Sir John Beverley Robinson, to whom I shall presently refer. That first Parliament also provided for appeals to His Majesty in Council. The appeal is now to the Judicial Committee of the Privy Council, which has rendered, and will, I hope, continue to render, signal service not only to Canada and the Empire but also to the whole civilized world. That august tribunal has not only to deal with the Common Law of England, brought from England to Virginia and via Virginia to Nova Scotia, but with many other systems of law, such as the Civil Law in force in Quebec, the Roman Dutch Law in parts of South Africa, and many other laws. This illustrates the genius of the British Empire, whose unity is not based on a dull and deadly uniformity, but is enriched by a most diversified variety. Those who brought to Ontario the noble
traditions of British Virginia took their due part in passing this wise legislation of the Parliament of 1792, and their descendants are still influential in maintaining British traditions.

The first educationalist in the Province of Ontario, indeed at one time the only educationalist, was the Reverend Dr. John Stuart, a grandson of Governor Dinwiddie of Virginia. He had a good deal to do with the training of two Chief Justices—Chief Justice Stuart of Quebec, and Sir John Beverley Robinson, the first Chief Justice of the Ontario Court of Appeal, who referred to Dr. Stuart as his spiritual father. Professor A. H. Young, of the University of Toronto, has rendered good service by making scholarly investigations of the records of Dr. Stuart, many of whose descendants, including Sir Campbell Stuart, did splendid work in the Great War. Men of science are busy investigating the beginnings of civilization. Much more important, it seems to me, is it to study the beginnings of the history of our own country.

Sir John Beverley Robinson was the son of a lawyer, born and educated in Virginia. He became Attorney General when he was twenty-one, but after achieving this distinction, decided to study law in London, at Lincoln's Inn. So that it can be truly said that he brought to the administration of justice in Ontario the traditions of Virginia as well as the traditions of the English Courts. He acted as Chief Justice for 33 years. It is recorded that in the first twenty-four years of this long period only five of his decisions were questioned by appeal to the Judicial Committee of the Privy Council, and in every case the judgment of Chief Justice Robinson was sustained. His judgments as published in our Law Reports are enduring monuments of his learning, legal acumen, and sound judgment.

What has happened to the Common Law since it was brought from England to Virginia, and via Virginia to Nova Scotia, constitutes, I think, a solid ground for sane optimism as to the future. For "our Lady of the Common Law" now rules in all of

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8Bryce in "United Empire," Vol. XII, N. S., p. 566 (August, 1921).
the United States except Louisiana, and in all of Canada except Quebec.

In considering the significance of this it is well to bear in mind the statement of Savigny that "law must be regarded as a product of the entire history of a people. It is not a thing that can be made at will or ever has been so made; it is an organic growth which comes into being by virtue of an inward necessity, and continues to develop in the same way from within by the operation of natural forces." Part of the laws so brought to Virginia were the principles of the Great Charter, which are the common heritage of England, Canada, and the United States. To this is largely due the important, indeed unique, fact that along the three thousand miles of boundary between the United States of America and Canada there has been uninterrupted peace for over a hundred years. For a part of these hundred years all was not Canadian boundary, as a hundred years ago Canada consisted of Lower Canada, now Quebec, and Upper Canada, now Ontario; but wherever the boundary was from time to time, it was always during the whole century British boundary. As it is their common glory, the British Empire and the United States are therefore fully justified in pointing the war-weary and war-sick nations to the hundred years of peace along the whole of the three thousand miles of the Canadian boundary as an object lesson for study and imitation. Canadians understand the people of the United States better than the people of the Mother Country do, and should therefore be the interpreters of the United States to the British Empire, and for similar reasons, the interpreters of the British Empire to the United States. We should play a worthy part in preventing misunderstanding, in preserving the peace along the international boundary for the next thousand years, and in maintaining the solidarity of the English Speaking Peoples. It is manifestly plain that in the near future all of the combined resources of the British Empire and the United States will be needed to defend and maintain our common ideals.

Of course, in considering this development we must take into account the legislation of various bodies having jurisdiction. In the United States, in five years over 62,000 statutes were passed
and, notwithstanding this mass of legislation characterized by a critic in the United States as the "Rain of Law,"9 the virile vitality of the Common Law is such that, according to a competent authority, over ninety per cent. of the important disputes in the United States are still decided by the principles of the Common Law. It is to be remembered that the consequences of legislation are determined by natural laws whose operation is as inexorable as the laws of chemistry or physics. It is by reason of this fortunate fact that legislation is so often futile. It is well known, for instance, that all laws to lower the rate of interest have invariably and inevitably resulted in an increase in the rate of interest. Bryce gives another striking instance when he points out that the provisions for the election of judges and officials in the United States were enacted professedly to give effect to the sovereignty of the people, but had the opposite effect—namely, to increase the power of the "bosses" who largely control the elections for their own selfish ends. We talk somewhat inaccurately about a "body politic" but, without pressing the analogy too far, we may correctly say that a statute is as important for the community as a surgical operation upon the person of a citizen. If such an operation is performed by a person without an accurate knowledge of anatomy the results are likely to be disastrous. It is quite as absurd to expect legislators to pass wise laws without any adequate knowledge of social science, or even of the principles of legislation, as it would be to expect a blacksmith, because he is honest and popular, to operate successfully for appendicitis; and the fact that the operator may profess the most humanitarian motives and may be an effective "vote-getter," will not alter the result. Nor will good intentions prevent an ill-considered Statute passed without regard to the fundamental facts of human nature and in violation of the inalienable human right to liberty—doing mischief; indeed the history of legislation contains many striking illustrations of the shrewd French saying, "that the lower regions are paved with good intentions."

Many forget the true saying of Bacon: "For the chain of

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causes cannot by any force be loosed or broken, nor can nature be commanded except by being obeyed.” This is the true explanation of the fact that there is much disappointment and disillusionment as to the effects of legislation. The late Principal Denny well said: “It is just as needful to say ‘Put not your trust in Parliament,’ as ‘Put not your trust in princes.’” We forget that though we talk about the sovereignty of parliaments, no parliament can break a single link in the chain of cause and effect, and while parliaments may ignore and disregard the fundamental distinction between right and wrong, they cannot evade or prevent the inevitable consequences of their statutes in accordance with economic and other laws, over which legislatures have and can have no control. This explanation is well expressed by the concluding lines of the remarkable book by T. R. Glover, the public Orator of Cambridge, entitled “From Pericles to Philip,” as follows:

“And the end men looked for cometh not,
And a path is there where no man thought;
So hath it fallen here.”

I do not for a moment underestimate the vital importance of Statute Law. In some instances good may really be done by carefully drawn statutes, especially where the legislators know thoroughly the law they propose to amend and the reasons therefor, its history and the forces at work in relation thereto, when the legislators completely understand the defects it is desired to remedy and the effect of the suggested remedy, and also appreciate the evils that are certain to result from the proposed legislation, for, human nature being what it is, legislation usually results in mischief. As in the case of some few surgical operations on private individuals, there may be a preponderance of good over the evil done by the enacting of statutes which are wise, carefully considered, and skilfully drawn.

In a very notable case, Taylor v. Horde (1757) 1 Burr 60, Lord Chief Justice Mansfield said at page 108: “But the Statute, (18 Edward I) Quia Emptores Terrarum, which took away sub-infeudations and gave free liberty of alienation—and other stat-
utes—the frequent releases of feudal services; the statute of uses and of wills; and at last the total abolition of all military tenures; have left us little but the names of ‘feoffment,' ‘seisin,' ‘tenure' and ‘freehold'; without any precise knowledge of the thing originally signified by these sounds."

Later, Chief Justice Mansfield does refer to "the sense of wise men and the general bent of the people in this country," and "public utility"; but justly gives the main credit for the reforms he describes to legislative activity; and these reforms substantially amount to the abolition of the feudal system. It is particularly desired to emphasize that the process was a gradual one, extending from the reign of Edward I, the English Justinian, down to the middle of the eighteenth century, five hundred years; and also that the reform had been achieved in England before 1757, the date of Lord Mansfield's judgment, and some years before the American Revolution.

Some fear that the development of the Common Law will be thwarted by unwise legislation, checked by the arbitrary power of bureaucracy, and overwhelmed by "mobocracy," for we must never forget that "the worst thing in the world is ignorance in motion." To cast out this base fear, we have only to remember that the Common Law is founded on liberty, justice, and truth, which are mighty and will again prevail.

We are apt, however, to disregard the warning of Shakespeare, that the "insolence of office" is one of the most grievous ills to which "flesh is heir," and to overlook his other statement, based equally on his profound knowledge of human nature that, when vested with arbitrary powers, the typical official,

"Drest in a little brief authority
Most ignorant of what he's most assur'd
Plays such fantastic tricks before high heaven
As make the angels weep."

Our fathers abolished one Star-Chamber. This generation, disregarding the abhorrence of the Common Law for arbitrary power, is establishing many Star-Chambers. When they become
too oppressive, as most certainly they will, our children or our grandchildren can abolish them.

For we must never forget that "our Lady the Common Law" is sagacious, tolerant and patient, and knows well the frailties of human nature, and that the penetrating question of the Romans, *Quis custodiet ipsos custodes?* (Who will keep the keepers?) has not yet been satisfactorily answered. Therefore law must ever be regarded as the main safeguard of democracy, or, to quote the phrase of President Harding, "the bed-rock of democracy."

History demonstrates that uncontrolled, irresponsible power, such as it is now the fashion to vest in Commissions and Officials, will in the long run most certainly be abused. Knowing this, one of the great men of the United States said they would establish a government of laws, not of men. He is the more to be applauded because the idea was not new. Thousands of years before, Solon, who is justly described as the "most profound political genius of antiquity" had said, "It is the essence of democracy to obey no master but the law."

In his great book on Modern Democracies, Lord Bryce justly observes that, "The two safeguards on which democracy must rely are law and opinion."

I have already said all that time will permit about law as a safeguard of democracy, but on this head desire to quote the warning of that great pro-Virginian English statesman, the immortal Irishman, Edmund Burke, which cannot be too often reiterated or too strongly emphasized. He said:

"Liberty to be enjoyed must be limited by law; for where law ends there tyranny begins; and the tyranny is the same, be it the tyranny of a monarch or of a multitude; nay, the tyranny of the multitude may be the greater, since it is multiplied tyranny."

Opinion, to be of any value as a safeguard of democracy, must be the result of clear thinking about accurate information. Hence celebrations such as these in which we are taking part are useful in safeguarding democracy—making democracy safe for the world.

In the early days of Virginia a form of socialism now advocated in Canada, England, the United States, and elsewhere, was tried, resulting in starvation, in the "starving years," referred to in local histories. It seems to me important that full information about the Virginia Experiment of Socialism should be made public, or at any rate available for every student. Much information is already available, but I shall only take time to read a few lines from an interesting report by Ralph Hamor and John Rolph, made at the time. They are competent witnesses, and say, "When our people were fed out of the common store, and laboured jointly together, glad was he who could slip from his labour or slumber over his taske he cared not how, nay, the most honest among them would hardly take so much true paines in a weeke as now for themselves they will doe in a day; neither cared they for the increase, presuming that howsoever the harvest prospered the general store must maintaine them so that we reaped not so much Corne from the labours of thirtie as three or foure doe provide for themselves." 11

Some scholars contend that in The Tempest, one of the greatest of his plays, Shakespeare discusses the Virginia Experiment of Socialism. Whether this is so or not, Gonzalo, in The Tempest, is made to state the essential basis of socialism and communism in the words:

"... for no kind of profit
Would I admit."

This reference to the elimination of profit indicates the vital importance of a complete scientific investigation of the Virginia

11Narratives of Early Virginia by Tyler.
Experiment\textsuperscript{12} of Socialism, because profit is an absolutely essential attribute of property; and if you eliminate profit you destroy property, that is, the institution of private property. Now the prohibition “Thou shalt not steal” involves the existence of property; consequently, if you eliminate profit and abolish property you abrogate the Eighth Commandment. If it is remembered that the moral law is one and indivisible, it will be seen that by eliminating profit you necessarily abrogate the whole moral law. Similarly, reason demonstrates that socialism is an enemy of marriage and the family. The spread of false socialistic doctrine is undoubtedly the cause of the sinister development referred to by an English judge when he said, in 1920, that “marriage with many people appeared to be nothing but a necessary preliminary step to being divorced.” Sociologists have pointed out how frequent divorce is among savages. The importance of this is indicated by the pregnant observation of F. H. Giddings,\textsuperscript{13}

“There is no cure for degeneration but in a pure and sane family life, which disciplines the welcome and untainted child in the robust virtue of self-control, and in an unswerving allegiance to duty.”

When the system now advocated was discussed by the Greeks more than two thousand years ago, Aristophanes (as translated by Rogers), pointed out the logical consequence in the lines:

“All women and men will be common and free
No marriage or other restraint will there be.”

It is equally plain that if you eliminate profit, and destroy the institution of private property, you destroy liberty and all true freedom, for no man is really free who is denied the right lawfully to acquire, hold, and enjoy private property.\textsuperscript{14}

\textsuperscript{13}“The Principles of Sociology,” p. 352.
\textsuperscript{14}As to the constitutional security for property, see Journal of Canadian Bankers Association January, 1919. This article is referred to in Bryce, Modern Democracies, Vol. I, p. 483.
Indeed, the French Socialists were at least logical when they advocated that God should be eliminated, and that the idea of the hypothesis of God should be “expelled from human brains,” Karl Marx said that “The idea of God is the keystone of a perverted civilization. It must be destroyed.” Unfortunately Karl Marx has many followers even in Canada, England, and the United States. His system was put to the test by Lenin and Trotzky in Russia. According to the laws of Human Nature, as described by the master mind of Shakespeare in *Troilus and Cressida*, the system was destined to produce the “universal wolf,” which, if not destroyed, will destroy Russia. Already millions have perished from starvation, caused by socialism, or perhaps one should say communism, put into practice. This was among Slavs, whom many regard as one of the lesser breeds without the law, though at a large meeting in one of our Canadian cities during the present month, an orator was loudly applauded when he appealed to his fellow communists “to unite now and fight until Sovietism was firmly established in Canada as it was in Russia.” It is therefore important to remember that communism was tried by Englishmen in Virginia, and recently by Australians and Englishmen in New Australia, and that in these, as in all other cases, communism resulted in starvation.

In Canada, and even more in England and the United States, where industry is much more complicated, and population denser than it was in the early days of Virginia, the starvation would be much more appalling—much more terrible than even in Russia.

Though the Virginia Loyalists came to Canada more than a century and half after the “starving years,” they probably had a vivid knowledge that communism and starvation stood in the relation of cause and effect, and it is common knowledge that few if any of them—or for that part of their descendants—have been led astray by the fallacies which since the days of Plato have been periodically advocated.

A Greek Scholar recently proved that most of the fallacies now being advocated, and causing extensive mischief in Canada, England, and the United States, had been put into the mouths of demagogues by Aristophanes. The demagogues and sophists
caused the destruction of the Athenian Commonwealth, but their fallacies will, in both the British Empire and the United States, be defeated by the enlightenment of public opinion. In this illumination, "the gladsome light of Jurisprudence" will be a potent factor. When concluding his lectures to the Law Schools of the United States, Sir Frederick Pollock, her most learned Knight, nobly said:

"Remember that our Lady the Common Law is not a task-mistress, but a bountiful sovereign whose service is freedom. The destinies of the English-speaking world are bound up with her fortunes and her migrations, and its conquests are justified by her works."

While one, as in duty bound, praises "our Lady the Common Law," yet I would not utter one word of criticism or disparagement of the Civil Law which is undoubtedly one of the greatest achievements of the human intellect. It must be remembered that the Civil Law rules not only in France, Scotland, and on the banks of the St. Lawrence, but elsewhere over millions, and tens of millions of men, and in all cases not by reason of imperial power, but by the imperial power of reason, if one may once again so paraphrase the famous saying of Portalis:

"Non ratione imperii, sed imperio rationis."

Truly peace hath her victories no less renowned than war, and Napoleon's Code will be remembered, and in some places reverenced and obeyed, long after his battles are forgotten.

In the fulness of time the day came when Virginia as part of the United States, and Canada as part of the British Empire, fought under the great Frenchman, Field-Marshal Foch, in a common cause. The sons of Canada and Virginia were tested in the fiery trials of the Great War, and proved faithful and true to the highest ideals. Many of the sons of Canada and Virginia, yea, and of the sons of all parts of the British Empire and the United States and of our Allies, gladly laid down their bright young lives, "their fairest gift of a lover's devotion," to the sacred cause
of liberty. Of them we may use the immortal words of Pericles, spoken long years ago in praise of the fallen heroes of Athens:

“But each one, man by man, has won imperishable praise, each has gained a glorious grave—not that sepulchre of earth wherein they lie, but the living tomb of everlasting remembrance wherein their glory is enshrined, remembrance that will live on the lips, that will blossom in the deeds of their countrymen the world over. For the whole earth is the sepulchre of heroes; monuments may rise and tablets be set up to them in their own land, but on far-off shores there is an abiding memorial that no pen or chisel has traced; it is graven, not on stone or brass, but on the living heart of humanity. Take these men, then, for your ensamples. Like them, remember that prosperity can be only for the free, that freedom is the sure possession of those alone who have courage to defend it.”

Without stinting our admiration and love for noble France, we can say, indeed we must say, that the world’s best hopes rest upon the solidarity and co-operation of the English-speaking Peoples. The United States and the British Empire will, in the future, we may confidently hope, render nobler and still more noble service to the cause of Liberty, Justice, Peace, and Civilization, to Learning, by which alone Democracy can be saved from its pernicious, nay, its deadly enemies, the demagogues; to Science, which knows no national boundaries; and to Humanity, which is above all nations.

NOTE 3.

As to whether Governor Philipps acted on instructions or on his own initiative, C. E. A. Bedwell, Librarian of the Middle Temple, says in the article cited above:

“It is important to observe that the choice was not made by Governor Philipps but was contained in a Document issued by the authority of the Privy Council under date June 25, 1719. The original is in the Public Record Office . . . ”

A few days after the establishment of the Court referred to, on the 19th and 20th April, 1721, Governor Phillips, writing to the Board
of Ordnance in London, reported the establishment of this Court. The original letter does not seem to be now available but Bedwell shows from published extracts that "the Governor regarded the establishment of the Court as being conformable to his instructions which referred him to 'the lawes and rules of Virginia' as a rule or pattern for the Government of Nova Scotia so far as they were applicable to the circumstances."

The only comment necessary is that Bedwell speaks of the scholarly and painstaking examination of the original sources of information.

bThat this was carried out is shown by the statement of Halliburton quoted by Bedwell in his article cited above.

cOntario was then known as Upper Canada and the Court referred to as the "Court of Error and Appeal." Before his appointment as Chief Justice (President) of this court Robinson had been Chief Justice of Upper Canada from 1829 to 1862.

dChristopher Robinson, the father of Chief Justice Robinson, was educated at the William and Mary College, Virginia, which the Chief Justice visited in 1851. According to his son and Biographer, General C. W. Robinson, "his ancestor had been a Trustee under the original Charter of 1693." The Chief Justice was a correspondent of Mr. Conway Robinson, described by General Robinson as "a leading member of the bar and Chairman of the Executive Committee of the Virginia Historical Society."

eLife of Sir John Beverley Robinson, Bart., by Major General C. W. Robinson, C. B.

fGayley's "Shakespeare and the Founders of Liberty in America."


Note that important documents, letters, etc., have been discovered since the publication of this book.
THE TOMBSTONE OF DR. EDMOND HELDER OF STAFFORD.

(Communicated.)

In 1865 while the late Moncure D. Conway was living in London, be published in Fraser's Magazine a pleasant rehearsal of Virginia's links with the mother country, in the course of which he said that in the churchyard of St. George's Church at Fredericksburg there was a tombstone bearing an inscription to the effect that it covered the grave of one who had been a pallbearer for William Shakespeare. Literary London at once challenged this statement, whereupon Dr. Conway, admitting that his authority was merely a recent letter from home, began an investigation. He found at once that there was no such tombstone in St. George's churchyard and that the statement on which he had relied was derived from a newspaper story. Finally he traced it to its origin, Mr. C. J. Brown, of Byfield, Massachusetts, sent him a copy of an inscription taken from an old tombstone on Potomac Creek, upon which Mr. Brown had stumbled in 1862, while serving in the Sixth New Hampshire Volunteers. Mr. Jones testified that it was a crude carving, difficult of decipherment, but that he had, to his own somewhat doubtful satisfaction,¹ made it out to read as follows:

"Here lies intered the body of Edmond Helder, Precitioner in physick and chyrurgery. Born in Bedfordshire, Obiitt March 11, 1618, Atatis Sua Y 6."

There was thus no mention of Shakespeare on the stone, that being altogether imaginative newspaper embroidery upon the reported date, 1618. Loyally recanting the statement he had made in Fraser's Magazine, but stimmulated by the belief that in any event he had come upon "the oldest English epitaph in the new world," Dr. Conway persistently pursued the search during the ensuing twenty years. In September, 1884, he combed the banks

¹The words were spaced with inebriated "S's" which complicated Mr. Jones' interpretation.
of Potomac Creek and was rewarded by coming on a characteristic Virginia phenomenon.² Built into the chimney of a modern kitchen he found the stone Mr. Jones had read, but, alas, all the inscription had been defaced except the two first letters, "HE." Local discussion then developed that several residents in the neighbourhood remembered to have read the inscription and felt able generally to confirm Mr. Jones' copy. And so the old stone was removed to Fredericksurg, where it is still exhibited as the original of "the oldest English epitaph in the new world." Dr. Conway finally recorded the story in an entertaining magazine article³ which he entitled "Hunting a Mythical Pall Bearer."

There is more than a memory of Mr. Pickwick's studies in epigraphy to make one skeptical of this date, 1618. While not impossible, it is not probable. In 1618 ships from Jamestown were trading for corn with the Indians resident on Potomac Creek, but it was thirty years before there was any English plantation there. Moreover, the name Helder does not appear, among the chirurgeons or otherwise, on any of the lists of the earliest adventurers to Virginia. When to these facts is added Dr. Tyler's conclusive demonstration of the misreading of the date of William Harris' nearby tombstone on Neapsco,⁴ as 1608, when, in fact, it was 1698, the candid mind is persuaded that Dr. Helder's date was more likely to have been 1678 than 1618. It would be as natural for an amateur antequarian on the lookout for marvels to decipher a "1" out of the "7" of a weathered carving as it was in the similar case of the Harris stone to make an "0" out of a "9."

But it is not necessary to rely altogether on negative evidence

²In 1677 the Bishop of London protested (Cal. State Papers, Am. & W. I., 1677-80, p. 117) in vain against the continuance of what he was pleased to call Virginia's "profane custom of burying in their gardens and orchards."

³Harper's Magazine (lxxii, 21) for January, 1886. Hence the inscription was reproduced in Nelll, Virginia Carolorum (1886), p. 91.

⁴W. & M. Quar., iv, 195. The occasion for this enquiry was that Charles Campbell and Alexander Brown, the latter cautiously, had both given currency to the Harris inscription with the 1608 date. See Genesis of the U. S., i, 150. It may be noted that the Stafford records contain many testimonies sustaining Dr. Tyler's identification of Harris.
to justify such philosophic doubt. In the earliest surviving court order book of Stafford County it appears that on June 12, 1690, Matthew Keene sued William Downing in trespass, alleging that he, the plaintiff, "together with Edmond Helder late of this County deceased" had taken title as joint tenants, by deed of John Peake, dated November 14, 1672, to a certain dividend of land patented by said John Peake, lying near the head of Potomac Creek on the northwest side thereof; that the said Edmond Helder having died without any partition, he, the said Keene, was entitled to the whole dividend by right of survivorship; but that William Downing was in possession of a part of the land and refused to attorn.

At another term of Stafford Court later in the same year (September 10, 1690) William Downing was sued again, this time by one Mary, daughter of William Russell, and wife of James Gallohough, who alleged "that Docter Edmond Helder by his last will and testament in writing" did bequeath to her certain cattle with their increase, and did appoint that she "should live with William Downing and Mary his wife till the time of her marriage;" that the said William Downing "being named sole executor in the said will did prove the same," but refuses to give Mary her cattle although she had complied with Dr. Helder's stipulation, had lived with Downing and his wife and had married with their consent.

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5Peake's patent was dated September 26, 1668, Va. Land Register, v. 179.

6This Mary was perhaps a sister of that William Russell, aged 56 in 1736 when he was well known as a Rappahannock frontiersman, who testified for Col. Byrd as to his hunting expeditions into the back woods as early as 1701. See Westover MSS., ed. Wynne vi, 100.

7The William Downing who thus administered on the estate of Dr. Edmond Helder and was doubtless responsible for the Latin of his tombstone, appears frequently in the surviving Stafford records, of the end of the seventeenth century, serving on juries and as "coronet," later captain, of militia. When the Northern Neck grant books were opened by Philip Ludwell in 1690, he began to take out, by way of confirmation of previous Virginia patents which he had acquired, a series of proprietary grants dated from 1690 to 1711, all relating to lands on Potomac Creek.
While the Stafford will and deed books of this time are missing and so we cannot invoke Dr. Helder to speak for himself, this evidence is nevertheless sufficient to justify any court in finding as a fact that there was living in Stafford as late as 1672 an Edmund Helder who would answer the description of a "practitioner in physick and chyrurgery." To complete the identification it remains then necessary only to find such an one who would also answer to the description of having been "born in Bedfordshire."

In the seventeenth century the Apothecaries Company of London was authorized by its royal charter, to license "practitioners in physic." The records of that Society, at Apothecaries Hall, supply the testimony we need, in two pertinent entries in its minute books,8 as follows:

1657, June 11, "Edmund Helder, son of Richard Helder of Stoughton, co. Hunts, gent., examined, approved and bound to William Royston for 8 years. Fee 4s 8d."

1662, Sept. 3, "Edmund Helder the late apprentice of William Royston, having sued out his Indentures, is turned over to Mr. Skelton for the remainder of his time."

It happens that the reference to the residence of Richard Helder in this record of the Apothecaries Company is an error. At the time that record was made there were, as there still are, two parishes of Stoughton. One, the better known, is Great Stoughton, which lies on the southwest border of the county of Huntingdon, where it adjoins the parish of Little Stoughton, in the county of Bedford. It was in the last named parish where a kinsman purchased the manor in 16501 that Richard Helder lived, for in his will, dated February 24, 1668,2 he describes himself as "of Little Stoughton in the Countie of Bedford, Gentleman." That will testifies also that Richard Helder had raised so large a family

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1Victoria County History, Bedfordshire, III, 165. The family of Helder, alias Spicer, were originally of Hertfordshire, where they were seated temp. Philip and Mary.
2The will was proved, in the local Archdeaconry Court, May 15, 1669.
of sons and daughters that he had found it expedient to bind out several of them as apprentices.

On this evidence we may accept, as correct, the statement on the Virginia tombstone of Richard Helder's son Edmund that the latter was "born in Bedfordshire," but there can no longer be any doubt that that tombstone commemorated one who not only died, but was born, many years after 1618.

KENNER'S MISSION TO EUROPE.


In William and Mary College Quarterly, XXV, 9-12 (First Series), there was published an account by William Wirt Henry of the mission of Duncan F. Kenner to Europe in 1865. The following statement was copied from the "Brent-Kenner Family Book, made from material collected by Gen. Joseph Lancaster Brent, now in possession of Mrs. Joseph L. Brent (Frances Rosella Kenner)." The copy was furnished to the editor by Mrs. Duncan Kenner Brent, who was, before she married in 1900, Hally Carrington Brown. Duncan Kenner Brent was son of Gen. Joseph Lancaster Brent, who married in 1870 Frances Rosella Kenner, of Orleans, La. She was the daughter of Hon. Duncan Farrar Kenner, and his wife Anne G. N. Bringier, married 1839. He was son of William Kenner, married 1801 Mary Minor, daughter of Major Stephen Minor.

... Before the Civil War, Mr. Kenner served for some time in the State Legislature and the State Senate, representing the Parish of Ascension from 1836, almost without intermission, until 1860. He was also a member of the Constitutional Convention of 1844.

Being an ardent advocate for States' Rights, and for the principle that the people should have a voice in their own government, he warmly espoused the Confederate cause and from the first, gave it his whole service.

He was a member of the Provisional Congress held at Mont-
gomery, Alabama, and afterwards of the Confederate Congress at Richmond, and served as such during the whole war, becoming chairman of the Committee of Ways and Means in the House of Representatives.

While in Richmond, he kept house with his friend, Mr. J. P. Benjamin, of Louisiana—then Secretary of War. Mr. Kenner was also a warm friend of Mr. Jefferson Davis.

Early in the winter of 1865, he was sent by the Confederate Government on a diplomatic mission to the European Powers, with power to dismiss and appoint envoys and ministers. He was given full liberty to treat with the powers as he thought best, in order to obtain the recognition of the Southern Confederacy and to obtain advances necessary to carry on hostilities, which advances, the large amount of cotton held by the Confederate government was to be pledged to repay. He was also empowered to promise the abolition of slavery, for which, he was, at that time, much in favor.

In order to reach England, he sailed on a steamer from the port of New York, passing through the Federal lines in Virginia, and travelling by rail to New York City, where he stopped at the New York Hotel, then kept by Mr. Cranston, a warm Southern sympathiser and a personal friend of his.

The journey was full of peril, but though he wore no disguise, he was not recognized and made his way safely to England.

However, though he was untiring in his efforts, he had not succeeded in accomplishing his purpose when the fall of the Confederacy put an end to the negotiations.

In reference to this important historical fact, the Hon. John Bigelow says in the Century Magazine, Vol. XLII, new series, Vol. XX, page 126.

"The Confederate Diplomatists"
by
John Bigelow
Minister to France 1864-7.
“They” (the members of the Confederate Congress) “protested that the emancipation of the slaves would ruin them, etc. Mr. Kenner told them that he and his family owned more slaves, probably, than all the other members of the Congress together, and that he was asking no one to make sacrifices which he was not prepared to make himself.

“The result of the consultation was that Mr. Kenner himself was sent abroad by President Davis, either with or without the confirmation of the Senate, with full powers to negotiate for recognition on the basis of emancipation.

“As soon as he received his commission he took a special train to Wilmington, North Carolina. On his arrival he found there was no transportation available from that port, and returned at once to Richmond determined to go by way of the Potomac and New York.

... By hook and by crook he finally reached New York and drove to the Metropolitan Hotel. Here discovering that the waiters were colored and there were too many chances of some of them knowing him and that ex-Senator Foote, of Mississippi, who had deserted the Confederates, was residing at this Hotel, he sent a note at once to Mr. Hildreth then managing the New York Hotel and an old and trusty friend, saying that he wished a certain room on the lower floor and North side of the house made ready for him and named the hour that he might be expected, adding that he would not sign the letter but was a friend.

At the time he named he went to the hotel and directly to the room he had ordered. The fireman was preparing a fire. While at his work at the grate the door opened and in walked Hildreth to see who his friend and new lodger might be. Upon recognizing Kenner, he exclaimed, ‘Good God!’ He was checked from continuing by observing Kenner’s finger on his lips. They talked upon indifferent matters until the fireman left, and then Hildreth asked Kenner what could have brought him to New York at such a time. ‘Do you know,’ he said, ‘that it is as much as your life is worth to be found here?’ ‘I am going to sail on the English steamer on Saturday,’ said Kenner, ‘and I wish to stay with you quietly until then. You can denounce me to the Government if
you choose, but I know you won't.' Kenner did not leave his room until he left it to take a cab for the steamer. His meals were served in his room by Cranston's personal attendant.

As soon as Kenner arrived in London he sought an interview with Palmerston to whom he unfolded his mission.

Palmerston said the proposition could not be entertained without the concurrence of the Emperor of France. 'With the Emperor's concurrence would you give us recognition?' said Kenner. 'That,' replied Palmerston, 'would be a subject for consideration when the case presents itself and may depend upon circumstances which cannot be foreseen.' Kenner went to Paris and had interview with the Emperor who told him he would do whatever England was willing to do in the premises—and would do nothing without her.

Kenner then returned to Palmerston to report the Emperor's answer. During his absence the news of Sherman's successful march through the South had reached London. Palmerston's answer to him was 'It is too late.' 

(Extracts from letter to Mr. George Harding, Highland Falls on Hudson.)

"July 29, 1909.

George Harding, Esq.,

My dear Sir:

I wrote you some time last winter, that I was anxious to procure a portrait of Duncan F. Kenner, etc., etc., "My interest in procuring his portrait arose from the fact that he was one of the largest slave holders in the South; that he had visited Europe in '65 with the authority from Jefferson Davis to assent to the abolition of slavery if England and France would recognize the Confederacy.

He subsequently applied to me, and I had the pleasure of giving him the benefit of President Lincoln's Amnesty Proclamation. These facts entitle his portrait to a place in my Retrospections, etc., etc.

Yours sincerely,

John Bigelow."
After the close of the war, Mr. Kenner returned to New Orleans, and subsequently to his plantation, where he endeavored, with great success, to avail himself of the improvements in machinery and advanced methods of cultivation. He was one of the first Planters to introduce and use a portable railroad for the transportation of sugar cane.

He was the first President of the Sugar Planters' Association of Louisiana—organized in 1877 and remained in office as long as he lived.

He was also connected with the State Levee Board which did valuable work for the State, in rebuilding and strengthening the levees on the banks of the Mississippi River.

In 1882 he was a member of the Tariff Commission. He was also a member of the State Senate and became a candidate for the United States Senate, but being opposed to the Louisiana State Lottery, he was not elected.

He was President of the Louisiana Jockey Club, having been much interested in racing before the war, and having then a fine racing stable at Ashland. Indeed there were few enterprises connected with the good of the State in which he did not take part, and he continued to lead a useful and valuable life up to the day of his death, which took place July 3rd, 1887.

He was a man of great intelligence, very broad views, strong integrity and unusually sound judgment. Of him could be said, what was said of the Duke of Wellington, that he was "rich in saving common sense." His wise and just counsels were frequently sought and followed in important matters concerning the welfare and government of the State. To the many who came to him for aid and advice he was a "Tower of strength," and to his large family connection he was a kindly Providence.

Though by temperament he was reserved and undemonstrative, he had a keen sense of humor and was a man of deep generous feeling, who overlooked the faults of those whom he loved, and cared for them with tender consideration and great forethought. But his good deeds were done in the true spirit of beneficence . . . so quietly and simply that many of them were unsuspected.
ANCIENT FORTS.

In February, 1645, three forts were ordered to be erected, one at Pamunkey to be called Fort Royal, another at the Falls of the James River to be called Fort Charles, and the third on the Chickahominy to be called Fort James. The following year, in March, 1646, Fort Henry, at the Falls of Appomattox, was ordered to be erected. But in October, 1646, the General Assembly, in view of the great expense required to support these forts at the public charge, granted the fort at the Falls of Appomattox to Captain Abraham Wood, together with 600 acres and all the houses, boats and ammunition belonging to the said fort. At the same time Lieutenant Thomas Rolfe, the son of Pocahontas, was granted "Fort James, alias Chickahominy Fort," with four hundred acres of land adjoining the same, and to Captain Roger Marshall was given "Fort Royal, alias Ricahock," with six hundred acres adjoining the same. The condition in each case was that the proprietors should keep and maintain ten men upon the place for three years, and, as there was no arable land adjoining Fort Charles, at the Falls of James River, it was enacted that any person or persons purchasing the right of Captain Thomas Harris commanding there, should have the right to settle on the south side of James River, opposite the fort, and enjoy all the houses belonging to the fort.

In April, 1681, a patent was issued to William Browne for nine hundred and seventy acres on the north side of Chickahominy River, known as "the Fort," and Browne later protected his title by a deed of October, 1698, from John Bolling, heir of Thomas Rolfe (William and Mary Quarterly, XVII, page 68, also Virginia Magazine of History, I, p. 447). The patent books appear to locate "Fort James, alias Chickahominy," at Lanexa, where the Chickahominy makes a great loop and is bordered by high land.

As to Fort Royal, established in 1645 at "Pamunkey,"* and

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*The term "Pamunkey" was used by the Indians to designate a district embracing the lands on the Mattapony and Pamunkey Rivers.
in 1646 assigned to Roger Marshall as "Fort Royal, alias Ricahock Fort," with six hundred acres adjoining, it passed by purchase from Captain Roger Marshall to Mainwaring Hammond, who patented it March 15, 1649. It appears to have been kept up for many years later and is referred to in the York Records as the "Fort at Mattapony." Thus in 1680, "on complaint of Lieutenant-Colonel George Lyddall, Commander-in-chief at the Mattapony Fort," the court orders the officers and magistrates of the county to "see that the various fortyes in York furnish the necessary provisions." A place in King and Queen County on the north side of Mattapony river is still known as Ricahock, and was doubtless the original location of the fort. At this place high bluffs command the river.

Next to Ricahock, going down the river, was "Mantua," the seat of Carter Braxton, signer of the Declaration of Independence, and, below Mantua, "Hockley Neck," and, adjoining "Hockley Neck," "Mantapike," the home of the Brooke family for many generations. (Bagby, *King and Queen County, Virginia*, pp. 73-75.)

Opposite Mantapike can be seen the evidence of a wide road-bed through a long stretch of marsh or lowlands, which tradition states was a "national road," once leading to Williamsburg. This was doubtless the line of the Ricahock Indian path, leading from Williamsburg to the Indian village of Ricahock, which path is mentioned several times in the York County Records, and developed into a road.
A FAMOUS TAVERN KEEPER.

We find Henry Wetherburne living in Williamsburg in 1734, when with Mary, his wife, he brought suit against Mary Moody. In this suit Mary Wetherburne is styled "executrix of Henry Bowcock," an innkeeper of Williamsburg, who died in 1730, leaving a valuable estate, 530£ 7s. 3½d. The will of Henry Bowcock calls Mary, the executrix, his wife. So Henry Wetherburne married Henry Bowcock's widow (York County, Va., Records).

As the suit was against Mary, widow of Giles Moody, who kept a tavern and ferry at Capitol Landing on Queen's Creek (one mile from Williamsburg), Mary, Henry Wetherburne's wife, was possibly (?) the daughter Mary mentioned in Giles Moody's will proved in 1726.

Henry Wetherburne married 2dly, Anne Marot, daughter of Jean Marot, a French Hugenot and another Williamsburg tavern keeper. She was also a widow, and doubly so, having married before she married Wetherburne, first James Inglis, son of Mungo Inglis, first Grammar Master of William & Mary College, and 2dly, James Shields, cabinet maker and surveyor of York County (son of James Shields, a tavern keeper) who died in 1750. This last marriage took place July 11, 1751, the first Mrs. Wetherburne having died only ten days before. John Blair's Diary, in William and Mary Quarterly, VII, 151.)

Henry Wetherburne was manager of the Raleigh Tavern from 1734 to 1749, when Alexander Finnie purchased it of the owners, John Dixon, David Meade, Patrick Barclay, Alexander McKenzie and James Murray, to whom it had been sold by John Blair in 1742. Finnie describes himself as an ordinary keeper, but it is not all unlikely that Wetherburne continued to run the famous hostelry. There is in the Goochland County books the record in 1736 of a deed whereby for the delivery of Henry Wetherburne's "biggest bowl of arrack punch" William Randolph sold 200 acres to Peter Jefferson, father of Thomas Jefferson (Ibid., V, 112). At Wetherburne's hostelry, presumably the Raleigh Tavern, the
merchants calling themselves the Cape Company, held their annual meetings (William and Mary Quarterly, VIII, 5). The Ohio Company met there in 1752 (Ibid., XII, 212). And there, too, Governor Dinwiddie was banqueted on his arrival in Virginia in 1751 (Ibid., VIII, 15).

The book at Yorktown containing the record of the will of Henry Wetherburne is very much mutilated:

_Will of Henry Wetherburne_

"In the name of God Amen, I, Henry Wetherburne, of Williamsburgh, Tavern Keeper, being sick and weak but of perfect sense and memory do make this my last will and testament:

"Imprimis I recommend . . . almighty God who gave it me and my Bod . . . to be decently Buried according to the dis . . . after named full assurance of . . . Day thro' the merits of . . .

"Item I . . . wife Anne Wetherburne . . . also give her my negro girl named Clarissa forever, and after my Just Debts Funeral Charges and the Expences attending the adm'tn of my Estate are paid I give her one moiety or half part of my whole Personal Estate forever. Item I give to Harry Armistead, who now lives with me, my negro boy named Dick and my silver watch to him and his heirs forever, and I order and direct my executors hereafter named to lay out and expend the sum of one hundred pounds current money in the schooling and Educacon of the said Harry Armistead, but if he should die before that sum is expended in his Education, then I will that the remainder thereof fall into and be accounted as part of the residue of my Estate and go to my residiary legatee.

"Item I order and direct that my plate and whole Personal Estate be sold by my Executors for the best price they can get for the same.

"Item I give and Devise to my Nephew Edward Nicholson the Reversion of my Lands Tenements and Slaves given to my wife for her life and all other my Estate real or Personal of what nature or kind soever in the whole world to him and his heirs forever. Lastly I constitute and appoint my Friends, Mr. William Prentis and Mr. Benjamin Waller Executors of this my will and Testament hereby revoking all other wills by me made and give to the said William Prentis and Benjamin Waller to each of them thirty pounds for their care and trouble about my Estate out of my said nephews Part thereof and direct that they give no security for my Estate. In witness whereof I have hereunto . . . my hand affixed my seal this
At a Court held for York County the 15th day of December, 1760. This will was Proved according to Law by James Martin, Francis Durfy and John Cobs the witnesses thereto and Ordered to be Recorded, and on the motion of William Prentis and Benjamin Waller Gent the Executors therein named, also made oath thereto as the Law directs Certificates was granted them for obtaining a Probat thereof in due form.

Teste, Thos Everard Cl Ct

Harry Armistead, mentioned, in this will, was born January 8, 1753, and was son of William Armistead and Judith Bray Inglis, daughter of Mrs. Wetherburne by her first marriage with James Inglis. Harry Armistead lived in Charles City County and left descendants.

JUDGE BUSHROD WASHINGTON.

Communicated by Dr. A. J. Morrison.

“Bushrod Washington, one of the justices of the Supreme Court of the United States, was the presiding justice of the United States Circuit Court for the district of New Jersey, from his first appointment in 1798 until his death in 1829. When I became the attorney of the United States for the same district, in 1834, I was introduced to a considerable practice in his court, and thus became well acquainted with him.” This is Judge Elmer’s introduction of the subject, in his chapters “Judges I Have Known.”

*Constitution and government of the Province and State of New Jersey . . . with reminiscences of the bench and bar. By Lucius Q. C. Elmer, late one of the Justices of the Supreme Court of New Jersey. Newark, 1872.
Judge Elmer, who came to the bar about 1818 and lived to be ninety years old, said of his biographical sketches: "My hardest task has been to avoid mere eulogy and to give, as far as possible, a correct impression of the true character of each individual as he appeared to me, of course touching lightly on faults, of which we all have enough, and giving full prominence to whatever seemed to me commendable." He was a man of high character himself, and his historical sketches are of great value, especially as bringing out the high character, the ability, and the vast industry (what might be called the consecration) of our judiciary in those days. He thought Judge Washington near perfect for law wisdom and all round fitness for his office. *Fiat justitia,* certainly—and let our judges, great and little, give their minds and their lives to the working of the same.

"Judge Washington has great fitness for his high office. He was rather undersize and without any pretension to mere personal dignity, but his moral and intellectual qualities, his learning, his integrity, his unwearied, patient attention, the knowledge that every case would be subject to the most searching penetrating investigation, made him always the object of profound respect. He had that temperate but inflexible firmness which resulted from confidence in himself, and is the courage of superior minds. His manners and his language, spoken and written, were simple and free from anything approaching to arrogance. He had that great faculty so important for a judge and so difficult of attainment, of regarding only the essential merits of a cause, without being influenced by any of its surroundings. He knew the cause only by the evidence, and decided it by the law.

"It was a great pleasure to be concerned in a cause before such a judge. Always calm and self-poised, his address to the lawyers, as he usually called the members of the bar in court, was invariably kind and pleasant. When I had in one case failed to prove some of the essential allegations of the declaration, and a motion was made by the adverse counsel to non-suit the plaintiff, after stating very clearly his view of the law, he said, 'Mr. Elmer, I shall be obliged to order the plaintiff to be called, unless you prefer, as is your right, to take the verdict of the jury, and in that
case I shall of course direct them to return a verdict in accordance with our opinion of the law, and I must warn you that juries seldom in this court dissent from our opinion.' I did not think it expedient to trouble the jury, and therefore submitted to the non-suit.

"Judge Washington was accustomed to charge the jury very fully and explicitly, seldom leaving it doubtful how he thought the verdict should be rendered. I remember that in a case which involved merely a question as to the running of a boundary line, he mistook the facts, so that the jury, upon which there happened to be a very competent surveyor, found directly contrary to his charge. He received the verdict with very evident surprise, but said quietly that he would look into the facts of the case very carefully. After doing so, he promptly acknowledged his error, and thanked the jury for their care to be right, in a matter of fact which belonged to them to decide. Most judges would have done substantially the same thing; but his manner of correcting his own error was very simple and pleasant.

"The four volumes of Washington: Circuit Court Reports contain most of the opinions delivered in the circuit courts of Pennsylvania and New Jersey during the time he presided, and deserve a careful perusal. His style is, in my opinion, a fine model of plain, perspicuous English, resembling that of Addison and Blackstone. These volumes were carefully made up in manuscript, and carried with him, before they were printed, to the circuits, lest, as he would sometimes very pleasantly remark, he might some time inadvertently overrule himself, which would be worse than merely overruling some other judge. In private intercourse the judge was a most agreeable companion, sometimes telling a good story with much effect. I believe he was a sincere Christian. I know that he had the habit of regularly reading prayers in his private room.

"If I was asked, who of all the judges you have known, do you consider to have been the best fitted for that high office, taking into the account integrity of character, learning, deportment, balance of mind, natural temper and disposition, and ability to ascertain and regard the true merits of a cause, as determined by
the law that he was called to administer. I should say Bushrod Washington.

The transcriber is no lawyer, no counsellor at law, but he has looked into one of Judge Washington's opinions. And recommends it as a specimen of the judge's metaphysical powers and of his deft manner of composition. Besides, this opinion has been referred to somewhere, erroneously, in illustration of the liberal policy of the State of Virginia, around 1814, in the matter of naturalization. The case is Golden vs. Prince, opinion delivered by Judge Washington in Pennsylvania, April, 1814. The case involved a Pennsylvania Statute touching procedure in bankruptcy. Judge Washington held that the creditor had some rights that were not to be compromised. The Judge's notions, in line with Mr. Lloyd George's remarks the other day, were distinctly "Western" on the subjects of contracts. And as for individualistic State enactments regarding bankruptcy, Judge Washington discussed hypothetically the inconvenience resultant from a naturalization law of Virginia quite at variance with procedure in other States. This hardly gives the gist, in that opinion, Golden vs. Prince. It is deep argument there and ought to be looked at.
THE STATE FAIR AT RICHMOND.

Communicated by Dr. A. J. Morrison.

"The Southern States Since the War, 1870-1," is the title of an illuminating volume of 284 pages embodying the results of first hand observations in travel through the South between October, 1870, and March, 1871, by Robert Somers, a British subject. If he had any definite aim, it was to call attention abroad to the opportunities for investment in the South. Pages 23-25, dated Richmond, Va., Oct. 26 to Nov. 23, have the following impressions of the State Fair:

"The annual State Fair at Richmond has been held this week. This is an institution which is spreading rapidly in the Southern States. I had early note of agricultural fairs at Augusta and Atlanta, Georgia, but found it impossible to be present. The Georgia fairs from all accounts have been most spirited gatherings. Charleston has also its first fair since the war this week, which I may be just in time to get a glimpse of. There have already been fairs in Lynchburg and Petersburg, in this State, and these now culminate in Richmond. The fairs are competitive exhibitions of stock, produce, implements, and manufactures, where planters, farmers, and engineers meet to compare notes, and where the young country people of far distant counties come to enjoy town-life for a few days, to assist at races and other field amusements in the afternoons, to fill the great hotels with balls and routs at night, and let all the gay spirit out as most young country people everywhere love to do.

The fair at Richmond was held on a large open space that was the Champ de Mars of the South in the war times. I was struck by the completeness and permanence of the erections for this annual gathering. The Royal Societies of England and Scotland themselves cannot vie, in the temporary fabrics of their great peripatetic shows, with the pavilions, committee-rooms, grandstands, restaurants, warerooms, and stalls for stock, made to last,
The State Fair at Richmond

on the fair-ground at Richmond. A circular racecourse, formed within the square outer enclosure, is exactly one mile round. The exhibition of stock was not very extensive, but it contained some superb specimens of Hereford and Durham shorthorns, Ayshire and Devon cows, and immense fat bullocks, all native-bred. There were many notable fine-wool sheep—South-downs, Cotswold lambs, one Cotswold ram (a very fine animal, imported from Gloucestershire), and Spanish merinoes, which are a favorite stock in Virginia. The merinoes were from Culpeper county. The British races of sheep and cattle seem to thrive, and to be capable of the same high development as at home. The large breeds of swine probably exceed in size anything seen in the old country—Chesters, Bedfords, and Woburns being prominent. There was as fine a show of light thoroughbred horses as could be seen anywhere, but very few draught animals.

I saw a grey Norman stallion, that had been imported, as large as a Clydesdale, but with a longer and smaller body than the barrel-like trunk that gives the characteristic aspect of concentrated strength and power to that famous breed. There were some fine mules, and a few donkeys which seemed as large as horses, and brayed with corresponding volume. The implements and machines formed, perhaps, the most extensive display in the agricultural department of the Fair, and several steam-engines were at work on the ground, including a road-engine, with broad wheels, but of the ordinary type, and wanting in the properties of the india-rubber tire and other adaptations for draught and ploughing invented by Mr. Thomas of Leith.

A show-room contained specimens of the varied manufactures of Virginia, and a large open shed was devoted to the raw materials and produce of the State. In this latter department I saw marls from various counties in the tidal region, and from Hanover county, north from Richmond; puddling clay and fine moulding sands; and manganese from the Cabell mine in Nelson county.

On the day of opening, Mr. Jefferson Davis, who was on his return home from Europe to Mississippi, appeared on the platform with the President and office bearers, accompanied by General
Early and other associates in the war, and delivered a short speech, in which he congratulated the Virginians on the reviving prosperity of the State, and made passing allusion to former days and circumstances. Mr. Davis is an accomplished speaker, and expresses himself with a nervous force that thrills and rouses his audience. No politics were spoken, but it was obvious that the people retain a deep respect for their former leaders in the Senate and the field.

The trotting races were a source of great attraction, and the Virginian horses certainly display amazing powers in this line. The light buggies in which they were harnessed flew around the course like chariots of the sun.

There is an amusement on these occasions which must be regarded, I suppose, as an outcome of the 'chivalry' of the South. It is a tournament, wherein young men mounted on fine bloods, and dressed in fancy costumes of the olden times, endeavor at full gallop to run their lances through iron rings about two inches and a half in diameter, suspended from cross-trees placed in a line at some distance from each other on the field. The gallant knight who excels in this achievement has the honour of naming among the fair ladies 'the Queen of the Tournament,' whom he crowns with roses amidst the cheers of the spectators.

"Whatever inroads may be made on tender hearts at these Southern fairs, there can be no doubt that they have many useful results, and are a manifestation of public spirit of the most commendable kind. The agricultural characteristics and resources of the various districts are arrayed before the eye till they become familiar to all; and every new invention, discovery, or means of improvement receives a degree of publicity and discussion which could not be so effectually attained in any other way.

"The Fair at Richmond this year is deemed scarcely up to the mark of former seasons; but it was anticipated that a great flood which, three weeks ago, swept the banks of the James and North Rivers, destroying life and property, and washing away soil to an extent of which there has been no precedent for a hundred years, would interfere most materially with the exhibition. 'The hand of God,' a pious old statesman said to me, 'has lain
heavily on Virginia for some years, and this flood is our most recent visitation.' It must be regarded as a signal proof of the buoyant spirit and substantial resources of Virginia that 'twenty thousand people,' as the local papers reckon, should have flocked into Richmond on this occasion, and that so varied and excellent an exhibition of agricultural stock, and of the materials and products of industry, should have been made."

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KERR FAMILY REGISTER.

In Quarterly, III, 139, mention is made of Rev. John Kerr, a prominent Baptist minister, and member of Congress. He was born in Caswell County, N. C., August 4, 1782, and was licensed as a Baptist minister in 1802. He moved to Halifax County, Virginia, where he had charge of several churches. In 1813 he was elected a member of Congress and served two terms. After that he resumed the ministry and was pastor of the Baptist churches in Halifax County of Arbor and Mary Creek. In March, 1825, he removed to Richmond where he was pastor of the First Baptist Church. He resigned in 1832, and after several years located upon a farm near Danville, Va., in 1836, and died there Sept. 29, 1842. He married Elizabeth Williams, daughter of Col. Robert Williams, of Pittsylvania Co., by whom he had a son John Kerr, who was born in Pittsylvania County Va., February 10, 1811. This son removed to North Carolina, where he served in the Legislature and Judiciary. He was also a member of Congress. He died in Reidville, N. C., Sept. 5, 1879.

Rev. John Kerr was son of John Kerr, born January 26, 1753, and Mary Graves his wife, and grandson of Alexander Kerr, born June 15, 1726. In 1734 Alexander Kerr, of Williamsburg, Va., bought of Sir John Randolph 100 acres near the Capitol Landing on Queen's Creek. This person was witness to a deed in 1736, and Bruton Parish register records his death in 1737. In
1735 John Mickie, of St. Martins Parish, Hanover Co., made a deed to an Alexander Kerr, of the same parish and county, of 200 acres on the South Anna river in said county.

An old bible which has descended in the family has the following mutilated entries probably written by Alexander Kerr (born 1726).

"Alexander Kerr was born June 15 1726
* * * abeth Kerr was born Sept. 1, 1752.
* * * Kerr was born Jany 26, 1753
* * * Kerr was born August 12th, 1757
* * * Kerr was born October 16th 1759
* * * Kerr was born August 30th 1763
* * * Kerr was born October 14th 1765
* * * Kerr was born May 2d 1774

(Later entries in another handwriting.)

Solomon Kerr was born March 20 in the year, of our Lord, 1796

* * * Kerr was born March 20, A. D., 1796.

Nancy Elizabeth Stanley was born 19th of Novemb. ———.

A bible, formerly the property of James Kerr, brother of Rev. John Kerr, has the following entries: They supply the missing first names in the entries above save that John Kerr, Sr., is stated to be born January 29th 1754, instead of January 26, 1753, as would appear from the mutilated register:

"Alexander Kerr, Senr, was born June 15, 1726. In Scotland. His wife was Elizabeth Rice.

Elizabeth Kerr, first child, was born September 1st, 1752.
John Kerr was born January 29th, 1754.?
Sarah Kerr was born October 12th, 1755
Susannah Kerr was born August 12th, 1757
Ann Kerr was born October 16th 1759
Mary Kerr was born Sept 7th 1761
Martha Kerr was born August 30th 1763
Frankey Kerr was born October 14th 1765
Lucy Kerr was born May 2nd 1774
John Kerr, Senr., my father was born January 29th 1754
Mary Kerr, my mother, was born April 3rd, 1756
Nancy Kerr, their first child, was born December 18th 1774
William Kerr, their first son was born December 1st 1776
Mary Kerr was born October 12th 1779
John Kerr, Junr., was born August 4th 1782
Bazilac Kerr was born August 21st 1784
Alexander Kerr was born August 9th 1786
James Kerr was born August 19th 1788
Isabella Kerr was born June 12th 1790
Elizabeth Kerr was born May 23d 1793
Solomon Kerr was born March 20th 1796."

My own family
James Kerr was born August 19th 1788
Frances Ann (McNeill) Kerr my wife was born 1st August, 1803
Mary I. I. Kerr, our first daughter, was born October 1st 1836, Saturday morning.
John & James, two twins born November 12th, 1838, died the same day on Monday.
Fanny L. Newel Kerr was born August 16th, 1840
James Sadler (?) C. Kerr was born May 2d 1832, on Monday morning.
John H. McNeill Kerr was born April 20th, 1844, on Sunday evening.
Mary Isabella Mebane was born June 16, 1858.
My first grandson was born April 4, 1861, died ———-. 
ROBINSON WILLS.*


Will of Peter Robinson.

In the name of God Amen, I Peter Robinson of the Parish of St Johns in the County of King William being sick in body, but of sound sense and memory do make this as and for my last Will and testament in manner and form following,

Imprimis I give and bequeath unto my two sons Christopher and Peter Robinson equally to be divided between them at the age of twenty one years, all the negroes that I am now in possession of (except such as my daughters claim by virtue of an Intail) together with all my stocks of cattle, horses, sheep, hoggs and all other personal estate, be it of what nature or quality so ever, I give to my said two sons, Christopher and Peter Robinson and to their heirs forever.

I also give to my said two sons equally to be divided between them all that tract, piece, or parcel of land called and known by the name of Herring Creek and containing by estimation Three thousand acres (be the same more or less) I give to my said two sons and to their heirs forever, but if either of my said two sons should die before he arrives to the age of twenty one, then my desire is that all the land, negroes, stocks and household and kitchen furniture here given between, should descend to the survivor.

My will and desire is that my two sons Christopher and Peter do out of the Estate here devised to them, pay all my just debts, funeral expenses, and do also satisfie and pay to my three daughters, Judith, Lucy and Sally Robinson all the money due them, by virtue of a decree of the General Court that I have received, or my Estate shall be subject to the payment of.

Lastly I nominate and constitute and appoint my three brothers,

*For Robinson pedigree, see William and Mary Coll. Quarterly, old series, XVIII, 181-194; Va. Magazine of Hist and Biog., XV, and succeeding volumes.
Christopher, John, and William Robinson, and my worthy friend Philip Whithead Claiborne executors of this my last will and testament hereby revoking all former wills by me made, and declaring this only as and for my last will and testament.

I also appoint my three brothers before mentioned Guardians to my three daughters Judith, Lucy, and Sally Robinson, and I appoint my said friend Philip Whithead Claiborne Guardian to my two sons Christopher and Peter Robinson.

In testimony whereof, I have hereunto set my hand and seal this eighth day of January Anno Domini, one thousand seven hundred and sixty five.

Signed sealed & delivered by the Testator as and for his last will and testament, in the presence of - Peter Robinson (L. S.)

H Skyring.
Thos Claiborne
Joseph Stiles

I, The Testator, Peter Robinson, having omitted to dispose of a piece of land lying on Chickmany River that I bought, which formerly belonged to the Estate of John Holloway deceased my will and desire is, and I hereby direct, that my Executors in my will named (to which I intend this as a Codicil) sell the said land for the most they can get for it; and the money arising from the sale I give to my two sons Christopher and Peter Robinson, the better to enable them to pay my debts.

In witness whereof I have hereto set my hand and seal this ninth day of January. Anno Domini one thousand, seven hundred and sixty five.

Peter Robinson (L. S.)

Test H. Skyring
Thos Claiborne
Joseph Stiles

A Copy.
Teste

O. M. Winston Clerk

King Wm Co House
January 14, 1880.
Judith Robinson's Will.

1774

In the name of God Amen. I, Judith Rob'son of the County of King William being of sound mind and memory blessed be God, do this eleventh day of January in the year of our Lord one thousand, seven hundred and seventy four, make and publish this my last will and testament, in manner following, that is to say,

Imprimis, I give and bequeath to my niece Mary Braxton, eldest daughter of Carter Braxton a negro girl called Dinah eldest daughter of my wench Betty, with all her future Increase, to her and her heirs for ever.

Item, I give to the said Mary Braxton and her sister Judith Braxton the following slaves to be equally divided between them, namely Betty with all her children, except the girl above mentioned together with their future increase, and a fellow called Charles, now in the possession of my brother John Robinson of the County of Gloucester to them and their heirs forever.

Item I give to the said Mary and Judith Braxton to be equally divided between them a bond in my possession due from their father Carter Braxton, another from Robert Brooke, together with all other bonds or money I may die possessed of, and every other Estate I may have in any other thing whatever, to the said Mary and Judith Braxton and their heirs forever.

If either of the said girls to whom I have given my Estate should die, before they marry, or come of age, it is my desire the survivor of them shall enjoy the whole estate; and if they should both die before either of them should marry or arrive at the full age, it is then my will and desire that all the Estate given to them, should go to my two nephews Christopher Robinson and Peter Robinson, sons of my brother Peter, to be equally divided between them, to enjoy the said Estate to them and their heirs forever.

Lastly, I appoint my friends The Rev. Mr Henry Skyring, and Robert Page Esquire to be my executors to this my last will and testament.
In witness whereof, I have hereunto set my hand and seal this eleventh day of January in the year above written.
Signed & Sealed in the presence of
Wm Burnet Browne

Robert Rose
Mary Edmons, her mark X
A Copy
Teste
O. M. Winston Clerk

King Wm Co House
January 14 1880

SYDNOR FAMILY.

_Bible Records._

Communicated by Mrs. W. P. Robinson, of Danville, Virginia.

The family statement is that William Sydnor, of Hanover County married Bessie Ann Garland, widow of William Thompson, and daughter of Edward Garland and Jane Jennings. Susanna, her daughter by Thompson married Peter Tinsley. The statement also is that William Sydnor was father of Edward Garland Sydnor.

The Bible of Edward Garland Sydnor, of Hanover County has the following entries:

**Births:** "Edward Garland Sydnor, born in Hanover County, Virginia, Oct. 15, 1769.
Sarah White his wife, born Dec 14, 1775.
(Married January 18, 1800.)
Their children: William B, born Oct 12, 1800, (died young)
Edward, born Dec 12, 1801
Elizabeth Garland born Dec 12, 1803
William B (2nd) born Mch 26, 1806
Frances Ann, born April 26, 1808.
George W, born March 4, 1810
John S, born July 24, 1812
A daughter born & died Mch 1815
Thomas White, born June 1, 1816”

(From the “Dungarven” Bible—Sydnor Homestead in Hanover)

Marriages:—Edward Garland Sydnor & Sarah White married
Jan’y 18, 1800
Edward Sydnor married 1st Margaret W. Cowley Jan. 15
1824
William Barrett married Sarah Thomas Austin June 18,
1829
John Seabrooke married Sarah C. White Dec 22, 1830
Edward married (2nd) Sarah E. Ladd Dec 2, 1834
Thomas White married (1st) Sarah L. M. Chapin Oct
15, 1810
11, 1845

Deaths: Elizabeth White died Dec 14, 1815, aged 82
Ann Sydnor died January, 1817
Ann White died July 13, 1818, aged 63
Elizabeth Garland Sydnor died March 15, 1821, aged 17

Note by the Editor.

It would be interesting to identify the parentage of this Wil-
liam Sydnor, of Hanover. In one of the books preserved in Hanover
Co., there is a deed from William Sydnor and Betty, his wife, Amey
Sydnor, Fortunatus Sydnor, Anthony Sydnor & Robert Sydnor, execu-
tors of Robert Sydnor deceased, of St. Martins Parish, Hanover County,
to William Wingfield for 56½ acres on Cedar Creek, dated June 20,
1789. (William and Mary Quarterly, XXIII, p. 26.) It thus appears
that William Sydnor of Hanover, was a son of Robert Sydnor, of
Hanover, who appears to have been a grandson of Anthony Sydnor
and Elizabeth, his wife, of Richmond Co. (See will of Anthony Syd-
nor dated 27 Sept, 1759 in William and Mary Quarterly, XVII, p.
191, and his wife Elizabeth dated 25 August 1777. See also register,
Ibid., XIII, p. 189.) This Anthony was son of the emigrant For-
tunatus Sydnor. (See Tyler’s Quarterly, III, 283.)
THE FAMILY OF ORR.

Compiled by the Editor from Orr and Grayson MSS., communicated by James D. Evans, Haverford, Pa.

The surname of Orr is of great antiquity in Scotland. The name occurs as early as 1296, when Hewe de Orr swore fealty to Edward I of England along with the greater part of the Scotch barons. There were Orrs in the sixteenth and seventeenth centuries in Lanarkshire and Renfrewshire.

We, in Virginia, are interested in John Orr, a merchant of Leedstown on the Rappahannock River and signer of Richard Henry Lee's Westmoreland Resolutions of 1766. He was a grandson of Rev. Alexander Orr, A. M., who was descended from the Orrs of Lanarkshire mentioned above.

I. This Rev. ALEXANDER ORR was educated for the ministry at the University of Glasgow, where he took his degree July 13, 1671. Not much is known of his career but it appears that in the troubles that arose subsequently in Scotland he was arrested on suspicion of treason to the King. Whatever the real facts in the case, he made it quite clear in his examination at Edinburgh November 12, 1684, before the Earl of Perth and others of the Privy Council, that his subsequent actions should be on safe lines. He disowned a treasonable paper which had been published and denounced the authors thereof as rebels, asserting for himself that he deemed it "unlawful to ryse in armes agst the King and his authority upon any pretext whatsoever." He was doubtless a representative of that wide class of Scotchmen who disapproved of the King, but were unwilling to go to extremes.

As soon as William and Mary were established upon the throne, the unwise policy pursued by their predecessors of forcing upon the Scottish people a form of religion distasteful to them was discontinued. We hear of Mr. Orr at this time (1689) as inducted in the parish of Beith in Ayre, which had been left vacant by the retirement of Rev. Thomas Wilkie.
He was a member of the Assembly in 1692 and in 1699 was assigned to Alyth. But he did not obey and in May, 1699, was called to the ministry of St. Quivox. Here he remained till his death ten years later in 1710, aged about sixty years.

Woodrow, the historian, in a letter to Rev. James Guthrie, of Irongray, bearing date Sept. 4, 1710, mentions Mr. Orr's death as having recently taken place and speaks of him as "one of the Prettiest (most admirable) men in the Presbytery of Ayr."

He married Barbara Craufurd, daughter of William Craufurd of Auchinames, in Renfrewshire, and his wife, Anna Lamont, daughter of Sir Colin Lamont, of Ineryne, Argyllshire, whose mother was Barbara Semple, daughter of Robert, 4th Lord Semple. There were several old letters written by Mrs. Orr to her husband, which seemed to show that he was not altogether such a royalist as he professed. When written to him, they seem to indicate that he was either in jail or hiding. One of these is still preserved by a descendant, Mrs. Campbell Robertson. There is also preserved the fly leaf of a book which once belonged to Mrs. Orr. On it is written "Barbara Craufurd, Aught this book, Anne Lamont, Lady Auchinames."

The Craufurds of Auchinames were one of the oldest families in Scotland, and of the family a lengthy genealogy is given in Nisbet's "Heraldry" and also in "A General Description of the Shire of Renfrew," by George Crawfurd, Paisley, 1818.

Rev. Alexander Orr and Barbara Craufurd had issue (1) Rev. Alexander Orr, of Hazelside, of whom presently, (2) Archibald, born July 24, 1691, (3) Anne, mentioned in the letter stated above as preserved.

II. Rev. Alexander Orr, of Hazelside, eldest son, was born in the year 1686, and licensed by the Presbytery June 22, 1715. On June 5, 1717, he was ordained minister of Muirkirk, Ayrshire. Twelve years later he was called to Hoddan, was admitted and officiated there thirty-eight years, when he died June 19, 1767, in the eighty-first year of his age. He is buried at Hoddan (See Wodrow's Analecto, IV, 13.

He married Agnes Dalrymple, daughter of the laird of Waterside, who with her sisters, Elizabeth and Susan, respectively re-
The Family of Orr

...licts of William Murray of Murraythwaite and wife of Dugald Maxwell of Cowhill, became heirs of Waterside on the death of their only brother, William Dalrymple, in 1760. Mrs. Orr survived her brother but two months, dying on the 21st of May, 1760, in the sixty-third year of her age. Her family, the Dalrymples, was a very ancient family, being a branch of the Dalrymples of Ayr, earls of Stair, deriving their name from the Barony of Stair, and their connection with Waterside, in Dumfriesshire, goes back to Morrise Dalrymple, who in 1588 sat on an assize with one John Dalrymple of Stair.

Rev. Alexander Orr, of Waterside, and Agnes Dalrymple, his wife, had issue (1) Alexander of Waterside, eldest son and heir, born March 23, 1725. He was a writer to the signet and resided chiefly at Edinburgh. He married July 1, 1761, Elizabeth Cant, daughter of Ludovick Cant of Thurston and died in November, 1774, leaving issue (a) Col. Alexander Orr, of Waterside, born at Edinburgh April 8, 1764. He was a colonel in the East Indian service, married and left issue, (b) John, surgeon in the East Indian service, married and had children, (c) Elizabeth, born at Edinburgh June 3rd, 1762, married to John Balfour, (d) Agnes, (e) Louisa; (2) John, of Scotland and Virginia, of whom hereafter, (3) Patrick, born October 12, 1727, (4) William, (5) Agnes, married William Young, minister of Hutton and Corrie, and had descendants, (6) Barbara, born October 10, 1723, married Rev. John Craig, minister of Kirkpatrick-Fleming, and afterwards of Ruthwell; (7) Susan, married in 1768 her cousin William Murray, 2nd son of William Murray of Murraythwaite.

III. John Orr, second son of Rev. Alexander Orr of Waterside and Agnes Dalrymple, his wife, whose descendants male, if any, are now the representatives of this ancient family, was born July 25, 1726. He was a merchant first at Whitehaven and afterwards at Leedstown, in Virginia. He married Susannah Monroe Grayson, sixteen years old, daughter of Benjamin Grayson, of Virginia, and Susannah Monroe, his wife. She was a sister of Benjamin Grayson, Rev. Spence Grayson and the celebrated Col. William Grayson. He had issue (1) Alexander Dalrymple Orr, (2) Benjamin Grayson, (3) John Dalrymple, (4) William, and
daughters (5) Ann, (6) Eleanor, (7) Elizabeth, (8) Susanna. These are mentioned in a letter which he sent to his sister, Mrs. Young, dated at Loudoun Co., June 18th, 1788:

"I have sometime given over business and live a farmer and planter, as it is called; my estate is but small. My eldest son, Alexander Dalrymple Orr, about 23 years old, has been these five or six years in the western country and is making money fast; my 2nd son Benjamin, about 20 years old, is an apprentice to a merchant, and very promising; my 3rd son, John Dalrymple Orr, you must judge of him; my 4th William about six years old. My 1st daughter Ann married a Mr. Hugh Stewart, has children, in good business and making money; my 2nd daughter Eleanor, about 15 years old, my 3rd Elizabeth, about 8 years old, my 4th Susanna about four years old. As to my health and Mrs. Orr &c enquire of Jack, and am my Dear Sister, Your Affec brother and most ob. servant,

John Orr."

Arms: Matriculated for Alexander Orr of Waterside on the 2d of Dec. 1768:

Gules, three piles conjoined in point arg., within a bordure of the second, on a chief or a torteaux of the first, between two cross crosslets azure. Crest: Arg. cornucopia proper. Motto: Fortuna virtutii comes.

"A Few Old Families," McCall, Glasgow.

The Grayson manuscripts contain the following account of the children. (Contributed by Theodore J. Grayson, Esq., Philadelphia, Pa.):

(1) "Alexander Dalrymple Orr, who settled in Kentucky and was twice elected a member of Congress from that State. Mrs. John H. Flagg, of New York, a great-great-neice, has a very beautiful miniature of him with powdered hair, ruffles, &c.) He was born 6 Nov., 1761, m. Caroline Taylor, an Englishwoman.

(2) "Benjamin Grayson Orr was bred a merchant and was active and enterprising. He had large transactions with the Government as contractor for the North Western Army in the War
of 1812. After its close he settled in Washington and was mayor of that city from 1817 to 1819. He left no children.

(3) "John Dalrymple Orr, born 1771, was a physician, educated in Scotland (the Jack who bore the letter from J. O. to his sister of the Orr record). He married a daughter of Thomas Lee, a daughter of this marriage, Ellen, is (was) the wife of Gen. (Asa) Rogers, of Loudoun County, Va., and is (was) well remembered as one of the former belles of Washington. From this union are descended the Rev. Arthur Lee Kinsolving, of Baltimore, and Rt. Rev. Lucien Lee Kinsolving, Bishop of Brazil, and George Lee Rogers, and Laura Lee Rogers, of Plainfield, N. J.

(4) "Wm Grayson Orr married a Philadelphia lady and is believed to have left a son. Nellie Orr married Maj. Valentine Peers of the Revolution.

(7) "Betsey (Elizabeth) Orr married Levin Powell (Jr.), son of (Lt.) Col. Levin Powell, mentioned as an officer of Grayson's regiment in the Revolution. She left children, amongst whom are Alexander Powell, who resides in (Leesburg) Loudoun County" (this name incorrectly given). The children were, viz.:


2. Cuthbert Powell, b. 7 Jan., 1800; d. 6 Jan. 1826; m. Mary Emily, dau. of Cuthbert and Cath. (Sims) Powell, Llangollen, Loudoun Co., Va.


Levin Powell, Jr., died at the home of Col. Thos. Marshall, Maysville, Ky., 19 Sep., 1807. His widow afterwards married Gibson.

The Grayson MSS. further continues:

"The eldest daughter (Ann) of John Orr and Susan Monroe
Grayson married in 1778 Hugh Stewart, a Scotch merchant. They had the following children:

1. Susan M. Stewart, who married Jeremiah Williams, of Georgetown, D. C. They left no child.
2. Ann Stewart married Charles K. Carter, of Loudoun (Outland's Carters) and left a large family.
3. Wm. Montgomery Stewart, d.
4. Margaret Stewart m. John Ashton, left no children.
5. Richard Stewart d.
6. Archibald Stewart emigrated to South America supposed to have d.
9. Marion Stewart, who died in her 20th year in Washington, unmarried.
10. Arabella Stewart m. 1st a gentleman from Md., 2d John Magee, M. D., from N. Y. No children.

Wm. A. Powell and Lucy Peachy Lee had children, viz.:

3. Col. Daniel Lee Powell, b. 23 June 1826; d. 23 July 1871; m. Maria Louise Temple of Dundee, Hanover Co., Va., Dec. 21, 1848; founded Powell's Virginia Female Seminary, Richmond, Va.; issue: Ellen, m. James M. Ball, Richmond, Va.; Arthur, Thomas Temple, Lee.


5. Alfred Harrison, M. D., b. 18 Sep. 1830; d. 1904; m. 16 Sept. 1872, Cora H. Waring, of Mobile, Ala.; issue Cora B., Lucy Alexander m. James D. Evans; Ellen W. m. Rev. S. Hilton Orrick.

8. Lucy Lee, b. 23 July 1883; d. 19 Feb. 1875; m. Frederick Lloyd; no issue.


John Levin Powell & Maria Grady had issue:
1 Rosalie Dalrymple b. 28 Sep. 1830; m. Capt Hugh Rodgers of Loudoun County Va
2 Ann Eliza b. Dec 31, 1832; m. Rev. Henry H. Wyer
3 Edward Frances, b. 12 Jan. 1834
5 Sarah Jane, b. 15 Nov. 1839; m. 23 Apr 1868, Littleton Withers of Washington, D. C.

7. Walton Scott, b 24 May 1844.
8. Lucien Whitney b. 13 Dec 1846, m. Nannie Fitzhugh
9 Maria Louisa, b 26 Aug 1853, m. W D. Thomas, D D. Rich Va
THE DAMERONS OF ENGLAND AND VIRGINIA.

By Mrs. O. A. Keach.*

"There was anciently in Westerfield a family of Dameron," recites an old English manuscript history of "Suffolk Families" by Conder.

Furgeson, an authority on surnames, says Dameron is a French surname derived from a compound of the old German words *dam* (judgment) *run* (wisdom).

The ancient Flemish form of the name is Damerin, and the coat-of-arms is of Flemish origin. French spelling of the name is also Damerin.

There were many families of the name (variously spelled) seated in the county of Suffolk, England, as old records prove. Such records have been preserved in Conder’s *Manuscript History of Suffolk Families*, in the British Museum, Muskett’s *Suffolk Memorial Families*, and in the Public Records Office in London.

Damerons were seated at Henley, as the parish register shows, as early as 1440 and glimpses of three or four generations of this family are afforded in the following records.

Coddenham Parish Register, county, Suffolk—1555 Georgius Dameron Nupitur Elizabeth Gosnold XXX die Augustii.

Baptized 1556 Edmondus Dameron fil Georgii Dameron nat ultimo die Maii.

Edmund Dameron of Henley Hall gentleman, married, Margerie, daughter of Judge John Clenche of Cretinge, All Saints Parish, Co. Suffolk, about 1576.

From Henley Parish Reg.

Baptized:
1577—27th Feb. Margaret, Daughter, Edmund and Margaret Dameron (Buried 19 Oct. 1579)

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*The writer of this article states that she is much indebted for help to Mr. Chas. C. Browning and to Dr. Lyon G. Tyler.*
1580—3 July, Margaret, daughter Edmund and Margaret Dameron
1581—26 Sept. Edmund, son, Edmund and Margaret Dameron
1582—4 Nov. Sibil, Daughter, Edmund and Margaret Dameron
1584—24 Nov. Thomas, Son, Edmund and Margaret Dameron (died young)
1586—27 Feb. John, Son, " " " "
1588—16 Nov. Elizabeth, Dau. " " " "
1597—4 March—Anne, Dau. " " " "
1601—17 Nov. Thomas, Son, " " " "

On August 18, 1605, Edmund Dameron, the elder, was buried. Sible Dameron, daughter of Edmund, was the third wife of John Browning of Willisham Hall, gentleman.

Edmund Dameron born 1581, son and heir of Mr. Edmund Dameron, Sr. and Margerie Clenche, his wife, sold Henley Hall to Ralph Meadow, and removed to St. Matthew's Parish, Ipswich, county Suffolk.

He married 1st Elizabeth 161—2nd Anne 162—
Baptized—St. Matthew's parish, reg.

1613—6 March, Elizabeth, daughter, Edmund and Elizabeth Dameron
1614—19 March, Margerie, daughter, Edmund and Elizabeth Dameron
1617—7 Sept. Richard, son, Edmund and Elizabeth Dameron (Buried Oct. 22, 1623—Richard Dameron a young child)
1619—17 January, Anne, daughter of Edmund Dameron
1622—31 March, William, son of Edmund Dameron

This parish register shows that on November 17, 1605, Thomas Baule (Ball) M—Anne Dameron, widow.

The records of the ancient family of Westerfield Manor begin about fifty years later than those of Henley Hall.

Westerfield is a village two or three miles north of Ipswich, the capital city of county Suffolk, and was perhaps the principal seat of this numerous and widely scattered family.
From the similarity of Christian names, it would appear that the Virginia Damerons were probably of Westerfield descent.

The first Dameron of Westerfield of whom the writer has record, was designated "John Dameron, the eldest," and was buried according to the parish register, Sept. 14, 1548. Some years ago a London genealogist helped prepare the following Dameron pedigree.

John Dameron of Westerfield Manor (buried at Westerfield September 4, 1548) married Joan, Daughter of Richard Mynter. (1563 the XX day of Jan. was buried. Old Joan, Lady of Westerfield which was the daughter of Richard Mynter)
The son and heir was John the younger. It is probable that Mr. William Dameron" church warden, 1553, and who was buried Mch. 1, 1558, Lawrence buried 13 Jan. 1588, and George d. 1565, were sons of the older John. John, the younger, married 1st Joan Goodwin, daughter of John Goodwin of Kesgrove. She was buried October 30, 1552.

He married 2nd Margaret, dau. of Thomas Felton of Playford, Esq. She was buried May 5, 1600.

The issue of John Dameron, the younger, gentleman, from Westerfield parish register.

Baptized
1539—May 6—Katherine, dau. John Dameron, the younger.
1541—Mch. 21—John, son of “ “ “ “
(Buried May 5, 1545.)
1544—Mch 30—Elizabeth, Dau. John Dameron, the younger
1547—Dec. 18—Thomas, son “ “ “ “
1558—June 27—Sible, “ “ “ “
1561—April 30—Thomas, sonne of Margaret & Thomas Dameron

The third John Dameron, gentleman, son and heir of John Dameron, the younger, married Margaret ———— about 1660. They had a daughter, Joan. He died Feb. 7, 1596 and was buried Feb. 9.
Margaret, wife of John Dameron, was buried May 5, 1600 (parish register) Conder, in his history of Suffolk Families (Ms. in British Museum) states "The last of that name, a gentleman of 500 pounds or 600 pounds a year had an only daughter — whom he married to Collett and to their children left his estate. — Thus Joan Dameron, daughter of John Dameron, of Westerfield Manor, gentleman, married John Collett Nov. 1577 (Parish register).

In 1667 — Bridget Collett devised land etc. "for schooling the poor" of the village of Westerfield near Ipswich, and April 5, 1675 at a parish church meeting at Westerfield it was arranged how Mrs. Bridget Collett's gift to the parish should be used. Among those present were Mr. Anthony Collett, her executor, and Mr. Samuel Collett, her brother-in-law.

Page's "Suffolk Traveler" concludes this history in the following paragraph — "In 1596, this lordship (of Westerfield) belonged to John Dameron; who devised the same to Anthony Collett, his grandson, and on 1802 Henry Collett, of this parish, esq. died here in his 78th year. He had filled the office of clerk of the peace for this county for upwards of fifty years."

The Church claimed at least one Dameron for in 1534 Mch, 16, a mandate was issued by the Arch-bishop of Suffolk, to Walton Vicarage, Edward Mitchell, rector of Trembly St. Marie, and Robert Dameron, priest, to induct one John Dalton.

There is a long list of Dameron deeds and wills among the Rushmere or Rushworth deeds in the British Museum. The will of John Dameron of Rushmer devises his lands purchased of Sir Robert and Richard Brooke, called Townfield, to his wife, Katherine for life and then to his sons, John, Thomas, and Robert. He mentions his daughter Margaret, wife of John Smith, and his unmarried daughters, Alice, Mary, Frances and Elizabeth.

The will of Bartholomew Dameron de Beeches was proved at Ipswich in Will Book 1554-57. The parish register of Little Bealings shows that Thomas Dameron was buried there April 21, 1545. Lawrence Dameron was buried in Westerfield parish Jan. 13, 1558 and George Dameron July 27, 1559.

The glimpses of an old church loving, land owning English
family seem to show the life of the family merely extended into a new English setting when Lawrence Dameron moved to Virginia. There is in the history of the Virginia family a sense of continuation of habits and traditions, rather than a violent breaking off of accustomed ways. It was moving to an over-seas parish, instead of to a new parish in Suffolk, and Northumberland on the "Great Bay," facing the wide expanse of Eastern waters, was not so different in situation from the Suffolk country, with its long North Sea coast line.

(To be continued.)

MARRIAGE BONDS IN HALIFAX CO. VA.

Communicated by Mrs. Wirt Johnston Carrington.

1754—M. Wade—to M. Hunt,
1755—William Williams—to Lucy Terry,
1756—John Gordon—to Isabel Lawson,
1757—Joseph Bays—to Ann Robertson,
1758—William Lawson,—to Jane Banks,
1758—John Armstrong—to Margaret Boyd, (Widow)
1756—James Nowell—to Mary Spraggins,
1758—Alexander Roberts—to Martha Smith,
1759,—William Stokes—to Sarah Wade,
1760—George Boyd—to Wilmoth Irby,
1761—Charles Wade—to Isabel Boyd.
1761—Nathaniel Spraggins—to Tabitha Finch,
1762—Absolom Bostick—to Bethnia Perkins,
1762—William Womack—to Mary Allen,
1778—John Lawson Sr—to Martha Bates,
1782—Daniel Bates—to Jane Snelson, (dau. of Charles Snelson)
1782—David Bates—to Drusilla Echols,
1789—Charles Bates—to Mary Martin,
1789—Presley Dodson—to Elizabeth Bates.
1790—Samuel Bates to Biddy East,
1790—Philip Vaughan—to Sarah Fleming Bates,
1791—Fleming Bates—to Peggy Milliner,
1790—Thomas Dodsan—to Chloe Bates,
1797—John Pemberton—to Elizabeth Fisher,
1797—Joseph Pulliam—to Agnes Brandon,
1797—William Walton—to Elizabeth Terry,
1795—William Allen—to Susannah Elizabeth Echols—(dau of John Echols)
1782—Byrd Prewett—to Sarah Hurt,
1786—James Hurt—to Elizabeth Morris,
1775, James Hill to Sarah Williams, (dau of John Williams,)
1775 John Irwine to Elizabeth Lawson (Spinster)
1778 Robert Easley to Winefred Dixon,
1779 Lettuce Wade to Charles Edwards,
1789 Ambrose Hart to Mary Owen,
1782, Moza Hurt to Phebe Mann, (Signed M. Hurt & Phil Hurt)
1782 James Hurt to Agnes Harrison (Widow) (Witnesses Moza Hurt & Phebe H)
1780 Thomas Watkins to Mary Tuck,
1780 Thomas Towns to Sally Wade, (dau of Stephen Wade)
1780, David Wade to Isbell Smith,
1780 John Guinn to Jeane Wade, (dau. of John Wade,)
1781 John Rice—to Elizabeth Hundley,
1782—Elisha Palmer—to N. Legrand,
1788 Richard Booker—to Elizabeth Moon,
1788—Isaac Tynes—to Mary Cheatham,
1789—James Baird,—to Sarah Wade,
1789—Benjamine Rogers—to Nancy Hill.
1785,—Shields Booker to Annie Pride,
1793, Benjamine Posey,—to Susannah Easley,
1793, Leonard Cheatham—to Letty Edwards,
1791, Elijah Palmer—to Anne Rebeckah Dobson,
1795, Drury Palmer to Mary Faulkner,
1798—Stephen Clements—to Susannah Palmer,
1798—John Covington,—Susannah Thompson,
1797 Ambrose Cobbs—to Susannah Bradley,
1797—James Chalmers to S. Watkins,
1797—Benjamine F. Chiles—to Betsy Faulkner,
1797,—Abraham China—to Mary Cheatham,
1788—James Bates—to Susannah Wit,
1769—Benjamine Boxley to Tibitha Irby,—
1762—John Chapman,—to Sally Williams,
1763, James LeGrand—Gent; to Betsy Wade, (Dau. of Hampton Wade,)
1763—John Wall—to Ursula Bates,
1786, Joseph Kirby to Orpha Anderson, (By Hawkins Landrum)
1774—Haynes Morgan—to M. Thompson,
1776—Nicholas Lewis—to Elizabeth Meriweather,
1773—Thomas Johnson to Penelope Hardwick,
1773—Samuel Hoskins, to Susannah Watkins,
1772—Josiah Mann—to Milly ————
1773—Johnson Mc Daniel,—to Elizabeth Mayberry Cobb,
1773—William Simms—to Cuzzy East,
1770—William Todd,—to Phebe Farguson,
1776—David Boyd to Elizabeth Wiley,
1771 Benjamine Lankford, to Henrica Booker, (Widow)
1770—Richard Booker—to Elizabeth Palmer,
1778—Michael Prewett—to Mary Thurston,
1778 Stephen Dixon to Nancy Edmunds,
1779 Joseph Gholson to Frankie Waddell, (dau of Noel Waddell)
1770 Epaphroditas Sydnor,—to Alice Milner
1772—Nicholas Hobson to Jane Hobson,
1772 William Wade to Miss Bord (illegible)
1772 William Davis to Susannah Wells,
1773, Harrison Irby to Mary Irby,
1773 Parham Booker to Frances Martin, (Spinster) (Signed
Parham Booker, Thomas Youille, Gent;)
1773 Andrew Torian to Sarah Coner,
1774 John Wooding to Sucky Hill, (dau of Elizabeth Hill)
1775 John Chandler to Caty Tunstall, (dau. of John P. Tunstall)
1780—Esau Cole—to Nancy Yates,
1769—Joshua Irby—to Mary Hopkins.
1764—William Satterwhite—to Milly Dunn,
1784—Allen Wade—to Polly Boxley, (dau of Benjamine Boxley)  
1794—William Yuill—to Sally Throckmorton,  
1796—Seth Ward—to Peggy Cobbs,  
1796—Matthew Simms—to Polly Mann,  
1796—John Mann—to Letty Sims,  
1796—Frederick Chandler—to Isbell Seeemster,  
1799—Thomas Connaly—to Susannah Ball, (Signed by Carter Ball)  
1799—Amos Seay—to Polly Majors, (dau of Phil Majors)  
1799—John Nichols to Patsy Chandler, (dau of Henry Chandler)  
1798—Robert Wade—to Elizabeth Bennett,  
1798 Bannister Wade—to Patsy Terry,  
1798—Herbert C. Cocke—to Sally Roberts, (Mr. William Thompson, guardian of Herbert Cocke, & William Roberts guardian of Sally R)  
1798—Richard Ball—to Susannah Adams,  
1798—Anderson Hurst,—to Elizabeth Pointer—(dau of Samuel Pointer, Sr.)  
1785—Horatio Wade to Sally Wyatt,  
1785—Edmund Wade—to Tibitha Wyatt,  
1792—James Pinson—to Sarah Dupry,  
1789—John Fergerson,—to Sarah Anderson,  
1791—Daniel Earle—to Edith Anderson,  
1792—Thomas Anderson—to Polly Haley,  
1790—Mordica Burgess—to Mr. Brandon,  
1799—Joseph Boxley—to Susannah Boyd,  
1799—Jacob Lowry,—to Patsy Gholston,  
1793—Ezekiel Matthews—to S. Cumbo,  
1798—Moses Palmer—to Frankie Vaughan,  
1786—Philemon Majors—to Elizabeth Chandler,  
1790,—William Chenault—to Margaret Mann,  
1770—Oct. 28—You have herewith my consent to grant license to Mr Richard Marott Booker—to be married to Miss Eliza Palmer, (orphan daughter of John Palmer—deceased)—I am Sir; your very humble servant Thomas Yuille,
1790—William Trammell—to Will Yeates,
1790—License from Sarah Chalmers,—for her daughter Deliley Chalmers (she being under age) to marry George Walton,
1790—Andrew Wade—to Sarah Petty,
1790—Thomas Owen—to Mary Annie Chandler,
1790,—Jubal Early—to—Polly Cheatham? (dau of Leonard Cheatham.
1791—Obediah Echols—to Lucy A. Jones,
1791—John Palmer—to Mary Jones,
1791—Daniel Easly—to Edith Anderson,
1791—"This is to certify, that I Sally Malone have consented to be married, to Larkin Gravell,—I am of Lawful age, and am mighty willing"

I am & & Sally Malone,

To the Clerk of Halifax County,
1791—Patrick Boyd—to Jane Wade,
1791—Nathaniel Jones to Judith Pointer,
"This is license to let Mr. Nathaniel Jones—marry my daughter, Judith Shewart Pointer," Samuel Pointer;"
1792—Matthew Bates—to Judah Earle,
1769—John Greenwood—to Ann Bates,
1786—Robert Wade—to Sally Boyd, (dau of George Boyd)
1792—"I am willing to accept of Ed Eastham for a Husband, in Consequence of which the Clerk of Halifax, will please issue, a License"

Chris-Chany Chandler"

1792—William Chandler—to Betsy Roberts,
1792—Thomas Roberts—to Diana Chandler,
Nov 12—1789—Sarah Wade to James Baird,
March 11—1784, Allen Wade to Polly Boxley,
March 17 1780, Sally Wade (dau of Stephen Wade to Thomas Townes,
Oct 30, 1780—David Wade to Isbell Smith,
Oct 30—1780,—Jean (dau of John Wade) to John Gwinn,
Signed by David Wade.

May, 26, 1798 Robert Wade to Elizabeth Bennett,
May 26 1798—Banister Wade to Patsy Terry,
Dec 14, 1785, Horatio Wade to Sarah Wyatt,
July 23, 1798, Elizabeth Pointer, (dau of Samuel Pointer Sr,) to Anderson J. Hurst.
March 10 1785 Luke Wade (of Charlotte Co) to Martha Stanley, Wit; Robert Wade.
Dec 14, 1785, Edmund Wade to Tibitha Wyatt,
April 30—1779, Lettice Wade, to Charles Edwards,
March 19—1772, William Wade to Miss Bord, (illegible)
Dec 3, 1791, Jane Wade to Patrick Boyd, (Wit; Charles Wade,
Sept 20—1791—Judith Pointer to Nathaniel Jones,
“This is license that my daughter Judith Shewart Pointer,
marry Mr Nathaniel Jones” Signed Samuel Pointer.
Jan. 8—1786,—Robert Wade to Sarah Boyd,
April 28—1790, Robert Wade to Sarah Vaughan,
Nov, 22—1790—Andrew Wade to Sarah Petty,
Oct 6,—1801, Hampton Wade Jr to Sally Smith,
March 24,—1806,—Henry Wade, to Bettie Stone,
Feb, 10—1802, Charles Wade to Polly Nichols,
July 23—1804, William Pointer to Jane Howerton, (Wit Wm
& Henry Pointer
Dec 12, 1803, Polly Wade (dau of Hampton Wade) to William
Burton,
Nov 17 1800—William Wade to to Nancy Enroughty,
April 19—1759 Sarah Wade to William Stokes,
March 9—1754 M. Wade to M. Hunt,
May 15—1753—Elizabeth Wade to Nathaniel Hunt,
Sept 11 1807, Peter Wade to Betsy Jones Wortham,
June 8—1807, Hampton Wade, Jr., to Elizabeth Wade,
Jan 22 1810 Henry Wade to Mary Walne.
May 29—1812, John Wade to Elizabeth Hobson,
June 13, 1827, Daniel F. Wade to Elizabeth Pointer, (By John
Britton)
Sept 6—1830,—Henry Wade to Sarah Nelson,
Dec 29—1823,—Benjamine Wade to Sarah Boxley,
April 2, 1817, Martha H. Pointer to John Barnett,
Nov 17—1817, Thomas Pointer to Mary Vaughan.
To John Hatley Norton.

Gould Sqr. Febry. 13th, 1773.

Dear Brother,

Since your kind letter I have enjoy'd a good deal of pleasure. My Father's new ship was launch'd last Monday. We all went except my Mother & my poor Brother. I was mightily pleased having never seen one before. She is named the London which was very applicable, the other being called the Virginia. We were very merry & had a dance in the afternoon. Mr. Turner was God Father thus have I given you an account of that Days Transactions. Poor Harry still continues in the same melancholy way My Aunt & Uncle Turner are just gone from our house, they show'd us yours & my sisters letters. My Aunt thinks it odd you have not wrote to my Uncle Turner but hope you will soon or perhaps they may be affronted. My Uncle Fludger is quite recovered from his illness & is looked upon as a well man. The Queen is brought to bed more children for the Parish. I am to begin musick as soon as Capt. Esten is gone for I am sure there will be noise enough to stun one before we get clear of him. It is a very agreeable entertainment. Hope to make a great progress in it having a good Ear & being very fond of it. There has been a duel fought lately between Lord Townshend & Lord Bellamont the latter was wounded but is in a fair way of recovery. This is the news current in our great city the plays operas & other amusements as usual. Indeed we have not frequented them much having had a very dull winter. My Father Mother & the family join me in love to you & my sister & compts. to all Enqrq. Fds.

I remain dear Brother with love & esteem for you & yours
Your dutiful & Affectionate Sister,

Frances Norton.


Answd.

To John Hatley Norton.

My Dear Brother.

I have troubled Mr. Harrison with this letter who has promised me he will deliver it you. I am afraid something has happen'd to you or you would not have been so long since you wrote me last, as I have sent several letters by the different Captains but never receiving any answers. I fear they must have forgot to deliver them pray my
kind love to my sister hope she has not forgot she has friends in
England as I think we have not heard from her for some time. I
believe all her letters were answered at least I can answer for myself.
We drive the Putney stage every week. Your acquaintance there
desire to be remembered to you they still remain single. It is very
unkind no good gentleman will take pitty on them and now is the
only time for they are pretty far advanced in years. I am glad to
hear of Captain Esten's arrival in Virginia along with the statue,*
hope it will give satisfaction as it met with the highest commenda-
tions in England pray if you see the gentlemen that came in Captain
Esten remember them of their promises to us if you will show them
this part they will know what it means. Your brother Williamson
as we call him, alias Sr. Toby Furz, is to dine with us today as he
need not go to the expence at an eating house & something that is
still better is that his chimney is pulled down therefore cannot dress
his Victualls at home and while there is Jack Norton in London
he can come and do as he pleases which is what he delights in, such
as finding fault with the cooking scolding the cook and many other
trifles but what I wonder at is he never loses his stomach as the
things are generally so bad, I can compare him to nothing that suits
him so well as an opossum which has got a false Belly as I cannot
imagine where he stuffs it all, he fumes his nose over the tea pot
which is not very genteel at a Tea Table but that is only when he has
got a cold.

Mr. & Mrs. Frere are gone down to the country to their Fathers
to spend some time. Mr. & Mrs. Hatley and all the family are well.
Mr. Pelham desires his compts. to you.

We all join in love to you my sister and all friends. And remain
Your Affectionate Sister,

Frances Norton.

Gould Sqr., July the 1st, 1773.

I have not wrote the latter part of my letter so well my pen being
very bad.

F. N.

Addressed “To John Hatley Norton, Esq., Merchant in York Town,
Virginia”

Favor of Mr. Harrison.

On Back.


*The statue of Lord Botetourt.
Dear Brother.

It is some considerable time since I wrote you or have rec'd any of your favors. Within these few days I have been happy enough to hear from you pr. the Nancy Capt. Barron. I have in consequence of your desire & advice of effects being shiped in the Lightfoot, deliver'd out your original order for Colo. Munford's Post Chariot which my father now consents to have shipped; it will require a month's time to compleat the same, which when finished shall be sent pr. a James River Ship & landed where you direct. I am glad to hear that all the outward bound Spring Ships are safe arrived in Harbour & H. E. among the number. I expect to leave town very shortly for Roydon (where my cousin J. F. & family at present are) I promise myself such pleasure in paying this visit, you can't be acquainted with the warm reception that they manifest to their guests in general, & particularly to the most distant branch of the Norton family. Pray give my kind love to my sister & tell her I much wish to have answers to my last letters wrote her, & assure her as I likewise do yourself that I remain,

Your affect. Brother

Geo. F. Norton.

P. S. All the family are well and desire their love.
Mr. John H. Norton.

Addressed to "Mr. John Hatley Norton, Merchant, York Town, Virginia."

On Back.


To John Hatley Norton.


My Dear Brother.

I imagine Capt. Esten will sail now in a week or 2—therefore could not forbear writing although I had not the pleasure of hearing from you by him, but expect it by Capt. Robertson indeed it is not to be supposed that gentlemen in business can be so much at leisure as to write by every ship however I do not intend to be very ceremonious, therefore shall now proceed to give you some account of our worthy acquaintances Mr. & Mrs. Fairfax with whom we have been every day since they came to London we being so lucky to get them lodgings next door to us we have been with them to the play at which we were very well entertain'ed. Mr. Corbin is gone to night again to the play with Mr. Ballandine Mr. Fairfax being willing he should par-
take as much of the pleasures of the town as is possible before he goes into Yorkshire. Tomorrow we go to see a most magnificent bed that is working for her Majesty & I make not the least doubt but Mrs. Fairfax will be highly delighted she being a true Virginian in regard to work & every thing else that qualifies an agreeable lady which she is truly versed in. My Uncle & Aunt Turner were at our house today & were ten years younger for their journey to Norfolk.

We all join in love to my sister & yourself, I remain
Your affectionate sister
Frances Norton.


On Back.
March 74

To John Hatley Norton.

My Dr. Brother.

I am now to thank you for your kind letter by Mr. Jones. Am glad to hear my niece grows so finely. Have sent her a set of small china for her amusement. My mother has sent her a cap but fear it is too large for her head though that may be easily rectified by my sister taking it in behind. I hear Billy Reynolds has enter'd the Matrimonial list. Make no doubt of his being very happy as I believe him to be a very good young man. Mr. Rogers goes out to India in 3 weeks or a month. He seems much delighted with his voyage to Virginia & only wishes he could return in Cap. Esten. Mr. Jones* has waited on the Bishop of London who acquainted him he could not ordain him before the general order which will be next month. It is a great disappointment to him he being very desirous of returning in Cap. Esten. Mr. & Mrs. Fairfax are well in York. Mr. Corbin† goes to school at Canterbury. Mr. Williamson is well as particular in his eating as when you left him. He sets out in a fortnight for Norfolk, his usual winter residence. Mr. & Mrs. Frere are well & have 4 fine children 3 boys & a girl. Poor Mr. Jones the linen draper departed this life this morning, supposed to have been owing to the gout in his stomach. He has been in a bad state of health for some time past. I saw Mr. Wellford the other day. He inquired very kindly after you. He is married & has one child. Pray my kind love to my sister.

*Rev. Emanuel Jones of Virginia.

†Francis Corbin, who served in the Convention of 1788 and for many years in the Legislature.
Hope she continues well. We are all well. My brother Harry is much better. Thank God he has had a longer interval from his fits than he has had for 2 or 3 years past, but how long it will continue I am not able to say. Pray remember me to all good frds. & believe me to be your
Affectionate Sister,

F. Norton.

Addressed "To Mr. J. H. Norton, Mercht. York Town, Virginia."
by favor of Cap. Esten.


_John Hatley Norton._

Dear Sir:

I have just time to inform you of my safe arrival in ye Harbour of New York after a Passage of 8 weeks. I little expected that an Engagement at Sea was to be my Fate, yet we had one of an Hour and an 1/2. We were daily chased after we left Bermudas; Exclusive of Accidents of this Kind, ye voyage was tolerably agreeable, tho' 8 weeks' Durance vile little suited with my Constitution.

I have had ye Honour of being most politely received by General Howe—and am now preparing for my Departure from this Place.

I can not give you any Intelligence so particular as you probably receive from the Publick. An Independency is however certainly declared. All Possibility of Treaty is therefore at an End. The die is cast, and arms, Alas! must terminate ye Dispute.

New York is fortifyed—but I have not been able to hear anything very particular.

I beg my best Respects and sincere Esteem may be presented to Mrs. Norton & Family—I sh'd have written to a Lady to whom I am so highly indebted, and who claims of me ye warmest Esteem & Affection; but have scarcely time to write thus far. I will not however willingly renounce a Correspondence which wou'd do me so much Honour as well as afford the greatest Happiness.

Believe me to be with the sincerest Esteem both yours and their
Obliged & Friendly Servt.

J. Madison.*

New Y. Harbour
July 30th, 1776.
I c'd bring over no Letters.
Addressed to John Norton Esqr., Gould Square, Crouchet Friars,
London.

*Rev. James Madison, afterwards in 1777 President of William and Mary College.
My dear Sir:

Yesterday after noon Mr. Lewis,† Courtenay and Nancy set off for Virginia. He bought a coachee, and had his own horses from home. They traveled in the stile of ancient Virginia Nabobship.

They have left many accounts, for which I stand answerable; and yesterday after noon was obliged to pay one of £42—odd shillings. What the deficiency of your money will be, I cannot tell; but it will not be far short of £100 Va. Currency. You know, that I have no command of cash; or I would not mention the subject to you. But I shall really be distressed to make up the engagements—Can you forward me 200 dollars?

Yrs affecty

E. R.
(Edmund Randolph)

To Bushrod Washington.

Richmond March 27th

My Dear Sir.

I have a nephew a son of Major Taylor who is at school in Kentucky under the direction of my brother Doctor Marshall. He has written to me for some books which I cannot procure here & which if I had them could not without much difficulty be conveyed from this place. I take the liberty to ask the favor of you to purchase them for me in Philadelphia & leave them with the bookseller packed up to be delivered to the order of Doctor Marshall. The books I wish to purchase are Terence & Livy in Latin, Longinus, Thucydides & Demosthenes in Greek; also Xenophons retreat of the 10,000. Be so good as to send the booksellers receipt for the money, as it is to be inserted in an executors account. Should the inclosed be insufficient I will immediately remit the residue. I will thank you also to pay Delaplain four dollars for me & take his receipt for the same for the last half volume. I believe it is the third.

Great dissatisfaction has been given to the politicians of Virginia by our opinion on the bank question. They have no objection to a decision in favor of the bank, since the good patriots who administer

†Warner Lewis married Courtenay Norton, daughter of John Hatley Norton.
the government wished it, & would probably have been seriously of-
fended with us had we dared to have decided otherwise, but they re-
quired an obsequious, silent opinion without reason. That would
have been satisfactory, but our heretical reasoning is pronounced
most damnable. We shall be denounced bitterly in the papers & as
not a word will be said on the other side we shall be undoubtly con-
demned as a pack of consolidating aristocrats. The legislature &
executive who have enacted the law but who have power & places
to bestow will escape with impunity, while the poor court who have
nothing to give & of whom nobody is afraid, bears all the obloquy
of the measure.

We are in great distress here for money. Many of our merchants
stop—a thing which was long unknown & was totally unexpected in
Richmond.

Farewell, I am dear Sir,


On Back.
Carpenter Street.

(To be continued.)

LEE'S RETREAT, 1865.

Hon. Lyon G. Tyler,
Editor Tyler's Quarterly.
Sir:

The very interesting letter from my good friend and former phy-
sician, Dr. Evans, published in your January issue, recalled vividly
to my mind the stirring events of April, 1865.

Immediately after the evacuation of Richmond and Petersburg,
the most alarming rumors preceded our army, as the citizens greatly
feared a repetition of the horrors and devastations by Sherman in
Georgia and Sheridan in the Valley. Provisions and valuables were
hurriedly buried or hid away and every possible precaution taken
to save what was left after a four years' struggle. Our home was
on "Winterham" farm, three miles from Amelia Court House, and a
little off of the line of General Lee's retreat, but we were soon over-
run by our half starved soldiers, who had eaten little or nothing for
several days. "Aunt Prudence," our good old cook, worked faithfully
day and night until entirely exhausted; when the boys were furnished with salt, and corn meal and told to help themselves.

Every variety of opinion was expressed, some thought the cause was lost, others were confident that it was a strategic move on General Lee's part and that we would eventually be successful. During the confusion and discussion, a loud report, made by the blowing up of a large quantity of ammunition at the Court House caused a general scatteration, and most of the Soldiers hurried on to rejoin the army.

Among them was my brother, Eugene C. Jefferson, a member of the Otey Battery, who had been detailed by his Captain to hunt for provisions. Being unable to rejoin his comrades, he mounted one of our fine horses and went along with Lieutenant George J. Hundley's Cavalry Company. Among my most cherished papers, is a letter from Judge Hundley telling of his gallant conduct at High Bridge.

The day after the explosion, ambulances began to bring in the worst wounded soldiers, and after short prayers by their faithful Chaplains, they were left to die at different farm houses. Straggling and broken down soldiers continued to come. About noon, the cry was raised the "Yankees are coming," and we saw a detachment of about thirty cavalrymen galloping down the road at a full run. The gallant Lieutenant in command, had captured a long neck gander from the widow Quinn at the Court House and carried it swinging to his saddle.

We had fully as many Confederates in our yard, with a good many muskets, but under the circumstances, as Lee's army had gone on, discretion was the better part of valor. Some ran to the woods and garden, some took to bed with the wounded, and others were captured. My Uncle, Garland Jefferson, and myself constituted ourselves a self-appointed reception committee. Standing at the front door, he pointed to the yellow hospital flag over the building, and was told that it would be respected.

The Lieutenant snatched his new felt hat from his head and exchanged his army brogans for my uncle's nice calf-skin boots. The soldiers then searched our buildings, found a few eggs and other provisions, including perhaps a small quantity of medical spirits, and went on their way. We were greatly relieved to see them move off, but were, of course, sorry to see a number of prisoners carried away.

I have been in a good many dangerous positions at different times, but don't think I was ever as scared in my life as on this occasion, and these eventful days made a very lasting impression upon my youthful memory.

George C. Jefferson.

Richmond, Virginia,
April 20th, 1922.
WAS THE ABOLITION OF SLAVERY AN EVIL TO THE SOUTH?

That the South did not keep up with the North in material prosperity from 1810 to 1860 goes without saying. Northern writers have delighted in publishing statistics on this point. The single cause in their minds was slavery. It was always that and nothing else!

But what do statistics tell now after a greater lapse of time, since the war of 1861-65, whereby the negroes obtained their freedom. The destruction of property in the South was immense, but France recovered from the war of 1870 in an amazingly short time, and under ordinary conditions the South ought long ago to have entered on a period of prosperity. The statistics do not show that the abolition of slavery, whatever its moral character, was a financial blessing to the South, as was predicted in the North.

The census of 1860 shows that the eleven Southern States that actually seceded had in property of all kinds, omitting the value of negroes, $2,615,750,830. The same year the eighteen Northern States that fought them had $6,621,699,797.

Maryland, West Virginia, Kentucky and Missouri are not counted on either side.

In 1912 the census shows that the same eleven Southern States had $8,073,986,366 and that the same eighteen Northern States had $51,143,451,461.

In 1860 the Northern States were 2 1/2 times as wealthy as the Southern States, and in 1912 they were nearly 6 1-3 times as wealthy. It follows that the South is relatively far poorer than she was in 1860.

The figures for the South are not really as favorable as represented. The great wealth of Texas should be subtracted, as in 1860 she held a similar relation to the Confederacy as the great Western territory, whose wealth I have omitted from my calculations, held to the North. This subtraction would greatly increase the disparity between the two sections.

Northern writers do not like to mention these figures, for their favorite theme of reproach to the South might receive a setback. Southern writers see no good in publishing them, for the fear of their effect upon capital and labor.

But that is no reason why the historian should not state them. It is his duty.

The real reason which made the South fall behind the North from 1810 to 1860 was (1) the existence of two races in the South impossible of assimilation; (2) the vast immigration of the most hardy blood of
Europe to the North; (3) the laws of the Federal government, which favored the North and injured the South—especially the tariff law. These differences exist today as sharply as they did in 1860, and to these is added the abolition of slavery.

Now just here a word. However immoral slavery may have been, and however unwilling the people of the South would be to see it restored, the material results of the system are independent of both. Slavery had one great advantage over present conditions. It was an organized system. In view of the fact that the example of Germany, a highly organized country before the World War, shows that the greatest military and industrial developments are not incompatible with a very limited freedom in the citizen, no one can be certain that slavery of the Africans in the South would not be a more productive condition than their freedom, especially as long as they remain congested as they are in the South, and race distinctions and race subordination are thereby perpetuated.

There is only one remedy, diffusion of the negroes throughout the United States. There is some hope in the fact that Pennsylvania has now more negroes than Maryland.

WRITS OF ASSISTANCE.

In the last issue of this magazine, there was an article on General Warrants, in which it was argued that too much importance in our histories was given to Otis' stand on Writs of Assistance. His speech had no such contemporary importance, and the contrary idea is due entirely to the vehement testimony of John Adams, when many years later his jealousy was aroused by the prominence given to Patrick Henry by William Wirt.

That this view is a correct one is confirmed by the action of the Connecticut Committee of Correspondence in 1774. In that year the question of the legality of such writs came up before the Supreme Court of that colony. But instead of applying for advice to their neighbor (Massachusetts) or being controlled by the example of Mr. Otis, they addressed a letter of enquiry to the Committee of Correspondence of Virginia. The answer of this committee was that by direction of the commissioners of the customs in Boston, two applications for the issuance of such writs had been made to the General Court of the colony—one in the year 1769 and the other in the year 1773,—and that both applications had been overruled as contrary to the very English Statutes on which reliance was laid.

As to the practice of the Court of Exchequer in England in issu-
ing such writs, the Virginia Committee declared to the Connecticuters, that the courts of America were not bound to follow its example in a matter so dangerous. They added: "The position that they (these writs) are founded on the Common Law is entirely new, as we know of no ancient laws and customs that gave officers of the Customs a right to enter houses, sheds and cellars, to break open doors, &c." (Journal of the House of Burgesses, 1773-1776, 135-137.)

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QUERIES.

HEATH.—Miss Heath married James Carroll, she may have been married before as we have two reports, both saying she was previously married. One says her first husband was Hogan and the other says Smith.

James Carroll and his wife, Miss Heath, had a daughter, Cynthia, born in 1774 at Manassas, near Bull Run battle field. Cynthia married March 12, 1793, in Harrison County (now West Virginia) William Haymond, Jr.

The Heath who married James Carroll is said to be a relative (and perhaps an aunt) of James E. Heath, who was one time Auditor of Virginia. Can any one help us on either the Heath or Carroll lines? —E. R. Harlan, A. M., Curator, Historical Department of Iowa, Des Moines, Iowa.

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BOOK REVIEWS.

(Communicated.)

"Clan Ewing of Scotland."

Within the last few weeks there came from the press of Cobden Publishing Company, Ballston, Virginia, a notable contribution to American genealogy, "Clan Ewing of Scotland: Early History and Contribution to America." The author is Major E. W. R. Ewing, a Virginian, a veteran of our war with Spain, the son of a Confederate soldier, and for many years historian-in-chief of the Sons of Confederate Veterans; and an author of happy reputation. Widely read people in the South will recall him as the author of "The Legal and Historical Status of the Dred Scott Decision," a work which rescues
that great case from the abuse and misrepresentation of most Northern writers; and of which, to cite a few of many similar appraisements, Prof. Dabney, of the University of Virginia, said: "It should make the whole State of Virginia proud of its author"; and Judge Pearce, of the Maryland Court of Appeals: "This work is a great contribution to the legal literature of the country." An earlier work of the author was "Northern Rebellion and Southern Secession," which is said to have been quite as happily received by the scholars of the South particularly, and which contains an original contribution to the history of the causes of secession in the nature of a careful history of the "Kansas War" in 1856 and what the author points out as the widespread rebellion on the part of the North in aiding that great disturbance backed by actual armed force by a dangerous Northern faction. Then came a history and legal examination of the famous Hayes-Tilden contest over the election of 1876, which is a timely work for its light upon the sovereignty of the State and the limitation of the Federal Government. But we have no space here to notice more of Major Ewing's works other than the genealogy now before us.

The author brings his trained able pen to good account not only in the interest of the clan descendants of whom he writes but the work is illuminating and valuable for its light, mainly from original sources, upon the first real expansion of English speaking America. In the dim light of prehistoric Scotland his clan is first seen the founders rulers of the old Strathclyde kingdom, Cets of Wesh ancestry, destined to be overrun by the hordes of Saxons, from which the resultant virile and alert mixture of Celto-Teutonic that has contributed so surprisingly to American progress. The chapters on pre—and early Scotland are interesting and show much careful research on the part of Doctor Ewing. This historical sketch is of general interest and the origin of the family name and of the clan and what is found in the early records regarding individual members, including the founding of Glasgow Cathedral by Bishop Ewen, an early form of the Ewing name, 500 to 570 A. D., will surely appeal with much force to the living descendants of the historic old clan.

Most of the American Ewings, who began to come to this country about 1725, came from Ulster, Ireland, to which their fathers went from Scotland during the dangerous days of the Covenanters, with whom the Ewings of Scotland actively affiliated. The author in this connection gives an illuminating outline of the planting of Ulster by the Scotch,—and it was that "plantation" which gave rise to the fight between the Protestants of Ulster and the Roman Catholics of Southern Ireland, who had, in the main, been displaced, unjustly the author points out, by the Protestants. Then came the historic siege of Londonderry in 1689, in which members of the family in Ireland partici-
pated with the Protestants; culminating at the battle of the Boyne the next year, resulting in the seating of William and Mary on the throne of England. For distinguished service in that battle one of the family received, the author tells us, a sword from the hands of King William; and this blade a descendant subsequently wore as an officer in the patriot army of the Revolution. The author gives many parish register lists, hitherto unpublished, showing Ewing births, death, marriages, &c.

In America the descendants of the clan the author has in mind settled mainly along the frontiers from Penn. to Ga. They acquired large lands; fought the Indians, contributed in large numbers to the patriot armies of the Revolution, some of them officers of great distinction; and their descendants in Maryland, Virginia, Kentucky, Tennessee and thence westward as expansion went on became the leaders in church and State, warriors, justices, judges, lawyers, divines, farmers, good citizens. John Ewing of the Maryland family became the first president of the University of Penn.; Rev. Finis Ewing, of the Virginia branch, found the Cumberland Presbyterian Church; Adlai Ewing Stevenson, of the North Carolina-Kentucky branch, became Vice-President of the U. S.; Thos. Ewing, of Virginia-Ohio branch, became U. S. Senator and the first Secretary of the Interior; and these are but a few of the really notable and distinguished descendants of the long-descended old clan of which Doctor Ewing writes so entertainingly. His pictures of Indian outrages, particularly along the Virginia frontiers, are not only thrilling but constitute a real contribution to the history of early Virginia expansion.

In this work the learned author lives up to his justly earned earlier reputation. The work is scholarly, well written, interesting, a happy contribution to Virginia genealogy and contains important sketches of earlier days hitherto unpublished. The book is in large type, well printed and substantially bound in cloth and contains 382 large pages. The introductory price is five dollars per volume.
Tyler's Quarterly Historical

and

THE SARAH CONSTANT, GOODSPEED AND DISCOVERY
The Ships That Brought the Founders of the Nation to Jamestown, 1607.

Genealogical Magazine

Editor: LYON G. TYLER, M. A., LL. D.

Entered as second-class matter at the Post Office in Richmond, Va., according to act of Congress.
Tyler's Quarterly Historical and Genealogical Magazine

Vol. IV. OCTOBER, 1922. No. 2.

NOTICE

Annual subscription, $4.00. Single numbers, $1.25.
As back numbers of the old William and Mary Quarterly, of which I was proprietor, have become very scarce, single copies, as far as had, may be obtained from me at $2.00 apiece.

LYON G. TYLER, Editor
Holdcroft P. O., - - - - Charles City Co., Va.

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JOURNAL OF CAPT. HENRY MASSIE.

(Communicated by Hon. Eugene C. Massie.)

Captain Henry Massie, whose journey to New York in 1808 is recorded in the following journal, was born October 16, 1784, and was therefore about 23½ years old at the time he made the tour with his friend Coleman. He was the second son of Major Thomas Massie, of the Revolution, who married Sarah Cocke, the daughter of Bowler Cocke, of Turkey Island, August 11, 1781. Prior to his marriage Major Massie had exchanged his ancestral lands in New Kent County for 1,540 acres in Frederick County, 1,000 acres in Fauquier County, and 795 acres in Hanover County. This exchange was made on March 28, 1780, as appears from the deed of that date from Nathaniel Littleton Savage, recorded in Frederick County D. B. 21, page 111. Major Massie lived in Frederick County until 1803 or 1804, when he moved to Amherst County and established his home at "Level Green," in that portion of Amherst on Tye River which subsequently became a part of Nelson County. On August 25, 1815, Major Massie conveyed to his son Henry 3,000 acres of land in the Falling Springs Valley above the great cataract or falls in what was then a part of Bath County but subsequently became a part of Alleghany County. (See Bath County D. B. 5, page 107.) There Captain Massie made his home, having married on October 22, 1810, Susan Preston Lewis, of the Sweet Springs. There were six children of this marriage, four daughters and two sons. The eldest son was Henry Massie, the father of Eugene C. Massie, now living in Richmond, Virginia, from whom this paper has been obtained for publication.
COPY OF A JOURNAL KEPT BETWEEN FREDERICKSBURG IN VIRGINIA AND BOSTON IN MASSACHUSETTS, APRIL, MAY AND JUNE, 1808.

On the 29th of April 1808 Mr. Coleman and myself left Little York in two days we reached Fredericksburg the most extravagantly dear place I ever saw, at 12 o'clock in the night of the first day of May. We took the stage there for Alexandria, breakfasted at Dumfries, and halted at Gadby's tavern about four o'clock in the evening. Alexandria is a very handsome town, prettily situated on the banks of the Potomac, which is there one mile and a quarter wide. The commerce of the place is diffused in many parts of the globe, but more particularly to the West Indies, and the northern seaport towns of America. Flour appears to be the principal article of exportation, in return they receive groceries of various kinds, such as sugar, salt, rum, brandy, &c. The streets of Alexandria intersect each other at right angles, they are well paved, of an extensive width, and kept perfectly clean. It is not less noted for the excellence of its police, than for its many other advantages, which very materially result from that source. There is here open every morning, an abundantly supplied market with all kinds of meats, and every species of vegetables. The buildings are chiefly of brick, some of them very stately and elegant. The banks are kept in houses quite magnificent. The embargo has very much checked and restrained the active, and enterprising commercial spirit which has prevailed here in a very high degree. The wharves are crowded with vessels of different sizes, many of which are heavily laden for an immediate departure—when circumstances will permit. From Alexandria to Washington by land is eight miles, the distance by water six and a half, which may be sailed in 30 minutes—with the sail of a breeze that prevails every day from the hours of eleven ante meridian untill sun sett. Washington is well situated, the hills and plains form a very pleasing contrast, the houses are much scattered—from the Navy yard to the capitol is a mile from that to the Presidents house a mile and a half. There are two elegant buildings composed of freestone. The representative hall is a superb apartment—elegantly furnished—&c. Baltimore distant from Washington forty three miles is situated on Patapsco river, not far from the Bay. The communication between Baltimore and Philadelphia, is regularly conducted by Packett boats that leave each place every day. The accomodation, convenience, and recreation experienced by the passengers worn out by the night travelling on the stages, is great indeed. The boat passage is much cheaper, the entertainment on board luxurious, and a birth to each individual to sleep in. Porter, Cider, Wine, Brandy, and every species of liquor furnished at a moderate price. Baltimore is somewhat irre-
regular, though many of the streets run at right angles, the principal of which is Market Street perhaps a mile and a quarter in length, presenting to the eye of the stranger many elegant stores, and splendid shops. Fells point seperate from the town by a small inlet of water over which there is a bridge, constitutes a very considerable part of the city, at that place the shipping chiefly lay, & the sailors live, with another kind of society the most infernal perhaps in the world. At this Juncture there is off the Point the a french seventy four gun ship, that was dismasted of the West India coast, by a gale of wind that dispersed the whole squadron to which it belonged, on board of the vessel there are at present a few blaguard french sailors, attended by some of the lowest society of the point. The young class of Baltimore are most disgustingly coximical, they devote great attention to dress, and possess a forward impertinent air, that contrasts them very much with the industrious inhabitants of Alexandria. The buildings of Baltimore are lofty and elegant, composed principally of brick. The harbour is filled with very valuable shipping, & the most beautiful vessel I ever saw is the Canton of that port. The market is large & spacious affording a great variety of meats & vegetables—but at an exorbitant price. Beef selling at 10 cents, veal at 12 cts. ditto—butter ½ of a dollar asparagus by the bunch at 25 cts. and other articles in proportion. Coleman and myself took lodgings in South Gay Street in a house kept by a very ugly and deceitful old maid who was perpetually talking of matrimony—our companions consisted of several decent ship captains, very odd in their manners, & diverting in their conversation. On Sunday the 8th inst. we went to hear a roman Catholic Priest—his sermon was delivered in French—and appeared to be the most wretched stuff ever uttered, a great number of ridiculous formalities were practiced before the altar, however to conclude our entertainment, a plate was handed to us for a contribution to the Church. Coleman appeared to be in consternation, but was happily relieved by a small piece of money he had in his pockett. That evening we took tea with old Mr. Johnstone of Fayette Street to whom Mr. Goodwin of Fredericksburg gave us a letter of introduction, it is a very agreeable, respectable, & amiable family—his eldest daughter though not handsome appears to be one the finest women I ever saw, very free, affable, & communicative. The succeeding day, May 9th I saw Mr. Pleasants, and received from him several letters of Introduction to different persons, of different places. Little Harvie, small in statue, but great in mind, drinks his glass, smokes his segar, & swears vociferously that the politics of the day will not do. I dined at Harvie's with the celebrated Mrs. Young—who is a dear lover of good liquors, says what she pleases, & for ought I know does so too. At nine in the morning of the 9th inst. went to the Pckett boat, found on board several passengers for Philadelphia, one of them by his low
humour kept us in a roar of laughter. Mr. Livingston of New Orleans, & Charles Morris a native of Connecticut, an officer in the navy, the first man that boarded the frigate Philadelphia in the Mediterranean, for which gallant action he was promoted, Morris is a fine companion, a great traveller, generally known & universally respected. he politely offered me letters to his friends & that night we arrived at Court House point on Elk river about nine o'clock, there we took the stage for New Castle a distance by land of twenty three miles, we there retook the Packet Boat, & arrived at Philadelphia about 12 o'clock. The mansion house in South Second Street—formerly the residence of Bingham, kept at present by Renshaw, was too full to receive us, we therefore took lodgings at the City Hotel in Market Street, kept by Wm. Massey, the weather very wet and cold, The plan of Philadelphia is very regular the streets all intersect at right angles, they are spacious, & kept in very nice order. So very strict is the police, that not the smallest spark of commotion is to be seen, which would otherwise arise from a motley mixture of sailors, draymen, labourers, & blaguards of every description. The market of Philadelphia is worth seeing—meats of every description & of the best kind & vegetables also in great plenty. And so great the concourse of people on Wednesday, & Saturday that a passage through is very difficult. The Philadelphians are very distant with strangers but much the reverse, I'm told with those they know. That city is really a poor theatre for a fop, or a coxcomb to figure on, not the smallest notice would be taken of him, nay not enough to treat him with contempt. On Sunday the 15th young Mr. Strayer of Boston, & myself hired a gig & rode to Germantown, its a very beautiful tract of country well improved, and handsomely cultivated; that evening went to see Mr. Charles Pleasants, he appears to be a mild and amiable man, quite plain, more of the quaker than John, in his manner, but a very staunch Federalist—The Schuykill bridge is a very handsome piece of workmanship, it cost 300,000 thousand dollars, the length of it is 550 feet breadth 40 feet, & with three arches, they were four years in building it—commenced in 1800—& Philadelphia is the largest, most regular, & most handsomely situated city in the Union, its population is estimated at one hundred thousand; Peales museum contains a very considerable collection of curiosities; it is kept in the state house the government has aided and encouraged very much his execution, the war work figure of Captain Lewis in his indian attire, is a good one, the dress very curious, the likeness excellent. The mamaluke saddle that General Eaton rode through the desert of Lybia & which he presented the museum, is large, awkard & expensively rich. On the 16th of May, we left Philadelphia, dined at Trenton, we there met with a certain person calling himself Ceily, the stage was crowded, but Mr. Ceily modestly requested the passengers to make way for him, which order was not complied with, he became excessively irritated & threat-
ened all with the effects of his resentment, we paid however but little attention to his abuse,—an old German from Albany who spoke broken English—said to Ciely you must nort sett on mie nees,—Ciely very hastily replied—take care of yourself for I'll be dam'd if I take hold of you. You'll find a rough hand, which put us all from the oddity of them both, in a roar of laughter. In proceeding a little farther the German again said, You must nort seat on mie nees, Ciely in great haste answered you are as ticklish as a young lady—Yhes said the old fellow, yees like yourself—the dialogue thus continued to our no small amusement for a considerable time. That evening we arrived at New Brunswick on the Raritan—sixty miles from Philadelphia—the succeeding day breakfasted thirty miles from New York which we reached about 11 o'clock, and took lodgings with a very stately ostentatious Englishman called Lynch in Greenwich Street. New York is a very irregular place—the streets short, narrow, & winding. A great variety of people there present themselves to your view a motley mixture from foreign countries—English, Irish, Dutch, Scotch, a number of low Frenchmen—&c. Saint Domingo negroes are also very numerous—they & the vulgar American sailors, associate together & inhabit the same parts of the town—in Beckman Street—I one day took a walk & saw the sailors in midday caressing the negro wenches, many of them drunk & tumbling about—New York in point of cleanliness & nicety is far inferior to Philadelphia—the water is extremely bad—to the taste of a person accustomed to the pure mountain water of Virginia—Broadway is a wide & handsome street, there the retail business is done. Pearl is the next in importance it lays near the water & is much narrower than the other—there the wholesale business is done. New York is a gay & lively place—the houses large, the shops splendid—there are many great taverns kept there—none of them though in my opinion superior to Gadby of Alex'd. The Phenoix Coffee House kept by one Borden is the best eating house—The manners of this Borden show how forcible are the affects of education—he is himself the most menial & attentive servant in the house, though worth a hundred & fifty thousand dollars. Of all the places I have seen New York for commercial advantages takes the lead. Here may be seen the scurril of the European goals, low Irish, French & Dutch endeavoring to plunder & cheat each other. Those imported patriots are the characters that generally decided their tumultuous elections, thus it is that the outcasts of Europe have an important influence in the councils of America. The difference in the appearance manners & customs of the people of New York from those of Philadelphia are astonishingly great, in one you observe a mongrel mixture of various nations, possessing the different vices & infamies of their respective countries with which they are abundantly supplied by nature & accomplished by education. In Philadelphia on the contrary the people generally appear to be pure, chaste, and honest, though
cold & distant in their manners to strangers; in short the contrast between the inhabitants of these two towns distant from each other 96 miles is so wonderfully great as to astonish a stranger, & to delight him with the one as much as disgust him with the other. On Saturday evening the 21st of May Mr. Coleman and myself took a passage for Albany on a sloop or packet Boat, a favorable wind at first flattered us with the probability of a speedy passage, but that was a mere delusion, for in a few hours, Eolus gave us a head blast which kept us on the river six days. We had however an opportunity of seeing the forts that were so important during the American war. Confinement on board of those small vessels in warm weather must be indiscribably wretched. the cabins are small & the fashionable gentry must smoke their segars, so that to breathe at all is sometimes very difficult. We continued at Albany part of a day only, the Boston stage having gone on we were defeated in the intention of going there, consequently could do nothing better than to retrace our steps to New York towards Virginia again, & for which Coleman seemed very much to agreeable to the resolution we took passage on another boat & had for our companions an English family called Thorp from Lower Canada & Mr. Young of Troy a very clever & gentlemanly man, we had a tolerably pleasant passage back to New York though four days on the river. On arriving at New York we went again to Mr. Lynch's, keeper of the American Hotel, in Greenwich Street this Lynch is an English man now advanced in years, a man of handsome address, of polite manners &c. but I think a very great sharper his old wife is quite obliging—very industrious, very stuttish, & possibly has been a bunter which from her manners in some instances may be inferred. We remained there however all the time we continued in New York, untill the warm weather commenced, & the chinches began to swarm. On Thursday the 3rd of June took the Commercial stage for Philadelphia, where we arrived on the 4 Inst. about 12 o'clock at noon, & stopt at the City Hotel in Markett Street, kept by Wm. Massey an intelligent obliging & clever man, with him we went to the Academy of fine arts, & to the Philadelphia hospital, which is a very large & commodious house, very ingeniously planned & kept in delightful order, it's as clean as the private room of any person whatever. The number there at present is about 160, 70 of them maniacs, 35 with the venereal, each in their respective apartments the balance consists of paupers & invalid sailors. The New York Hospital is on the contrary kept in much worse order, the number there is much greater than in the Philadelphia hospital amounting to about 256 consisting chiefly of sailors, some deranged that I saw miserable creatures indeed! the building is of stone very large & 4 or 5 stories high,—though in point of elegance much inferior to that of Philadelphia. From the top of the New York hospital steeple you have a very beautiful prospect, &
embrace at one view the whole town—and a water view of many miles. The state of New Jersey between Trenton & Newark is a pretty tract of country, abounding in large apple orchards, from which they make great quantities of excellent cider. Trenton thirty miles from Philadelphia is a pretty place, elevated on rising grounds—over the Delaware here there is a very elegant bridge standing on four substantial piers,—the length of it is more than ¼ of a mile & breadth more than forty feet. New Ark is really a very beautiful situation—the houses are much dispersed though neat & large. From Newark to Elizabeth Town is six miles, this is all a pretty tract of country, & the land in the neighborhood of those places is worthy fifty dollars per acre. To Brunswick on the Raritan is twenty miles, this place is sunk in a hole & is not to be seen until you are very near it—the tavern charges here are very high—from there to Princeton is twenty miles—on this road the tavern keepers extort very much on passengers, for Lodging they have a quarter of a dollar, & for a meal half of a dollar. In spite of economy those extravagant charges lighten astonishingly the purse of the passengers. The warm weather commenced on the 5th of June since then it has been oppressively hot. The stages are generally in this quarter much crowded with passengers—between New York & Philadelphia there runs every day five stages—the mail stage runs through in 12 hours—those of accommodation in about 24 Do. The State of Pennsylvania appears to be very populous, one fourth of which consists of Germans—the County of Lancaster which they principally inhabit, indicates a high state of improvement, & strongly evinces their utility as a very industrious & honest set of people. A finer country than Lancaster I never saw, & better crops I believe cannot grow, the land is chiefly limestone, affording a pure & delightful water particularly to one that has drank the stinking filthy water of New York. The Schuykill water that now supplies Philad'a is tolerably pure, though warm in the summer season. Pennsylvania is more irregular that is uneven than New Jersey, but of a much superior quality—proceeding on through the state of Jersey eastward, the soil I think depreciation—until you reach the cliffs that o'erhang the Hudson the eastern boundary of the State. It is really a great gratification to proceed from New York up this celebrated river, its lofty & stupendous banks appear very romantic in the highlands which extend fifteen miles—they commence at Stoney point the spot where General Wayne distinguished himself—by storming the fortress—and capturing its garrison, twenty miles higher up the river the stranger is gratified with a view of West Point called for its almost impregnable situation the Gibraltar of America. Capt. Hemstead the skilfull navigator who commanded the vessel Ann, run her directly opposite this place on a bank of mud—having to wait for two tides to get off sufficient time & leisure was thereby afforded me to view the Point, as well as Fort Putnam—
three quarters of a mile further back, & from which there is a very
commanding view of the river—the walls here are now falling down &
has a very gloomy appearance; The country above the highlands ap-
ppears to be well improved & decorated with some very handsome seats.
The town of Albany is 160 miles from New York the tide is up this
river one hour later for every ten miles you ascend, & there are two
at New York for one at Albany. This place is well situated for trade,
sloops of eighty four tons burthen go as high up as Troy. The naviga-
tion of the Hudson is quite safe generally, but vastly tedious, the winds
are not to be calculated on for 15 minutes at a time—which sometimes
renders a passage very disagreeable particularly in wet weather which
is often the case five or six times a day. The embargo has produced
dreadful effects the seaports are all crowded with shipping, the sailors
have gone off in search of employment, at least one thousand of them
from New York alone, in Halifax the British have given them employ-
ment. There is supposed to be at this time in Philadelphia 70 thousand
barrels of flour, the greatest part of which must sour. Some persons of
information appear to think that a continuance of the embargo beyond
the ensuing session of Congress will excite a rebellion, particularly in
the eastern states, the dutchmen of Pennsylvania say dey will not vote
for Jefferson any more—

On Sunday the 5th Inst. we dined in Philadelphia with Charles
Pleasant a very hot day indeed, the next took the stage for Lancaster
where we arrived that evening about 5 o'clock, over a very rough turn-
pike road, the distance being sixty two miles. There is a daily com-
munication between Philadelphia & Lancaster, but with no other place
whatever, passengers travelling other routes are often compelled to re-
main there several days for a passage, which is a disagreeable neces-
sity for Lancaster though the largest inland town in the United States,
is really the most insipid & dull place I ever saw; the inhabitants at
least two thirds of them consist of Germans, who appear to live like
hogs, & cultivate no intercourse with strangers, unless they have some
interesting object in view. The situation of Lancaster is unpleasant
being sunk principally in a hole, their state house is built of brick &
stands in the centre of the town where the two principal streets in-
tersect each other at right angles. The country is really a charming one
in high cultivation & great improvement. In this State there are very
few slaves, & that fact indicates the great disadvantages resulting from
that source, for no country cultivated by negroes can bear a comparison
with Pennsylvania, where the industrious dutch man is actively occupied
in working his own farm, & that industry not only renders him very
wealthy, but is from custom a source real pleasure to his feelings;
& of infinite benefit to his constitution; for a healthier set of people
I never saw, & what particularly delights them, is to have a large
family of sons to work for them, & respect to their daughters many
of them I believe encourage them also to increase the family for the same purpose. Many of them are worth very great estates, they also live in houses that are substantial & strong, built either of stone or brick, their barns though greatly eclipse their dwelling houses in size & appearance. They are fond of keeping tavern, & every one whose situation will admit of it keeps a public house. The Germans are really a very useful class of citizens they improve a country very well & populate it very soon, one family where I breakfasted consisted of thirteen children, & the woman quite healthy & active, said she expected to have as many more, a gentleman from New York who travelled with us in the stage was highly diverted. They are here quite a harmless & innocent people, the idea of a duel never entered their imaginations—very different are they in that respect from the trash of Virginia who encourage that infamous practice. In Lancaster I saw a man dressed in the navy uniform who called himself Patton, he tried to push himself into my notice, being generally as I observed treated with contempt by others. I had no objection to hear what he had to say & almost the commencement of his conversation was to tell me that he had killed in a duel at Norfolk a man named Jones, & laughed at the moment of relating the act, a more abandoned and detestable wretch I never saw, most of the Norfolk gentry consist of savages I suppose similar to this Patton, the creature is now very miserable exciting the contempt of everybody & the compassion of no one, he drinks brandy in copious draughts, & would now no doubt be delighted to fight another duel. With a view of destroying that existence which is now an incumbrance to him. About three miles above New York on the Jersey shore, I had an opportunity of seeing the spot where General Hamilton fell on the 22nd of July 1804 in a duel with Burr, it is quite a retired & almost inaccessible place by land being immediately at the foot of a ridge above the bed of the river; in the spot is erected to his memory a monument in the form of a cone, it's very plain & modest, & strikes the mind of the beholder with strong impressions of melancholy, for on that very spot his son fell in the same way three years previous to that of his Father. The man who killed young Hamilton was called Aker, he died shortly after himself of grief & melancholy—he was by profession a lawyer & said to be very clever indeed—he was excessively tormented with the idea that young Hamilton's ghost was perpetually standing before him, & would walk late every night with his hands clasped behind him to & fro before his door, at length sunk under the affliction, & left behind a wife & some children to shift as well as they could, without his the profits of his law practice, which I am told had been the means of their support. Such are the miserable consequences of that infernal custom, which the laws of Connecticut & Massachusetts both strictly prohibit.

As I before observed we remained at Lancaster several days for the
western stage—on the 10th of June we sat out for Frederich Town, breakfasted at Columbia a small town on the eastern side of the Susquehanna which is there a mile & a quarter wide; that evening we arrived at Hanover after passing through Little York where at that time there was a fair—composed of a mixed multitude of men, women & children—generally intoxicated—dancing in every direction with a company of mountebanks, who said they were just from Germania—those fellows would sometimes sally out among the mob—with an apparell on representing their trade & their faces painted of all colours. From Hanover we set out very early on the 12th we there took in a dutch female passenger who said she loved bounce—for twas so good, however we talked on, & jogged on to Frederich Town—that evening—stopped at Mrs. Kimbles—one of the best kept and most agreeable public houses I was ever in, we there staid untill the 15th then took the Winchester Stage for that place where we arrived on the 15th to breakfast. I there bid adieu to Billy Coleman, my companion, whose correctness of principle, & goodness of heart will allways recommend him to my esteem. This ends my excursion, & journal too—though very hastily written at different moments.

Winchester, June 15th, 1808.

THE LOYAL COMPANY.

On July 12, 1749, Dr. Thomas Walker, John Lewis and 45 others, afterwards styled the Loyal Company, procured from the Council of Virginia permission "to take up and survey 800,000 acres of land, in one or more surveys, beginning at the North Carolina line and running to the westward and to the north so as to include the quantity." They were allowed four years to make their surveys. But not having made any surveys within the time, they secured from the Council on June 14, 1753, four years further time to complete the surveying and seating of their grant of 800,000 acres, now described as "lying in the branches of the Mississippi, in the County of Augusta." The company at once proceeded to survey, and did cause to be made about 90 surveys, in the name of John Lewis, agent for the company, charging settlers 3£ for each 100 acres, exclusive of rights, surveyor's and patent fees. These surveys lay chiefly in the counties of Montgomery, Wythe
and Washington. In 1756, however, the French and Indian war broke out, which interrupted the work, and in 1763 came the King’s proclamation prohibiting any grants or settlements on the west of the Alleghanies.

In this state of inactivity the affairs of the company remained till 1773, and in the intervals great numbers of people squatted upon the unoccupied lands. In that year the Virginia Council, in anticipation of the opening of the country to grants, permitted these settlers to obtain surveys, and many of them secured them from agents of the Loyal Company, under contracts to pay the purchase money with interest, and the rights and fees, whenever patents could be obtained for the tracts purchased. In 1783 the Supreme Court upheld the validity of the surveys made after 1773 through the agents of the company.

The affairs of the Loyal Company were frequently before the courts and the legislative. In 1818, all the original members of the company were dead, and their representatives, being numerous and dispersed, were incorporated by the Legislature as “The Successors of the Loyal Company.” Thomas Walker Gilmer was general agent in 1830, and the bill and answer printed below, found among his papers, shed much light upon the history of the company. These papers were filed in a suit instituted before Judge John Brown in the Chancery Court at Staunton in 1824, and entitled Loyal Company vs. South, etc., and Preston. (Report to the House of Delegates, Journal, 1803-04, p. 66; 1804, p. 94.)

To the Honorable John Brown, Judge of the Chancery district Court holden at Staunton:

The bill of complaint of the successors of the Loyal company.

Your Orators respectfully represent that many years ago during the colonial government there was granted by sundry orders of council to John Lewis, Doct. Thomas Walker and others, forty persons in all, commonly known and called by the names of the “Loyal Company” leave to take up and appropriate in one or more surveys a large quantity of land on the Western waters of Va., to wit the quantity of eight hundred thousand acres.

Under the authority of these orders there were made for the company many surveys, some for their own use and benefit, and some for the benefit of those who settled on the lands, on the terms presented by the rules and regulations of the said Company.
The terms on which settlers were permitted to acquire title to these lands, were the payment of ten cents an acre, a composition of thirteen shillings and four pence per hundred acres, a Surveyor's fee of three pounds two shillings and six pence and a patent fee of one Dollar and seventy-seven cents.

Many persons settled on the Company's lands on the terms aforesaid sums of money with Interest on the price per acre, and the surveyors fee, from the 15 May 1779 till paid, and upon the composition money and patent fee from the 24th May 1783 till paid.

The aforesaid Doctor Thomas Walker was the principal acting member of the company, and their regular agent for many years, with authority from them to appoint other agents to collect the monies due them and to cause grants to be issued on the receipt of the company's dues to the individuals entitled to them.

Under this authority the said Thomas Walker in his life time, to wit, on the 10th of October in the year 1789, appointed Francis Preston an agent for the said company, and took from him a bond with security for the faithful discharge of the duties which he had undertaken, which is herewith exhibited as part of this bill marked A.

He also a few days after, to-wit; on the 13th January, 1789, put into the hands of the said Francis Preston for collection sundry bonds, due the said company, and took his receipt therefor, as will appear by the schedule and rect herewith exhibited as part of this bill marked B.

The said Francis Preston by virtue of his agency aforesaid received of monies due to the said company very large sums, which have never been settled for or paid to the said company—and his accounts remain unsettled to this day.

The said Thomas Walker also by virtue of the authority vested in him as aforesaid, to wit on the 9th day of November, 1793, appointed George Conway Taylor, of the County of Orange, an agent for the said company, as will appear by a copy of the power of attorney, admitted to record in the county Court of Albemarle, and herewith exhibited marked C.

At the time of receiving this power of attorney, the said George C. Taylor executed a bond to the aforesaid Thomas Walker for the benefit of the said Company conditioned for the faithful discharge of the agency of the said Taylor in the matter aforesaid. In this bond Doctor Charles Taylor, also of Orange, and Francis Walker, the son of the said Thomas Walker, were bound as securities, and the said bond was delivered up to the said Thomas Walker for the said company. The said Thomas Walker departed this life, about the year 1794, or 1795, having made his last will and testament, whereby he appointed the said Francis Walker his executor and made him the residuary devisee and legatee of his estate,—the bond aforesaid with the other papers of the said Thomas
Walker came into the hands of the said Francis his executor, who has also departed this life; and your Orators have been unable to learn what has become of the said bond; they charge expressly that it has never been in any manner discharged, released, or in any other manner legally extinguished, but is yet in full force in law & equity.

After the said Taylor was appointed agent as aforesaid, and in the life time of the said Thomas Walker, there were put into the hands of the said Taylor, by the aforesaid Francis Walker, acting as agent of the s'd Thomas Walker, sundry bonds and other evidences of debt due to the s'd Loyal company, for which he executed his receipt, without date herewith exhibited as part of this Bill marked D.

This receipt, it will be seen, recognises the bond above mentioned.—

Some time after the death of the s'd Thomas Walker, to-wit: in the year 1801, on the 26th of February, The s'd George C. Taylor recognizing the existence of the s'd bond, and being willing to indemnify his brother the s'd Charles Taylor, agent, against the responsibility thereby incurred, yielded to his brother's desires in relation thereto, and executed to him a mortgage on sundry slaves and other property, which was duly recorded in the County Court of Orange, and is herewith exhibited as part of this bill marked E.

The said George C. Taylor, during the continuance of his agency as afores'd, appointed a certain William Draper to act for him in receiving the company's monies and in granting orders for patents for the company's lands, as will appear by a copy of the power of attorney, dated the 11th November 1797, herewith exhibited as part of this bill marked F.

The s'd George C. Taylor, by virtue of his agency aforesaid, by himself, and by the afores'd William Draper, received very large sums of money due to the s'd Company, which he never paid or accounted for, and his accounts remain unsettled at this time. During the continuance of the agency of the said George C. Taylor, he obtained from the register of the land office patents in his own name, as agent of the Company, for large quantities of the land afores'd which had been surveyed for the special use of the company and to which they were entitled in their own right. Your Orators are informed of forty five patents, which he thus obtained, upon surveys made for the s'd company embracing in the whole, according to the calls of the surveys and patents, acres of land lying in the counties of Wythe, Montgomery &c—These lands were very valuable being worth at the time of obtaining said patents as they are informed not less than ten thousand pounds.

Your orators are informed and charge that the s'd George C. Taylor, without any authority to dispose of the s'd lands whatever, entered into a contract, in relation to them, with Alexander Smyth of the County of Wythe, of the particulars of which your Orators are
not informed, but they charge that the s\textsuperscript{d} Smyth, when he entered into s\textsuperscript{d} contract with the said George C. Taylor, well knew that the lands afores\textsuperscript{d} belonged to the Loyal company and that the s\textsuperscript{d} George C. Taylor had no right to make the contract which he did make with him, in relation thereto—They charge that the said contract was made in fraud of the rights of the said Company and is void.

They are further informed that afterwards the said Alexander Smyth conveyed his Interest in the lands afores\textsuperscript{d}, whatever it was, to a certain Alexander Wolcott, of the state of Connecticut, who contracted to fulfill the engagements of the s\textsuperscript{d} Smyth made with the said George C. Taylor, as aforesaid.

That the said Alexander Wolcott empowered Daniel Sheffey, Esqr, at present of Staunton, to sell and convey these lands for him and receive the purchase money, and that the s\textsuperscript{d} Sheffey has made sundry sales and conveyances and received the purchase money. What is the precise nature of these various transactions between Taylor and Smyth, Smyth and Walcott, Walcott and Sheffey, and whether the said Sheffey hath paid over the purchase money received by him, or still retains it, your Orators are not informed—They charge however that nothing whatever has been paid to the said Company, on account of these transactions—and that the said Company or rather their successors are yet entitled either to the land itself or the full value thereof. The afores\textsuperscript{d} George C. Taylor hath departed this life without children, having first made his last will and testament, recorded, as your Orators are informed, in the former district Court of Fredericksburg, to a copy whereof, when procured, they refer as part of this Bill. They are informed that by the s\textsuperscript{d} will he devised his whole estate real and personal to his wife Elizabeth T. Taylor, to whom were granted letters of administration with the said will annexed.

After the death of said George C. Taylor his said widow, devisee and administratrix, took possession of his whole estate, and exhibited a bill in the Richmond Chancery Court, against the Loyal Company and the said Charles Taylor, in which she acknowledged the existence of an unsettled debt from her testator to the said Company, acknowledged the mortgage aforesaid made to secure its payment, stated that she had retained possession of the mortgaged slaves, to answer that purpose, and prayed that the account might be settled, the debt paid out of the mortgage subject and the residue, if any, transferred to her. A Copy of her said bill is herewith exhibited as part of this bill marked G.

The said suit afterwards abated by the death of the Defendants and has never, that your Orators are informed, been revived or further prosecuted. The said Administratrix hath retained the mortgaged slaves, which with their increase, your Orators are informed, now amount to about an hundred and fifty, and she has constantly received their hires and profits. These profits or part of them, your Orators have
been informed, have been from time to time set apart and vested in funds as an additional reserve for the payment of the debt due to the Loyal Company from the estate of sd George C. Taylor. The aforesd Charles Taylor, the security of said George C. Taylor, has also departed this life possessed of a large estate real and personal, and Thomas Jinkins and Robert Taylor, Jun., of Orange, are his Executors, who have received assets of his Estate to a large amount.

The aforesaid Francis Walker the other security is also dead, having left very large estate real and personal: He died Intestate, and Thomas Nelson, of the city of Richmond, is his *admi* *n. de bonis non*.

Your Orators are also informed that said Francis Walker on some occasions acted as the agent of the said Loyal Company but to what extent or by what authority they are not informed.

Your Orators further charge, that on the 24th of January 1802, Francis Smith, of the County of Washington, was duly appointed agent for the Loyal Company, and to secure the faithful performance of the duties of his agency, he on that day executed a bond with security payable to the aforesaid Francis Walker, in trust for the said Company which bond is herewith exhibited as part of this bill marked H.

Under this appointment the said Francis Smith has caused many patents to be issued to the settlers on the said lands. Receiving from them the price of ten cents per acre, also two dollars and twenty two cents per hundred acres composition money $10.12 on each tract for a surveyor's fee, and $1.77 on each tract for the patent fee, with Interest on each of the sums in manner, as is above stated, that is with Interest on the ten cents per acre and the Surveyor's fee from the 15th May 1779, and on the composition money and patent fee from the 21st May 1783. He hath also received various sums of money, from the claimants and occupants of land not yet patented, which were due to the sd Company. The said Smith hath never paid to the sd Company or their successors the monies received by him, nor hath he yet settled his accounts with them.

All the original members of the company aforesaid have departed this life and their representatives being numerous and dispersed, so as to render suits for or against them almost impracticable, they have been incorporated and made a body politic with power to sue and be sued by the name and style of "The successors of the Loyal Company" as will be more fully seen by an act of the General Assembly passed on the day of 1818 entitled 'an act here referred to as part of this Bill—Your Orators under this act have appointed William Nelson, of Louisa, their agent, and he hath made application to the said Francis Smith, Francis Preston, the Representatives of the said George C. Taylor, Charles Taylor and Francis Walker for the settlement of the transactions aforesaid, and the payment of the ballance to your Orators—also to the said Alexander Smyth and Daniel
Sheffey in relation to the said 45 surveys. But he hath been unable to procure any settlements from any of the said parties or the rendition of any accounts by them, or the payment of any money. Some of the s\textsuperscript{d} Agents alleged payments to the said Thomas Walker in his life time, some payments to the said Francis Walker—but none pretend any payment to the company or their Successors. They have all acknowledged to the said William Nelson that the accounts remain unsettled, and express a willingness to settle them, but they have failed to do it. Since the death of the said Francis Walker, who was the sole executor of the said Thomas Walker, no administration has been taken on the Estate of the said Thomas Walker, and there is now no legal personal representative thereof—The said Thomas Walker, never in his life time, nor did his Executor after his death, settle the accounts of his agency, but they remain yet unsettled.

Your Orators, being without remedy in the premises except in this Honorable Court, pray that the said Francis Preston, Francis Smith, Alexander Smyth, Alexander Wolcott, Daniel Sheffey, Hugh Nelson, \textit{ad. de bonis non}, the personal Representative of Thomas Walker \textit{dec\textsuperscript{d}} when one shall be appointed, Thomas Nelson, administrator \textit{de bonis non} of Francis Walker \textit{dec\textsuperscript{d}}, Elizabeth Taylor, administratrix with the will annexed of George C. Taylor \textit{dec\textsuperscript{d}}, & Thomas Jenkins and Robert Taylor, Junr, executors of Charles Taylor \textit{dec\textsuperscript{d}}, may be made Defendants to this bill and may answer it on \textit{oath}. That the accounts of the said Thomas Walker, Francis Walker, Francis Preston, Francis Smith and George C. Taylor may be fully settled before a commissioner of this Court; that the said mortgaged slaves with their increase and profits may be a satisfaction of whatever may be found due from the said George C. Taylor's Estate. That the names of the increase of the said slaves be discovered by the said Elizabeth G. Taylor—that the said Alexander Smyth, Alexr Wolcott and Daniel Sheffey may discover on the Estate of the said Thomas Walker, and there is now no legal what contracts and conveyances have been made in relation thereto—what purchase money has been received and is yet due, that any funds in the hands of said Daniel Sheffey proceeding from the said subject, or belonging to the said Alexander Wolcott may be stayed and ultimately applied, if proper, to the indemnity of your Orators, that the legal title to the said 4.5 surveys may be conveyed to your Orators, or full compensation made therefor—that each of said defendants may be compelled to pay your Orators whatever may be found justly due them, with legal Interest and that such other and further relief be granted as is just and equitable.

C. Johnson Pq.
Answer of Francis Preston

To the Honorable John Brown, Judge of the Superior Court of Chancery holden at Staunton:

The answer of Francis Preston to the bill of complaint of the successors of the Loyall Company exhibited in this Honble Court against Respondent and others.

This Respondent, saving to himself the usual exceptions for answer to the said bill or to so much thereof as concerns him, he answering saith. That he was appointed agent of the Loyall Company about the month of October in the year 1789 and continued until some time in the year 1793. He received his appointment from Thomas Walker, who acted as the general agent of the Company and superintended all its concerns.

During the continuance of this Respondents agency the collections were comparatively small. To many of the surveys made under the Company’s grant, the settlers had obtained certificates in right of settlement, in virtue of which they had obtained and might obtain titles without paying any other consideration but the ancient composition of ten shillings sterling for every hundred acres: while the decree of the Court of appeals of May 1783 confirming the company’s right and the act of Assembly passed soon thereafter subjected the settler to the claim of three pounds on every hundred acres with Interest from the 15th May 1779. A strong current was therefore excited against the claim of the Company throughout the country where surveys had been made under their grant.

It being the wish of those who managed the concerns of the Company to conciliate as far as possible those who were interested, this Respondent was specially instructed by letters not to be vigorous in his Collections. These instructions this Respondent not only felt disposed to obey but thought them prudent particularly as money then was extremely scarce in the country where the collections were to be made. A contrary course this Respondent believed would not only tend to increase the prejudices against the Loyal Company’s rights but to create individual distress in some cases.

During the time this Respondent acted as agent he was a practicing lawyer attending the Courts of several of the Counties in the South Western parts of Virginia. His collections were generally made while attending those Courts or in passing thro’ the Country which necessarily prevented him from keeping any formal accounts. All needed was to make concise memorandums, and some times he trusted to his memory. From such data this Respondent between the years 1793 and 1797 constructed the account herewith exhibited as part of this answer marked AA. This account this Respondent believes to contain the different sums of money he received is substantially correct, though the
time when the different payments were made to this Respondent may not be precisely as stated.

The object of making out this account on the part of this Respondent was to effect a settlement with James (Francis?) Walker who then superintended the Company's concerns and who resided in Albemarle County, and who this Respondent believes was authorized thereto. With the view of effecting such settlement this Respondent attended at his house at two different times during the period before stated; once by his own appointment, and another time as this Respondent was going to Philadelphia. He however was unable to accomplish his object owing chiefly to the intemperate habits of the said Francis. Since that time this Respondent has always been ready to come to a settlement of his accounts. To that purpose he attended in Richmond a few years ago at the desire of a certain William Nelson mentioned in the complainants Bill. This schedule herewith exhibited marked B.B. contains as this Respondent believes a true statement of the patents issued or surveys made under the Loyal Company's grant and ordered by this Respondent. The whole amount originally due from the Patentees or those from which they claimed will be found to be more than the sum accounted for in the Exhibit A.A. The difference this Respondent attributes to the fact that he directed patents to issue in cases where partial payments have been made to the senior agents, Thomas Walker, Francis Walker, and Samuel Lewis, the payment to the last of whom this Respondent was specially instructed to respect as valid. This Respondent cannot at this distant day designate the cases particularly where such partial payments were made further than they appear from the account A.A. His papers have been much deranged by being carried about to obtain settlements as herein before stated, independent of their removals from one place to another. He has no hesitation in asserting as his belief that the account before mentioned is more correct than an estimate from the patents could be.

The account herewith exhibited marked C.C. contains a statement of the credits to which this Respondent is entitled as far as he now recollects. He believes he has made some small payments for which he has no vouchers.

As it respects the obligations placed in this Respondents hands, this Respondent verily believes he collected none of them. They were generally taken before it had been established by the Court of Appeals that the rights of the company were valid, and before the date from which interest was to be paid by the settler had been fixed by law. After the decree of the Court of Appeals and the passing of the act of Assembly herein before mentioned, the adjustments between the Company and its Debtors were made in pursuance of that act by which Interest from the 15th May 1779 was payable. This Respondent believes that all, or most of those obligations, were again put into the hands
of George Taylor, his successor. Some of them appear to have come into the hands of the late agent Francis Smith Esqr., who says he has no recollection of the manner in which he received them. This Respondent herewith exhibits the statement marked D.D.—shewing as he believes as correct an account as now can be exhibited of the obligations placed into his hands; those returned by him; as well as those put into his hands by George C. Taylor, and of those found in the hands of Francis Smith.

It is probable that at this distant period a perfectly just settlement cannot be made, owing to the obscurity into which a lapse of so many years involves all human transactions. This however is not owing to any fault of this Respondent. He was ready and desirous to adjust these accounts nearly thirty years ago. He knew of no person with whom he could make the settlement but the said Francis Walker, and this Respondent believes there was no other person authorized to effect it.

The Loyal Company stands indebted to the Estate of this Respondent's father a considerable sum for making surveys; as this Respondent is one of his Executors and Devisees, and as the said Company have no tangible means to pay the said debt this Respondent insists that, if there should be anything found due from him, that it shall be discounted against this Respondents portion against that claim, a part of which has been transferred to Francis Smith.

This Respondent prays to be hence dismissed with his costs &c.

Wythe County set:

This day came Francis Preston before me, the subscriber, a Justice of the Peace for said county, and made oath that the facts stated in the within answer are true as far as they are stated on his own knowledge and so far as they are stated on the information of others he believes them to be true. Given under my hand this 20th May, 1824.

John Johnston,
Justice of the Peace.

A Copy—Teste: William Scott Eskridge, C. C. C.
LETTERS OF JAMES MONROE.

Below are unpublished letters of James Monroe found in the correspondence of Dr. Charles Everett, of Albemarle County, Va. Dr. Everett served in the House of Delegates and was a member, it is believed, of the Executive Council. He was Monroe's intimate friend, physician, and at one time private secretary. He never married and died in 1848, by his will emancipating his slaves and devising his estate to his nephew Dr. Charles D. Everett. His executors tried at first to settle the negroes in the West, but met with such strong protests that they determined on Pennsylvania. Not long before 1861 a person named Thomas from Mercer County, Penn., presented to the Circuit Court of Albemarle Co. a certificate of his appointment as guardian of some of the Doctor's old servants, and applied for the legacies he had left for their benefit.

The Monroe pedigree was as follows: Andrew Monroe, mariner, commanded a pinnace under Cuthbert Fenwick, general manager for Lord Baltimore. He moved to Virginia from Maryland about 1644. By his wife Elizabeth he had Andrew Monroe, who married Elinor Spence, daughter of Patrick and Dorcas his wife. Issue, Elizabeth married Arrington, Andrew, Spence, Susanna married (1) William Linton, (2) Charles (?) Tyler, and (3) Benjamin Grayson. Of these Andrew Monroe married Christian and died about 1735. They had (1) Elinor who married Dr. James Bankhead, (2) Sarah, (3) Spence and (4) Andrew, (5) Jane. Spence Monroe, joiner and captain of the militia, married Elizabeth Jones, daughter of James Jones, "undertaker in Architecture," and sister of Hon. Joseph Jones, of the Continental Congress. He made his will in 1774 and named issue: James Monroe, President of the United States, born April 28, 1758, died July 4, 1831; (2) Spence, (3) Andrew served in the Navy, and died December 2, 1826; (4) Elizabeth, wife of William Buckner, and (5) Joseph Jones Monroe.

Susanna Monroe by her marriage with Charles (?) Tyler, of
Cameron Parrish, Loudoun Co., had John, Susanna, Anne, William, Charles, Benjamin and Spence Tyler, and by her marriage with Benjamin Grayson had (1) Elizabeth, who married John Orr, of Leedstown, Va. (see p. 49), (2) Benjamin, (3) Rev. Spence, and (4) William Grayson, the celebrated statesman.

In the register kept by Rev. William Douglas, of Goochland Co., he makes this comment: “Mrs. Grayson, Col. Monroe’s sister, died Nov., 1752.” This Col. Monroe was probably Col. Andrew Monroe, uncle of the President. (For Monroe, see William and Mary Quarterly XV, 192-195, 252; XVI, 65-67, XXI, 22-25.)

Several of these letters are addressed to his brother Joseph Jones Monroe, and they somehow came into possession of Dr. Everett.

My Dear Sir.

I regret extremely that I had not the pleasure of seeing you the other day at the Court. I was twice on my way to your house, but taken off by some interruption till finally I came from town without accomplishing it. I communicated on that day the subject of yours to the character, to whom it related & found him well disposed to the object; but under an impression that the departure of Mr. W. had put it out of his power. He understood that he was to go on that day.

I regret very much that I happen’d to set out for Richmond at the time I did. I resolved to postpone my visit to Loudoun till after our Court, & that decision taken, I availed myself to visit my family, who were desirous of seeing me. I had heard that Mr. Gallatin intended a visit to our neighborhood, & I had remained some time at home in the hope of seeing him. This delay had induced a belief that he had declined the trip. Of the visit of the other party I had never heard a suggestion. Perhaps the circumstance may have attracted your attention. I make the inference from your enquiries of Tom who gave me yr letter. I make this communication in confidence for your own satisfaction.

I set out in half an hour for Loudoun, & expect to be back in a fortnight. I am sincerely your friend,

Jas. Monroe.

Albemarle Sept. 6th, 1809.

[Addressed] Dr. Charles Everett, Charlottesville.
Albemarle Dec 28, 1809

My Dear Sir.

I have just returned from Loudoun where I have been engaged several weeks, in the most interesting canvass of a private nature. On Monday even'g last, after making arrangements to set out on the next day home, I had the pleasure to receive your very friendly letters, which gave me the first & only intelligence of what was passing here. I had seen with much surprise in the Gazette an account of the resignation of a certain person from a certain office, and could not omit to remark the coincidence of that event with the time of my departure from the county, a step which I had announc'd many weeks before in the Gazette. I had heard nothing more on the subject till I received your letter. I did not know that any one thought of me, and in truth it was far from my desire in [consideration of my private aff'rs]. I wish, however, to see you immediately [that is tomorrow morning] to have much conversation with you on the subject, of a confidential nature, and hope that you will be able to ride out for the purpose. I would come to town, but am quite oppressed with fatigue, of the business in which I have here engaged & the journey home. I shall only add my earnest hope that you will be able to favor me with a visit.

I am sincerely your friend
Jas. Monroe.

[Addressed. Doctr Charles Everett]
Charlottesville

Albemarle Jany 13, 1810

My Dear Sir.

I went to Charlottesville yesterday in the hope of seeing you, but you had left it, as I find by yrs of this day, on your route to Richmond.

I have thought much on the subject, under our consideration, where you were last year, & I own that the bias of my mind is in favor of leaving the affair with a certain person in the state in which it now is. His last letter to you, on the main question between you, is a triumph in your favor. It admits in the case to which it principally alluded the perfect correctness of your conduct, and error in his, in imputing to you what you had not merited, which he says he shd not have done, had he been been better acquainted with facts, and in the other case alluded to by him, your attendance & service in his family, during a nervous complaint, in which he speaks in terms of high commendation of yr conduct, he affords a testimonial that might be used in your justification in every instance that has occurred through your whole practice. This letter will render it impossible for him to annoy you in future, for should he attempt it, and you ever hear of it, the exhibition of the letter will confound him. The stile of his letter, in imputing the captious temper displayed in the former to the distress of a parent
afflicted by the sickness & menac'd death of a child, is such an apology for the former letter as will be, in a certain degree, satisfactory to most parents who may read it, & to many a complete one. To all such, any new step, founded on what had passed, might & most probably would appear objectionable. I am therefore inclined to think that it will be better, in regard to any arrogant pretentions, to leave the affair where it is, at least for the present. With respect to the other question, I mean that alike relates to certain misrepresentations of your conduct [for they are entirely distinct from each other]. I am also of opinion that I could do nothing at this time, if at all. The late correspondence goes far to refute such misrepresentation, emanating from others, and to disarm them on his part. The suitable moment to issue an advertisement is that of your return to the county; when you are both present. When nothing is done, no harm is done; it is always in time to take a step which on full consideration appears to be proper. If you choose to advert to certain calumnies in your advertisement, you may then do it, and I am rather of opinion that it will be better to do it in that way than by any direct communication with him. Indeed as you have no fact to act on, it seems to be impossible for you to say anything to him on that point. The doubt is whether you ought to advert to such misrepresentations in an advertisement. I wou'd not positively decide against such a step at this time. I shou'd not take it but under a conviction that my reputation suffer'd by misrepresentation, which I could not meet, in any other mode. But on this point we shall have an opportunity to confer again on your return, as I perceive with pleasure that you do not contemplate any measure prior to that period.

I send you two letters, one to the Vice President and another to Mr. Forbes, member from Fluvanna at Richmond. I submit to your judgment whether either ought to be presented. If you think not, you will suppress them. In that case you will express to Mr. Forbes verbally the same sentiments. On the propriety of presenting the other you may consult our friend Mr. Brent. It is indeed cautiously written, but still it may be improper for me to write it at all. If not presented, our friend Mr. B. can render, with the same effect, the same service. If delivered it will be proper to hint to the old gentleman the propriety of caution, in mentioning that we correspond, as a knowledge of the fact might excite jealousy & do harm, in these strange times, especially among republicans. Remember me to all friends. But use yr own judgment in the cautious manner you do have in speaking of me. My best wishes attend you.

Your friend & servt.

Jas. Monroe.

Be so good as to address the letter to Mr. Forbes in case you deliver it. I do not know his chosen name. You will not fail to see our daughter & Mr. Hay & to remember me affectionately to them. Mrs.
Monroe is indisposed with rheumatism at this time, but rather easier than she was last night. I wanted some camphor from you.

(Endorsed James Monroe Letter.)

Albemarle Jany 13, 1810

My Dear Sir.

My friend Dr. Everett being about to visit Washington, I could not permit him to depart, without bearing to you some testimonial from me, of my great respect for his merit. He is a man of unquestionable integrity, possessing much information in our affairs, especially in what belongs to this state, of a mind strong & discriminating, in principle republican, and superior to all kinds of influences. Your kind attention to him will very much oblige me.

I have not written to you of late because I could communicate nothing that would be interesting. Absorbed in domestic cares, I am however not indifferent to those of a public nature. My heart takes a warm interest in every event which touches the honor or interest of my country. Good wishes for the success of our measures, whatever they may be, which the majority adopt, is all the service which I can render. Could I render more effectual, it would not be wanting. But at the present time retirement, is I think, the best act of patriotism that I can perform, as it most certainly is the most useful one to my family.

I need not assure you that you hold the same high place in my consideration, which your past services to your country and consistent republican conduct secured you at the close of our revolution, or that I entertain for you the same sentiments of regard and friendship which I always possessed and felt.

Accept my best wishes for your welfare.

Yr friend & servt.

Jas. Monroe.

Dear Sir.

I returned yesterday from Washington too much fatigued to venture out today or sho'd have visited Charlottesville. Can you come & dine with me tomorrow?

I have the pleasure to inform you that I settled my acct with the govt quite to my own & its satisfaction. One point is reserved for consideration. Without taking it into account I've a balance of less than 200 dolrs. If that is decided in my favor a much greater sum will be due me, or rather to some friends, of whom I borrowed money to supply the deficiency in salary &c. The President & heads of departments showed every indication to do what was fair & just towards me.

Your friend

Jas. Monroe.

12 May 1810

[Addressed] Dr. Chs Everett.
Washington May 9, 1811

My Dear Sir.

Be so good as cause the within to be deliver'd to Mrs. Trist before she sets out for Henry County. It conveys to her a small sum of money which remains in my hands for her, of a fund lately committed to me by her.

Your second letter I have rec'd. I hope you rec'd mine with the enclosure to Mr. Alexander. Want of time prevents my adding more than assurances of my very sincere friendship.

Jas. Monroe.

Washington April 23, 1811

My Dear Sir:

I have received yours of the 15th & been much gratified by the interesting details which it communicates. I intimated to you from Richmond that the letter of invitation from the President into the office which I now hold, was address'd in such fair and liberal principles, proposing a cooperation of our labours & efforts to promote the public welfare by such means as our experience & judgment might suggest, as to remove all possible difficulty, in the views alluded to in yours, on my part. I had to surmount only an objection of another kind, that which applied to a resignation of the office so recently confer'd on me by the Gen'l Assembly. I felt a strong repugnance to any measure which might in the opinion of any one, expose me to the imputation of ingratitude, to a State to which I owe so much, but the concurring opinions of all the friends whom I had an opportunity to consult, which I am happy to find, is confirmed by yours, on reflection, that I ought not to decline the invitation, determined me to accept it. I knew that the interests of the State were more involved in the concerns of the general than of the State govt, at this time, and was persuaded, that in coming here, I followed the views & wishes of all those who contributed to place me in the State govt. The conduct of the P. since my arrival has corresponded with my previous anticipation; it is perfectly friendly and corresponding with our ancient relation which I am happy to have restored in public affairs. We confer without reserve, each party, expressing his own sentiments, and viewing dispassionately the existing state, animated by a sincere desire to promote the public welfare. I have full confidence that this relation will always be preserved in future.

That my appointment should have excited some surprise in certain quarters it was reasonable to expect. The near connections of my predecessor wod naturally feel some sensibility to it, & wod be apt to indulge some portion of resentment, to me; the measure was decided on before I knew anything of it and I had only to say whether I wod accept a trust which had become vacant. Time and reflection will prob-
ably produce more cordial, & liberal sentiments; on this and other subjects, of a similar kind, than I have witnessed at the hands of those persons since my return to the U. States. Without having given any cause, I have found them among my most persevering and unfeeling opponents, in every circumstance, which involved my political standing with my country, or which brough into view those pretentions, which were founded on long & faithful, if not useful services. I have endeavored on my part, to evince my independence of them only, having in truth no feeling of resentment to gratify, or any wish unfriendly to them.

Intelligence of importance is expected by the Essex from France & England. Mr. Pinkney returns in her with his family & Mr. Foster will probably arrive about the same time. It is understood that he comes out with power to resume the negotiation. Most happy indeed will it be if our differences can be adjusted on reasonable and satisfactory ground. Certain it is, that any proposition to that effect, will be used with the best disposition, to restore commerce and friendship to both countries. Till the Essex arrives, everything will be in a great measure at a stand.

I am much obliged to hear that Mr. Alexander will pay some attention to my affairs in my absence. I should be glad to make him some reasonable allowance for it. It wo’d be very useful to me, if he only went once a fortnight, or even once a month, to form plans for the overseers, & look somewhat to their execution, to see that the plantation utensils were of good kinds, that the culture was proper especially the ploughing; the creatures, such as horses, cattle, hogs &c were attended to, the clover taken care of. I enclose you a letter to him, which you may either deliver or not as you think best. You intimated that he wo’d probably take somewhere abt 100 dol’rs for such a service. You will observe that if the business is taken up, as an act of neighborly kindness, a reasonable allowance, such as 20. 30. shillings a visit, not exceeding in the whole £30. or at most £40. would be sufficient; but if taken up on a different idea, that of stewardship &c, the estimate wo’d be a very different one, exceeding altogether my means. I leave it to you to arrange it as you think best, and either by conversation alone or aided by this letter. Should you make the arrangement by conversation you will be so good as to communicate to him verbally the substance of the 2d paragraph, in mine to him.

I am very thankful to you for the interest you take in my brother’s welfare. I think with you that a good prospect is open’d to him in his profession, and then with industry, and prudence he may acquire greater independence and a more respectable standing in society than he ever enjoyed. I fear that the difficulties of his situation, in emerging from the troubles which oppressed him below, still hang heavy on him, & produce a despondence. The sickness of the mind is more afflicting
than that of the body. It is even probable that light pecuniary embarrassments, destitute as he is of all pecuniary means, surrounded as he is by his worthy children, may distress and prey on him. When Mrs. Monroe comes up as she soon will do, her attentions to his family may be consoling to them. I shall write him and endeavor to dissipate unnecessary cares on that head. I wish him to be free to make motion, because I think if he does he will succeed. Augustine is with his father in Loudoun having perfectly retired, & as I know from a gentleman in the neighborhood, pursuing closely his studies. Tell Col. Lindsay he sees that I followed the advice he gave me in the conversation we had, when we were last together in Richmond. Remember me to him, to Mr. Divers, to our friends in Charlottesville & the family.

I am always my dear Sir very warmly yours,

Jas. Monroe.


Washington May 26, 1811

My Dear Sir.

I had the pleasure to receive your favor informing me of yr arrangement with Mr. Alexander, for which I thank you.

I go in the morning to Loudoun, to be there one day. I shall be back on Tuesday the 29th. I hear that the clover there is above the knee.

The acc'ts published of an action between one of our frigates & a British one, was doubted here, as no recent orders have been given. It is a possible but not a probable case.

I fear the sickness of my brother has injured him much. His creditors I trust have too much feeling to harass him at such a time, and under such circumstances. Should they do it, I would not let him be driven to any extremity for 3 or 400 dolrs. I beg you to attend to this hint for his advantage. Knowing this fact from you or Mr. Shelby they wod wait till I could interpose.

Sincerely yr friend

Jas. Monroe.

I hope his children will be with Mrs. Monroe.

(Envelope addressed) Dept of State
Jas. Monroe
Dr. Charles Everett, Charlottesville

Albemarle Augt 13 1811

Dear Sir.

So closely am I engaged in my private, as well as some public duties that I have little leisure to leave here. I should be happy to see you today or tomorrow or indeed when it suits you. I would wish
that it might be soon, as I shall be called shortly to arrange on some business which will require a personal conference. I mention this between ourselves.

Sincerely I am your friend

Jas. Monroe.

Dr. Charles Everett.

Washington Dec 16 1811

Dear Joseph

Govr Hoomes of the Mississippi Territory is now here, having just arrived. I have had a short conversation with him today, respecting the place to which he would advise you to move with your family. He gives a decided preference to the neighborhood of Natchez, where he lives himself. I told him that you had your fortune to make, and gave him a general idea of the state in which you are. He intimated that he might be able to do something for you, perhaps immediately. He advises that you move immediately. He will be here not more than a fortnight. My advice to you is to set out by the night stage after receiving this, & to come here. Ask Mr. Shelby in my name to lend you thirty dollars for the purpose. I will send it to him the first week [in] January next. I have written to Mr. Alexander to furnish some beef & other articles to your family, as he kills any. I wish you would come immediately.

Your friend

Jas. Monroe.

[No address]

Washington Dec 6th 1811

Dear Joseph

My publick duties have borne so heavily on me of late that I have not been able to communicate with my friends.

You have perhaps heard of an opposition in the Senate by Mr. Giles, as the leader, to my nomination to this office, founded on a supposed favoritism in the settlement of my account in my late mission to Europe. On this suggestion, and on his motion, the nomination was referred to a committee, of which he was chairman, & Mr. Crawford of Georgia & Mr. Bibb of Kentucky, the other members. As soon as I heard of the opposition, thro Mr. Brent, I requested that every item of the acct might be reexamined with the utmost rigor, which was done. The account, vouchers, & settlement, were obtained from the accounting office of the govt, the auditor called before the committee, & examined, & research made into the settlements, with other persons employed in like missions, the result of which was to disarm those opposed to me, of all grounds of opposition. The vote thereupon was unanimous in my favor. I am told that after thorough investigation was made by the committee, Mr. Crawford & Mr. Bibb asked Mr. Giles if he was satisfied, that my account offered no grounds on which to oppose my nomination, & that he replied, that he was.
They then requested him to draw the report of the committee which he did. When the report was made & acted on in the Senate, some members hesitated as to the propriety of the outfit to Paris, tho' in a similar mission one had been allowed to Mr. Gerry, Mr. Marshall, Mr. Ellsworth & all others who had ever been sent there, on which Mr. Crawford stated that the report had been drawn by the chairman, on whom he called to say, whether he was satisfied or not, & who rose & stated that he was. Mr. Crawford remarked that had the report been drawn by Mr. Bibb & him, it would have been construct'd in different terms, implying as to expressions in my favor. Had I been vulnerable in this way I believe I should have received deep wounds, but I am not afraid of my enemies in any way. I only ask that their attacks should be open & not covert.

I really have been without money since I came here, so great has been the expense of my establishment, in addition to which so many calls have been made on me by those to whom I am indebted. If I can command any money I will send you a few dolrs [to help in case you require aid, to support your family] in the course of next week. I think you had better come here, as soon as you return from your courts, or indeed immediately if your courts in the upper counties form no important object with you at this time. You will lodge with us & be at no expense except on the road. I will help you in procuring suitable clothes after your arrival. By being here you will have an opportunity to become acquainted with all the members from the House and Senate and to judge for yourself, after full communication with them, which place you ought to prefer. I will enclose you money to bear your expenses, on hearing that you are disposed to come on. Before you you come, I wish you to ride over my plantation & see how everything goes on.

The govt is resolved, if G. Britain does not revoke her orders in council in a short time to act offensively towards her. In fact not to remain inactive and at peace, while she wages war. I have sent to several friends copies of the correspondence, as well as to yourself & Dr. Everett. I have sent them to Mr. Jefferson, Mr. Divers, Col. Lindsay, Mr. Watson at Milton, & I now send one to Col. Yancey, whose name is I think Charles, but if not, correct it in the office. If you think it material that I should send a copy or two more inform me & to whom. Enclosed you will receive one for the use of Mr. Shelby & other friends in Charlottesville.

Yr friend

(Jas. Monroe.)

(Endorsed on back)

Dept of State
Jas Monroe
Joseph J Monroe Esqr
Charlottesville.
Dear Sir.

I have just received a letter from you dated the 1st October, wh. ought to have borne date, as I presume, the 1st of this month, consulting me on the propriety of you suffering yourself to be nominated to a seat in the Council. I have no hesitation to advise it and shall write some friends at Richmond on the subject. I hope you will succeed.

I sent you lately a copy of the printed documents which you have read before this.

You will have heard of the opposition to my nomination, the ground of it, & its fate. If this finds you at Charlottesville, Joseph will read you the details, which I should give you in this letter, had I time before the mail closes.

The govt you will find is not disposed to rest on its present ground, but in case suitable accommodation continues to be withheld, for any length of time, to act offensively against G. Britain.

Sincerely I am your friend

Jas. Monroe.

(Address on back)

Dept of State
Jas. Monroe.

Doctr Charles Everett, Charlottesville, Va.

Washington, March 23, 1812.

My Dear Sir.

I have had the pleasure to receive yours of the 12th. It has given me great concern that the pressure of affairs has been such as to render it impossible for me to acquit myself of the just claims of my friends. I have really not been able to discharge to my own satisfaction my duties to the publick, and in consequence thereof have been forc'd to fail to my friends.

The reference for recommendation, to supply officers for the force to be raised, to the representatives in Congress, wh. became necessary by the number to be appointed, & the haste with which the nominations were to be made, put it out of my powers to be as useful to many for whom I took an interest as I might otherwise have been. As soon, however, as I received a letter from Col. Yancey in favor of Capt. Robertson, wch. I did some weeks past, I said everything in his favor that I had been requested. I shall at your instance repeat the same today tho' I do not think in the state in which the business is that it will be effectual. Each district has a company, to which the officers are appointed. Seven other companies are to be raised & the officers are to be chosen thro' the whole State and these from what the Secretary of War says long since decided on.
In the case of Brand I give you full authority to adjust it as you think fit. I want no money, the just sentiment expressed by a respectable jury, wh. altho they assisted in no sense, was decided against such an act, affords me great satisfaction. The God who made us made the black people, & they ought not to be treated with barbarity. Settle it as you think proper & I will be quite contented.

I fear that aff'rs must grow worse before we can hope a change. There is no prospect of a revocation of the British orders in council.

Your friends here have done everything in their power to bring you into an useful and honorable station, but I can say nothing of the result.

Sincerely your friend

Jas. Monroe.

(No address)

Washington April 25th 12

My Dear Sir.

I have a moment only to answer by return of the mail your letter respecting Mr. Brand. My intention was to leave it to you to settle the affair with him, without asking anything whatever, if you thought proper, paying myself physician fees, &c. It is still my wish that you do so. Something like an example seemed to be the proper, or at least that I should show my disapprobation of his conduct, by suing him, whatever might be the result. As to my compensation for the loss of him, I did not even think of it, nor is my wish that anything be given to the fellow. The more liberally you close the affair, and the more it may appear to be your act, the more agreeable to me.

Your friend

[Address on back]

Jas. Monroe.

Dept of State

Jas. Monroe.

Doctr Charles Everett, Charlottesville.

Washington May 17th 1812

My Dear Sir

My brother Joseph is about to move to the westward & establish himself near the Natchez in the Mississippi territory. By his last letter I infer that he will set out shortly after he gets mine by this mail. Will you be so kind as to advance him for me one hundred dolrs, which I will repay as soon as you inform me of it, either by remitting the amt by the mail, for in that time I shall have some money, or placing it in Richmond for you, as you think proper.

I have my dear Sir, as you have known, fully acquitted myself to every claim which he could have on me, having often advanced great sums for him, at times when I was myself distressed, and my family suffer'd in consequence of it. I will frankly own to you, that I feel,
that I have done more for him than I can justify to my children. I have done it, however, in the hope, that as he had talents, & as far as I have known just & honorable sentiments, that he could avail himself of the relief thus afforded him, to renew his efforts for the improving of his fortune & advancement of his fame. He has decided to move westward, a decision which I have approved & to enable him to carry it into effect, I have accommodated his family with a carriage, a pair of horses, and him with some money, to assist in bearing his expenses. He has lived at my house the winter free of expense. I have paid for him besides, in cash, to persons in Charlottesville, the neighborhood & elsewhere, since he moved to that place about 500 dolrs, & I supply him with books of considerable value. I do these things for him as the last service I ever intend to render him. They will place him on ground in which he may prosper, if he is industrious and prudent; if in short he does what he ought to do, and if he fails the consequences will rest on himself.

I am not acquainted with his circumstances in the county, that is whether he owes debts or not. I hope he does not. For such, however, if he does I will not be answerable, nor for one cent. When he left that county & mov'd to the Northern Neck I paid his debts amounting to abt $400. This fact may induce his creditors, if he has any, perhaps the same persons, to look to me again, but they may be assured I will not be concerned.

The carriage & horses are furnished to take his family to their destination. If they do not answer that purpose, I will retake them, as they are mine not his.

I write you with freedom on his subject, having the utmost confidence in your prudence as well as your friendship, and knowing that you are also friendly to him. It is possible that a knowledge of these circumstances, may enable you to give him good counsel, to prevent miscalculations & errors in others, & essentially to forward his news. If he owes debts, his creditors had better let him pursue his destination & even facilitate his progress, than embarrass it. If they rely on anything of mine, afforded to take him on, they will be deceived as they will be, if they expect me to interfere further than I have done for him.

I hope that these apprehensions are unfounded, that he owes nothing, or that if he does, that he will be able by his funds alone, to provide for them, to the satisfaction of his creditors, & that he will experience kindness & indulgence from them. I shall write you again soon.

Very sincerely I am your friend

Jas. Monroe.

Remember me to Mr. Divers, Mr. Shelby & other friends.

[No address]

(To be continued)
A SKETCH OF COLONIAL ORANGE—1734-1776.

By Bessie Grinnan.

Orange County was cut off from Spotsylvania in 1734 and was at that time, as the old record states, “bounded southerly by the line of Hanover, northerly by the Grant of Lord Fairfax, westerly by the utmost limits of Va.,” so it included the valley counties of Augusta, Rockingham, etc., in fact, extended to the Ohio or as some early expansionists claim to the Pacific. Culpeper was cut off from Orange in 1748.

The population was then small and scattered. The lower portion of the county at least was safe and peaceable. The hostile Indian—that dread scourge of the settler in the valley, had long ago been driven beyond the Blue Ridge or the “High Mts,” as they called them. A few peaceful Indians were occasionally seen, but they did not disturb the security of the good people of Orange as much as the wolves that were numerous then and very destructive, though not dangerous. A bounty was offered for wolf scalps, and for the first two years after the county was created it took one-half of the tax receipts to pay this bounty. Even to this rate of extermination, as late as 1799, two wolves were killed near the present Court House—the last recorded instance of their having been in that neighborhood.

If we may trust old records, justice at that time was as prompt and pitiless in Orange as it was elsewhere. Lynching was unknown, and could never have been justified then on the plea that that the court would not administer a punishment sufficiently severe, for there is an instance of a negro man who was hung for breaking into a house and stealing something valued at a quarter. In justice to the court, I must state that this man had been pardoned once before for an offense, and it was thought impossible under the English law to give him “the benefit of clergy” a second time.

In 1746 a negro woman convicted of poisoning her master was burnt to death near the Court House, which was then near Raccoon
Ford. (The place used to be known as Witches Hill.) It is also curious to note that the county paid her master’s estate fifty pounds for her loss, acting on the principle that the property of the individual was being taken for the public good.

Another notable instance was that of a negro man who murdered his master, and who was hanged for it. To make his death the more impressive, his head was cut off and put on a pole at the spot where the murder was committed. Surely though, we need not wonder at these barbarities on the frontiers of far Virginia, if we remember that such things were very commonly done in England and Scotland at this time, especially after the rebellion of ’45, when similar indignities were inflicted for political offenses, not on low murderers and common criminals, but on the best men of the country. It was at that time, and in fact long after the Revolution a common mode of punishment to brand a thief’s hand with a hot iron in the shape of a T.

The strictness of the laws on swearing and breaking the Sabbath is noteworthy. There are numberless instances recorded of fines collected for getting drunk on court days and for using profane language. Once the vestry indicted the Rector for both, but does not seem to have collected anything. No one could ride or drive on Sunday except to Church. Physicians were excepted from this regulation fortunately for the sick and dying. There is an instance of a man in one of the Tidewater Counties who was heavily fined for taking a few oysters for dinner one Sunday from his own oyster bed.

But it must not be supposed from this that the people of Orange at that day had any puritanical objections to amusements or that they took their pleasures sadly, as Taine said for the English. Far from it. Few of us now devote as much time to the social side of life as they did.

Shooting matches at the Green Spring, barbecues at the Court House (“with whiskey in plenty for the men and sangaree for the ladies”) dancing at one house or another, dinner parties and visiting were the order of the day. Winter and summer they breakfasted, dined and supped with their friends. People who were in
the habit of driving to Philadelphia and New York, Kentucky and Georgia, would think nothing of driving ten or twenty miles to take dinner with a neighbor. Col. Francis Taylor, a Revolutionary officer, mentions it in his diary as worthy of special record when he dines at home and alone. There was no lack of good cheer. The railroad had not then brought a market to the farmer's gate and the best use he could make of his fat beeves and lambs was to eat them, so on all occasions he killed the fatted calf and made merry with his friends. He washed down his big dinner with plenty of rum, whiskey, old madeira and even persimon beer. It seemed impossible to do anything without rum or whiskey in any of the colonies. At all functions, even at funerals and christenings, they had to have something to drink. In fact, rum was as necessary for a funeral as the corpse. The mourners and their sympathetic friends required several gallons to drown their sorrows.* The custom now observed by the negroes of having the funeral sometimes after the burial was then common among all classes. Frances Madison, the grandmother of the President, died on October 25, 1761, and was interred the following Sunday at Montpelier. Her funeral sermon was not preached until on Wednesday, December 30, 1761, when the Rev. James Marye officiated. The burial seems generally to have taken place quietly, only a few friends or near relatives being present, while the funeral, which was preached later, was largely attended, and special invitations or "tickets" were sent to the friends of the family.

Most of the prominent families of Orange belonged to the Established Church and some of them certainly were its zealous supporters. Presbyterians were few and do not seem to have preached in Orange till after the Revolution. The Baptists would not conform to the law which required a license and were fined accordingly. The people paid tithes to the Established Church. The payment of the Rector's salary was made in tobacco. There were three churches in Orange, one of them a substantial one of brick. Owing to the

* John Adams states in his Works that every other house in the town in which he lived was a tavern, where people caroused day and night.
loss of records we do not know the names of many of the preachers, but among them were the Rev. Jas. Marye and Rev. Thos. Martin, who were very good men. The last Colonial Rector, Rev. John Wingate, showed himself a man of courage in expressing his views, for at the breaking out of the Revolution he published a pamphlet urging his parishioners to remain loyal to the King and their mother country. This pamphlet was considered so dangerous that the Committee of Safety burnt all they could find in the Court House yard. Wingate after this left the neighborhood. St. Thomas was formed into a separate parish in 1740 and extended to the top of the Blue Ridge. The Old Brick Church, where this neighborhood worshipped was on the Meadow Farm, now owned by Mr. J. P. Taylor. Charlton, now the residence of Mrs. Jack Wambersie, was then the Glebe. A remarkable fact connected with the parish was that there were no Episcopal visitations for confirmation till 1816. The mother of President Madison became a communicant at the age of twenty, but it was not until she was eighty that she was confirmed. It seems strange now that the church existed at all under such circumstances. Some names on the parish books of that day—Barbour, Cave, Conway, Chew, Madison, Moore, Shepherd, Taylor, Taliaferro—are still familiar in Orange.

The houses of that time in this frontier county were small and indifferent. We should look in vain here for the noble colonial mansion of Tidewater Virginia. Luxuries in our sense of the word were few, the furniture mostly home made.

Yet even in this remote corner of the world some wrote to London for books, dry goods, and other luxuries. Mrs. Frances Madison, whom I mentioned before, wrote to the merchants there to whom she consigned her tobacco for various books. She was evidently religiously inclined, for many of the books were devotional, four of them were on the Sacrament, but besides these she wanted the Tatler, Spectator, Rambler and other good reading. She also wrote to Coutts (a relation by the way of the Baroness Burdett Coutts) for fine blue china, about the selection of which she seemed to have been very particular. Remembering how many miles the
fine blue china had to be jolted over rough roads, it would be interesting to know its condition when she received it.

The educational advantages were confined in Orange as everywhere in the Colonies to the better classes. The parsons sometimes had schools for the sons of gentlemen, and there were some families who had tutors for their children and kept school for the neighborhood. Corporal punishment was freely administered. One parson kept a negro to assist in holding unruly feet and hands while he himself gave the culprit a vigorous thrashing. Where parents could afford it, the boys were sent away to school, and afterwards to Williamsburg. Two or three like James Madison, Jr., went to Princeton. As far as the girls were concerned, "higher education" was not a question to be considered, though many of them were sent to school in town, or were taught to read and write in the families. The marriage bonds in Orange show that there was a surprising amount of elementary education in the county. There were libraries, too, some of them of considerable size, filled with good authors.

The roads then were bad. There was a tax on pleasure vehicles and very few people had them. In 1775 there were only ten pleasure vehicles in the county. The most common vehicle was the stick buggy or chaise (a two-wheeled vehicle something like a dog cart with a top). The only chariot before the Revolution is said to have been Maj. Wm. Moore's chariot, a handsome affair with a gilt moulding around the top, much admired by the good people of Orange, who, for the most, part rode on horseback.

On the whole, I think that when we look on the condition of Orange then, we shall feel inclined to say like Solomon, "Say not that the former times were better than these," but on the other hand, when we look at the vigorous type of manhood produced by that simple rugged life and remember that those men played a prominent part in moulding the laws and constitution of a great nation, we may well ask ourselves, if after all we have made much progress.

The last mention of a white man killed by Indians in Orange was on the upper Rapidan, near Bank's Mill.
The ordinary county court had no jurisdiction over cases of felony involving life and death. If the person was a negro or slave he was tried by a special court of Oyer & Terminer, without the formality of a jury. If he was a white man he was tried in the General Court by a jury.

One glimpse not altogether complimentary to Orange is given us in the account of the Fairfax Expedition which went in 1746 to fix the limits of the Fairfax grant and marked the head waters of the Potomac with the Fairfax Stone.

The party left Fredericksburg 10th September, '46, and the chronicler of the expedition mentions that on the night of the 14th they went to Church at Orange to hear the Rev. Mungo Marshall, the Scotch Rector. On the 17th he says there was a large fight at the Court House in which fence rails were liberally used.

Another illustration of the time is that the party met after their return at the house of Mr. Peter Jefferson, the father of Thomas in Albemarle at Shadwell to write up an account of the expedition and draw a map of the grant, but they had to send to Williamsburg to get paper before this could be done.

WASHINGTON AND THE DISMAL SWAMP CANAL.

The following is a copy of a letter of George Washington relating to the Dismal Swamp Canal, which letter has the Library number of A-1091, and is published here by permission of Dr. H. R. McIlwaine, the State Librarian:

Mount Vernon Novr 30th. 1785.

Dear Sir.

I have had the honor to receive your Excellency's favor of the 11th. & am much obliged to you for the Commissioners Report respecting the cut from the Waters of Elizabeth River to those of Albemarle Sound.—and it is with great pleasure I have since heard that that matter is in a prosperous way in our Assembly, & placed
on a footing (reasonable & just I think) which is likely to meet the approbation of the Legislature of No. Carolina.

It has always been my opinion since I first investigated the Great dismal Swamp as a member & manager of that Company that the most advantageous cut would be found to be through Drummond pond to the head of Pasquotank and I have Surveys & Notes which prove this I think, incontestably—Mr Andrews's conjectures, with respect to Locks, I conceive is justly founded; for if the bed of the lake is above the level of the Water of Elizabeth River & Pasquotank the Reflux by means of the Canal being greater than the influx must undoubtedly drain the Pond & render it useless as a Reservoir without these Locks—but the places at which it may be proper to establish them must I should suppose depend upon the level & suitableness of the ground to receive them after the cut is made which should be begun at the extreme ends that the water may run of (and if with any velocity) to contribute to the work.

If this cut is effected, the obstructions in the Roanoke removed (which will most assuredly follow) and the inland Navigation of the Rivers James & Potomack compleated according to Law it will open channels of convenience & wealth to the Citizens of this State that the imagination can hardly extend to and render this the most favoured Country in the Universe. These measures only require a beginning to shew the practicability, ease & advantage with which they may be effected. Rappahanock & Shanondoah (the latter through a long extent of it) will follow the example & I see nothing to prevent the two branches of York River from doing the same. The consequence in the article of draugh Cattle alone—and to our Roads will be inconceivably great. The latter with small amend- ment will always be in good order when the present number of Carriages are no longer tearing them to pieces in the most inclement seasons of the year, and the ease to, and saving in the former will be felt most interestingly by the farmer & Planter in their annual operations.

But until these things are accomplished & even admitting they were done, do you not think, my good Sir, that the credit, the
saving, and the convenience of this Country—all require that our great Roads leading from one public place to another should be shortned—straightned—and established by Law—and the power in the County Court to alter them withdrawn? To me these things seem indispensably necessary, & it is my opinion they will take place in time the longer therefore they are delayed the more people will be injured by the alterations when they happen. It is equally clear to me, that putting the largest valuation [drawn thru in original] upon the labour of the people who work upon the roads under the existing law & custom of the present day the repairs of them by way of Contract to be paid by assessment on certain districts (until the period shall arrive when turnpikes may with propriety be established) would be infinitely less burthensome to the community than the present mode. In this case too the Contractor would meet with no favor—every man in the district wd. give information of neglects—whereas negligence under the present system is winked at by the only people who know how, or can inform against the Overseers—for strangers had rather encounter the inconvenience of bad roads than the trouble of an information and go away prejudiced against the Country for the polity of it. With great esteem & respect

I have the honor to be

Dr. Sir
Yr. Most Obed. Hble Ser
Go. Washington

His Excell
Govr. Henry.
DAMERON FAMILY.

(Continued from p. 58.)

By Mrs. O. A. Keach, Wichita, Kansas.

Mr. Lawrence Dameron, with his sons, Bartholomew, George, and Thomas, settled in Northumberland County, Va., some time before 1652. There is little doubt that he belonged to the old Suffolk family of Damerons, but it will be left to a later chronicler to determine his line of ancestry and establish unquestionably the relationships. However, the first of the name associated with the American adventure was Captain John Dameron, who was commissioned Captain of the "Deuty" December 23, 1619, in the service of the Va. Company in London. He was also probably the same John Dameron, who accompanied Sir Ferdinand Gorges in his voyages to the new world.

Mr. Lawrence Dameron's name first appears in the county records May 12, 1652, in a patent for 342 acres located on Wicomico River, being for the transportation of seven servants into the colony.

It would seem that Mr. Dameron made his first trip to Virginia some time before 1652, selected a site for his home and doubtless arranged for building his dwelling house.

A second and later patent recites "These are to certify that Mr. Lawrence Dameron made his right appear to 450 acres of land for the transportation of nine persons into this country, viz.: himself, his wife, James Sibble, Jeane Jones, William Rule, Joseph Johnson, Katherine Shaw, Richard Stennor, Edward Stanford. On August 20, 1655, Captain Peter Knight assigned unto Mr. Lawrence Dameron a patent for five hundred acres of land, on the south side of Great Wicomico River," part land and part marsh being a neck bounded easterly on the great Bay and Westerly on the Creeke, Yt gets the name from the Indian Towne of Cutta-tonmen." One of the boundaries of this "divident" of land was the Dividing Creek.
The marsh land described in this deed of 1655 is still known as Dameron's Marsh.

Mr. Dameron also bought a dividend of land from Mr. Thomas Broughton in Mattapony in upper Northumberland county. By other purchases he finally owned about 2,000 acres of land, for the most part in Wicomico parish.

On that stretch of Virginia shore overlooking the Chesapeake Bay even then a great highway of water travel, Mr. Lawrence Dameron ended his "adventure" in the phraseology of the old records, by settling there with his wife, Dorothy, and their children.

If there is a more beautiful place any where in the world no royal geographer has ever reported it. There were "Faire fields set with divers flowers," and around the clearings the "goodly tall trees" of cedar, pine, oak, elm, and chestnut, and chink-a-pin bushes growing luxuriantly in every forest glade.

One long tongue of marshy land called afterwards Dameron's Marsh, covered for the most part with reeds and marsh grasses, was a covert for wild game and a resting place for waterfowl, and the tidewater, rivers, and creeks were full of fish and oysters.

The first home was no doubt built of cedar slabs and was commodious and comfortable. In his will Lawrence Dameron speaks of "The Great Roome." At an early day a large brick manor house was built nearly on the first site and was known as the "Brick Walls."

Wicomico parish church was organized in 1655 with its church wardens and vestry.

This was the social center of the community and much of the civil administration was in the hands of the church wardens who ruled firmly and for the most part wisely. Within visiting radius of the Dameron plantation which lay partly along the Dividing Creek were the early families that later gave America some of the greatest men. Anyway the Damerons prospered and had time to cultivate friendships as well as the soil. On May 17, 1656, Lawrence Dameron appointed his "trusty and well beloved friend, Henry Hurst," his attorney, to collect some debts for him. One
of the witnesses to this power of attorney was James Sibble, one
of his headrights.

Lawrence Dameron probably died later in the year 1657: "I
bequeathe my soule to God my Creator, and my body to the earth,"
his will declares, and the first Dameron of Virginia was laid to
rest within sight of the "manor house," and within sound of the
waters whose tides reached unbroken from his own shore acres to
the coast lines of county Suffolk where so many Damerons had given
their bodies to the earth.

The Dameron burying ground is still preserved and has many
inhabitants. It has long been neglected, but not obliterated.

A court record shows that "Mr. Peter Knight as attorney for
Lawrence Dameron, at a county court held at James City the 9th
March, 1658, confessed judgment unto Capt. Edward Gunnell for
the present payment of 4,100 pds. of tobacco"—this judgment was
assigned to Mr. Thomas Brereton. "It is therefore ordered that
Dorothy, the relict and executrix of the sd Lawrence Dameron dec'd
shall make payment—unless she, the sd Dorothy Damerson, at the
next court doo then show good reason to the contrary."

Lawrence Dameron's will was proved Dec. 17, 1660. Through
some mistake of the court its date is given as May 1, 1660. This
will was discovered quite recently in a very old and badly damaged
court record book at Heathsville, Va., with parts of the leaves
crumbled into small bits. Enough of the will remains, however,
to be of much genealogical value and of considerable interest in
that it gives a glimpse of the manner of living of an early settler
and what had been accomplished in the brief space of time he had
lived—with a mention of some of the treasured possessions from
the older home.

WILL.

In the name of God Amen. I, Lawrence Dameron, being
weake in body yett thanks be to God in good perfect memory doe
make and ordaine this, my last will and Testament in manner
and forme following:

I bequeath my soule to God, my Creator and my body to the
earth. I give and bequeath unto my sonne Bartha Dameron one-
halfe of five hundred acres of land situated in great Wicocomoco
which I bought of Mr. Peter Knight, the said land to be enjoyed
peaceably by the said Bartholomew and his heirs forever, and to be
delivered him at the death of his mother with one Cedar Bedstead,
one long table with forme and benches to it, and one Couch, all
which stands in the great Roome.

I give unto my sonne George Dameron, the other halfe of the
five hundred acres of land above specified to him and his heirs
forever with one Cedar Bedstead, one small Cedar table and one
Couch which all stands in the Chamber to be delivered at the
death of his Mother and then the land and the houses to be equally
divided between Bartholomew..............and George Dameron.

I give unto ea............three sonnes Bartholomew Dameron
and Thomas....................men servants that have fower
..................................to serve five barrels of corne ......
..................................one good feather bed with .............
fixed guns, one good chests .................................. great one
three silver spoons, these to be ................................
they come to the ..................................................

I give and bequeath ...........................................
one able man servant ........................................
serve, six cowes, .............................................
to it, one inlaid ..............................................
(1) iron pott, fower ...........................................
spoons to be deliv...........................................

I give and bequeath ...........................................
of the further orr...........................................
halfe of it and ..............................................
that and the head of .......................................'
for them and theirs ........................................
they come to the .............................................

My will is that if ...........................................
come to the age of ..........................................
then the legacy .............................................
be equally divided amongst the survivors—land belonging to the male.

I doe give unto my wife Dorothy Dameron my debts and Legacies being paid and my children being maintained until they come to the age of sevteen years the whole remainder of my estate, hereby making her my full and whole and sole executrix. Hereby entreating and ordaining Mr. Thomas Hopkins and Abraham Byran to be the overseers of this my will and to see it performed, unto each of which said persons I doe give twenty shillings sterling.

In witness whereof I have heerunto sett my hand and this I acknowledge to be my last will and testament as witness my hand this first of May (1660).

Lawrence Dameron.

Witness

Henry Mayes
Thomas Gaskin.

17th December, 1660. This will was proved in the county court of Northumberland to be the last will and Testament of Lawrence Dameron by the oaths of Thomas Gaskins and Henry Mayes and execution thereof committed to Dorothy Dameron being appointed executrix in the Will and the said will is recorded.

This mutilated will shows the names of sons Bartholomew, George, and Thomas. Other records prove that there was a son Lawrence, and a daughter, Dorothy.

Mr. Lawrence Dameron's early death left his widow in a position of great responsibility. She must have been a woman of strong and resolute character and her name deserves place among the able and courageous pioneers of colonial Virginia. She held together and developed her increasingly valuable estate and wrote her own biography in the Christian characters and useful citizenship of her children and their numerous descendants now scattered over the American Commonwealth.

Mrs. Dorothy Dameron probably died in 1691 as Lawrence Dameron's will provided that land bequeathed to their sons, Bar-
tholomew and George, should be delivered to them at the death of their mother, and on March 16th, 1692, Bartholomew and George petitioned the court that the land left them by their father be laid out and divided according to his will. Thus, it may be assumed that Mrs. Dameron's death had recently occurred prior to this friendly suit for fixing the boundaries of their lands. The issue of Lawrence and Dorothy Dameon were:

2. Barholomew b. about 1645 m. Elizabeth 1666. Deposition dated Mch. 15, 1725, gives her age as 75.

3. George b. 164— m. Elizabeth, widow of John Dennis, 1679 or 1680.

4. Thomas b. 165— m. Sarah Bledsoe, dau. of Mr. George Bledsoe.

5. Lawrence b. about 1653 m. Jane

6. Dorothy b. 1656—Deposition made July 29th, 1726, gave her age as 70. m. 1st Josias Gaskins. 2nd Samuel Mahan.

The direct male descendants of George Dameron remained in possession of the original land bequeathed to him by his father, Lawrence, until the death of Mr. Robert J. Dameron in 1849.

A court record shows that the ‘Manor House” of George Dameron was used by Gov. Berkeley at some time during his exile at the time of Bacon’s Rebellion.

Thomas Dameron, a grandson of Lawrence, the immigrant erected early in 1700 a beautiful brick residence near the original home site which is yet known in Northumberland County as the “Brick Walls.”
THORNTON FAMILY.

By R. E. Thornton, Fairfax, Va.

a. Peter Thornton, of "Rose Hill," Caroline County; born 1774; died 1833; married Mary Todd Taylor, of Caroline County.

Issue: (1) Lucy Ann; (2) James Bankhead Taylor; (3) Edmund Taylor; (4) Hubbard; (5) Reuben Taylor; (6) John Minor; (7) Mildred; (8) Eliza; (9) Sarah Todd; (10) Bettie; (11) Julia; (12) Alice.

b1. Lucy Ann Thornton, born at 'Hunter's Hill, Caroline County; married Robert Williams, of Prince William County.

Issue: (1) Virginia Taylor; (2) Emma Jackson; (3) Philip D.; (4) Sarah Mildred; (5) John Taylor; (6) Margaret Roberta.

c1. Virginia Taylor Williams, married John Luther Sinclair, of Prince William County.

Issue: (1) Lucy, who married G. W. Hunter, left no issue; (2) Margaret Louise, married first her cousin, James Bankhead Taylor Thornton, of Newport, Ky.; secondly his brother, John Hubbard Thornton; (3) Edmonia; (4) John Littleton, who married Annie Hammill, of Prince William County.

C2. Emma Jackson Williams, married Lucian A. Davis, of Prince William County. He was clerk of the Court of that county; Captain Prince William Cavalry, 4th Va. Regt., Confederate service.

Issue: (1) John Randolph (died in infancy); (2) Ada, married F. J. Davies; (3) Neva, married —— Red.


C4. John Taylor Williams, married (1st) his cousin Jane Alice Berry, of Covington, Ky., sister of Hon. Albert Berry, member of Congress from that district; (2nd) his cousin, Bettie Moss Thornton, of Covington, Ky.

Issue: (1st marriage), (1) Bettie Berry, who married Richard Spalding; (2) Sarah Thornton, who married James M. Fisher, of Covington, Ky.

C5. Sarah Mildred Williams, died unmarried.
c6. Margaret Roberta Williams, married Dr. Clement Clay Barbour, no issue.

b2. Dr. James Bankhead Taylor Thornton, born at "Hunter's Hill," Caroline County; moved to Prince William County; died at his home "Savannah." His will is recorded in that county. Married Louisiana Elizabeth (usually called "Locien") Ratcliffe, of Fairfax County. She was the daughter of Robert Ratcliffe, whose wife was Mildred Wilkinson, daughter of John Wilkinson, of "Tudor Hall," Prince William County, whose will is recorded in that county. Robert Ratcliffe was a son of Richard Ratcliffe, whose will is recorded at Fairfax. His wife was Louisiana Bolling.

Issue: (1) William Willis; (2) Mary Mildred.

c1. William Willis Thornton, died Oct. 1886; married Dec. 21, 1851, Mary Susan Buckner, died July 17, 1893, daughter of William Smith Bickley Buckner, of "The Neck," on the Rappahannock River, Caroline County, whose wife was Mildred Hawes, daughter of Walker Hawes (b. July 1, 1776; d. May 18, 1836) and Mary Martin (b. Sept. 2, 1782). Captain of Prince William Cavalry, 4th Va. Regt., Confederate service; promoted to Captain and Assistant Comr. Ewell's Division; Major and Commissary of same division; member of The Association of the Army of Northern Virginia; Superintendent of Schools, Prince William County, being the first regular appointee to that office after the public school system was adopted in Virginia.

Issue: (1) Mildred Hawes; (2) Nannie Ratcliffe; (3) James Bankhead Taylor; (4) Bickley Buckner; (5) William Willis; (6) Richard Ewell; (7) Nannie Ratcliffe; (8) Mary Susan.

d1. Mildred Hawes, born Sept. 21, 1852, married April 9, 1873, James Jenkyn Davies, of England; died, 1892; graduate of Oxford University; Commonwealth's Attorney for Prince William County.

Issue: (1) Maria ("Madie") Willett; (2) James Jenkyn; (3) Mary (died in infancy); (4) William Willis; (5) John Jenkyn; (6) Hawes Thornton; (7) James Bankhead Taylor Thornton; (8) Mary Elizabeth (died in infancy); (9) Nannie Ratcliffe (died in infancy).
Thornton Family

1. Maria ("Madie") Willett Davies, born June 15, 1874; married Nov. 1, 1904, E. H. Hibbs, of Loudoun County.

Issue: One child, died in infancy.

2. James Jenkyn Davies, born Feb. 6, 1876, died Aug. 8, 1909; married Aug. 11, 1908, Harriet H. Green, daughter of Allen H. Green, of Prince William County (son of McDuff Green, of Stafford County). Educated at William and Mary College and University of Virginia; Commonwealth’s Attorney of his county.

3. William Willis Davies, born Nov. 4, 1879; married Norma Round, of Prince William County.

Issue: (1) Anne; (2), (died in infancy); (3) William Willis; (4)

4. John Jenkyn Davies, born Sept. 29, 1881, married Mary, of Culpeper County; attended William and Mary College; president of Culpeper National Bank, of Culpeper County.

Issue: (1) ; (2) ; (3) 

5. Hawes Thornton Davies, born July 29, 1883; married April 25, 1906, to his cousin, Mary Thornton Tompkins (born Mar. 18, 1885); educated at William and Mary College and the University of Virginia; Commonwealth’s Attorney for Prince William County.

Issue: (1) Hawes Thornton; (2) James Jenkyn; (3) Elizabeth Mildred.


7. James Bankhead Taylor Thornton, born Oct. 26, 1856, died Nov. 1918; educated at William and Mary College, and University of Virginia; member of the law firm of Williams, Thornton and Williams, Yazoo City, Miss., composed of himself, Senator John Sharpe Williams and C. H. Williams; later returned to Virginia and formed a partnership with Hon. Elisha E. Meredith, Prince William County; Commonwealth’s Attorney, 1892-1907; member of the Virginia Constitution Convention 1902; Judge of 16th Judicial Circuit 1907-1918; married Oct. 21, 1885, Fannie
Care Bauder, daughter of Prof. Ezra Bauder, formerly of N. Y., and Julia Care, of Port Royal, Va. No issue.


Issue: (1) Anna, married Robert Waters, died leaving children; (2) Roberta Bolling, married Walter Merchant, they have several children; (3) Elizabeth, married Henderson F. Tompkins, and have two children; Mary Thornton who married her cousin Hawes Thornton Davies (see e6) and Robert ; (4) Mary D., married William N. Lipscomb, of Prince William County, son of Judge William E. Lipscomb, 2 children: Mamie and William Harold.

b3. Edmund Taylor Thornton, of "Hunter's Hill," Caroline County; married (1st) Charlotte Conway; (2nd) her sister, Mary
Thornton Family

Conway, daughters of Thomas Conway, whose wife was Mary Hawes Buckner.

Issue: (1) Martha, who died young; (2) Ella, died young; (3) G. Aylett, married in Collierville, Tenn., and has children; (4) Annie, married Joseph Jesse, of Caroline County, their children are Lizzie, who married ——— Shackelford; Ned; Peter; Hon. Charles T. who represented Arlington County and Alexandria City in the General Assembly of Virginia, 1920, and who married Annie Collins, of Caroline County; (5) Thomas Conway married in Collierville, Tenn., and died leaving one child; by 2nd marriage: (6) Ella, who married William Chewning, who died leaving children.

b4. Hubbard Thornton, died unmarried.
b5. Reuben Taylor Thornton, died at his home in Newport, Ky., unmarried.
b6. John Minor Thornton, married Mary McKenny, of Newport, Ky.

Issue: Dr. John Minor Thornton, Jr., of Des Moines, Ia.
b8. Eliza Thornton, married Mr. Goodloe.
b9. Sarah Todd Thornton, married her cousin, Thomas Griffin Thornton.

Issue: (1) Lewis; (2) James Bankhead Taylor; (3) Edmund; (4) Reuben Taylor; (5) John Hubbard; (6) Mary Taylor; (7) Horatio Harris; (8) Griffin; (9) Bettie Moss. They all resided at Newport, Ky.
b11. Julia Thornton, died unmarried.
b12. Alice Thornton, died unmarried.
PATRICK HENRY AND THE DEPORTATION OF THE ROYALISTS.

(Copied for Tyler's Quarterly by Robert B. Munford, Jr.)

"In Council Wmfburg May 27 1777

Sir

The Board of Council being under great Difficulty in carrying into execution the Resolution of the last Affembly for removing out of the Country certain natives of Great Britain in the said Resolution described they find themselves under the Neceffity of Communicating the matter to the General Affembly for such further Directions as the occasion may in their judgement require. Without loss of time I issued my proclamation limiting a Time for such Persons as were the objects of the Resolution to depart this State. A number of Gentm. (chiefly Scots) procured a Ship called the Albion for transporting themselves to Great Britain. But as a good Deal of Delay was unavoidable in fitting out the Ship the Board occasionally protracted the Time allowed these persons to leave the Country & it is only of late that the Ship could be got in Readiness to come round from South Quay (where she lay) thro Chesapeake Bay to James river.

But unfortunately in making the attempt she has fallen in to the Hands of the Enemy and the Board conceive it to be totally impracticable at this Time to send them out in our own vessels which yet is the only alternative provided by the Resolution unlesst it be to treat those Gentlemen as prisoners of War, but this after the endeavours they have manifested and the expence they have incurred to comply with the Intentions of the General Affembly might be thought hard.

The intended Paffengers have suggested to the Council board a poffibility of their getting on board the Albion where she now lies with their provisions & Baggage and proceeding on their intended voyage if they were permitted so to do but whether such a method
would be proper in case it should be found practicable appears doubtful.

I have only to add Sir that a large number of the above Persons are now at Sleepy Hole in the Cty of Nansemond where they went in order to embark and where they are directed by the Board to remain till further orders.

With great Regard I have the Honor to be Sir

Yr Mo. obt & very

hble. Servt

(signed) P. Henry.”

This is a copy of a letter in the Va. State Archives [File Exec Papers Patrick Henry 1777-79] written by Patrick Henry from Wmsburg May 27 1777 & addressed on the back to

“The honble

George Wythe Esqr

Speaker of The House of Delegates.”

On the back is this endorsement

“Governor's Letter May 27 1777
respect natives of Great Britain.”

The body of the letter is not in Patrick Henry's handwriting. But the signature is his & the superscription is in his handwriting “With great Regard &c.”
PROFESSORS AT WILLIAM AND MARY COLLEGE.

1. Charles Morris.

Charles Morris, youngest child of Richard Morris and his wife Mary Watts, was born on the 27th April, 1826, at his father's home, Taylors Creek in Hanover County, Virginia. He was named for his great uncle Charles Dabney, an officer of the Virginia Line in the War of the Revolution. He was the fifth in direct descent from William Morris, of Glamorganshire, Wales, who acquired by purchase ten thousand acres of land in the then county of New Kent, now Hanover, about the year 1725, and built the Taylors Creek house in the year 1732. The name of his only son, Sylvanus Morris, appears in the first commission of the peace for the new county of Hanover. This man afterwards settled in the Green Springs neighborhood in Louisa County. William Morris, who inherited Taylor's Creek from his grandfather, accumulated a considerable fortune, made purchases of valuable land in Kentucky and Texas. He was succeeded by his youngest son Richard Morris, the father of the subject of this sketch. Richard Morris was a member of the Virginia Constitutional Convention of 1830, and took a prominent part in the debates and deliberations of that historic assembly. A charming short sketch of him is given by Hon. Hugh B. Grigsby in an address before the Virginia Historical Society in 1853.

Mary Watts, the mother of the subject of this sketch, was the daughter of William Watts and his wife Mary Scott of Flat Creek, Campbell County, Virginia. Thus on his mother's side his relatives are the families of Scott, of Prince Edward; Saunders, of Campbell, Davis and Venable, of Albemarle. By affinity he is related to the families of Holcomb, Preston, Robertson and Fontaine.

Charles Morris was left an orphan at an early age, and his boyhood home was with his sister, Mrs. Thomas Bolling, at Bolling Island, Goochland County. He was prepared for college at New
London Academy by Mr. William H. Harrison, of Amelia County, and afterward by Mr. F. W. Coleman at Concord Academy. He entered the University of Virginia in 1843, and graduated with the degree of Master of Arts after two years' residence, having made the "green ticket" in his first year. After leaving the University he traveled in Europe during the year 1850-1851, in company with his friend, Mr. John Rutherfoord. Upon his return to this country he read law and was admitted to the bar.

On 12th October, 1854, he married his cousin, Mary Minor Morris, daughter of Dr. John Morris, and his wife, Susanna Pleasants, of Goochland County. She was a granddaughter of James Pleasants one time governor of Virginia and United States Senator, and a descendant of Isham Randolph, the first of that family in America and of Rev. Robert Rose, rector of St. John Parish, Richmond.

In the year 1857 Charles Morris was Commonwealth's Attorney for his native County of Hanover. Endowed with exceptional mental ability, having enjoyed the best educational advantages the State afforded, benefited and broadened by travel, blessed with comfortable means, happily married, life opened fair before him.

Elected professor of law in the College of William and Mary, he moved to Williamsburg in the year 1859. Here the War Between the States found him. At the opening of hostilities he went into the army as a member of the Hanover Troop, and saw his first service on the peninsular. On the reorganization of the Confederate Army he was attached to the command of General La-Fayette McLaws. After the battle of Sharpsburg, he was stationed in Richmond, under General Alexander R. Lawton until the close of the war. He held the rank of captain until 9th March, 1865, when he was commissioned Major in the Confederate Army. The commission is signed by John C. Breckenridge, Secretary of War.

Returning to his home in Hanover County he opened a school for boys, which he conducted until elected professor of English in the University of Georgia. The high esteem in which he was held by his contemporaries is evidenced by the letters endorsing his application for the appointment. More than a hundred of
them, from men prominent in Virginia, in law, the ministry, medicine and literature are prized by his children. A few excerpts may not offend good taste. Hon. James Seddon writes: "Mr. Morris has all the qualifications which character, ability education and manners can confer." Hon. J. R. Tucker: "As a gentleman I can speak of him with confidence, for the characteristics of honor and integrity, which belong to that name I need no classics, they are patent to my intimate acquaintance with him." Hon. R. M. T. Hunter: "He is an accomplished scholar and a gentleman of high character, and by character and qualifications well suited to the professorship." Hon. B. Johnson Barbour: "I have known him long and known him well and have no hesitation in saying that he would amply fill and adorn any position which his modesty would allow him to accept." Dr. Moses D. Hoge: "He is well adapted by his fine attainments and experience in teaching, his social position and conciliating manners for the position." Col. Benjamin S. Ewell: "This gentleman is one of the best educated men in the South, having availed himself of superior advantages in this country and Europe, his manners are well suited to Southern students, his family is of the best in Virginia, and his character is without blemish." Prof. Basil L. Gildersleeve: "From my personal acquaintance with Mr. Morris, I should esteem it a privilege to be intimately associated with a man of such vigorous intellect and extensive reading and elevated character." It is an amiable human trait to say pleasant things about one who is dead. It is not often that one is so fortunate as to have so many expressions of appreciation and regard as fill these letters uttered about him while living.

Among his colleagues at the University of Georgia were his life long friend, Col. William Leroy Broun, and his former colleague in the faculty of William and Mary, Dr. M. J. Smead. With the other members of the faculty he formed lasting friendships. In August, 1876, he resigned his chair in the University of Georgia to accept the professorship of Greek in Randolph-Macon College at Ashland, Va. Space forbids more than a mention of the numerous letters of regret at his leaving Georgia, from many distin-
guished men of the State. He was again elected professor of English in the University of Georgia and returned to Athens in January, 1882. Here amid congenial surroundings, in love with his work, he continued until his death in May, 1893. Of his work, an accomplished scholar and competent critic wrote, long before his death: "I have always admired the purity of diction, justness of ideas and rhetorical talent displayed by the graduates whom Professor Morris turned out."

During his residence in Athens he was vestryman and warden of Emmanuel Church for many years.

No man had more or warmer friends. To this day his old students throughout the State speak of him with admiration and love. All who knew him recognized the cultured scholar, the modest gentleman. Undismayed by the wreck wrought by war, he took up his work with unassuming courage. He lived to see his family comfortable, his six children grown. He died in the full possession of his faculties, still discharging a man's duties, doing a man's work as a man should. The close of life found him blessed with "love, honor, obedience and troops of friends."—Athens Daily Banner, Thomas W. Reed.

2. Reverend Silas Totten, D. D., LL. D.

Son of Joseph Totten and Anne Van Liew, of New Jersey. Born in Schoharie County, New York, in 1804. Married in 1833, in Albany, N. Y., Mary Isham, daughter of Alfred Isham and Clarissa Loomis, of Colchester, Conn., born 1811. Died in Lexington, Ky., October 7, 1873. Graduated at Union College, Schenectady, N. Y., 1830. Tutor in Mathematical Department of said Institution until 1833. Was one of the original members of Phi Beta Kappa. Was Professor of Mathematics and Natural Philosophy in Washington (now Trinity) College until 1837. Studied Theology under the direction of Prof. Alonzo Potter, since Bishop of Pennsylvania. Received Deacon's orders from Rt. Rev. T. C. Brownell, 1833, in St. Paul's, Wallingford, Conn. Priest's orders from Rt. Rev. T. C. Brownell 1836 in Christ Church, Hartford, Conn.
President of Washington (now Trinity) College, and Hobart, Professor of Belles-Lettres and Oratory until 1848. Professor of Rhetoric and Mental Philosophy in William and Mary College, Virginia, until 1850. Rector of St. John’s Church, Iowa City, and Chancellor of Iowa State University until 1862. Delegate to General Convention of the Church, from Iowa in the Autumn of 1862. Rector of St. John’s Church, Decatur, Ill., from 1863 to 1866. Rector of Christ Church Seminary, Lexington, Ky., until 1873.

Though most of his life was occupied in the business of instruction, he was much engaged in the duties of the ministry, assisting brother clergymen, preaching in vacant parishes, and doing missionary duty in the vicinity of the colleges where he was employed. During the thirty-three years ending with 1865 he delivered no less than 1,488 regular sermons, besides a large number of lectures to students and others. In 1836 he published “A New Introduction to the Science of Algebra for use in Colleges and Academies.” In 1848 he published “The Analogy of Truth,” with a discourse on “The Connection Between Practical Piety and Doctrine.” While in Virginia he wrote for the press many articles on International Law, which were highly esteemed. He received the degree of D. D. from Union College in 1838—that of LL. D. was conferred by William and Mary College in 1861.

3. Dr. Morgan Jedediah Livingston Smead.

He was born March 4, 1813, and died November 11, 1871, son of Jedediah L. and Caroline Howe Smead. He was educated at the District School of Covington, New York; Wyoming Academy, New York; Union College and Berlin University. He was a A. B. of Union College and Ph. D. of the University of Berlin. He taught Greek at William and Mary College, languages at Le Febre’s School at Montgomery, Alabama, and modern languages at the University of Georgia. He edited the Philiphics of Demosthenes and the Antigone of Sophocles. He married Susan Wright Empie, daughter of Dr. Adam Empie, President of William and Mary College, but left no children.
Dr. Smead was equally versed in French, German and Spanish, learned in Latin and one of the foremost Greek scholars of his time. The Northern papers which reviewed his Greek books pronounced them the best evidence of scholarship *out of the South.* (Compiled from Notes sent by Thomas J. Empie, Wilmington, N. C.)


[Wm. Augustine Washington was fourth child of Augustine Washington, brother of General Washington. His third wife was Sarah Tayloe, of Mount Airy, Richmond County, Va., brother of the above named.]


NOTE ON EARLY STATE FAIRS, ROBERT SOMERS, &C.

By Dr. A. J. Morrison.

Dr. Tyler having by mistake attributed to the undersigned a very interesting extract from Robert Somers's "South After the War" (published in July number), it will not be out of place to call the attention of the reader still further to that most valuable book. Whoever read the extract on the State Fair of 1870 will be fortunate to have access to the book itself, the work of a Scottish editor and high authority on questions of commerce and finance. This book affords an excellent commentary on affairs in Virginia and the South in 1870 and 1871. Robert Somers was born in 1822 and died in 1891. During his brief visit he learned to know the Southern people well, felt very much at home among them, and came away regarding them as admirable. His testimony is invaluable as that of a man of business insight and sound North British character who could see how really British the Southern people were. His book treats more slightly of Virginia than of the South, but Somers recommends Virginia especially as a home for true Britons. His notes on Virginia deserve reproduction in full. At page 26 he says: "It is only a nightmare, or some hideous misunderstanding or unaccountable caprice of fortune that can retard the progress of Virginia to prosperity and wealth greater and more substantial than she has known at any former period."

As regards the State Fair of 1870, Robert Somers, of the Highland Society, must certainly have been a good judge. He had no hesitation in setting down that the live stock he saw and the general arrangements were most commendable. Adjutant-General and General Manager Richardson had set a good pace some years before the war. In November Mr. Somers was at Columbia, South Carolina, for the Fair, and observed that it was a failure on the agricultural side. It was an extraordinary circumstance that Virginia could do so well in 1870, and for that matter in 1869.
The first fair after the war was held in 1869, when the State was still a good deal under military rule. The army, however, is a pretty fair organizer, and it must be remembered that it was necessary for Adjutant-General Richardson to take hold before there could be a successful State Fair. General Richardson set things going in 1853, and the fair was held regularly through the fall of 1860. The railroads getting up steam, it was possible to have a great Fair and also a big war.

A. J. Morrison.

THE OTHER SIDE.

In its issue of August 27, 1922, the Boston Herald had an article on Samuel Adams by F. Lauriston Bullard, to which the editor of this magazine deemed it proper to reply. His letter was referred to Mr. Bullard, who declined to publish it in the columns of the Herald as too "controversial." The editor deems it too bad that the people of New England should grow up under one set of ideas, which, with the best schools and libraries, makes them the most provincial people in the United States. For, how otherwise can we explain so obvious an error, almost universally asserted in New England, that Plymouth was the first English settlement in America and the foundation of the American Commonwealth? The chief sinners in this respect are not the historians like Channing of Harvard, Worthington Ford of the Massachusetts Historical Society, and Andrews of Yale, who tell the truth, but the popular writers, bookmakers, magazines and newspapers, who seem to speak only for effect.

For this reason, even at this remote distance, it is well to present "the other side." It may reach some of the victims which the volumes of the eminent authors mentioned seem not to have done. The letter is published in this magazine relieved of some language that might be regarded as partisan, and enlarged in some few particulars.

To the Editor of the Boston Herald:
Dear Sir,—I read with much interest Mr. Bullard's article on Samuel Adams in your issue of August 27. I am far from wishing to
deprive Samuel Adams, Boston or Massachusetts of any credit they deserve, but Mr. Bullard writes as if they were the only things to be considered, which is wrong. He starts out with the sweeping allegation that "Samuel Adams is pronounced by all investigators as the organizer of American Independence." He then says that "the argument for the claim is easy to follow and hard to refute."

I have no doubt that the argument is "easy to follow," for Mr. Bullard has a facile pen and expresses himself very clearly, but that all investigators recognize Samuel Adams as "the organizer of American Independence" and that "the claim is hard to refute" are propositions not so readily admitted. That Sam Adams performed an important part in the preliminary steps of the American Resolution no one will deny, but there were many others who contributed valuable aid, and the man who comes nearest to "organizing independence" was Patrick Henry, of Virginia, and it was Virginia that led in the work of Independence—not Massachusetts. Grant that on May 24, 1764, Adams was the first man and Boston the first city to protest against taxation through Grenville's sugar bill. In doing this they did nothing more than assert a right which had been insisted on in all the colonies since their respective foundations, and by none more vigorously than by Virginia. At this time (1764) the real leader in Massachusetts was James Otis; and Otis, and the Massachusetts legislature, under his influence, assumed the weakest position taken by any of the colonies. In their formal address to the Crown in October, 1764, the Massachusetts Legislature, instead of putting their exemption from taxation on the ground of right, as other colonies did—as Virginia did—placed it on that of justice and favor and went so far as to admit the supremacy of Parliament, in all matters internal or external.

The opposition in Massachusetts was mainly directed against the sugar bill, and it was not until months after Virginia began fighting the stamp act that the importance of this formidable measure commenced to dawn upon the people of New England. (See Moses Coit Tyler, Literary History of the American Revolution II., 61.) The stamp act was enacted into law March 22, 1765, but was not to take effect till November 1, following. This was the critical interval, and what did Samuel Adams do in the meantime? Nothing of any importance as far as history records. Otis did get the Massachusetts Legislature on June 6, 1765, to issue a request to the colonies to hold a convention in New York in October, 1765, but this meeting as proposed would have been too late to affect the operation of the stamp act on November 1. None of the colonies responded to the call. New Jersey absolutely refused.

It was at this juncture, when all idea of resistance seemed laid aside that Patrick Henry sprang to the front. And what had been the course
of events in Virginia? The news of the Greenville measures reached Virginia in May, 1764, and created great consternation. With clearer prescience than Adams had shown, opposition was directed against the menace of the Stamp Act. So on June 15, 1764, in absolute ignorance of what had occurred in Boston regarding the sugar bill, the Committee of Correspondence met at Williamsburg and adopted resolutions that the agent for the colony in London should be directed to protest against all duties, and especially against any stamp act; the unconstitutionally whereof was set forth in a letter dated July 28, 1764, drawn by George Wythe and Robert Carter Nicholas, and endorsed by the committee. This letter contains the first serious argument in America against the Stamp Act.

At the Assembly which met in October, 1764, action was taken which condemned the proposed Stamp Act and all internal legislation as a violation of the inherited rights of the Colony of Virginia. The issue in Virginia was not merely "no taxation without representation," but "no legislation without representation," long before similar action was taken by Massachusetts.

Then followed the enactment of the Stamp Act into law March 22, 1765, and between this time and the next meeting of the Assembly in Virginia not a single colony took official action. It was on May 29, eight days before Otis's resolution for a Stamp Act Congress, that Patrick Henry "organized" independence by offering his celebrated resolutions, to which Mr. Bullard does not even refer, in which he warned George III, to beware of the fate of Tarquin, Caesar and Charles I.

The result of Henry's resolutions was to give effect to the call of Massachusetts for a meeting of the Stamp Act Congress; to unite all America in resistance to the Stamp Act, and to nullify its operation. Mr. Bullard has quoted General Gage, and cannot, therefore, impeach his own witness who says that "the resolutions of the Virginia Assembly gave the signal for a general outcry over the continent." And it was this "general outcry," and not Adams' resolutions of May 24, 1764, that made itself felt in London and caused the repeal of the Stamp Act March 18, 1766.

Adams' ideas were certainly in advance of Otis', who, according to Hutchinson, another witness of Mr. Bullard's, declared resistance to the Stamp Act "treason"; and subsequently Massachusetts, influenced by John Dickenson's Farmer's Letters and Arthur Lee's Monitor Letters, took a better stand, under his leadership, against the Revenue Act in 1768. But in his patriotic, though very cautious circular at that time, he followed Otis' example and admitted in his paper the overruling power of Parliament, which drew upon him and Massachusetts the censure of Roger Griswold, of Connecticut. (See Works of John Adams, II., 343.) This language was repeated by the Stamp Act Congress in
October, 1765, when Virginia and Patrick Henry were absent. This “Supremacy of Parliament” was an admission never made in any of the papers emanating from the statesmen of Virginia.

What Mr. Bullard says of the democracy of the town meetings in New England is without any real foundation. Only the “freemen” had any vote and these constituted but a small fraction of the free inhabitants, and the freeman were ruled, as in all assemblies of this kind, by a select clique of shrewd politicians. Mr. Bullard himself admits the fact for Boston by dwelling with much enthusiasm upon Adams’ facility in pulling the wires at the Boston town meeting. As a real truth, the government of the towns in New England was an oligarchy, not a democracy. Not as many voted in Massachusetts as in Virginia. (Adams, The Founding of New England, p. 143.)

Then as to his quoting Hutchinson that Samuel Adams was the first man to declare for independence in any public meeting, it must be remembered that the Tory governor’s view was concerned with Massachusetts only, and moreover his horror of rebellion disposed him to put a construction on words that did not necessarily mean independence. Where and when did Samuel make such a declaration? His State papers breathe of nothing but loyalty to the Crown, and none of his private letters come out unconditionally for Independence till Tom Paine set the idea going in his pamphlet, “Common Sense.”

Nor had the Intercolonial committees proposed by Virginia in 1773 any connection with Sam Adams’ town committees of correspondence for Massachusetts. The plan long antedated Adams’ action and had been a favorite idea with Richard Henry Lee as far back as 1768. The Intercolonial Committees of Correspondence appeared to have developed out of the committee of the same name established in Virginia in 1759 to carry on correspondence with an agent in London. Indeed, Samuel Adams seems to have got his idea of town committees from Dr. Arthur Lee, who wrote to him from London January 10, 1771, on the necessity of promoting union through the correspondence of prominent men in every colony. (Life of Arthur Lee, I., p. 250. This measure was necessary in Massachusetts which was a loose Confederacy of Towns, and not at all necessary in Virginia, which was a unit of administration and had far fewer tories than Massachusetts among its leading people.

And as to the Boston tea party, there is no real reason to differentiate this from the other lawless practicings which had occurred in Massachusetts. Massachusetts is now one of the most orderly of the States, then it was ruled by mobs and was one of the most disorderly. Respectable citizens like Samuel Adams and John Adams repeatedly condemned this indifference to violence as shown in the sacking and destruction of Hutchinson’s home, the so-called Boston massacre, the
tarring and feathering of men, women and children. There is no reason whatever to assign any other origin to the Boston tea party than the mob, and it is a direct reflection on Samuel Adams that he had anything to do with such a cowardly and lawless procedure.* If he had had, he would not have disguised himself as an Indian, but would have done the work openly and above board. Mr. Bullard makes Samuel Adams the instigator of this proceeding, but his letter to Arthur Lee May 31, 1774, is in direct contradiction. Parliament passed a bill shutting up the port of Boston, which roused the sympathy of Virginia and the rest of the continent, and Adams wrote: "People could not think that a British House of Commons would be so infatuated as to pass such a bill, to punish a whole town for a trespass which was committed in it by nobody knows who; and to carry it into execution without giving the town an opportunity to answer to the charge, is an unheard of proceeding." It is impossible to suppose that a brave man such as Adams was would have written in this manner, if he had anything to do with the destruction of the tea. No one knows to this day the names of the actors. (Channing, History of the United States, III., 132, note 2.)

It is strange that Mr. Bullard, after describing Adams as the man of the "Town Meeting," did not look to see what influence he was exerting at this time on Boston and Massachusetts. Indeed, all Massachusetts historians, while stressing the views of the delegation in Congress, are singularly silent as to what was occurring in Massachusetts itself.

And as to the idea that Richard Henry Lee's motion for Independence was influenced by his friendship for Samuel Adams, as Mr. Bullard would seem to suggest, this is also lacking in any real authority. Lee acted in obedience to the instructions of the Virginia Convention, which itself acted in obedience to an overwhelming public sentiment, expressed by public meetings in the different counties, of which Cumberland County on April 22, 1776, was the first officially to speak for independence.

In vain Elbridge Gerry, one of the delegates, cited the examples of North Carolina and Virginia, and urged action in favor of independence (Life of Elbridge Gerry, 174, 178, 181). While Virginia took direct steps for independence on May 15, the Massachusetts Assembly avoided action till the towns were heard from. Not till July 3, 1776—the day before the Declaration of Independence was signed—did the Assembly take action. On that day (July 3) they adopted a resolution advising their representatives in Congress of the result of the vote in the majority

*Benjamin Franklin said that it was an act of violent injustice that required a speedy and voluntary reparation.
of the towns, which were in favor of independence, if Congress deemed it advisable. Neither the towns nor the Provincial Assembly gave any direct instructions for independence, leaving all to the direction of Congress and their representatives.

Thus Boston, Samuel Adams' town, while deeming 'reconciliation dangerous and absurd,' professed her willingness to wait, most patiently to wait, till the wisdom of Congress shall dictate the necessity of making a declaration of independence." Compare this timidity of expression with the bold declarations of Cumberland County and the Virginia Convention.

One other point, Mr. Bullard mentions the troops furnished by New England and Massachusetts. I assume that his conclusions are from figures based on the report of Gen. Knox in 1790. But Knox took no account of the length of enlistment, and made no effort to reduce his figures to a common basis. For this reason his report is practically worthless. It is impossible to say, with any degree of accuracy, how many troops the respective states furnished. This important difference should be noticed that short enlistments prevailed in New England, and long enlistments—3 years usually—prevailed in Virginia. The consequence was that in New England the same men were often enlisted twice or thrice during the 3 years. In regard to these discrepancies Knox's report is for the most part silent, but he gives one conspicuous instance in 1781, when the entire Massachusetts contingent—3,732 men—were enlisted for only four months.

Owing to the density of the population, the New England soldiers were formidable upon a sudden call, but they seemed deficient in any sustained effort, lacked discipline, had few generals of any real ability, and the men, as Washington himself complained, had an uncomfortable way of getting tired of service and going home without notice. On February 10, 1776, when affairs at Boston were critical, Washington wrote: "So far from having an army of twenty thousand men all armed, I have been here with less than half that number, including sick, furloughed and on command, and those neither armed nor clothed as they should be." In this 10,000 men were comprised all the New England troops, but Knox credited Massachusetts alone with 13,372 men for the year 1776.

This can be said at any rate of the Virginia troops, that they took part in defence of all parts of the country, New England included. But no New England troops crossed the Potomac to help the hard-pressed Southern States at any time during the war, except at the siege of Yorktown. Among the Continental troops the heroic Third Virginia commanded first by Hugh Mercer, who fell covered with glory at Princeton, afterwards by George Weedon, and later by Thomas Marshall (father of the Chief Justice), was the mainstay of Washington during his campaign in the Middle States. At York Island, during the retreat
through the Jerseys, at Trenton, at Princeton and at Brandywine, the Third Virginia stood like a stonewall, checking the British advance. It was practically destroyed, and had to be reorganized when it was transferred to the assistance of Gen. Greene in the South.

In conclusion, I beg to refer Mr. Bullard to an authority, who, being near him, may have some weight. Speaking of the Stamp Act resolutions, Dr. Edward Channing, professor of History at Harvard University, says, in his History of the United States, Vol. III., p. 54: "In this Virginia led, as she did constantly in the Constitutional opposition of the next few years."

Lyon G. Tyler.

Charles City County, Va., September 3, 1922.

STITH FAMILY.

(Communicated by A. G. STITH, Louisville, Ky.)

Drury Stith and Elizabeth Buckner Stith, had among other children (see William and Mary College Quarterly, XXI, p. 187):

1. Richard Stith, born in Brunswick county 1727; married Lucy Hall, born in year 1736, and had following children:
   1. Ann, born November 12, 1757.
   2. Joseph, born September 6, 1759.
   3. Lucy, born March 12, 1761.
   4. Elizabeth Buckner, born October 25, 1762.
   5. Mary, born November 12, 1764.
   7. Thomas, born October 8, 1768.
   8. John, born December 27, 1770.
  10. Martha, born May 8, 1775.
  12. Richard, born December 9, 1778.

This record is in family Bible of Jesse Stith, late of Breckinridge county, Kentucky. It is noted in the Bible that Joseph Stith was a soldier in the Revolutionary War. Ensign Bedford County Militia. Sworn in August 28, 1780. (See Virginia Militia
in the Revolutionary War published by McAllister Publishing Co.)

2. Joseph Stith married Nancy Cocke in Campbell county, Virginia, September 8, 1782.


Nancy Jones, according to family tradition, was daughter of Major Thomas Jones, who served in Revolutionary War.

Query—In what branch of service?

John Stith, son of Joseph above, married Lucy A. Hardaway in Campbell county, Virginia, September, 1806.

Records of marriages above from Campbell county, Va., County Court record.

John Stith, called "Jack" Stith to distinguish him from his uncle, Dr. John Stith (No. 8 above) immediately after his marriage at age of sixteen removed to Kentucky, Hardin county, where he became a distinguished preacher. Died in 1833. (Redford’s History of Southern Methodism.)

His father, Joseph, also removed to Kentucky with other brothers and died about 1836, being buried in Meade county, near Vine Grove.

Jack Stith had, among other children:

Milton, who married Martha Stith, who was the daughter of William Stith, the 11th child of the original Richard, thus being second cousins. Of this union there was born among other children Richard Luther Stith, attorney Elizabethtown, Ky.; born Nov. 23, 1846; died Nov. 30th, 1920, who married Eugenia Carrico Stith and had children:

1. Hugh, who died without issue.
5. Lynn B.—no children.

Children of A. Glenn and Ruth B. Stith:

1. Mary E., born April 19, 1910.
Richard Stith was member of Committee of Safety in Bedford county during Revolutionary War. Descendants have membership in D. A. R. and in Sons of American Revolution.

**Will of Richard Stith**

(1782).

In the name of God, Amen, I Richard Stith, of Campbell County, aged fifty four,—being now in good health, and in full exercise of my senses and memory,—my labours and care having been blessed with a competency of this World’s Goods—and calling to mind that it is good for the surviving part of the Family, that a Man should set his House in Order before he leaves this World to go to a Better, do make my last Will and Testament in manner and form following:

I must be decently and plainly buryed—funeral Sermon etc., paid. I leave in possession of my well beloved wife, to her own command, use, benefit and comfort, my Whole Estate—to be delivered to the Children agreeable to the succeeding paragraphs hereof, but her full and quiet profession of this land, and Plantation where we live, and the 80 acres at the mouth of Lick Creek, and an uncertain number of negroes, to remain to her during her lifetime, instead of other manner of Right of Dower.

I give and bequeath to my Son Joseph my Land on Jumping Run, including Mount Hermon in Bedford County, by Patent 1150 acres.— This is since conveyed by Deed.

I give and bequeath to my Son Benjamin all my Land on the Stoney Fork of Goose Creek, by Patent 1150 acres, including Buck Mountain: to him and his heirs forever.

I give and bequeath to my Son Thomas, my Land on the South side of Goose Creek, opposite to the Flat-top Mountain, by Patent 1100 Acres, including Harpeth and Shalum; to him and his heirs and assigns forever.

I give and bequeath to my Sons, John and William, all my Land on both sides Molly’s Creek inclusive works lodged in the Registers Office for 1460 acres, and my Land on Branches of the South Fork of Falling River contiguous to the long Mountain by Patent 1200 Acres, also my Land near the head of Little Falling River, on Mulberry Creek and including the head of Narrow-passage Branch, Works lodged in the Register’s Office 1400 Acres; three Tracts to be equally divided between them by their own consent or otherwise—to each of them and his heirs and assigns forever.—This since is otherwise given.

I give and bequeath to my Son Richard, my Land on Lick Creek inclusive Works 1054 Acres including the old Seat, Jacob; and 80 Acres on Falling River at the mouth of Lick Creek,—to him, his heirs and
assigns forever: but Richard is not to possess any part of it in the lifetime of his Mother without her consent.

I leave my well-beloved Wife, Lucy, in full possession of my whole Estate,—which Estate (except Lands being already directed) must be divided at future times, as followeth (viz) a Son at age, or a Daughter married or at age, and demand made my Will is that such Son or Daughter shall have two negroes of such age and size as can be spared—and some Stock and Household Goods, if can be spared—and so on during the lifetime of my wife—after her decease then a final division of my slaves and other personal Estate to take place, viz. those of our children that have received, and those who have not received, to be made equal—not taking into the account the increase or decrease of those part-portions that go out—or have gone out—but to be considered as they were when they went out, and if a married daughter after receiving part or all of her portion, die without a child, or she and her child or children die, then I judge it unreasonable that her portion should go out of my Family—wherefore I declare, and it is my Will that the portion of such deceased Daughter shall return into my Estate and be divided in the same manner, as if they had not gone out.

Surveyors fees and other debts due to me must be collected (with moderation) the money to pay my debts, and the overplus, if any, to remain in the care of my Executors, or my wife if single—for contingent charges—perhaps Schooling our Children.

Now, I mean to cut of the force and effect of heir at Law in my Family, my Will is that if one or more of our Children die, under age, or without lawful heir, or without Will, in either of those three cases the Survivors shall be co-heirs.

I do hereby nominate and appoint Edmund Winston, John F. Patrick and Charles Cobbs, gentlemen, my Executors, I having confidence in you accompanied with warm friendship, I entreat you to accept of the Trust.—This is altered.

In witness whereof: I have to this my last Will and Testament set my hand and seal this 1st day of June 1782.

(Signed) Richard Stith.

Signed, sealed and published by Richard Stith as for his Will and Testament in our presence, who in the presence of the said Richard Stith subscribed our names as witnesses thereto, June 1-1872.

(Signed): Peter Terrell    John Boughton
John Cocke           Robt. Armistead
Thos. Jones           John Lane

A Codicil to my Will, the Will bearing date the 5th day of June, 1782. I give and bequeath to my son, Benjamin, 400 acres of Land,
more or less, situate in Bedford County, on head branches of Enoch's Creek, according to the Patent bearing date the 14th day of August 1787 (this in lieu of part of the Stoney-fork tract otherwise dispos'd of) to him, his heirs and assigns forever.

I give and bequeath to Drury Hardaway, my Son-in-law, 1050 Acres, more or less, situate in Campbell County on Lawsons Creek according to the Patent dated May 16th 1786 (This is not altogether a gift—he hath made compensation) to him, his heirs and assigns forever.

I give and bequeath to Luke Morris Valentine, 80 acres, more or less, the same that Charles Talbot, Sen. Esq., acknowledged to me in Bedford Court, situate in Campbell County on Falling River including the little old plantation on Lick Creek, including the mouth of the Creek: to him, his heirs and assigns forever: and for This, he hath made compensation.

I give and bequeath to my Son, Richard 600 acres, more or less, situate in Campbell County on both sides of Narrow-passage Branch, including the head: being part of the tract of 1400 Acres by Patent bearing date the 20th day of August 1783.—and this to compensate Richard Stith, Jun'r, in the wear and tear already made and likely to be made on the Jacob tract and Plantation to him, his heirs and assigns forever.

Now, I appoint (her, who will then be) my widow, Lucy Stith, Executrix solus.

N. B.—So much of the aforesaid Will as is opposed, now made null by this Codicil.

Signed, sealed and published by Richard Stith, as a Codicil to his aforesaid Will, this 10th day of September 1792.

In Presence of Richard Stith (Seal)

James Miller
John Rud
Mack Nevil

The Will bearing date June 1, 1782, to which a Codicil dated Sept. 10, 1792, and now annexed tacked to the Codicil as followeth:

I give and bequeath to my son John the whole of the Land on Molly's Creek, according to the Patent 1460 Acres,—to him, his heirs and assigns forever.

I give and bequeath to my son, William, the 250 Acres on the East Fork of Jumping Run, being the remainder of a Tract by Patent for 400 Acres in Bedford.

Also to my son, William, beginning on Buzzard Branch; thence along the Island Road by the Cross roads and down the main Road toward the old Mill to Bell's line, all that Part to the W. & N. W., of
the said Roads: in Campbell. Also to my son, William, the remaining 1150 acres at Narrow-passage Branch, Mulberry Creek, and Panter Branch; these three bequests to him, his heirs and assigns forever.

Sealed and Signed this 9th day of October 1795.
Richard Stith (Seal)
in good health

N. B.—So much of the aforesaid Will and Codicil, as is opposed, now made null by this Tack.

The Tack brought over and continued from the 9th day of October, 1795. I give and bequeath to my son-in-law, James Jones, the parcel of Land laid off for him in part of our daughter, Katharine's portion instead or in lieu of another negro,—by consent: 73 Acres, more or less, situate, bounded on the North side by the Island Old Road, on the South by his own line, in the West by Buzzard Branch and in the East by a division Line—to him, his heirs and assigns forever.

Given under my hand and seal: this 6th day of January, 1798.
Richard Stith (Seal)

N. B.—This is since conveyed by Deed.

Noa, a Supplemental to the Will, codicil and Tack.

I desire and hope that the Widow Lady and her Son, Richard, will agree well together in One Common Stock after I have left them in such comfortable circumstances,—But, if not, then—our Son Richard must have and take immediate possession, in the Lady's lifetime, of Land, beginning at the mouth of Pompy's Branch, up the same passing by the mouth of Saucor and one more fork, to the mouth of a drain at the old road: up the drain to the head of the same; thence to the S. W., Corner of the Detach'd Field, and along the path towards Mr. West's Mill to the Land line: All that part of the Land lying to the Westward of those lines (not to interrupt his brother William) also two negroes, his choice of the then remaining number (but not his Mother's house servant) These to be accounted, dealt out to Richard in manner as hath been to the other children,—here I mention again, "Her who will then be my Widow Lady to be my Executrix alone"—and our Sons Joseph, Benjamin, Thomas, John, William and Richard, Her Securities— with powers of control in extreme occasions (but not otherwise).

N. B.—So much of the aforesaid Will, Codicil and Tack, as are opposed, made null by this Supplement.

Given under my hand and Seal this 7th day of April, 1798.
(Signed) Richard Stith (Seal)

Witnessed this 11th of Sept. 1800.
Dennis Kelley
Robert Smith
Adlar Avinton
And further I give and bequeath to my widow Lady and her son Richard Stith, Jun'r, the Still-House and its appurtenances, and all the stock, horses, etc., except one horse and 1 cow for our Son William.  
(Signed, this 8th day of Jany., 1801.

Richard Stith.

At a Court held for Campbell County, December 13, 1802, the within Last Will and Testament of Richard Stith, gentleman, deceased, together with four codicils thereto annexed, was proved by the oaths of Dennis Kelley and Adlar Avinton, two of the witnesses thereto subscribed and the last Codicil to the said Will proved to be the handwriting of the said Richard Stith, deceased, by the oaths of Robert Alexander and Williston Talbot, all of which is ordered to be Recorded. Liberty being reserved the Executrix in the said Will named to take probate thereof when she shall think fit.

Ro. Alexander, C. C. C.

And at a Court continued and held for the County of Campbell the 12th day of April, 1803, on the motion of Lucy Stith, the Executrix in the said Will named who made oath therto according to Law, certificate is granted her for obtaining probate thereof in due form, giving security, whereupon she together with Joseph Stith, Benjamin Stith; Thomas Stith; John Stith; William Stith; Richard Stith; Denny Hendaway; I. Saunders, her securities, entered into and acknowledged their bond in the Penalty of Twenty Thousand Dollars, conditioned as the Law directs for the said Executrix's due and faithful administration on said decedant's Estate and performance of his Will.

Ro. Alexander, C. C. C.

Copy.
ANOTHER SMITH FAMILY.

In William and Mary Quarterly, old series, accounts are given by the present writer of various Smith families. To these may be added a family of Smiths resident in Hanover county.

Various grants were made for land in Hanover county to one Christopher Smith, merchant, one of these grants dated September 28, 1730, gives to Christopher Smith 600 acres on Snelow's branch of Hollowing Creek in Hanover. This grant states that 400 acres thereof was granted to Charles Snelson, and by William Snelson, his son and devisee, to Christopher Smith, of said county, by deed acknowledged in Hanover county court February 6, 1727. It would appear that Christopher Smith married a daughter of Charles Snelson, and that both emigrated to Virginia. The family statement is that Christopher had a son Charles and a son Ambrose.

The family Bible of Charles Smith, the latter of these, preserved in a branch of the family, reads as follows:

Births—Charles Smith, born July 22d, 1727.  
Dorothea Lewis, daughter of Col. Zachary Lewis and wife of Charles Smith, born Sept. 5, 1728.  
Christopher Smith, son of Charles and Dorthea Smith, born March 21st, 1763.  
John Snelson Smith, son of Charles and Dorothea Smith, born Sept. 6th, 1775.  
Charles Smith, son of Charles and Dorothea Smith, born Nov. 18th, 1778.

Marriages—Charles Smith and Dorothea Davis, daughter of Col. Zachary Lewis, of Virginia, were married April 13th, 1762.  
John Snelson Smith and Martha Bickerton Lewis, daughter of Benjamin and Martha Lewis, were married Dec. 12, 1799.
Deaths—Dorothea Smith, wife of Charles Smith, died March 20, 1820.

Christopher Smith, son of Charles and Dorothea Smith, died May 19, 1804.

John Snelson Smith, son of Charles and Dorothea Smith, died October 17th, 1815.

In Hanover county Christopher Smith, merchant, sold to Patterson Pulliam 250 acres on the north side of Pamunkey river, May 6, 1730. In the same records Christopher Smith, of St. Paul's Parish, Hanover Co., gent, sold to James Rallings, of St. George's Parish, Spotsylvania county, 1,000 acres on North Anna river, Spotsylvania county, June 1, 1731.

Of the children of Charles Smith and Dorothea Lewis. Christopher Smith married Catherine Anderson, and had two children, Catherine, who married Frederick Harris, and Nathaniel, who married Miss Callis, and had two sons, William O., who never married, and Charles, who left an only daughter.

John Snelson Smith married his first cousin, Martha Bickerton Lewis, daughter of Benjamin Lewis and Martha Bickerton. They were parents of Benjamin Lewis Smith, who married Ann Harris. Their son, John O. Smith, aged 70 years, lives at Beaver Dam, Hanover county, Virginia. There has been handed down to him a large silver spoon with a crest engraved upon it, a horse's head and neck with bridle on.

Another descendant of Charles Smith and Dorothea Lewis is Mrs. Alice L. Ramey, of Brownwood, Texas. She is a daughter of John Snelson Smith, born in Louisa county, Va., July 29, 1817, died May 27, 1901. He was a son of John Snelson Smith, Sr., born September 5, 1775; died July 12, 1837, the second son of Charles Smith and Dorothea Lewis, his wife.

Mr. John O. Smith writes that Charles Smith had a brother Ambrose, who went South and was, it is supposed, killed by the Indians.
HISTORICAL AND GENEALOGICAL NOTES.

Nicholas. At the northeast corner of Grove Avenue and Mulberry Street in Richmond there stands a triangular sandstone marker inscribed: "Arnold's picket driven in Jan. 4, 1781, by Col. J. Nich——." Col. John Nicholas commanded the Virginia Militia in this quarter, and the marker shows that Arnold's visit was not altogether undisturbed.


"Indian Fields." This place in Charles City County, as its name suggests, was an open space formerly cultivated by the redmen. In 1763 it was owned by Francis Hardiman, who by his will that year gave it to his son John. It comprised 600 acres and in 1773 John Hardiman devised 150 acres to Francis Irby. He had three children: Anne married Peter Eppes; (2) Stith married Rachel Tyler, and (3) John, an officer of the Revolution, who died a bachelor. When Judge John Tyler moved to Charles City County from his native county, James City, he apparently stayed some time with his sister, Rachel, who married Stith Hardiman, for one of his poems is dated 1772 from "Indian Fields."

Watson: (See William and Mary College Quarterly XXVI, 228-231; XXVII, 133, 134). There is an advertisement in the Va. Gazette for Feb. 11, 1775, of "the purchase I lately made of Warner Washington, together with 2000 acres of land more or less, whereof 500 acres adjoin the house and the rest in two tracts contiguous &c." The advertiser was Jonathan Watson and the house "High Gate House" in Gloucester Co., Va. For the Washington tombs at "High Gate," see William and Mary College Quarterly II. 225, 226.

Error, p. 46, Thomas White Sydnor's first marriage was Oct. 15, 1840, instead of Oct. 15, 1810.
Tyler's Quarterly Historical

and

THE SARAH CONSTANT, GOODSPEED AND DISCOVERY
The Ships That Brought the Founders of the Nation to Jamestown, 1607.

Genealogical Magazine

Editor: LYON G. TYLER, M. A., LL. D.

Entered as second-class matter at the Post Office in Richmond, Va., according to act of Congress.
NOTICE

Annual subscription, $4.00. Single numbers, $1.25.

As back numbers of the old William and Mary Quarterly, of which I was proprietor, have become very scarce, single copies, as far as had, may be obtained from me at $2.00 apiece.

LYON G. TYLER, Editor
Holdcroft P. O., - - - - - Charles City Co., Va.

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THE WASHINGTON-WRIGHT CONNECTION AND SOME DESCENDANTS OF MAJOR FRANCIS AND ANNE (WASHINGTON) WRIGHT.

By Charles Arthur Hoppin.

"Mr Francis Wright," gentleman, captain, major, surveyor, attorney, sheriff and justice of Westmoreland county, is abundantly of record as having increased the excellence of the social position and material independence of his father, Captain Richard Wright, whose will was proved December 10, 1663 [Northumberland Record Book, 1658-1666, page 114]. The many records indicate that his intellectual activities were of a professional rather than a mercantile nature, as at no time is he recorded as a merchant though he was a ship-owner. As the third child in his father's will he may not have been the oldest, but he received the largest and most valuable part of the real estate. If the youngest child he could not have been aged above two years at his father's death, about December 1, 1663, nor more than five years if the eldest son. Although he may have gone in 1665 with his mother to the home, in Lancaster county, of her second husband, the estimable David Fox, Sr., Gent., and even have remained with her awhile after her third marriage to Col. St. Leger Codd of Lancaster and Northumberland counties, a strict compliance with the terms of his father's will would have required him to remain under the control of that eminent gentleman, his uncle Col. Nicholas Spencer. That it was to the influence of Spencer that Francis Wright received, either in England or by a private tutor in Virginia, his excellent education one scarcely can doubt, for that worthy scion
of the English Spencers of Cople, Bedfordshire, England, for whom a half of Westmoreland, Virginia, was named Cople parish, was a second father to his brother-in-law Wright's children. A review of the life of Francis Wright gives the impression that he went to England on one of Spencer's journeys hither, and there acquired, with the aid of funds on deposit there which his father had bequeathed to him, some of the Anglicisms that attach to some of the Virginian records of his own composition. About everything that he did in Virginia was in an aristocratic manner, and his guardian Nicholas Spencer was one of the first among Virginian gentlemen. Spencer "occupied the important post of Secretary of the Colony between 1679 and 1689, and on the maternal side was the grandson of Sir Edward Gastwick of Wellington, England, and also related to the family in possession of the barony of Culpeper. His mother was Lady Mary Armiger. He continued to own property in England long after he had been in possession of a large estate in Virginia."* And he died in England, a rich man, while on a visit to his estate there. His family in England derived from the same line as the famous Spencers, earls of Northampton, allied by marriage to the Washingtons of Sulgrave.

Estimated by the evidence as to his father's marriage and will, and that there were three children born in the six years preceding the making of the will on August 19, 1663, Francis Wright was born between 1658 and 1661 at his father's house, formerly Col. John Mottrom's, at Coan, Northumberland. It is impossible to determine the order of birth of the three children of Richard¹ and Ann² (Mottrom) Wright, Mottrom, Francis² and Ann.² That these children were living in the Nomini-Machodoc region of Cople parish, Westmoreland, under the guardianship of their uncle and aunt, Col. Nicholas and Frances² (Mottrom) Spencer, after they had received an education, if not before then, is to be believed, since Ann is of record there in 1677; and Francis and Mottrom entered upon their inherited lands before they were twenty-one years of age, both sons marrying when quite young. On July 25, 1677, "Ann Wright" signed her name as witness to

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*Social Life of Virginia. P. A. Bruce.
a letter of attorney by her aunt, "Madam Frances Spencer in Nomini of ye County of Westmerld wife to Nicholas Spencer Esq'," to "Mr. James Gaylard." [Westmoreland Deeds, Patents, Accounts, Depositions from 1665 to 1677, folio 325 d.] Spencer became President of the Council of Virginia, and as secretary of the colony was second in rank only to the governor.

Francis Wright, Gent., lived his thirty-five years after becoming of nominal legal age (then eighteen, though taxable at sixteen) in Westmoreland, upon his inherited estate of fourteen hundred acres fronting upon the Potomac and flanked by Nomini bay and Lower Machodoc river. Nothing strenuous is of record as to his career; he was active, influential and comfortable, always appearing in the records as a man who upheld the prestige of his caste and insisted upon his rights; but, as to his service in official positions, he has left evidence of that consideration for others less fortunate than himself which characterizes a true gentleman. Like his father, he was held in such esteem as to have been chosen a justice of the county when he could not have been aged more than twenty-four and, as likely, not over twenty-two; in fact, the second oldest extant record of him in Westmoreland is that of the recording of his commission as His Majesty's Justice. That he was educated for the law is apparent. The first record of Francis Wright, Gent., in Westmoreland reveals him as settled upon the aforesaid estate and as having circumscribed his domain in a way requiring modification:

[Westmoreland Order Book 1675-6 to 1688-9, page 258] (Court of July 26, 1682.) "Thō: Youle vs Francis Wright, Refer'd because if Majr Youle be removed from being president of ye Co\textsuperscript{t} none other of ye Quorum are prest". . . .

[Page 263]. "Sept 26, 1682. Thomas Youle vs. Francis Wright. Upon Complaint of Thomas Youle Setting forth that Francis Wright hath forceably intruded into his Lands and detains them from him, And Thō: George, attorney to the Defend\textsuperscript{t} replies that the Declareacon is insufficient because it specifies not the force; but by consent of both parties, noe advantage beinge taken of not p'sentinge ye\textsuperscript{e} reply, The Co\textsuperscript{t} p'ceed and Or\textsuperscript{dr} That on the twentieth of October next both parties to meeete on the plantacon and that a Survey bee made of the Lands conteined in the Pattents, by Mr Robert
Chamberlaine and Mr. William Horton, or in his absence by Mr. Jn° Hony Surveyor chosen by both parties, and that there be a sufficient iury* of ye neighbourhhood retain’d and sworne by the next Justice of the peace, who shal Lay out the Lands according to the Pattents.

[Page 270]. “Court of Jan. 3 1682-3. Tho: Youle vs Francis Wright. The Cort Ordr that the Sheriff of this County doe forthwith put ye sd Tho: Youle into ye actual possession of his sd Lands holden from him by ye sd Francis Wright. From which judgmt the sd. Francis Wright appeales to the third day of the next Gen° Cort: and Mr. Lawrence Washington assumed Security for ye sd Wright.”

The appeal does not appear, by the records of the Assembly or House of Burgesses of Virginia, to have been actually presented before that highest colonial court for action during the year 1683. “Mr. Lawrence Washington,” at the date of the appeal, was the brother-in-law of Francis Wright, Gent., who had married Anne Washington a year or two before 1682. The exact date of the marriage is not recorded, but the fact that her son, John Wright, became aged twenty-one in or before 1704 fixes the marriage date approximately. Anne Washington was named as unmarried in her father Col. John Washington’s will dated 21 September, 1675; he died in 1677, between August 14 and September 26; Anne is not specified in that year, in the settlement of the estate, as being then married. Without detailing, at this moment, the various reflections which hedge in the marriage date approximately, they may be said to confine the period to 1679-82, when Francis Wright was aged between twenty and twenty-three, while she could not have been older, as her father Col. John Washington’s letter to Josias Fendall, governor of Maryland, dated 30 September, 1659, shows that Lawrence, his first child in America, was born shortly previous to that date. [Records of the Provinciall Court For this Province of Mariland Beginning the five & Twentieth of March Ano Dni 1658, No. 1, liber 3, page 297.] It has been supposed that the “Ann Wright” who signed her name as a witness to Madam Spencer’s letter of attorney on July 25, 1677, as aforesaid, might have been Anne (Washington) Wright; but the latter could not

*“iury”—jury.
possibly have been aged over seventeen on that date, and her home was on Pope's creek, twenty miles from Nomini; whereas Ann Wright, sister of Francis Wright, easily could have been then older and a legal witness, while her presence at Nomini is explained by her then being a ward of Col. and Madam Spencer. Anne (Washington) Wright's mother, Ann (Pope) Washington, daughter of Lt. Col. Nathaniel Pope, died more than six years previous to the writing of her husband Col. John Washington's will, dated September 21, 1675, as the now well-known fact of Col. Washington's second and third marriages proves, his first marriage having been in the winter of 1658, to the said Ann Pope, as more at large appears hereinafter. Several deeds prove the marriage of Francis Wright, Gent., to Anne, daughter of Col. John and Ann (Pope) Washington, notably one in the Richmond County, Virginia, court Order Book No. 4 1692 to 1709, at Warsaw, entered at the session of February 4, 1907, to-wit: “The jury finds that Col. John Washington being seized of 1,400 acres of land in Rappahannock County by his last will gave the same to Anne, his daughter, who married Francis Wright, Gent., by whom he had a son John.”

The prospect which presented itself to the mind of the early-married Francis Wright, Gent., was that of the development of his inheritance of fourteen hundred acres at Lower Machodoc. This property in 1680 was largely in a natural state. To its improvement he devoted his life and, though he both acquired and sold other large tracts of land, he passed this original property on to his heir thirty-three years later greatly enhanced in value and having thereon the “great house” which he built. Land and law sum up the bulk of the extant records of this gentleman. The first of these records of his life in Westmoreland is that of a lawsuit; but, unlike his father, he was not always successful in obtaining verdicts in his own favor. On the same day (September 26, 1682) that he lost his first lawsuit, he presented to the justices of Westmoreland in court assembled his commission as a justice; thus his recorded life in that county began as a judge, otherwise called a commissioner of the county, when his age was about twenty-three. The original document of the appointment
remained in his own possession, but its purport was recorded, to-wit:

[Order Book 1675/6 to 1688-9, page 267]

"Att a Court held for the County of Westmerland September 26th 1682

Capt John Lord     Mr Richard Valx
Present     Maj’ Thomas Youle     Mr Edward Francklin
Mr Lawrence Washington

ffrancis Wright     By vertue of an Ordr from the Honble Sr
a justice     Henry Bixby Kn, his Ma’’es Deputy
Governor, Mr. ffrancis Wright of this
county first haveing taken the oaths of Allegiance and Supremacy & the Oath of a Justice of the Peace was by the Co’ admitted a Justice of the Peace for this County."

Court could not be held without four justices present on the bench. The first sitting by Justice Wright was at the session of December 20, 1682, when “Major Thomas Youle, Mr. Edward Franklin, Mr Francis Wright,” and the latter’s brother-in-law, “Mr Law: Washington,” officiated. That a justice of the peace then was the supreme arbiter upon all matters of law, both civil and criminal (excepting as regards loss of life or limb) within a county is well known, though a last appeal could be taken to the legislature. This is confirmed by the fact that at this first sitting by Justice Wright the case tried was that of David Darlinge vs. Thomas Blundell for the recovery of Jane Thomas, an orphan, “unduly & unjustly taken” from the plaintiff; wherein it was alleged that “Thomas Blundell & his wife were and are Popish recusants and thereby disabled by law to take upon them the tuition of Orphans.”

At page 301 of the same court order book, at the session of September 26, 1683, Francis Wright, as defendant, “obtains a non-suit against ye plaintiff,” Robert Chamberlaine; while beginning at page 373 are the records of highly important cases, tried before Justice Wright, of illegal importations from Europe instead of from Great Britain, a case against Richard White, master of the ship Endeavour of Weymouth in England, and his merchant, Mr. Phillipp Lynes, seized for defrauding His Majesty’s customs by shipping tobacco out of the province of Maryland without cocquet;*

*coquet: An official custom house seal or document showing that the tobacco had been entered for export at the custom house.
also the trial of "Andrew Grigg, master of the Shipp Swan of Doughandie in the Kingdome of Ireland," seized for landing in Virginia goods made in Europe not laden at a British port according to law.

At two sessions in the summer of 1685 Justice Wright stepped down from the bench while two actions against him were disposed of by his associate judges:

[Order Book 1675/6 to 1688-9, page 439]
Court of July 1685 Mr ffrancis Wright present on the bench.

"Coll\textsuperscript{11} Rich. Lee vs ffrancis Wright.

Mr ffrancis Wright in open Co\textsuperscript{rt} confessed Judgmt to ye sd Coll\textsuperscript{11} Richd Lee\textsuperscript{*} for the sume of seaven Hundred pounds of Tobacco & Cask. And the Co\textsuperscript{rt} ord\textsuperscript{2d} That ye sd ffrancis Wright pay the said seaven Hundred p\textsuperscript{ds} of Tobacco & Cask with Costs of Suite to the sd Coll Richd. Lee, or els Exon."

[Exon—execution]


"Mr. ffrancis Wright.”

"Thomas Heath vs ffrancis Wright. The p\textsuperscript{nt} declared ag\textsuperscript{st} ye deft. for one Thousand pds. of Tobacco for journeys, visitts, phisick & Cure of ye Deft’s wife. But the Co\textsuperscript{rt} thought fitt to allow ye plt. noe more then ffower Hundred pds of Tobacco & Cask wch the Co\textsuperscript{rt} Ord\textsuperscript{r} ye sd Deft. to pay unto ye plt. or Ord\textsuperscript{r} the sd 400 li of Tobacco & Cask wth Costs of Suite, als Exon.”

This record probably refers to the birth of John or Anne, the only two children of Mr Francis\textsuperscript{3} and Anne\textsuperscript{2} (Washington) Wright. The will, dated 11 March, 1697-8, of her (the latter’s) brother Lawrence Washington, grandfather of General George Washington, made after the death of the said Anne, bequeathed “to my Sister Anne Writtts children, One man Servent apiece of four or five years to serve, or Three Thousand pounds of Tobacco to purchase the same, to be delivered or paid to them when they arrive to the age of Twenty-years old”—[Westmoreland Deeds \& Wills No. 2, page 133.]

Francis Wright, Gent., being legally in control of the real estate inherited by his wife, early proceeded to turn it into cash, both

\*Richard Lee, founder of the famous Lee family in Virginia, himself an eminent citizen, secretary and attorney-general of the colony.
with and without her signature of agreement therewith. In these sales, however, there remained vested in her son, John 3 Wright, as her sole male heir, the right of confirmation or renunciation and of rejection, when he became of age, of his father's acts therein if his mother had failed to sign the deeds as a co-grantor. He acted the part of a gentleman and respectful son, however, and confirmed, after he became twenty-one years of age, the titles to land given by either or both of his honored parents. Extreme carefulness and probity was a characteristic of the Wrights in all of their transactions in land; hence, in addition to the warranty deed given by Francis Wright in the first sale, he gave a bond which served until after his son John became of age and confirmed the title to the grantee. These papers contain such excellent proofs of pedigree that they are worth presentation in full:

[Montross, Westmoreland county, Virginia, Deeds & Wills No. 4, page 1:]

"Wright's Conveyance to Halbert

"To all Christian people to whom these presents shall come, Francis Wright and Ann his wife send greeting in our Lord God everlasting, Know ye that I Francis Wright of the County of Westmoreland in Virg. Gent. and I the said Ann daughter of Col. John Washington of the County aforesaid dece'd now wife to the said Francis Wright for good causes and considerations as thereunto moving & more especially for the sum of four thousand pounds of tobacco in cask to us in hand delivered and wherewith we do acknowledge ourselves satisfied and paid have granted, bargained and sold, aliened, enfeoffed and confirmed and by these presents do grant, bargain, sell, alien enfeoff and confirm unto Michael Halbert one hundred acres of land situate in Westmorld County in Virga. at the head of Madox, granted to the said John Washington by patent and now by the death of the said Washington devolving and dissending to Ann his daughter, now wife to the said Wright by hereditary right together with all buildings, fences, orchards woods, rivers, waters, privileges members and appurtenances to the same belonging or in any wise appertaining.

"To have and to hold the said messuages or hundred acres of land with its members and appurtenances above recited to him the said Michael Halbert his heirs and assigns forever, and the said Francis Wright and the said Ann his wife do for themselves, their heirs, Executors and Admr's to and
for either and every of them covenant, promise grant and agree to and with the said Michael Halbert his heirs and assigns that the said hundred acres of land now is and from time to time and at all times hereafter shall be and remain free and clear and freely and clearly acquitted and discharged of and from all and all manner of former bargains, sails, gifts, grants Feofments, Jointures, Dowers, titles of dowers, leases and from all and all manners of other titles, claims, charges and incumbrances of any manner of person or persons whatsoever lawfully claiming the said messuage or hundred acres of land with its members and appurtenances aforesaid. In witness whereof we the said Francis Wright and Ann Wright have hereto put our hands and seals this 25th, day of February in the first year of the reign of our Sovereign Lord. James the second Annoque Dom: 1685.

"Francis Wright (Seal)  Ann Wright (Seal)

"John Wright*

"Signed, Sealed and delivered in the presents of us


"March the 31st, 1686. Acknowledged in Court by Francis Wright and then recorded P.

"Tho. Marson, D. C. C. P.

"Westmorld: ss:

"At a Court held for the said County the 26th, day of March, 1707. John Wright, Gent. son and heir apparent of Francis Wright Gent: party to this present conveyance by subscribing his name to the same and by himself in person acknowledged and voluntarily disclaimed any right, title or interest in and to the land and premises in the said conveyance contained or to any part or parcel for divers and especial considerations at this time him thereunto moving.


"Recordatz: primo die April 1707

"Pr. Eund’n Clerum.”

[Montross, Westmoreland county, Virginia. Book entitled Deeds & Wills No. 4, page 2:]

"Wright &c to Halbert, Bond.

"Know all men by these presents that I Francis Wright of the county of Westmorld in Virga. do acknowledge and confess myself to be indebt to Mechael Halbert his heirs, Exors.

*The son of Francis® & Anne® (Washington) Wright, who signed twenty-two years after his parents did.
Admir's, in the full and just sum of ten thousand pounds of good tobacco in cask to be paid upon all demand after the date of these presents and to the performance hereof well and truly to be done I do bind myself my heirs and assigns firmly by these presents and in testimony to the truth hereof have hereto put my hand and seal this 25th, day of Febry. 1685.


"The condition of this obligation is such that if the above bounden Francis Wright his heirs and assigns do from time to time and at all times hereafter save defend and keep harmless the said Michael Halbert his heirs and assigns in the quiet and peacable possession of one hundred acres of land which he holds in right of Ann his wife and now by deed of feoffment from the said Wright and Ann his wife granted sold aliened and confirmed to the said Michael Halbert his heirs and assigns for a valuable consideration Rec'd according to all the parts members and claims and things mentioned in the aforesaid deed of feoffment bearing date with these presents and shall and will make such further assurances in law as by the said Michael Halbert and his learned counsel in the law shall be devised, or advised, then this obligation to be void and of none effect, otherwise to stand in full force and virtue.

"Francis Wright (Seal)
John Wright.*

"Signed, Sealed & delivered in the presents of us.

"Westmorld: ss:
"At a Court held for the County the 26th day of March 1707.
"John Wright, Gentl. son and heir apparent of Francis Wright Gentl. party to the within Bond in open Court acknowledged to himself a party to the said bond by subscribing his name thereto and the penalty therein specified enure and be good and valid to all intents and purposes therein declared against him his heirs, Executors and Adm'rs to the Benefit and advantage of the therein named Michael Halbert according to the true meaning and purpose of the said bond.

"Test:

"Recordate: primo die Aprilis 1707.
"Pr Eund'm Clerum."

*Son of Francis Wright, Gent.
It will be universally admitted that the justices of a county were its ablest and wealthiest men. Thus Francis Wright early found himself dealing with affairs of international and great historic importance. As a justice the scope of his authority within Westmoreland was broad, touching almost every phase of human activity, judicial, social, commercial and religious. On January 11, 1687-8 [page 626 of the court order book], relinquishing for the day his justiceship, he prosecuted several actions as an attorney, winning verdicts for his clients, save in the case of "William Burnham Plt., vs. William Kemp. The Plt. by his Atturny Wright, the Atty. of John Jefferis & Comp, did arrest the Deft. to this Court, & not appearing to prosecute is non-suited and ordered to pay fifty pds of Tobacco with Costs." As attorney in Virginia for the English house of John Jefferis & Co., Francis Wright held a favor. On one day the justices were trying offenders, the next day ordering military preparations, the building of highways, the levying of taxes, the settling of estates and suits, and the administering of public affairs in general, two items of which from the record will suffice for quotation:

[Westmoreland Order Book 1675/6 to 1688-9, page 644] Court of 30 May, 1688.

"Order for Armes & necessaryes for the militia. The Court takeing into Serious Consideration how improbable it is in this time when tobacco is of little value, for the inhabitants of this County to provide themselves Armes & other necessaryes for the Compleating & setting forth of two companies of ffoot & one troope of horse—doe unanimously agree & Order: That each of the Captaines of the ffoot companies doe forthwith send for England and cause to be bought and brought over to this County in Virginia for the use of the soldiers under his Comand thirty-five lock musquetts, thirty Catouch boxes with girdles and thirty good broad sliceing swords with belts, And that the Capt. of the horse . . . doe cause to bee brought over . . . thirty bridles & saddles with furniture belonging to them, thirty pair of pistolls with holsters, and thirty hangers or scymeters with belts wch Armes the soldiers will take from their officers & pay for them." etc.

[page 679] Court of 30 Oct. 1688
"Order concerning killing wolves.
His Maj’ties Justices for this Countie being deeply sensible
of the great furrease of those p'nicious Vermine Woolves, which prey not onely on Sheep & hoggcs, but alsoe on Cattele & colts, & being incessentlie importuned by the Inhabitants to take some speedie Care for their Deminution, the designe & difficulty of their totale exterpitation being thought Invincible, Doe Order That three hundred pounds of tobacco be paid for any woolf or woolves destroyed within the limits of this county."

Between the sessions of the court of Jan. 31, 1688, and Jan. 29, 1690, Justice Francis Wright was honored by the Governor and Council of Virginia with a commission as sheriff for the county of Westmoreland. This commission is not recorded; the first evidence of the appointment appears to-wit:

[Order Book from 1690 to 1698, page 6]. Court of Jan. 29, 1690:

"Minor vs. Wright. Order granted Mr. John Minor according to Law agt Mr Francis Wright, Sheriff &c., because he had not the body of John Wright at this Court to answer the sd Minor in an Accon on the Case according to his return."

This John Wright was not the sheriff's son, then aged under eight years, but the "overseer" of Upper Machotick, a man of unhappy record for many years and of no relationship to the sheriff as will be shown hereinafter. The latter caught the offender for beating to death a horse, and produced him at the next session of the court, Jan. 30, 1690. Page 10 of the record of this session also bears the entry: "Mr. ffra Francis Wright to be under ranger for Westmoreland Co. in behalf of the Lord Culpeper," thus having double authority as the chief executive officer of the county.

[ibid] Order of Court, February 26, 1690:

"Wright swn Sheriff. Mr Francis Wright sworn High Sheriff of this county for this yeare, and Capt. Law: Washington assumes to indemnifie the Court and to enter into bond with the sd. Wright for the due pformance of the trust according to the Govern or's ord'.

Clark & Pope Undersherriffs. Mr Wm Clark & Nathn Pope haveing first took the Oaths were sworn Under Sheriff & Deputy to the sd Mr. ffra: Wright."
Nathaniel Pope (junior) was the uncle of both the said Wright and Washington. At this same session of the court Francis Wright was also recorded [page 24 d] as one of the “Justices Sworn to King William & Mary,” showing that, though acting as sheriff, he continued to hold his commission as justice. The sheriff was obliged to collect all taxes and serve as treasurer of the county, in addition to attending court, serving all processes and being responsible for all prisoners. Francis Wright was succeeded as sheriff on the last Wednesday in May, 1692, by Capt. Lawrence Washington who chose “Mr John Washington Junr, under sheriff.” [page 62 of Order Book from 1690 to 1698.] The Wrights and Washingtons were largely managing public affairs at this time, somewhat as an intimate family matter. An amusing incident it must have been to both men when, on July 28, 1692, [page 70 of the same book], Washington was forced by law to sue his brother-in-law Wright for five hundred and ten pounds of tobacco due from Abraham Blagg because Wright, when sheriff, “had not the body of the sd Blagg at this Court to answer the sd Washington.” Wright paid, as a preliminary to recovering later by suit, the amount from Blagg. Automatically Justice Wright resumed his seat upon the bench, serving there altogether over a period of thirty years. Of the numerous instances in which he figures in the court records only a few further items need be quoted:

[Westmoreland court Order Book from 1690 to 1698, page 118]

“Mr ffrrancis Wright is appointed Survey* of the Highways for that p’cinct comonly known by the name of the Secretaries* Neck. Ordered that hee imediately Cause the Roads within the said P’cinct to be well & sufficiently cleared & the bridges & swamps therein to be amended & repaired According to Law.”

[page 132]. Court of 25 April 1694. “Mr ffrrancis Wright is by the Court appointed to take the list of Tythables for the upper P’cincts of Copeley parish.”

[page 172d]. Court of 27 March 1695. “Mr ffrrancis Wright, Justice.

ffrrancis Wright Gentl. came into court in his proper person

*Secretaries Neck: so called after Wright’s uncle, Nicholas Spencer, secretary of the colony of Virginia.
& acknowledge a Deed of Sale of Land... to be the just right & Inheritance of capt: Lawrence Washington."

[page 173]. "Die Mercury 24 Aprilis 1695. The Court being adjourned Over till this day, Coll: Peirce & Mr Wright being Sick... adjourned till the last Wednesday in May."

[page 199d]. "26 Marty 1696. This day being so extreme Rainy that the Court did not meet. Only Capt. Law: Washington & Mr Francis Wright being p: sent... adjourned.''


A Proclamation of a Day of thanksgiving to bee kept & Solemnized the second day of June next for his Majesty King William deliverance from a horrid conspiracy intended ag: his Royall person published."

Thus was reflected in loyal Protestant Virginia the resentment against Catholicism for its intimation that a Protestant monarch could be violently "removed" if the interests of the Catholic church required it and, as well, as fervent Thanksgiving that the attempt of James II to recover the throne of England had failed. Suffragettes were also out of favor in those days, to-wit:

[page 242]. Court of May 26, 1697. "Capt: Wright, Justice."

"It is Ordered that a Ducking Stoole bee forthwith provided and fixed in each parish of this County as soon as conveniently may be, one of which is appointed to bee at Capt. Law: Washington's Mill dam in Washington parish. And at Coll. Isaac Allerton's Mill Dam in Copeley parish."

On May 5, 1691, Capt. Francis Wright witnessed an indenture between his brother Mottrom Wright then of "the Parish of Cittenburne in the County of Rappa"* Gent & Ruth his wife" and John Baptist. [Richmond county deed book No. 1, p. 57.] And the long intimate friendship between the Wrights and Washingtons suffered a mutual loss in the death of Capt. Lawrence Washington in March, 1698, whose will, naming his deceased sister Anne and her husband Francis Wright, conveys an esteemed impression of the social and intellectual position and material independence of these allied families. The Washingtons at this time resided along Pope's and Mattox (Appomatox) creeks in the northern part of

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*Rappahannock, later called Richmond county.
Westmoreland near where stands the national memorial to the family:

[Montross, Westmoreland county, Virginia. Deeds & Wills No. 2, page 133, etc.] Extract:

“Item I give and bequeath to my sister Anne Writts children, One man Servent a piece of four or five years to serve or Three Thousand pounds of Tobacco to purchase the same, to be delivered or paid to them when they arrive to the age of twenty years old.” . . . .

“Item I give that land which I bought of my Brother Francis Wright, being 200 acres lying near Storke’s Quarter, to my son John Washington” (etc.) . . . .

11th day of March, Anno Dom. 1697-8.”

The “Pulpett cloth” of velvet bequeathed to Appomattox church by Lawrence Washington was stolen in 1715 and “made into breeches,” as was related in full by the present author in the William and Mary College Quarterly Historical Magazine, Vol. XXVII, No. 1. Anne (Washington) Wright had died before the date of this will, March 11, 1697-8, hence no bequest to her, and hence the reference of the testator to being buried “by the side of my Father and Mother & neare my Brothers and Sisters,” in the family burying ground on the original Washington estate near Pope’s Creek in Washington parish, Westmoreland, where now stands the tall granite shaft erected by an act of Congress. The death of Anne (Washington) Wright, when aged under thirty-eight, is also established by the deed of sale, executed by her only son John Wright and his father, of land she had inherited from her father, Col. John Washington, viz.:

[Montross, Westmoreland county, Virginia. Book entitled Deeds & Wills No. 4, page 175:]

“Wright’s Release to Robins

“THIS INDENTURE made the twenty-second day of February one thousand seven hundred and Eight and in the seventh year of the reign of our Sovereign Lady Ann by the Grace of God of England, Scotland, France and Ireland Queen Defender of the faith &c Between Francis Wright and John Wright of Cople parish in the County of Westmold Gentl. of the one part and Thomas Robins of Washington Parish in the said County planter of the other party—

“Witnesseth that the said Francis Wright and John Wright
for and in consideration of one thousand pounds of good tobac
celo in hand paid them by the said Thomas Robins at and
before the ensealing and delivery of these presents the receipt
of which they do own and therewith fully satisfied contented
and paid and therefrom and every part and parcel thereof do
acquit, exonerate and discharge the said Thomas Robins his
heirs Executors &C Have given granted, bargained and sold
and do by these presents give, grant, bargain, alien, sell, re-
mise, release and forever confirm unto the said Thomas Robins
and his heirs the said Thomas Robins being in the actual pos-
session thereof by virtue of a lease made of the same bearing
date the day before the date of these presents and statute for
transferring uses into possessions all that two hundred acres
of land situate in Washington Parish in the County afores
aid which the said Francis Wright and Ann his wife then
sole owner of the said land sold to William Booth* Decd.
and reed. a consideration for the same but the said Ann dying
before the same was legally conveyed the said William Booth
had not any right to the same and now is the proper Estate
of the said John Wright son and heir to the said Ann the
said two hundred acres of land beginning at a corner marked
hickory of the land of Thomas Marshall and extending East
twenty poles to a red oak then North ninety two poles to a
marked red oak, thence West one hundred and forty poles
to a black oak standing in the Westmost line of the patent,
then South up the said line to a corner mark’t chestnut tree
Eighty poles; thence East along the Southermost line one
hundred and twenty pole to a marked oak of the said Mar-
shall’s finally down the said Marshall’s line to the first stacxon
and the reversion and reversions, remainder and remainders
thereof, rent issues and profits of all and singular the before
mentioned premises and every part and parcel thereof and also
all the Estate, right, title, property, claim and demand what-
soever of them the said Francis Wright and John Wright
them and either of them of in and to the said Two hundred
acres of land and every part and parcel thereof or in any
wise appertaining and all deeds, evidences, escripts and mun-
ments whatsoever touching the premises alone or any part
or parcel thereof. To have and to hold the said right, title,
property, claim and demand of, in and to the said land and
premises of them the said Francis Wright and John Wright
or either of them of in and to the said land and premises
hereby granted, bargained and sold, remised, released and con-

*Never recorded.
firmed or mentioned or intended to be hereby released, remised and confirmed, together with all privileges and appurtenances, with all woods, ways, water and watercourses with all timber, & timbertrees, with all houses, outhouses and tobacco houses, gardens fences and orchards thereon unto the said Thomas Robins and his heirs forever to the only proper sole use and behoof of him the said Thomas Robins his heirs and assigns forevermore be holden of the chief Lord or Lords of the fee by the rents and services due and accustomed to be paid and the said Francis Wright and John Wright for themselves their heirs &C doth promise, covenant and agree to and with the said Thomas Robins his heirs &C that the before granted premises is free and clear from all incumbrances and will warrant and forever defend the same lands and premises to the end the said Thomas Robins and his heirs may quietly and peacably hold occupy, possess and enjoy the same from the just claim of any person whatsoever. And futher do covenant, promise and agree to do, suffer and execute all and every such futher act and acts thing and things, device and devices conveyance and conveyances as the said Thomas Robins or his counsel learned in the law shall advise or devise for the sure making and conveying this said land and premises at any time within ten years next ensuing provided that the said Francis Wright & John Wright or either of them are not compelled to travel above thirty miles from their own houses to perform the same and that the same be done at the proper costs and charges of the said Thomas Robins and his heirs and do further covenant at some Court to be held for the said County within six months ensuing to appear & acknowledge this sale to the said Thomas Robins and his heirs to the end the same may be recorded.

"In witness whereof the parties to these presents hath interchangably sett their hands and seals the day & year first mentioned.

"Francis Wright (Seal)
John Wright (Seal)

"Signed, Sealed & delivered in the presence of N. Pope, Jno. Belfield.

"Westmorld: ss:
"At a Court held for the said County the 23d. day of Febry. 1708. Francis Wright and John Wright, Gentl. personally appeared and each of them acknowledged this present release of land to Thomas Robins to be their proper act and deed and the land and premises thereby mentioned to be
conveyed to the said Thomas Robins to be the just right and inheritance of him the said Thomas Robins his heirs and assigns forever.

"Test Ja: Westcomb Cler. Com. Pr’d.

"Recordatz 28 die Febry. pred

"Pr Eund’m Cler’um."

Capt. Francis Wright’s commission as major, among the field officers in Virginia, was issued to him by the governor and council of Virginia on June 3, 1699, and reported to the British Government, which recorded it, as also his continuance as one of His Majesty’s justices, to-wit:

[Public Record Office, London. Calendar of State Papers, America and West Indies, 1699, page 267]

"Minutes of the Council of Virginia, 1699, June 3. The Governor appointed the principal officers of Militia in the several counties: Westmoreland County . . . . . . . Francis Wright, Major."


As a justice, and occasionally defendant or plaintiff, and as assessor of taxes, Major Wright’s name continues to figure in the records of almost every session of the court. He built a ship and became involved with his partner, to-wit:

[Westmoreland court Order Book 1698-1705, page 94]

Court of August 29, 1700. "Major ffrancis Wright brought his acco* against Alexr Notes and declared ag*: him for twelve thousand Eight hundred and Eleven pounds of Tob & Eight pounds & seven shillings in money, but the sheriff returning him non est investus** upon the mocon of Simon Robins Attorney with the Pltf. an attachmt is granted him ag*: the deft’s Estate returnable according to Law."

[Westmoreland Deeds & Wills No. 3, page 57]

Alexander Notes of Cople parish bond to Francis Wright of Cople Parish Gent in 750 pounds ste$l, 25 Oct 1700 to abide the decision of “the honbie Richard Lee Esqr & Isaac Allerton Esqr . . . . arbitrators (etc) . . . . to decide all differences . . . . touching or concerning a certain brigantine built in partnership betwixt them . . . . the said arbitrators to

*acon"—action.

**cannot be found.
determine and deliver the said award... to the said Wright at or before the going down of the sun on... the fifteenth day of November, if the same shall be required by the said Francis Wright or his assigns etc."

Alexr Notes (Seal)

Tho: Smith. Thomason Goold

Notes, not satisfied with the award against him, began a counter suit 30 Oct., 1701, but was non-suited and ordered to pay the defendant fifty pounds of tobacco for additional costs. In this year Major Francis Wright is recorded as becoming "president of the court"—chief justice of Westmoreland, while one of his associate judges on the bench was Andrew Monroe, ancestor of James Monroe, fifth president of the United States.

A study of Hening's Statutes of Virginia, for the seventeenth century, impresses one with the spiritual loyalty to the church of the settlers and their immediate descendants in Virginia, and with the solidity of their character in general. "There shall be," says an early statute, "in every plantation, where the people use to meet for the worship of God, a house or roome sequestered for that purpose, and not to be for any temporal use whatsoever, and a place empaled in, sequestered only to the burial of the dead." Also it was enacted: "Whoever shall absent himself from divine service any Sunday without an allowable excuse shall forfeite a pound of tobacco, and he that absenteth himself a month shall forfeit 50 lbs. of tobacco." The vestrymen, as a governing body, were second only to the justices, and the latter were usually also vestrymen at times. The record of Major Francis Wright serving as a vestryman appears in a petition to the governor, to-wit:

[Virginia State Library, Richmond. Virginia Council Papers, 1698-1702.]

"To his Excellency Francis Nicholson Esq'r her Mat'es Lieut and Govern'r of Virginia

May it please Yo' Excell'ry

We the Subscribers Vestrymen of Copley parish in the County of Westmoreland being destitute of a Minister and having the bearer Samuel Gray, Clerk, well recommended to us by many worthy Gent of the County where he has lived several years, Are willing with yo' Excell'ry Leave to enter-
tain him as our Min[r for the ensuing year as hath been usual ever since we were a parish
Yo[r Ex'es most humble Servants
Jno Gerard Gerard Hutt Rich' Lee
James Westcomb Jno. Bushwood Fra. Wright
Michll Willington W. Allerton Jno Sturman”
Robt Barrett

Cople parish, as early as 25 Sept., 1683, was esteemed by Lord Thomas Culpeper, in his letter of that date, as “one of the four parishes in the Colony that besides house, glebe and perquisites are really worth £.80. pr annum*.” [William and Mary Quarterly, XXVII, No. 3, p. 209.]

For one hundred and fifty years Virginia had but one church, the Church of England. Schisms and isms were scarcely tolerated, though a few Quakers quietly maintained themselves. This unity was a source of strength and of peace to the colony. Money given for religious uses all went into one pile, with the result of creating those fine old brick edifices, some of which still remain to grace the landscape and receive the veneration of the American people. Among these extant churches stands Yeocomico Church, built in 1706, one of the most quaint and best loved by antiquarians in America. This is the church of which Major Francis² Wright was a founder, vestryman and communicant all the while he lived in Cople parish, as also his son John³ Wright. Both gentlemen knew the structure almost as we see it today. The religious liberty of the nineteenth century dissolved the unity and split the community into a dozen creeds; so before the Civil War Yeocomico Church became abandoned, to serve as a shelter for cattle, while its stone baptismal font was appropriated by a neighbor to bake cake in**; during the Civil War it was occupied by Federal soldiers. It is not strange that, thereafter, so artistic a relic became duly apprized and saved to the credit of Virginia, now to remain in the care of loving hands, doubtless for generations,

“Like the vase in which roses have once been distilled.
You may break, you may shatter the vase if you will,
But the scent of the roses will cling to it still.”

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*This amount, several times larger by present standards, was a good income for a colonial preacher.
**Mr. Murphy, the surveyor of Cople parish, related to the author how one of his relatives so used the font.
Major Francis Wright was re-commissioned as justice by a royal warrant dated 13 Sept., 1701, beginning with the words: "William the third, by the grace of God, King of England, Scotl'd France and Ireland, defender of the faith &c. ... to William Peirce, Francis Wright Gent" (etc.), and recorded in full at page eleven, of Westmoreland Deeds and Wills No. 3.

But the red-letter day in Major Wright's life came in 1703 with his royal warrant from Queen Anne after she ascended the throne, previous to which warrant she issued a mandate on May 30, 1702, by which Francis Wright and his fellow justices were commanded, through Governor Nicholson, to proclaim the death of William III, and "to appoint a General Muster of all Militia ... at the court house ... and jointly in most solemn manner by sound of trumpet and beat of drums to proclaim her most sacred Majesty Queen Ann—and to testify their rejoicing by a triple discharge of all their muskets and fire arms and other public acclamacon of joy usual on like occasions to the end that all her Majesties loving subjects may be certified of her Majesties most happy accession to the throne of her ancestors, and of her Royal inclinations towards all her subjects." Such days of coronation were the greatest holidays the colonists had; every activity ceased save that of making merry in more ways than are permissible in this year of grace (and presumable prohibition) 1923. The justices were also commanded to read to the assembled people—

(1) "Her Majesty's Gracious Declaration at the first sitting of the Privy Council at St. James the 8th March 1701"
(2) "The Humble Address of the Rt. Honoble the Lords Spiritual and temporal in Parliam't Assembled 8 March 1701"
(3) "The Queen's Proclamation to Continue officers &c in office"
(4) "Her Majesties most Gracious Speech to both houses of Parliament on Wednesday the 11th day of March 1701"
(5) "The Humble Address of the House of Commons to the Queen"
(6) "The humble address of the Lord Mayor, Alderman and Commonalty of the City of London in Common Council assembled"

That red-letter day to Major Wright was marked by what he
probably esteemed as the most important state document that came to his hands, to him addressed, in his lifetime, for it specified him, by the royal recognition of Queen Anne, as the "first citizen" of Westmoreland and the president of its justices. The original document doubtless long remained in his family, but only the recorded copy of it is now accessible:

[Montross, Westmoreland county, Virginia. Deeds & Wills No. 3, pages 154-155:]

[Royal commission to Francis Wright by Queen Anne upon her accession to the throne]

"VIRGINIA SS.

"[Commission

"ANNE, by the Grace of God, Queen of England, Scotland, France and Ireland, for y° y° 1703] defender of the faith &c:

"TO FRANCIS WRIGHT, Alexander Spence, Willoughby Allerton, Lewis Markham, Charles Ashton, Henry Ashton, Caleb Butler, John Sturman, Benjamin Berryman, Gerrard Hutt, John Elliot, Andrew Munroe, John Bushrod and Burditt Ashton, Gent'. Greeting:

"KNOW YE that we have assigned you and every one of you jointly and severally our Justices to keep our peace in the County of Westmor'ld, and to keep and cause to be kept all ordinances and statutes of our Kingdom of England and laws of this our ancient and great Colony and Dominion of Virginia made for the good of the peace and for the conservacon of the same, and for the quiett rule and Government of the people in all and every the articles thereof in the said County according to the force form and effect of the same, and to chastise and punish all persons offending against the forms of the said ordinances, statutes of our Kingdom of England and laws of this our Colony & Dominion of Virginia, or any of them in the County aforesaid, to cause to come before you or any of you all those persons who shall threaten any of our leige people either in their bodies or burning their houses to find sufficient security for the peace or for their good behavior towards us and the people, and if they shall refuse to find such security then cause them to be kept safe in prison until they find such security;

"WE have assigned you, or any four or more of you whereof any of you, FRANCIS WRIGHT, Alexander Spence, Willoughby Allerton, Lewis Markham, Charles Ashton, Henry Ashton, Caleb Butler and John Sturman shall be one to meet at the usual place for holding of Courts in the County afore-
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said at certain days according to law to hear and determine all suits, controversies and debates between party and party, doing therein what to Justice appertaineth according to the laws of our Kingdom of England and of this our ancient and great Colony and Dominion of Virginia, with power likewise to you and every one of you to take depositions and examinations upon oath for the better manifestation of the truth, in all such matters & causes as come before you, and to keep or cause to be kept all orders of Court, orders of Council and Proclamations directed to you or coming to your hands, from us or from our Governor or Commander in Chief for the time being, and our Council of State, and to punish the offenders and breakers of the same, according to the laws of our Kingdom of England and of this our Colony and Dominion of Virginia, and further to keep or cause the Clerk of your Court to keep records of all Judgments, rules and orders decided and agreed upon by you, or any four or more of you, whereof any of you FRANCIS WRIGHT, Alexander Spence, Willoughby Allerton; Lewis Markham, Charles Ashton, Henry Ashton, Caleb Butler, and John Sturman shall be one. And further we command you and every one of you that you diligently intend the keeping of the peace, statutes of our Kingdom of England and the laws of this our Colony and Dominion, and all and singular other the premises. We do also by virtue of these presents command the Sheriff of the said County of Westmorld that at those certain days and places which the law doth appoint that he cause to come before you or any four or more of you, whereof any of you FRANCIS WRIGHT, Alexander Spence, Willoughby Allerton, Lewis Markham, Charles Ashton, Henry Ashton, Caleb Butler and John Sturman shall be one, such and so many good and lawful men of his bailiwick by whom the truth in the matters may be the better known and enquired of.

"WITNESS our trusty and well beloved Francis Nicholson Esq. our Lieut. and Governor Gen1 of our Colony and Dominion of Virginia at the City of Williamsburg, under the seal of our Colony this twenty sixth day of April in the second year of our Reign. Annoq. Dom. 1703

"A Commission of the peace for Westmorld County

"Fra: Nicholson"
"VIRGINIA SS

[A dedimus for Administr'g the oaths to the Justices &c]

"ANNE, by the Grace of God Queen of England, Scotland, France and Ireland, defender of the faith &c:

"To FRANCIS WRIGHT, Alexander Spence, Willoughby Allerton, Lewis Markham, Charles Ashton, Henry Ashton, Caleb Butler, John Sturman, Benjamin Berryman, Gerrard Hutt, George Weedon, John Elliott, Andrew Munroe*, John Bushrod & Burditt Ashton, Gent."

"KNOW YE that whereas we have constituted and appointed you Justices of the peace for Westmorld County wee do authorize and appoint that, the commission being read as usual, any two of you the said FRANCIS WRIGHT, Alexander Spence, Willoughby Allerton, Lewis Markham, Charles Ashton, Henry Ashton, Caleb Butler and John Sturman, having first taken the oaths appointed by Act of Parliament to be taken instead of the oaths of allegiance and supremacy, the Test together with the oath for duly executing the office of Justice of the peace, which the said Benjamin Berryman and Gerard Hutt, or any two in the Commission above named, are hereby required, authorized and impowered to give and administered to you you administer unto [sic] the above said Justices and every of them in the Commission above named, the Oaths appointed by Act of Parliament to be taken instead of the oaths of Allegiance and supremacy, the Test together with the oath of duly executing the office of Justice of the peace, of the performance of which you are to make due return to our Secretaries office on the Sixth day of the next General Court.

"WITNESS our trusty well beloved Francis Nicholson Esqr. our Lt. & Governor Gen of our Colony & Dominion of Virginia at the City of Williamsburg under the seal of our Colony this 26th day of April in the second year of our reign Annoq. dn 1703

"F. Nicholson (Seal)

"A Dedimus for administering the oaths &c to the Justices of the Peace for Westmorld County."

"WESTMORLORD: SS

"AT a Court held for the said County the 26th day of May Anno Regni Reginae Anna nunc Ang & Sco: The Commission being read as usual Benjamin Berryman and Gerrard

*Ancestor of James Monroe, president of the United States.

[Note: Wm. Monroe, brother of above was ancestor of J.M.]
Hutt Gent\(^1\) administered the several oaths appointed to be taken instead of the oaths of allegiance and supremacy together with the oath for duly executing the office of Justice of the peace to Francis Wright and Lewis Markham Gent\(^1\) who administered the said several oaths to Charles Ashton, Henry Ashton, Caleb Butler, John Sturman, Benjamin Berryman, Gerrard Hutt, George Weedon, John Elliott, Andrew Munroe, John Bushrod and Burdet Ashton Gent\(^1\), who severally subscribed the Test according to the tenor of the above Commission

"Pr Mandat. Cur.  

This commission did not empower Justice Wright to try a case of murder. This fact is emphasized in the record on page 218 of the Westmoreland Order Book 1698-1705 of the holding of a court of Oyer and Termine\(^**\) Jan. 13, 1703-4, instancing that Francis Wright and six other men were commissioned by the governor of Virginia, to hold a special court for the trial of "Tom, a negro slave" for killing his master James Orchard. Contrary to the expectations of the sheriff, who procured the commission from the governor, Justice Wright declined to preside at this murder trial, and his name is absent from the death warrant signed by nine other justices, one of whom was Andrew Monroe. At this period Major Wright was the chief justice, otherwise designated "President of the Court." It is, therefore, not unexpected that he was soon afterwards selected to represent Westmoreland and the colony of Virginia as a special judge in a case of wide importance for the peace of the colony and the protection of the inhabitants from Indians. Nineteen of the leading men of Virginia were commissioned for this investigation and trial. After the five colonial dignitaries, the first gentleman named was Col. William Tayloe of Richmond county whose great estate still remains in the Tayloe family, with its famous mansion (wherein Major Wright was then, as doubtless, before and afterwards, an honored guest), after two hundred and fifty years of uninterrupted possession by the Tayloes. Francis Wright's name follows that of Tayloe in the

\^[Clerk of the county aforesaid].

\^[At court of higher authority especially commissioned for a particular trial.]
formal order of precedence, based upon the personal position of the persons named, customary in official colonial documents of that time.

[County Clerk's office, Warsaw, Richmond county, Virginia. Order book No. 3.]

"Att a Court Held att the house of Coll. William Tayloe the 7th day of Sept 1704 for the Examination of the Prisoners apprehended, and takeing Evidences Relating to the murther of John Rowley two women and a Child" certain witnesses were examined; but the Justices of Richmond county not being empowered to try cases of "life and limb" by their Commissions from King William and Queen Mary of England, the Governor and Council of Virginia, in view thereof and also realizing the great importance of this case, of a massacre by Indians, as having a most serious bearing upon Indian affairs in general and upon the peace of the immediate future, and having been informed that there was a conspiracy under way between Indians of several tribes to attack the white men, appointed four members of the Council of Virginia, the Speaker of the House of Burgesses and fifteen judges in the Northern Neck of Virginia to investigate the case and try the captured Indians at a special court ordered thereafter. One of these special judges was Francis Wright, then a justice of Westmoreland county. The case was sufficiently important and of a present interest to warrant a presentation now of the substance of it, as the selection of Francis Wright as one of the judges in so important a matter may be considered as a compliment to his ability and position, he not being a resident of the county wherein the Indian trouble occurred.

"VIRGINIA SS ATT a Session of Oyer and Terminer* begun att Richmond County Court house on Thursday the fifth day of October in the third yeare of the Reigne of our Sovereigne Lady Anne by the Grace of God of England, Scotland, France and Ireland Queene, Defender of the faith &c. and in the yeare of our Lord 1704, by Virtue of her Majies Speciall Commission for Tryall of all Treasons, petty Treasons, Felonies, Burglaries, Murders, Thefts, Robberyes, Larcenyes, Ryouts Routes or unlawfull Assemblyes, Batterries and Trespasses Committed made or done by any Indians in the said County of Richmond, and Especially of and Concerning the death and Murder of John Roley, Katherine Roley, William Roley, and Mary Webb, or any of them—

* A court of higher jurisdiction.
"TO John Lightfoot, Robert Carver, Phillip Ludwell and John Smith Esqr* of the Council, Peter Beverley Gent., Speaker of the House of Burgesses, William Tayloe, ffrrancis Wright, George Mason, John Cattlett, George Tayler, Sam"l Peachey, Wm Underwood Alexander Doniphan, John Deane, David Gwyn, John Tarp. Thomas Beale, Wm Robinson, Charles Barber and Joshua Davis, Gent [lemen]

"PRESENT.

"Robert Carter "Peter Beverley, Gent.
John Smith Speaker of the house of Burgesses Esqr* of the Council

"William Tayloe "John Deane
ffrrancis Wright David Gwyn

"John Cattlett "John Tarp. Thomas Beale
George Tayler Wm Robinson
Sam"l Peachey Joshua Davis
Wm Underwood
Alexander Doniphan

"Whereof the Prisoners at the Barr (to witt Long Tom and Young Toby severally said and Acknowledged that they were Guilty," . . "Old Mr Thomas, Bearded Jack, Jack the ffidler Tom Antony and George severally pleaded Not Guilty and for Tryall put themselves upon God and the Country."

Then follows the long details of the trial, which, for lack of space, we omit. This service by Major Francis Wright, as a special justice of a "superior court of law and equity," has caused him to be accepted by the Virginia Society of Colonial Dames as an eligible ancestor.

On March 25, 1707, "Francis Wright of Westmorld County in the Colony of Virg* Gentl and John Wright son and heir-apparent of the s* Francis Wright* sold to Thomas Goff of Richmond county, planter, for five thousand pounds of tobacco, two hundred acres in Washington parish [Deeds & Wills No. 3, page 4]; also the same father and son on October 8, 1709, for eight thousand pounds of tobacco, sold to John Washington 171 1/2 acres. [Deed book No. 2, page 153.]
Under the old colonial laws a husband often sold real estate that his wife had inherited, and sometimes she failed to sign the deed; this left rights remaining to her children. The following deed by Ann (Mottrom) Wright's son, Francis² Wright, forty-nine years after his father, Capt. Richard¹ Wright, had sold the Nomini estate to his (the latter's) brother-in-law, Col. Nicholas Spencer (acting-governor of Virginia in 1683), renounced his inherited claim and confirmed the title to his cousin, Francis Spencer, thus emphasizing again the honorable and commendable character of the Wright family. The subjoined deed also recounts three generations of the pedigree and defines the location of the "great house" in which Francis² Wright and his son John³ resided:


"Wright's Sale to Spencer

"THIS INDENTURE made this 30th day of August in the yeare of Our Lord God One thousand Seven hundred and Eleven. BETWEEN ffrancis Wright of the parish of Cople in the County of Westmorl'd on the One part, and ffrancis Spencer of the pish and County aforesaid on the other part. WITNESSETH that Whereas Richard Wright father of the aforesaid Wright formerly (to Witt) the 18th day of August in the Yeare of Our Lord 1662 sold and conveyed Over unto Nicholas Spencer esq' father of the aforesaid ffrancis Spencer a certaine tract of land lying scituate on Nomony Bay Containing nine hundred acres of land more or less Contained in certaine bounds in the said Deed menconed, which said Land was the Just right and inheritance of Ann, the daughter of Coll¹ John Mottrom, and wife of the said Richard, and mother of the said ffrancis Wright; and forasmuch as the said Ann did not Joyne in the said sale nor was any party to the said deed, nor did not pass her right in the said land as the law requires, and that by means of thereof the same is descended & come to the aforesaid ffrancis Wright as heir at Law to his mother; therefore, he the said ffrancis Wright as well for and in consideracon of the sum of Seven thousand pounds of good sound merchantable Tobacco in Cask to him in hand by the said ffrancis Spencer already paid and satisfied, the receipt whereof he doth hereby acknowledge, and thereof and from every part and parcel thereof he doth acquitt exonerate and forever discharge the said ffrancis Spencer his heirs, executors admrs. and assignes, as alsoe for
divers Other good causes and consideracons him the said ffrancis Wright thereunto especially moveing, hath given granted release (etc.) . . . unto the said ffrancis Spencer the same in his actual possession now being, all that his the said ffrancis Wright his right and title of in and to the aforesaid tract of land Containing nine hundred acres bound-
ed . . . (vizt) BEGINNING at a marked white Oake standing on the maine branch of King Copzcze Pond at the head thereof by the road side that leads from the house of the said Wright to the said Spencer's, running thence a streight Course to a marked red Oake standing by a swamp or branch that issueth out of Armsby's Creek, and near the now dwelling house of Samll Chamberlin, and thence down the said swamp Cove and Creek to the head line of the whole dividend of land of the aforesaid Wright or Mottrom, thence along the said head line and the water Courses of Nominy Bay to the mouth of King Copzcze Pond, and up the said Pond according to the meanders thereof to the first menconed beginning white Oake . . . TO HAVE AND TO HOLD (etc.) . . . . forever (etc.) . . . .

ffrancis Wright (Seal)

"Sealed and delivered in p'rsence of D. McCarty, Nath. Pope

"Westm'ld SS

"At a Court held for the said County 29th day of August 1711 ffrancis Wright gentl. . . . . came into Court and acknowledged the above instrument to be his proper act and deed (etc.) . . . .


Recordate sixto die Septembris 1711."

Major Francis Wright, while sitting as president of the court in 1712 was again honored by the (acting) governor of Virginia with an appointment as sheriff, twenty years after his first shrievalty:

[Westmoreland Orders &c 1705-1721, page 185 d]"At A Court held for the sd. County the 25th day of June 1712

P'sent ffrancis Wright Benj* Berryman
Andrew Munroe Henry Ashton
Burd* Ashton Rich* Watts
John Chilton Joseph Bayly

Court Proclaimed Gentl. Justices &c
"Wright Sworn Sheriff. ffrancis Wright gentl: produced into Court a Comission form under the hand of Alexr Spots-wood Esq' her Maj'lies Lieut: Governr of Virg' appointing him Sherif of Westm'ld County dueing her Maj'lies pleasure. And haveing first Entered into bond According to Law for his faithfull management of the office of Sheriff he took the oath of Sheriff of the County aforesaid accordingly.

We may note the condescension, appreciation and sympathy of the colonial legislature of Virginia towards Sheriff Wright as expressed in its order that he "be discharged paying Fees" into the colonial treasury, doubtless partly in appreciation of the ill gentleman's action in voluntarily sending to the colonial capitol his under-sheriff to make a correction in the election return previously forwarded. Francis Wright did not live to complete his term as sheriff, but was able to carry out the collection and disbursement of taxes for the same year, 1712, to-wit:

[Westmoreland Orders &c 1705-1721, page 200d. Court of 27 Nov. 1712.]

"Upon Mocon of ffrancis Wright, gentl. Sherif of this county the collecon of the sd County Levy for this present year is granted him. Major Henry Ashton and Mr John Chilton assumeing to be his Securities for his due & true payment of the same according to proporccon. And it is ordered that each Tythable person in this County doe pay him the Sum of thirty pounds of Tob°, and in case of their Refusall, that he make distress as the Law directs. And that he pay each Creditor in the aforesaid County his just Share & proporcon as the same is raised and Levyed on his behalfe."

Following numerous entries in the court order book of a similar or minor nature, there stands on page 214 the record of the last recorded official act of Major Francis Wright as sheriff of Westmoreland, to-wit:

Court of 27 May 1713.
"Damorvel vs nup vic p. Cox.*

It was Comanded ffrancis Wright gentl. late Sherif of the said County that he should Sumon Charnock Cox to answer Samuel Damorvel of a Plea on the Case for Eighteen thirty eight pounds of Tobacco due by acct. And the Sheriff returned cepi corp. But for that the Defend' failed to appeare

*vs former sheriff per Cox.
and no bail being returned. Upon motion of the said Plaintiff Condiconally ordered passed against the said Sheriff. According to Law. And upon the Sheriff’s motion an attachment is granted him against the defendant’s Estate Returnable according to Law."

Francis Wright died between May 28 and June 24, 1713, aged about fifty-three years, twenty years longer than lived his father, Capt. Richard Wright. Anne² (Washington) Wright, the first wife of Francis and mother of John and Anne Wright, died, as has been shown, prior to 1699. About or shortly before 1707 or 1708 (as suggested by certain deeds to be quoted) he contracted a late marriage to a lady named Martha, of whom only her Christian name is preserved to us. By her he had one child, Richard³ Wright, born about 1709 or 1710, of whom hereinafter. A deed by the eldest son and heir, John³ Wright, records that his father, Francis² Wright, was buried in his own estate at Lower Machodoc in an enclosure (doubtless near to the “great house”) perpetually to be reserved to the Wright descendants. The deed reads “excepting one-half acre of the said land being the graveyard on the manour plantation where Majr Francis Wright, father of the said John, is buried” [Westmoreland Deeds and Wills, No. 7, page 292.] Martha, the widow, soon married again to John Howell, one of Major Wright’s employees, and became involved in litigation over the estate, her son Richard³ Wright inheriting nothing direct from his father, Francis² Wright, as the latter died intestate and the real estate fell to the elder son, John³, under the law of primo-geniture, John³ being, as well, the sole heir male to the landed estate of his mother Anne² (Washington) Wright. The records (to follow) of the life of this John³ Wright, Gent., reveal these facts and some singular developments to the disadvantage of his step-mother towards whom John³ Wright, Gent., appears to have been distant, socially.

At the session of the Westmoreland court on June 24, 1713, was entered an important record, viz.: [Westmoreland Orders &c 1705-1721, page 216]

"Majr Wright’s Mrª Martha Wright, Relict of ffFrancis Admcon grtd Wright gentl. dec’d came into Court & made oath that the said ffFrancis departed this Life without makeing any Will soe farr as Shee Knowes
or believes. And on her Mocon certificate is granted her for obtaining Letters of admicon on the said dec'd's Estate in due form. John Bushrod, Richard Kenner and ffrancis Spencer assumeing in Court to be Security for her due Administracon thereon. And She ordered to return an Inventory of the said Estate to the next Court. It is alsoe ordered that John Awbrey, William Chandler, Dan11 Tebbs and ffrancis Attwell or any three of them being first Sworn by one of her Majties for the said County doe some time before next Court value & appraise the said Estate and make report thereof to the next Court."

As the inventory submitted to the court did not embrace the extensive real estate one can only note the valuation of some of the personal effects. The great bulk of the estate was amply secured to the eldest son and that he had acquired what he desired of the personal estate before his father’s death seems probable:


"Maj. Wright's Inventory &C.

"Westmorld ss

"In obedience to an order of Court bearing date June the 24th, day 1713 Wee the appraisers being first sworn before Majr. Henry Ashton one of her Majties Justices for the County above said to vallue and appraise the estate of Majr. Francis Wright Gentl. Decd. Vizt.

[Then follows a long list of items.]

"P. Martha Wright

"July the 29th, 1713—Returned into court and Recorded the 7th, of August 1713

"Pr. Thos. Sorrell D C C W.

"Supplementall Inventory &c. Two hhds Tobo shipt on board the Beddeford Mercht. Capt. Collins, bills lading taken in Mr. Jno. Wright's name P Capt. John Bushrod, a plow & plow chaine & 3 lights of glass."

The personal property returned amounted to £178:0:10 old tenor, which reckoning was several times less than by the present standard of money; for example, three horses were rated at $32.00 any one of which would be worth much more than $32.00 by the present monetary standard.

Martha (———) Wright’s marriage to John Howell occurred
before Sept. 29, 1714, and it is singular to find her suing her own bondsman in an attempt to recover on a doubtful claim, to-wit:

[Westmoreland Orders &c 1705-1721, page 252]

Court of 29 Sept. 1714

“Wright’s Admrx” It was Commanded John Sturman gent.
vS vs Shrif of the sd County that he should
Vic p. Spencer Sumon ffrancis Spencer to answer John
Howell & Martha his wife Admrx of the
goods & Chattells that were of ffrancis Wright gentl: dec’d
of a plea of debt for ffourteen thousand pounds of Tob: due
by obligacon. And the sheriff returned Cepi Corpus. But
for that the defent. failed to appeare, and noe baile being
returned Upon Macon of the Pltf Condiconal order passed
against the sd Sheriff for the debt aforesd” etc.

There are several suits entered against John and Martha Howell,
as administrators, from the evidence in which it is to be inferred
that their administrationship was not acceptable to some people.
Ten years later occurs the last record of their service, a rather
belated if not enforced acknowledgment of their receipt of much

[Westmoreland Inventories 1723-1750, page 27 d]

“Maj’ Wright’s Suplemental Invenrv

Westmrld SS. Received of the Estate of Francis Wright
Gentl. late of this County Dec’d
Imprinus of Mr Jo: Weeks in Tobacco 2500
Item of Sam’ll Chamberlaine do 697
Item of Wm Rice in Tobacco 600
Item of Paul Howell ditto 500
Item of Rob’t Scutt ditto 300

Sum Total 4597

Received p’ mee Jn° Howell.”

We have paid scant respect to the long service of Francis Wright
as a captain and major; and of the social and domestic side of
his life but little has been here written. Though partly veiled by
the loss of intimate family letters and papers, it is clear that his
personality, position, ability and influence were on a parity with
the best of his contemporaries in tidewater Virginia. Though
comparatively simple was his mode of life, in a new unripened
country, it remains impossible to conceive that his was not as gracious and boundless a hospitality and he as true-hearted a gentleman and sportsman as that of the other Virginians for whom colonial times were famous, and upon the incidents of whose lives the southern poets and story-tellers have founded their recitations.

JOHN³ WRIGHT, GENTLEMAN

John Wright³ (Major Francis², Capt. Richard¹) though gentle born and gently reared, and removed from being of

"a race
Of proud-lived loiterers that never sow
Nor put a plant to earth, nor use a plough"

seems from the records like a man who to himself said, "Let me be no assistant for a state, But keep a farm." Even so, he did not surpass, if equal, his father Major Francis Wright as a country gentleman and planter. So far as it is possible to observe from the extant evidences one is susceptible to the thought that John³ Wright, Gent., was a better sportsman than farmer or merchant, and more pleased with entertaining than in advancing his political and private fortunes. That his inheritance was sufficient unto his needs scarcely can be gainsaid. He bought but little land, and sold a large amount. Eventually he sold out entirely and removed to another part of Virginia; not to his own personal enhancement but, most fortunately, to the ultimate advantage of his children, especially to his long-lived second son John⁴ Wright. John³ Wright however neglected no public duty and, as was to be expected, succeeded his father as attorney, sheriff's deputy, surveyor, vestryman and judge; and he is always of record as a "gentleman" maintaining his excellent social position. His briefer career as a public servant only serves to emphasize his social predilections and preferment. William Berkeley referring to the gentleman-planter in "A Discourse & View of Virginia" shows that "the comparative ease attending the planters and the development of tobacco culture to the exclusion of other industry enfeebled their spirit of initiative and restrained any natural talent for invention."

Hugh Jones, writing in 1724 in his book "The Present State of Virginia" (page 48) declared—"The planters leading easy Lives
don't much admire Labour or any manly exercise, except Horse Racing. No People can entertain their friends with better Cheer and Welcome; and Strangers and Travellers are here treated in the most full, plentiful and hospitable Manner." Viewed from a later generation, John Wright, Gent., had the foresight that contemplated the later slowness in growth of Westmoreland and, also, the rise to prosperity and superior position of the new counties, then uniformed, fifty to eighty miles up the Potomac river from his inherited "manour plantation" at the head of King Copsico pond on the broad peninsula between Lower Machodoc river and Nomini bay; and to him attaches the credit of having had something more than prescience, akin to courage, for leaving Westmoreland with his family for the newer settlement in the present Prince William county, as a pioneer there; not perhaps to his own immediate advantage, but surely to the benefit of his posterity, and where his second son, John Wright, Gent., far surpassed him in record as a public man.

Lord Culpeper, by royal grant owner of a vast area of land in northern Virginia, chose for his chief ranger, or keeper of the domain, Major Francis Wright at the time when the latter was the sheriff of Westmoreland. As a rule the Wrights held their lands in fee simple, and were not subject to the overlordship of or the payment of quit rents to the Culpepers and the lords Fairfax. The Wrights were on an equal footing, as to their land titles, with these "Barons of the Rappahannock and Potomac" who passed much of their time in their castles in England, save that the Wrights owned a much smaller quantity of land. The only land that they held of the proprietors of the Northern Neck of Virginia was a small tract acquired because it adjoined the land which John Wright, Gent., had inherited from his mother—land originally patented by Lestrange Mordant but escheated to the colony, and on October 10, 1670, became re-patented to "Major John Washington, 450 acres at ye head of Nominy River formerly Granted unto Mr L-Estrange Mordant and by him Deserted." [Westmoreland Deeds Patents Accounts Depositions &c from 1668 to 1677, page 77] The grant by the Lord Proprietors to John Wright, Gent., may be taken to show that the latter had attained to legal age on or before August 20, 1703, hence born
before 1685. His birth is placed between 1682 and 1685. He became of legal age when eighteen, as to the holding of land, yet may have been twenty-one in 1703; he certainly was twenty-one before he executed certain documents in 1707, and probably had reached that age by September 5, 1705, when he sold land. The two following deeds thus are important in establishing his approximate age, as well as revealing his youthful demonstration of his possession of the enterprising spirit of his family:


"MARGURITTE LADY CULPEPER Thomas Lord Fairfax and Catherine his Wife Proprietors of ye Northern Neck of Virg":

"To all to whom this present Writing shall Come send Greeting in our Lord God Everlasting:

"WHEREAS John Wright of ye County of Westmoreland upon his Suggestion of a Certain Quantity of Land belonging to us in ye sd County which is not Yet Granted. Did on the twentyeth day of August one thousand seven hundred & three Obtain a Warrant from our office for Laying out the Same. And having now Returned a Survey thereof under the Hand of Mr Thomas Thompson Surveyer,——

"KNOW YEE therefore that we, for & in Consideracon of ye Composicon to us Paid & ye Annuall Rent hereafter Reserved have Granted . . . . (etc.) . . . unto ye sd John Wright sixty one acres of Land Lying & being in ye fforrest of Nominy in ye County of Westmoreland—VIZT, Beginning at ye South Eastermost Corner of L'Estrange Mordants Patent now belonging to ye sd John Wright &" [bounded by lands of Capt. Hutt, Charles Smith, and Wm Hardich] "TOGETHER with all Rights Members & appurtenances thereunto belonging Royall Mines Excepted & ye full third part of all Lead, Copper, Tinn, Coals, & Iron Mines that shall be found thereon . . . . . YIELDING and PAYING to us, our heirs or Assignes yearly . . . . on ye feast of St. Michaell ye Arch Angell* ye fee Rent of one Shilling Sterling for every fifty Acres of Land hereby Granted . . . . . . . GIVEN at our office in Lancast County within our sd Proprietary under our Seale. Witness our Agent and Attorney,

*September 29th, one of the four quarter days when rents were due, and, since the fifth century, one of the days on which a religious festival was held in the Catholic Church, and, since the Reformation, in the Church of England. The day is also called Michaelmas.
fully Authorized thereto Dated ye fifteenth Day of October in ye Sixth Year of ye Reign of our Sovereign Lady ANNE by ye Grace of God of England Scotland & France & Ireland, Queen, Defender of ye faith &c. ANNOQ DOM: 1707.”

That deed is the earliest extant record of John Wright, Gent., the second oldest record being that of the next deed whereby he obtained an amount of cash equivalent to about three thousand dollars by the present value of money; and it will be noted that Major Francis Wright confirms this sale by his surname-signature after the manner of subscription used by the great lord-proprietors and dignitaries of England and Virginia:

[Warsaw, Richmond county, Virginia. Deed Book No. 4, page 11 dorso:] (abstract)

“TO ALL CHRISTIAN people to whome these presents shall come, I, John Wright of the County of Westmoreland Gent. Send Greeting in our Lord God Everlasting this fifth day of September in the year of our Lord 1705. Now know yee that I the said John Wright for and in Consideration of the Sume of two hundred and fifty pounds Sterl. by ffrrancis Thornton in hand paid (etc.) . . . . Do give grant sell (etc.) . . . . unto the said ffrrancis Thornton . . . . one Messuage tenement or Tract of Land Containeing one Thousand acres being part of a patent formerly granted to Majr. John Washington for seventeen hundred acres of Land dated the first of June Ano Domini 1664 . . . bounded by land sold to William ffreake, Wm Wallis’s, land in in [sic] possession of John Houxford and Thomas Tippitt, including the plantation called by the name of Andrew Harrison’s plantation—Scituate . . . . within the Parish of St. Maryes in the County of Richmond . . .

[Witnesses]
“George Tayler
Alexa Doniphan

“John Wright [Seal]”

“Acknowledged in Richmond County Court by the within named John Wright 5 Sept 1705. Recorded 11 Sept. 1705 wth acknowledgment Wm Thornton son of the said ffrrancis Thornton in behalfe of his said ffather did Receive.”

[Page 13].

“TO ALL to whome these presents shall come: Know yee that I ffrrancis Wright father of the within mentioned John
Wright haveing good Right title and Interest by the Courtesies of England to all and singular the within mentioned Lands sold by my Son John Wright . . . to ffrancis Thornton, do . . . acquitt all my Right (etc.) of the within mentioned Lands to the said ffrancis Thornton (etc.) . . . . . I have hereunto set my hand and seale this fifth day of Sept 1705

[Witnesses]
“George Tayler
Allexa Doniphan

“WRIGHT [Seal]
(Acknowledged & recorded as aforesaid)"

In addition to the deed John Wright also gave a bond of £1000. sterling to the said “ffrancis Thornton of the County of Stafford” to further secure the title, as did also Francis Wright in £200.


“Wright’s Sale to Goffe

This Indenture made the 25th day of March 1707 in the fifth year of the reign of our sovereign Lady Ann by the Grace of God of England Scotland France and Ireland Queen, defender of the faith &c and in the year of our Lord 1706 Between Francis Wright of Westmorland County in the Colony of Virginia Gentl and John Wright son and heir-apparent of the sd Francis Wright of the one apart and Thomas Goff of Richmond County, planter, of the other part . . . for five thousand pounds of tobacco and cask . . . . . . sell (etc.) . . . . that tract of land which hath been already laid out and surveyed by one Mr Horton Late of Westmorland County dec’d, by the order of the said Francis Wright; . . . . adjoining upon land of Wm Boothe in Washington Parish in the county of Westmorland . . . . 200 acres with all houses etc.

Thomas Sorrell Francis Wright [Seal]
Geo: Eskridge John Wright [Seal]

Proved in court 26 March 1707”

Col. George Eskridge, the witness to this deed, was an intimate friend of the Wrights and Washingtons; it was for him that Augustine Washington (nephew of Major Francis Wright) named his immortal son George. Eskridge was the guardian of Mary Ball, the mother of George Washington. It is obvious that in the
year 1707 Major Francis Wright and his son John were adjusting their affairs preparatory to some important events, for they settled up all outstanding claims they and others had to certain lands, and sold other lands. One event was the second marriage of Francis\(^2\) to Martha (———), and the other the marriage of John\(^3\) to Dorothy (———) whose maiden name is unknown, but may have been Berryman or the widow Dorothy Veale. Which marriage occurred first it is impossible to determine; that both events were near together is evident from the fact that Francis\(^4\) Wright and John\(^4\) Wright, the two sons of John\(^3\) Wright, Gent., are shown by records (hereinafter) to have been born between 1707 and 1712, while Richard Wright, only child of Major Francis Wright by the second wife Martha, was born not later than 1712, probably about 1710.*

Consequently the documents recorded in 1707 and soon thereafter are significant, and the chances of future complications, jealousies or expectations that the new marriages and new children might engender were diminished; and also full satisfaction was honorably given by John\(^3\) Wright, Gent., to certain grantees of his father, two examples of which voluntary relinquishment of his legal rights seem to have been the acts of a generous-minded and courteous gentleman, to-wit:

[Montross, Westmoreland county, Virginia. Book entitled Deeds & Wills No. 4, page 3:]

"Wright’s Release to Franck

To all Christian people to whom these presents shall come I, Jno. Wright of Westmorl’d County well knowing that a certain tract of land lying on or near Appamattux Creek was formerly sold by my father Francis Wright to Thomas Robins of the said County as by the said Francis deed in the said County Court may more fully appear and the considerations on the part of the said Robins well and truly performed, But my late mother the then wife of the said Francis not acknowledging acting and doing as on her part ought to

*The records of baptism, marriage and burial of the parish church (Yeocomico) of Cople parish, Westmoreland, Virginia, are now lost, while the same records of Washington parish were cut up into paper dolls, a few years ago, by the children of an officer who gave to them the ancient church parish record book “to play with.” This fate was confirmed to the author in February, 1918, at Montross, Va., by the commonwealth’s attorney for Westmoreland.
have been done by means whereof the said Tho: Robins in his right & title to the said land hath not been secured and confirmed as he ought to have been And the said Robins having sold part of the said land to Robert Frank of the aforesaid County as P' a deed of the said Robins in the said County Court acknowledged more fully may appear. Now know ye that I ye, said John Wright in conscience knowing yt. the said Robert Frank (for such part of the land as by ye: said Robins to him acknowledged) ye: said land ought to have and to hold, doe hereby exonerate, acquit discharge & ........... ye: said Frank his heirs &C of and from all manner of right title or interest which I my heirs have might or could have to said land by virtue of any right of Inheritance or other right or title whatsoever.

In testimony whereof I have hereunto set my hand and seal this twenty sixth day of March in the year of our Lord one thousand seaven hundred and seaven.

John Wright [Seal]

Test Alex: Thompson, Wm...........ton"

"Westmorld: S.S.

At a Court held for the said County the 26th, day of March 1707. John Wright Gentl. acknowledged the within Instrument to be his proper act and deed and did acquit, disclaim and discharge to the within named Robert Frank all manner of right, title or interest in to the lands therein specified according to the purpose and true meaning of the same & that the same lands and premises for and not with standing any act or thing by him his heirs or assigns or any other by his procuremt. or consent done or to be done at any time hereafter are the just right and inheritance of him the said Robert Frank his heirs & assigns forever.

Test

Ja: Westcomb Cler. Com. Pr'd.

Recordate: primo die April 1707. Eund'm Cler'um."

On that same twenty-sixth day of March, 1707, John Wright Gent., similarly signed and confirmed the deed and bond given on February 25, 1685, by his father Major Francis Wright (also signed by Anne (Washington) Wright) to Michael Halbert for the sale of "one hundred acres of land situate in Westmoreland County in Virga. at the head of Madox granted to the said John Washington by patent and now by the death of said Washington devolving and descending to Ann his daughter now wife to the
said Wright" etc. [Westmoreland Deeds & Wills No. 4, page 2]

In the original search of Virginian records by the author it was found essential to exercise much care and perspicacity in studying the records, because during the life of John Wright, Gent., in Westmoreland, there were three other John Wrights living there, two of whom were in the same parish of Cople, albeit all three of them were his elders, i. e., John Wright the blacksmith, John Wright the overseer, and John Wright the planter. The need of a perfect illumination of this matter had been of such long standing, and the importance of it so clear on account of the Washington and Pope ancestral connections with one of these four John Wrights that, in order fully to satisfy any critic, no matter how finicky, a special citation of the evidence relating to those three other men has been prepared by the author and will be found in the accompanying footnote*, whereby each of these

*John Wright, Blacksmith, of Westmoreland County, Virginia, 1691-1714.

On September 6, 1691, the "Proprietary of the Northern Neck of Virginia" granted to "John Wright of Westmoreland County, Blacksmith, of Nominy," 250 acres in "Yoacomaco forest"—[page 107, volume 1, 1690 to 1692, Northern Neck Grants, State Land Office, Richmond, Virginia.] On "the last Wednesday In May," 1692, Joshua Davis as "attorney of John Wright, blacksmith, confessed judgment to James Westcombe of 160 I. Tob."—[page 61, Westmoreland court Order Book 1690-1698]. On May 28, 1697, "John Wright, smith," was sworn surveyor of highways for the precinct of "Nomony forest"—[page 238, Westmoreland court Order Book 1690-1698]. On December 14, 1704, "John Wright, Smith, of the County of Westmoreland" conveyed by deed to "Robert Carter of the County of Lancaster Esq," for £15, four hundred and forty acres of land upon Potomac creek in Stafford county, "granted unto John Wright by deed from the Proprietor's office bearing date the 15th of March 1696/7"—[page 254, will book Z, Stafford county, Virginia]. On page 253 of the same book is recorded the waiver of dower rights for the above sale by "Susannah (her X mark) Wright" who in so doing recites the main facts of the deed to Carter and describes the grantor as "my husband John Wright of Westmoreland County." This same "John Wright of Westmoreland County blacksmith" sold to Richard Wordell, 3 November, 1708, one hundred acres of land in North Farnham parish, Richmond county, Virginia. [Page 156 deed book No. 4, Richmond county, Virginia.] Neither this John Wright nor his wife Susannah, elsewhere called "Anne," were able to write their names, as all of their recorded documents bear their "marks," instead. His will, dated January 21, 1713, proved 26 May following (1714) [Westmoreland Deeds & Wills No. 5, pages 291-292], describes himself as a "blacksmith," and names "my grandson Thomas son of my daughter Hester"; "my granddaughter Mary daughter of my daughter Susanna"; "to my son John my planta-
three additional John Wrights is so unmistakably disposed of by original, official evidence that it is not conceivable how a doubt can remain as to which man each record refers to; and that neither one of these other three John Wrights was a descendant of, or related to, the families of Washington and Pope, nor to any of the

tion where I now live," and "my best set of Smith's tools"; "to the child my wife now goes with all my land in Richmond County" (this child was the son Thomas); "to my loving wife Anne," executrix (evidently his abbreviation of Susannah, unless the notary before whom she waived dower rights misunderstood her name); "my son Thomas Blundell & my brother Thomas Walker to see that my said son be taught to read & write," etc., "and in case his mother's decease before he attain the age of seventeen years ........... to take him & look after him and his estate."

This brother-in-law named in the will, "Thomas Walker of the County of Westworld," by his own will, dated 26 January, 1715, proved 30 May, 1716, by his relict Mary Walker, bequeaths one ewe lamb each to John Wright and Thomas Wright sons (the latter posthumous) of the deceased John Wright, the blacksmith. [Westmoreland Deeds & Wills No. 5, page 546, etc.]

Anne, the said widow of John Wright the blacksmith, married again to Thomas Astbury (Asbury) prior to March 28, 1716, on which date they, acting for themselves and her minor son John Wright, sued John Carpenter; on June 1, 1716, they sued Francis Morris and Thomas Gollahan. [Westmoreland court Orders &c. 1705-1721, pages 278 and 284 dorso.] The will of Anne "Asbury" was proved 25 November, 1755. [Westmoreland will book for 1755] Thomas "Astbury," Jr., and his half-brother, the said Thomas Wright, born in 1714 as the posthumous son of John Wright, the blacksmith, by the said Anne Wright (Asbury), removed to Fairfax county, Virginia. On May 29, 1739, this Thomas Wright sued the estate of David Wood. [Westmoreland court Orders &c. 1731 to 1739, page 312.] He was guardian of his said half-brother, Thomas Astbury, Jr. (son of the said Anne), on 26 May, 1741. [Westmoreland court Orders Book 1739 to 1743, pages 100 and 116.]

John Wright (John, the blacksmith) married Jane, settled on the land his father bequeathed along the Richmond county and Westmoreland line, and died in 1736 leaving the widow Jane and their young son Thomas. The inventory of the father's estate, amounting to £89-7-1, reveals a collection of blacksmith's tools. [Richmond county will book No. 5, page 285.] His widow Jane married again to Edmond Bulger; the proofs thereof and that her said deceased first husband, John Wright, was the son named in the 1713 will of John Wright, the blacksmith, and that the young Thomas Wright was her son, are fully set forth in the deed executed by her and her second husband Edmond Bulger [Westmoreland Deeds & Wills No. 14, pages 124 and 125], to-wit (abstract):

Indenture 30 March 1762 "Between Edmund Bulger of the parish of Lunenburg in the County of Richmond, Planter, and Jane his wife and Thomas Wright of the said parish and county, Planter, of the one part, and Gerrard Davis of the parish of Cople in the County of Westmoreland, Planter, of the other part. Witnesseth that for ....... five shillings ............... the said Edmund Bulger And Jane
direct descendants of Richard Wright, Gent., father of Major Francis Wright, is so sound a fact that a universal unanimity of judgment thereon must ensue. Various records hereinbefore quoted in the course of this present narrative so unavoidably prove that the only son of Anne (Washington) Wright, by her only husband

his wife and Thomas Wright and Elizabeth his wife have granted all manner of dower and right and title of dower whatsoever which they have of in and to 150 acres of land in the said parish of Cople which said land was given by the will of John Wright late of the said parish and county, deceased, to his son John Wright, late of the said parish and county, also deceased, former husband of the said Jane Bulger and father to the said Thomas Wright party to these presents, in fee tail, which said Thomas Wright hath since by deed bearing date the thirteenth of April last past sold the same to the said Gerrard Davis, etc. "In witness whereof" Edmund Bulger, Jean (her X mark) Bulger, Thos. Wright, Elizabeth (her X mark) Wright.

John Wright, the Planter, of Westmoreland, 1697-1711.

This worthy man is of frequent record as a "planter," several items of which will suffice to identify him. At the Virginia state land office in Richmond, on page 275 of book No. 2, of Northern Neck Grants, there is recorded a grant of two hundred and twenty-nine acres of land in Westmoreland county, made on August 16, 1697, by "Margaret, Lady Culpeper and Thomas, Lord Fairfax" to "John Wright, Pltr." On October 30, 1700, he acknowledged a deed of sale of a large part of this land to John Clement, and the grantor's wife, Hannah Wright, then waived her right of dower. [Westmoreland court Order Book 1695-1705, page 96 dorso.] This John Wright died before August 24, 1711, without issue; whereupon his widow Hannah applied to the proprietors of the Northern Neck for a confirmation to her of the then remaining part of the original grant to her husband, which confirmation reads in part, to-wit: "The Right Honorable Catherine, Lady Fairfax, Duchess Dowager of Thomas late Lord & Marguritte Late Lady Culpeper, Dec'd &c. . . . . , Hannah Wright of ye County of Westmoreland hath sett forth to my Office yt John Wright her Husband Dyed Seized of Seventy One Acres of Land in ye sd County, part of One thousand Acres of Land formerly Granted to John Earle & left no heirs behind him, nor did dispose thereof by Will. Whereupon ye same Escheats to me ye said Propriator . . . . And ye sd Hannah being in possession of ye sd Land, having moved to be preferred to a Grant of ye sd Escheat, Know Yee . . . . that I have Granted . . . . Confirmed ye sd seventy-one acres Unto ye sd Hannah Wright," etc . . . . "24 August, 1711," etc . . . . [Northern Neck Grants, Book No. 4, page 42, Land Office, Richmond, Virginia.]

On September 24, 1712, John Garner by a power of attorney from Hannah Wright acknowledged before the county court of Westmoreland her deed of sale of this land to Samuel Earle. [Westmoreland court Orders &c. 1705 to 1721, page 198; and deed book No. 5, page 74.] The deed describes her as of Copie parish and three thousand pounds of
Major Francis² Wright, was John³ Wright, Gent., that further comment upon the subject would be superfluous. It is equally clear that it was this same John³ Wright, Gent., who in 1723 sold all of his “manour plantation” in Westmoreland and removed with his wife Dorothy and their two known young sons, Francis⁻

tobacco as the price she received, she having rented the land to William Wigginton, prior to selling it to Samuel Earle.

Among other records identifying this John Wright, planter, occurs: "27 May, 1702, Ellenor Mugmoreshea servt to John Wright planter, of Copely parish, had a . . . . . child in his house. He assumed to pay her fine and save the parish harmless rather than lose her services, giving a bond therefor. The child, Mary Mugmoreshea, was bound to him until aged twenty-one, and the mother to serve him extra time to save her from corporal punishment. [Westmoreland Order Book 1698-1705, page 160.]

**John Wright, the Overseer, of Westmoreland, 1659-1734.**

He petitioned the court of Westmoreland, 25 January, 1691, to know “the bounds of his land on upper Mochotik and also that his father in law Rice Williams Thirds may be laid out.” [Court “Order Book 1690-1698,” page 26.] At the same session (on the next page of the record), in the case of the King vs. Wright, he was charged to wit: "John Wright, overseer to Mr. Gawin Corbin for riding abt, drinking & revelling in tyme of Divine Service.” On pages 6 and 7 of Westmoreland Order Book 1690-1698, at the court of Jan. 29 and 30, 1690, this John Wright was brought before the court, by Francis² Wright, sheriff, for beating to death a horse. At that time Sheriff Francis² Wright's son, John³, was aged about eight years. On March 21, 1691-2, the proprietary of the Northern Neck granted to him, “John Wright of Washington parish,” one hundred and seven acres of land upon “Machotick dam,” etc. formerly held by Joseph Hadnutt, deceased, escheated to said Wright. [Northern Neck Grants, volume 1, page 142, Land Office, Richmond, Virginia.] He deposed on November 23, 1701, that he was “aged about forty-two.” [Westmoreland Deeds and Wills No. 3, page 15.] On June 30, 1709: “Ordered Virlandoe Wright, daughter of John Wright of Upper Machotique, mark of Cattle & Hogs be Recordcd.” [Westmoreland Orders de. 1705 to 1721, page 126.] On July 23, 1715, “Robert Hammett & John Wright both of Washington parish presented by the grand Jury for Retailing Liqr Contrary to Law,” etc. [Westmoreland court Orders de. 1705 to 1721, page 272 dorso.] The unhappy end of this John Wright is indicated by the entry, on March 28, 1734, on page 136 dorso of the said book, to wit: “John Wright a very ancident man petitioning this Court to be levy free, and it appearing that he was an Object of Pity, It is therefore considered that he be hereafter Exempt from paying any future public tax or levy.” The names of all of his children are not recorded in direct connection with his name; but the records of Aaron and William Wright, some of which are too unfortunate for further reference, leave little or no doubt as to their parentage. Charles Wright of Westmoreland, late of Prince William county, against whom nothing discreditable is found recorded, may have been an estimable son of John Wright the overseer, though recorded proof thereof is lacking; so one may accord to this Charles Wright the benefit of any doubt.
and John to, the thousand-acre plantation (since known as "Leesylvania") near Powell's Run in Prince William county, Virginia, fifty miles up the Potomac river, as is proven by his deed, to and from Henry Lee, Gent. [Westmoreland Deeds and Wills No. 7, page 292] and by later deeds of his (John Wright's) said eldest son and heir Francis Wright [Prince William county deed book E, page 339]

Some of the official activities of John Wright, Gent., having been as an assistant to his father the records do not include specific references to him in such public business. While he acted as an attorney in some special causes he does not appear recorded as having closely followed the practice of law, though the docket books bearing the names of attorneys in all civil actions are now missing. During the eighteen years of his residence as an adult, in Westmoreland, and the ten years after the death of his father he seems to have become well established in following in the footsteps of his father, serving as surveyor, vestryman and justice. His first public appointment, now of record, came when he was aged about thirty-two years, viz.:

[Westmoreland Orders &c 1705 to 1721, page 259 d]

Court of 27 April 1715

"Upon the Peticon of John Bushrod Gentl. he is acquitt from Serving as Surveyour of the highway. And by his appointment John Wright gentl. is appointed Surveyo of the same for that p'cinct he last served in. And it is ordered he amend & repaire the highways within the said precinct according to Law."

The appointments of vestrymen and the records of their proceedings were not recorded in the county records, and such books as were made by the vestrymen of Cople parish are lost. As one of the preliminary qualifications for a justiceship was service as a vestryman, and it was well-nigh as unlikely as undesirable for a justice not to be a vestryman, it is no assumption to proclaim the succession to his father, as a vestryman, of John Wright, Gent., surely not later than 1717.
John the Third Wright, Gent., kept out of personal litigation with one or two exceptions:

[Westmoreland Orders &c 1705 to 1721, page 266]

Court of April 28, 1715

"It was Comanded John Sturman gentl Sheriff . . . . that he should sumon John Thomas to answer John Wright of a plea of debt for three hundred & fifty pounds of Tobacco due by bill . . . . deff failed to appear; attachment granted against deff's estate."

[Orders &c 1721 to 1731 page 6 d] Court of July 27, 1721: "Judgment is granted Joseph Taylor against the Estate of John Penn for one hundred pounds of Tobacco returned attached in the hands of John Wright, gentl: Ordered he pay the Same with Costs alias Exon."

It is as a justice that John the Third Wright, Gent., chiefly appears in the court records, his commission by the acting governor of Virginia, Alexander Spotswood (for whom Spotsylvania county was named) being dated December 23, 1720. As at this date John's father had been dead seven years it may be assumed that the appointment was due to the personal merits of the appointee rather than to parental influence, though it is conceded that the governing judges were such a close corporation, conserving power in a few chosen hands, that their pleasure in the matter was not likely to be ignored by a colonial governor holding the appointive power in behalf of the king, George I—the first German* to become king of England.

Augustine Washington, gentleman, father of George Washington (then unborn), appears as justice at various sessions. He was on the bench on February 22, 1720, when John Wright, gentleman, son of Major Francis Wright, was formally admitted to the bench as a justice of the same court, and the oaths of office were formally administered by him to John Wright, the new justice, these two men being first cousins.

*It is generally believed that it was due to the rule, or misrule, of these Georges that led to the War of the American Revolution.
"Westmord SS. At a Court held for the said County the 22\textsuperscript{th} Day of Feb'y 1720.

PRESENT. Willoughby Allerton
Thomas Lee    Benja Berryman
Thomas Newton Augustin Washington
Henry Ashton
John fitzhugh

George Turberville

Court Proclaimed

Justices Pursuivant to a Commission of the Peace under
Sworn &c the hand of Alex\textsuperscript{r} Spotswood his Maj\textsuperscript{ies} Lieu\textsuperscript{r} Gov\textsuperscript{r} of Virg\textsuperscript{a} and a Dedimus under the same hand
for Administring the oaths to the Justices in the sd Com-
mission nominated dated (the 23\textsuperscript{d} Day of December 1720)

Henry Ashton & Thomas Lee two of the gentlemen nominated
in the Dedimus Administred the oaths (by Act of Parliam-
ent made the Sixth year of the reign of her late Maj\textsuperscript{te} Queen
Ann Entituled an Act for Security of her Maj\textsuperscript{ies} person &
Government & of the Succession of the Crown of Great
Britain in the Protestant Line, As Also, the oaths appointed
by a late Act of Assembly of this Colony to be taken by
Justices of the Peace) to Willoughby Allerton, Benja Berry-
man, Daniel McCarty, Burditt Ashton, Aug\textsuperscript{t} Washington &
George Turberville Administred all the above oaths to the
said Henry Ashton & Thomas Lee, As Also: to John Wright,
J\textsuperscript{no} Elliott & W\textsuperscript{m} Lord. And each & Every of the above
named Justices Subscribed the Test. According to the
Direccons of the aforemenconed Dedimus.

Ordered that the Sheriff do Sumon the Severall Con-
stables within this County to be & appear at the next Court
to take the oaths by Law Establishd for preservacon of the
Protestant Religion.

Ordered the Court be adjurn'd till tomorrow morning
at eight of the Clock.

Benja Berryman."
This last brief entry in the middle of the records of the proceedings of this day, February 23, 1720, shows that the said Augustine Washington and John Fitzhugh entered court some time after the session had begun and took their places with the other Justices and remained throughout the session during which numerous matters were acted upon. This court adjourned until "the last Wednesday in March next." John Wright, Gent., and Justice, continued to serve at nearly every session of the court until the session of May 31, 1723, Augustine Washington's name appearing as also "Present" then and continuing thereafter. The name of John Wright, Gent., is not to be found in any of the records of Westmoreland county after the said May 31, 1723, save for a brief mention in the will of his half-brother Richard Wright, and his final appearance recorded three months later. The reason for this May-to-August interval in the court records is the fact that he was arranging for the removal of himself and family to the thousand-acre plantation he bought of Henry Lee on Powell's Run, originally in Stafford but after 1732 in Prince William county, and the sale of his own manor estate in Cople parish, Westmoreland county, to the said Lee. His final appearance in the latter county court is recorded as follows:

[Westmoreland Orders &c 1721 to 1731, page 45]

"Westmoreland SS. At a Court held for the said County the 28th Day of August 1723.

Wright's John Wright gentl: personally acknowledged Ackno: to Lee a Deed of Sale of Land by him passed to Henry Lee gentl: together with Livery of Seizen & receipt thereon endorsed be his proper Act & Deed. And Thomas Sorrell, by Vertue of a power of Att'y from Dorothy, wife of the sd John being proved by the
Witneses Relinquished the sd Dorothy’s right of Dower and thirds in & to the Lands & premises Conveyed by the said Wright. Ordered the same be Recorded."

Here we are privileged, by virtue of the forebearance of Old Father Time, to append in its entirety the instructive and important deed of sale and exchange between John^3 Wright, Gent., and Henry Lee, Gent., instancing the closure of the former’s life and interests in Westmoreland and his removal to the new home some fifty miles up the Potomac river, where he appeared as a pioneer, and where his family (please note the statement) was the first and remained for many years the only family surnamed Wright in all that wide region embraced by the counties of Prince William, Fauquier, Fairfax and Loudoun; hence its identity there is unmistakable, after a due examination of records, as well as the separate identity of several other Wrights who, later on, entered the same region but were not in any way related to John^3 Wright, Gent., his sons Francis^4 and John^4 or to their ancestors and descendants:


"Wright’s Sale to Lee.

"THIS INDENTURE made the twenty seventh day of August in the year of Our Lord One thousand seven hundred and twenty three and in the tenth year of the reign of Our sovereign Lord George of Great Britain France and Ireland King defender of the faith &C, Between John Wright of the County of Westmoreland in Virginia, gentleman, of the one part and Henry Lee of the County of Westmoreland aforesaid, gentleman, of the other part, WITNESSETH that the said John Wright for and in consideration of the Exchange for one thousand acres of land in Stafford County situate lying and being on Powell’s run, whereon the said Henry Lee hath now a plantation or quarter, as also for the consideration of two hundred pounds sterl: money of Great Britain, ten thousand pounds of Tobacco, and five negro or mulatto slaves all which to the said John Wright in hand paid or well and sufficiently secured to be paid, the receipt whereof he the said John Wright doth hereby acknowledge and thereof and every part thereof doth acquit exonerate and discharge from the said Henry Lee his heirs and assigns forever, have granted bargained sold aliened enfeoffed and confirmed and do by
these presents give grant sell alien enfeoff and confirm unto the said Henry Lee, his heirs and assigns forever, one piece parcell tract or dividend of land situate lying and being in Cople parish in the aforesaid county of Westmoreland and on the mouth of Lower Machodoc river, estimacon eight hundred acres be the same more or less, being part of a pattent of land formerly granted to Mr John Mottrom by pattent bearing date the thirteenth day of August in the year of our Lord sixteen hundred and fifty, and since, by several mean conveyances or decepts, the proper right and inheritance of the said John Wright, and is the plantacon and tract of land whereon he now lives excepting one half acre of the said land being the grave yard on the manour plantacon where Majr. Francis Wright, father of the said John, is buried, as also One other part of the said dividend of land known by the name of time neck which the said John Wright hath already given to his brother Richard Wright by deeds bearing date the twenty second day of September in the year of our Lord seventeen hundred and fourteen, which said deeds are recorded in the County Court record of Westmoreland, which may fully appear recourse being thereunto had: To have and to hold the said land tenements houses orchards gardens pastures ways woods and underwoods, waters and water courses on and upon the land and premises, with the appurtenances thereunto belonging or in anyany [sic] way's appertaining (except before excepted) unto the said Henry Lee his heirs and assigns forever to the only proper use and behoof of the said Henry Lee his heirs and assigns forever; and the said John Wright, for himself his heirs executors administrators and assigns, doth covenant and agree to and with the said Henry Lee, his heirs and assigns, by these presents, in manner and form following, that is to say, that he the said Henry Lee his heirs and assigns shall and may from time to time and at all times forever hereafter peaceably actually and quietly hold and occupy and enjoy the aforesaid Land tenements houses orchards gardens Pastures ways woods and underwoods with all rights members and appurtenances to the premises belonging or in any ways appertaining without any lett suit troubles molestacon eviccon or interrupcon of the said John Wright or his heirs or assigns, or of or from any other person or persons whatsoever having or lawfully claiming to have any estate right title or interest term claim challenge or demand of in and to the same and every or any part thereof, and that freed and acquitted and discharged or well and sufficiently saved and kept harmless
by the said John Wright his heirs executors, administrators or assigns of and from all former and other grants bargains sales feoffments mortgages Joyntures dowers and titles of dower leases judgment execucons post fines amerciments rent charge and all arrearages of rents and quitt rents and of and from all other titles troubles charges and incumbrances whatsoever had made omitted comitted suffered or done by the said John Wright, or by any other person or persons whatsoever, and that the said John Wright at the time of the ensealing and delivery hereof hath in himself a good right or estate in fee simple of in and unto the land and premises with the appurtenances before menconed; and futher the said John Wright doth for himself his heirs Executors administrators or assigns and every of them hereby covenant grant and agree and with the said Henry Lee his heirs and assigns and every of them he, the said John Wright his heirs E'rs & Adm'rs & every of them, shall & will pass & execute other deed & deeds conveyances and assurances in the Law for the better and more sure making over an estate in fee simple unto the said Henry Lee, his heirs and assigns, of in and unto the said land and premises as he the said Henry Lee his heirs or assigns, or their council learned in the Law, shall reasonably devise advise or require to be done at the proper cost and charge of them the said Henry Lee his heirs or assigns; and that the said John Wright do personally appear at the next Court to be held for the County of Westmoreland aforesaid, and their in Open Court acknowledge this deed of sale to Henry Lee his heirs assigns, and also that Dorothy, wife of the said John Wright, shall at the Court aforesaid Relinquish her rights of dower and thirds of the aforesaid land and premises unto the aforesaid Henry Lee his heirs &C. In Witness whereof the parties to these presents have interchangeably sett their hands and affixed their seals the day and year first above written.

"J. Wright (seal)

"Signed sealed and delivered in presence of G. Turberville, John Poindexter, Daniel Jenings—Memordm. That on the 27th, day of August Annoqr Dmi 1723—the within named John Wright, being in possession of the lands and premises within menconed, quiet peaceable and actual possession and seizin of the same land and appurtenances did give to the within named Henry Lee by delivering him turff and twig on the same in the name and token of livery and seizin of the whole menconed conveyed land and premisses in presence of G. Turberville, Daniel Jenings Jno Poindexter—J. Wright
"Received of the within named Henry Lee the full consideration for the lands and premises within mentioned, and I do hereby discharge him the said Henry Lee his heirs &c. from any further or future claim for the same. Witness my hand this 27th, day of August annoqr Dmi 1723—

J. Wright, G. Turberville, Daniel Jenings Jno. Poindexter—

"Westmorld County ss:

"At a Court held for the said County the 28th, day of August 1723- John Wright, Gentleman, personally acknowledged this exchange and sale of land from him to Henry Lee, gentleman, to be his proper act and deed together with the livery and seizin and receipt of consideracon money thereon endorsed—And Thomas Sorrell, by virtue of a power of attorney proved by the witnesses, relinquished the dower and thirds at the Common Law of Dorothy, wife of the said John, in and to the lands and premises by the said deed conveyed, all which at the instance of the said Lee is admitt to record—

"Test:

"Tho. Sorrell C C Comite.

"Recordate nono die Septimbris 1723—

"Pr. Eundm Clicum."

"Wright’s Power to Sorrell.

"Know all men by these presents that I, Dorothy Wright wife of John Wright of Cople parish in Westmoreland County, Gentleman, do, by these presents, depute constitute and appoint my trusty and well beloved friend, Mr. Thomas Sorrell, to appear at the next Court to be held for the aforesaid County of Westmorld for me and in my stead and place, and there in open Court acknowledge and relinquish my right of dower and thirds of in and unto all that piece parcell dividend or tract of land menconed and comprized in a deed of sale passed from my husband John Wright to Capt. Henry Lee of the County of Westmorld, aforesaid, bearing date the twenty seventh day of August One thousand seven hundred and twenty three, being equal with these presents, and I do hereby ratifie confirm and hold firm and stable whatsoever my said attorney shall lawfully do and perform concerning the premises—

"In Testimony whereof I do hereunto sett my hand and affix my seal this 27th, day of August Annoqr Dmi 1723.

"Dorothy Wright (seal)
"Signed sealed and delivered in presence of G. Turber-
ville John Poindexter—
"Westmorld ss:
"At a Court held for the said County the 28th, day of
August 1723- The above letter of attorney was proved by
the oaths of the witnesses and admitted to record upon the
mocon of Henry Lee, Gent!: and was recorded the ninth day
of September 1723.

"Pr. Tho. Sorrell Clic. Com. prd"

Precluded by his removal from becoming sheriff and president
of the court of Westmoreland, as was his father, and from a possible
election as a burgess in the colonial legislature, John³ Wright, Gent., thus departed in the summer of 1723 to that northern part
of the then county of Stafford which he soon after must have
helped to erect into the new county of Prince William—of which
one scarcely can doubt that he was a first justice and sat at the
first court held therefor, for his position there was second to none,
even though the earliest book of the records of that court con-
taining the detailed evidences of his activities is now missing.
He neither purchased nor sold land in Prince William county, and
having been above the age of forty upon his retirement to that
region the impression prevails that he passed the short remainder
of his life in the quiet comfort and enjoyment of his own estate,
possessed of funds ample to the indulging of his own social pleas-
ures and for the education and preferment of his two known sons,
Francis⁴ (who died young) and John⁴, whose long and honorable
career confirmed the wisdom and garnered the resulting oppor-
tunities of his father’s removal from Westmoreland. Their father
died intestate not long prior to May 28, 1739, the exact date not
being determinable because the burial records of Hamilton parish
for that period are lost, and that their mother Dorothy also died
prior to the same date is likewise suggested by her son’s deed of
that date, cited in full hereinafter. [Prince William county deed
book E, page 339.] The inventory and appraisal of the personal
estate of John³ Wright, Gent., showing its disposal, doubtless
chiefly to his younger son John⁴, were entered in the lost probate
record book*; Francis the eldest son inherited all of his father's real estate. Both sons continued of official record thereabouts for the balance of their lives in a plethora of (more than fifty) separate documents and items of record, though it is apparent that they were deeply at odds over their father's estate. Ere revealing the most interesting parts of this evidence we must take more considerate leave of Richard Wright son of Major Francis Wright by his second wife Martha, and also of Anne Wright, the daughter by the first wife Anne (Washington) Wright, both of whom remained in Westmoreland. As has been stated, Anne married Gerrard Davis; he is frequently of record in the court and land books; sold to his wife's half-brother, Richard Wright, on February 27, 1737, "100 acres in Yeocomo or Nominy Forest which was formerly given by James Johnson to his daughter Elizabeth Johnson mother to the said Gerrard Davis as may appear by the said will;" [Westmoreland deed book 8, page 33]; also sold to Frances Wright, November 13, 1753, one hundred and twenty-five acres in Cople parish, but no will of Gerrard Davis is recorded in Westmoreland. His wife Anne's will may be the testament dated October 12, 1763, proved November 29, 1763, in which she divides her property between her five daughters, but only specifies the names of two of them, Anne and Mary the executrixes. The daughter Anne's will, dated January 9, 1764, proved August 28, 1764, names sisters Ester Davis, Katherine Davis and Mary Davis; while Frances the other sister made her will November 16, 1763, proved November 29, 1763. All three documents are in will book No. 14.

John Wright, Gent., as the eldest son of Major Francis Wright and the only son of Anne (Washington) Wright inherited their real estate under the law of primogeniture, both the Major and his wife Anne having died intestate; and that John kept clear of the

*This book of probate records is believed to be extant, because forty years or more after the battle of Manassas where some Federal soldiers carried it off, a person in a Northern State had the book and offered to deliver it to the county officers at Manassas for a sum of money below $100. The county officials did not accept the offer. The present clerk of the Prince William county court has since endeavored to locate the book and to recover it, but told the present writer that he had not succeeded. Any person having knowledge of the present custody of the book should communicate with the said county clerk at Manassas, Va.
litigation into which his step-mother Martha* (his father's second wife) became involved is evident.

[Montross, Westmoreland county, Virginia. Deeds and Wills No. 10, page 151:]

Francis^4 Wright, minor son of Richard^3 Wright, at the latter's death in 1740 (this Richard^3 being a half-brother of John^3 Wright, Gent., son of Major Francis^2 Wright) had a guardian, John Bushrod, who sued Henry Lee, Gent., for trespass on the land of the said minor, claiming that Lee had taken a part of the land of the deceased Richard. Lee then had a survey made which located the line between them in favor of Lee, as per a drawing recorded. But the guardian sued both Lee and the surveyor. The surveyor claimed that his survey was made according to an "agreement made between Mr. Francis Wright [father of the aforesaid Richard and John] "who held the land called 'Mottrams' and Major Thomas Youell to be for the bounds between them." The survey is dated September 26, 1687, and was followed by the defendant "the back line of Col. John Mottrom" being the line in dispute.

"Wright's Guardian &c
[John Bushrod]

or Thomas McFarlane

vs

Ferdinando Drednought

"At a Court Aug. 9, 1744." [The present interest lies in the depositions of the witnesses, viz.]:

[Page 153].

"John Kennedy aged forty six years being first sworn saith fifteen years ago he was overseer for Col^o Henry Lee at the

*Westmoreland court "Orders &c. 1705 to 1721," pages 295d and 310, show that "William Chearnley, surviving executor of the estate of George Downing late of the Island of Barbadoes, dec'd" obtained a judgment on March 28, 1717, against "John Howell & Martha his wife Admr of the Goods & Chattells that were of ffrancis Wright, gentl., dec'd" for £78:8: sterling due him on balance of accounts between the said Downing & Wright, thus disclosing that the latter carried on trading with the West Indies. The will of this John Howell is in "Deeds & Wills No. 8.–2, page 589, proved October 31, 1738, bequeathing all to his son John Howell when 21 and daughter Martha (Howell) Attwell. Their mother Martha (———) (Wright) Howell was then dead and their father John Howell had married (secondly) to "Wenfрод" (———). The will is undated, witnessed by "Wenfрод L. Froud," with Richard Wright, son of Major Francis Wright and Martha an executor. [Westmoreland will book No. 8.]
plantation where John Wright formerly did live, very near to the land in dispute, that when he first come to be overseer for Col° Lee he had occasion for board timber, and as he was unacquainted with the lines he applied himself to John Howell (who had intermarried with the mother of Richard Wright and with whom the said Richard Wright then lived being a boy and under the care of the said Howell) to show him where to get the said boards that he might not commit a trespass upon any of the neighbors’ lands, and the said Howell directed him to come to a place near the head of Barr’s Creeke where he would find a parcell of rich well timbered land close by and adjoining to the place where John Rice a witness in this suit had cut down trees, and further told him that he had once forewarned the said John Rice from Clearing the said Ground, telling him that he thought it would be of great service to Dickie (meaning the said Richard Wright). But in some short time afterwards going that way the said Howell had a mind to see where the line run, and after he found out which way the line went he was glad he had forewarned the said Rice for that had the said Rice gone on he would have Cleared upon Col° Lee’s land. And this deponent further saith that about a year or two after this happen’d one Gerrard Davis who had intermarried with a sister of the said Richard Wright Came to the house of this deponent in Company with the said Richard Wright and then the said Gerrard Davis in the hearing of this deponent pusuaded the said Richard Wright to sue Col° Lee for more land for that he’d engage the said Wright might recover to Col° Mottrom’s Back line which this deponent understood to be meant the line run by the plaintiff in this survey; and in a short time after this . . . John Howell and this deponent were standing for Deer and he informed Howell of the discourse which he had heard at his house . . . whereupon the said Howell said: I’ll shew you . . . Dickie’s Corners . . . and the said Howell further said that he had marked these three trees by order of John Wright brother to the said Richard Wright and in his presence . . . and this deponent was further told by the said Howell that he the said Howell had formerly lived as a domestick with Major Wright, father of John Wright, and that those triangular trees were always in the lifetime of the said Major Wright and also of his son John Wright reconed to stand in Col° Mottroms Backline till such time as Col° Lee bought the land of the said John Wright and recovered as far as Keer’s Tobacco Ground near to the line run by the Plaintiff for Mottrom’s Back line . . . and this deponent further
saith that about eleven years ago he became a tenant to the
said Richard Wright, and lived upon the land now in Con-
troversy for the space of three years and he applied to Richard
Wright to shew him the lines whereupon Richard said he
would get Howell to do so as he the said Howell was the
person who was along with his brother John Wright when he
laid of the land for the said Richard etc.

"John Kennedy Aug 9th 1744"

"Thomas Riddle aged upwards of forty two years being first
sworn saith that about nineteen years ago when he had lived
as a domestic with John Howell for two years before, the said
Howell and this deponent were one day standing for Deer the
said Howell then told this deponent that he would show him
the bounds of Dickie Wrights land which his brother John
Wright had given him, and at which time the said Richard
Wright was a boy under the Care of the said Howell who
was father in law to the said Wright—[bounds as pointed
out] . . . .

"And this deponent farther saith when examined on be-
half of the plaintiff that Mrs. Howell, mother of the said
Richard Wright, told this deponent that Major Wright on
his death Bed desired his son John Wright to give Hazelriggs
plantation to his brother Richard, and farther told this de-
ponent that she believed the said John would not have done
it had not she the said Mrs. Howell tuzed for the end, and
farther told him that she believed the said John Wright would
never have done it had it not been on account of her relin-
quishing to him the great house, and farther the said John
Howell told this deponent that he believed there was not above
100 acres of the land given him by the said deed, & further
saith not.

"Thos Reddall Aug 9th 1744"

This suit for the ejectment of Henry Lee, Gent., from two
messuages, two tenements and three hundred acres of land in the
parish of Cople in the demise of John Bushrod, guardian of
Francis 4 Wright, was decided in favor of the said Henry Lee, it
being adjudged that the four hundred acres given by John Wright 3,
Gent., to his half-brother, Richard 3 Wright, in 1714, could not be
contained within the bounds submitted in evidence by the surveyors
of Henry Lee. Thus Francis 4 Wright lost a good part of his in-
heritance and his estate had to pay the costs of thirteen thousand
pounds of tobacco.
John⁴ Wright, Gentleman

John⁴ Wright (John³, Francis², Richard¹) gentleman, vestryman, captain, justice and sheriff, was born in the “great house” on the Wright “manour plantation” on the Lower Machodoc peninsula in Westmoreland county, as has been indicated, circa 1710, his parents, John³ and Dorothy Wright, having married between 1705 and 1708, and his brother Francis⁴ having been born as their eldest son, there being no evidence as to the existence of any daughters of this marriage. Before exhibiting some of the numerous official records establishing the long life and honorable career of this younger son, who, alone of his father’s children, survived to perpetuate the fame and name of this family in Prince William and Fauquier counties, Virginia, it is essential, for the sake of confirmation of identities and clarity as to the disposition of their father’s estate, that the recorded facts as to the short career of his elder brother, Francis⁴, should be given, though Francis⁴ left no male descendants. As has been related, their father John³ Wright, Gentleman, in 1713, after his parents Major Francis and Anne (Washington) Wright had passed away intestate, became the sole heir to their landed estates under the law of primogeniture, being the eldest son of his father and the only son of his mother; and in 1714, before he removed to Prince William county, he presented to his half-brother Richard³ Wright a portion (alleged to be three hundred acres) of that inherited estate in Cople parish, Westmoreland county, as has been technically cited. About a score of years later this eldest son John³ Wright, Gent., then of Prince William county, also died intestate and his thousand-acre plantation (purchased of Henry Lee, Gent. in 1723) between Powell’s run and Neapesco creek close to the Potomac river and three miles north of the then Prince William county-seat of Dumfries, fell to his eldest son Francis⁴ Wright by force of the same law of primogeniture*. The recorded evidences of the situation that thus arose after the death of John³ Wright, Gent., are clear as to their import. Francis⁴ Wright failed to act towards his younger full brother, John⁴ Wright, Gent., as their father had done in 1714 for his own

*This law was never in the statutes of any of the New England colonies; it was a lawful custom, however, in Virginia until the Declaration of Independence in 1776.
half-brother, Richard Wright, in giving an estate in land; instead Francis, after his father’s death, proceeded to turn the well-developed thousand-acre plantation into cash, and to remove northward, away from his brother John, to an inferior property upon the north fork of Bull run (near the subsequent site of one of the first fights of the Civil War). He effected this sale by two instruments, the first of which reads in part, to-wit:


27 & 28 May 1739, two deeds of lease and release by Francis Wright of the parish of Hamilton in the County of Prince William planter and Anne his wife to Benjamin Grayson of the same, Gent.: for £100 “all that plantation, . . . . 333 acres . . . . on Powels creek in the County of Prince William it being the third part of 1000 acres formerly sold by Henry Lee unto John Wright, deced, father to the afsd. Francis Wright, as by deed dated 25 June MDCCXXV*. . . . . bounded Beginning at Divers marked Saplins nigh the stump of an Hicory corner to the land of Burbidge at Muscle Island & extending thence North two hundred & forty four poles to a Spanish Red oak, thence North 52 degrees west 300 poles to a Box oak saplin & a Red oak on an Ivy point, thence South nine degrees East 363 poles to Powell’s Creek, thence down the Creek the several meanders thereof to the beginning . . . .

Francis Wright
her
Ann X Wright
mark

Thos. Harrison Junr
Will Dent
Moses Linton
John Turley

Acknowledged in Court 28 May 1739 and ordered recorded.”

On the same day that Francis Wright sold this third of his patrimony for a sum then equal to about two thousand dollars, he purchased of the same Benjamin Grayson seven hundred and eleven acres lying about twenty-five miles northwest of his late father’s estate, which new property had been first occupied by a

*In this reference made sixteen years after the date of the original deed Francis Wright errs, for the original deed to his father was dated August 27, 1723.
white man only eight years before, as the following abstract reveals:

[Prince William Deed Book K, pages 132 to 136]

"Deeds of lease and release dated 27 and 28 May 1739: Benjamin Grayson of county of Prince William, Gent. and Susanna his wife to Francis Wright of same county for £100. a plantation of 711 acres formerly granted to said Benjamin Grayson by deed from the Proprietor's office of the Northern Neck of Virginia 2 Aug. 1731, in the county of Prince William upon a branch of the North fork of Bull run on the ridge joining upon the branches of Elk licking run & bounded, Beginning at A. two white oaks on the S. E. side of the Walnut branch of the North fork of Bull run & extending thence No. 61 1/2 degrees W. 240 poles to B a white oak Saplin, thence North 180 poles to a Red oak Saplin, then So. 54° E 450 poles to 2 white oaks, thence North 38 1/2° E. 112 poles to a white oak in a Savanna, thence So. 50° E 248 poles to a White oak at the head of a drain of Elk licking run, thence So. 202 poles to 2 Hickory, thence E. 1 1/2 W. 480 poles to beginning

Benja Grayson
her
Susana X Grayson
mark

Thos. Harrison junr
Will. Dent
Moses Linton
John Turley"

Thomas Harrison and Benjamin Grayson were justices of Prince William county and personally associated as such with John Wright, Gent., younger brother of Francis Wright. Soon after the deed the remaining two thirds of the thousand-acre plantation were sold by Francis Wright, for a sum approximating five thousand dollars in present currency, to the same Henry Lee, Gent., of whom his father, John Wright, Gent., had purchased it in 1723, to-wit:


"Wright's Deed to Lee.

This Indenture made the twenty-Seventh day of July in the fifteenth Yeare of the reign of our Sovereign Lord George the Second by the grace of God King of Great Britain
ffrance and Ireland defender of the faith &c annoq Domini one Thousand Seven Hundred & forty one Between ffrancis Wright of Hamilton parish in Prince William County planter, of the one part & Henry Lee of Cople parish in Westmoreland County, Gent. of the other part. Witnesseth that for 260 Current money of Virginia the said ffrancis Wright had given unto the said Henry Lee all that Messuage or Tenement of Land with the rights, members and appurtenances thereof containing 667 acres in the parish of Hamilton & County of Prince William bounded or included between two Creeks now known or Called by the names of Powel's Creek & Nyapscoe Creek also binding on a parcel of Land the said ffrancis Wright sold to Mr. Benjamin Gresham*, the 667 acres being part of One Thousand acres of Land Conveyed by the abovesaid Henry Lee to John Wright (father of the aforesaid ffrancis) in fee simple as by Deed dated the twelfth day of June 1725** relation being thereunto had may more fully & at Large appear & the said John Wright, father of the said ffrancis Wright, dying intestate, the said ffrancis Wright as his eldest Son is heir at Law to the Said Land & all houses, edifices, buildings, plantations Lands Gardens meadows, Commons, pastures, feedings, orchards, trees, woods, underwoods, ways, paths, waters, and Water Courses, profits, Commodities, Advantages, Emoluments, and Hereditaments whatsoever to the said Messuage or Tenement belonging & also the reversion and remainder rents & Services of all and Singular the said Premises abovementioned & of every part & parcel thereof with the Appurtenances & also all the Estate right, titles interest Claims & demand whatsoever as well in Equity as in Law of him the said ffrancis Wright of in and to the said 667 acres . . . . To have and to hold unto the said Henry Lee his heirs and assigns forever . . . . and will warrant & forever defend . . . . etc. In witness whereof the parties first above named have hereunto inter-changeably Set their hands & Affixed their Seals the day and year first above written.

ffrance Wright [Seal]

Signed, Sealed & Delivered in the presence of us

John Frogg
R. Blackburn
Wm Elliott

*"Gresham" should be Grayson. This was probably an error of the conveyancer or recorder of deeds.
**The date of the original deed as given in the original recording in
At a Court for Prince William County the 27th day of July anno Domini 1741. Francis Wright acknowledged this deed of feoffment Livery of Seisin and receipts to be his acts and deeds & Ann the wife of the said Francis being first privately Examined relinquished her right of dower to the said Land by the said deed Conveyed and they are thereupon Admitted to Record.

Test. Catesby Cocke, C. C."

"Wright's bond to Lee

Know all men by these presents that I Francis Wright of Prince William County am held and firmly bound unto Henry Lee of Westmoreland County, gent. in the full and just Sum of five hundred & twenty pounds Con't money of Virginia to the which payment well and truly to be made and done to the said Henry Lee his heirs Executors, Adms. or Assigns I bind myself, my heirs, Executors and Adms in the whole and for the whole firmly by these presents sealed with my Seal & dated this twenty-Seventh day of July Annoq. Domini One Thousand Seven Hundred and forty-one.

The Condition of the above obligation is such that if the above bound Francis Wright his heirs Exrs & Adms do well & truly observe perform accomplish fulfill & Keep all and Singular the Covenants grants, Articles Clauses Conditions provisions & agreements whatsoever which on the part and behalf of the said Francis Wright his heirs Executors and adms are or ought to be observed performed accomplished fulfilled and kept Comprised or mentioned in a Certain Indenture of feoffment bearing date with these presents made or Expressed to be made between the above bound Francis Wright of the one part & the above named Henry Lee of the other part in all things according to the true interest & meaning of the Same then the above obligation to be void else to remain effectual in the Law.

Francis Wright [Seal]

in the presence of us

John Frogg William Elliott
R. Blackburn"

The will of Henry Lee, Gent., in re-affirming these transactions, shows that the Wright estate on the Lower Machodoc peninsula

"Deeds and Wills No. 7," page 292, at Montross, Virginia, is August 27, 1723; hence it is likely that the above Francis Wright, when referring to the deed by his father, either erred as to its date or was using a copy made on June 12, 1725, from the earlier recording.
descended to the Lees, and reveals that he recovered all the plantation in Prince William county, out of which his son created the long-noted estate of "Leesylvania," to-wit:


Abstract of the will of Henry Lee of the parish of Cople in the county of Westmoreland, Gent., dated 30 July, 1746, proved 5 Aug. 1747:

"I give and bequeath to my son John ................. the Lands called King Copscio on Potomack river which I bought of Wright.

I give and bequeath to my son Henry all my ............. Plantations and Land in Prince William County which I have, Free Stone Point and at Neapsco and Powels Creek which was granted by patent to Gervase Dodson for two thousand Acres, and by my Grandfather Henry Corbin, Gent., given to his Daughter Lettice who was my Mother, and afterwards descended to my brother & Mr Richard Lee as Heir at Law to her, and by my said brother given to me as my deed Recorded in Stafford may more fully appear. And whereas I sold to John Wright One thousand Acres, a part of the said land. And Since I have purchased the same again: vizt. 666 1/2 Acres of Francis Wright, Son of the aforesaid John. And 333 1/2 Acres of Mr Benjamin Grayson to whom the said Francis had Sold; Whereby I am now invested of the whole Two thousand Acres of Land in fee Simple as aforesaid given and bequeathed to my Son Henry."

Thus Francis Wright caused another serious break in the brotherly affections of the Wright family, and forced his younger brother John to leave the family home created for them near the county seat of Dumfries by their father; but Francis lived only fourteen months after the sale. He died, in about his thirty-third year, between the date of his will 29 March, 1742, and its proving on 27 September following, to-wit:


Francis Wright's will, dated March 29, 1742.

"I, Francis Wright of Prince William County being very Sick & weak,

"To my well beloved wife Ann Wright her choice of half that Tract of back Land to settle on during her Natural life
& I being now apprehensive that my beloved wife is pregnant & if it should prove a boy the other half of the back Land I give unto him & after his mother's decease the whole tract, but in case it should prove a Girl the whole property of the Land to my beloved wife for life, then to my three daughters if the last should prove a girl. If my beloved wife marry she to possess all until my children are of age to choose their Guardians. After my wife's decease my negroe stock and goods equally to my children.

"My true & trusty friends Moses Linton of Prince William Co. & Sigismund Massey of Stafford County & my beloved wife, Executors during her widowhood but no longer.

"Francis Wright

her

"Witnesses Jane Colvert Moses Linton

mark

"Jno. Bryan

"Proved 27 Sept. 1742 by the executrix, who gave a bond, with Thomas Young & Daniel French to Wm Fairfax Esq' the first Justice in the Commission of the peace for Prince William County."

That John Wright, Gent., though powerless in the face of the law of primogeniture to prevent the sale of that fine estate near the western bank of the Potomac and on the northern side of Powell's run, did not approve the proceeding by his elder brother is fairly evident from subsequent records. The rift in the personal associations between their families was decisive and as complete as John could make it without discredit to himself. This is shown in his attitude towards the widow and children of his deceased brother Francis in appointing Thomas Stribling as guardian of the children, while William Stribling was allowed to be overseer of the estate, instead of himself showing a more brotherly regard by taking charge of the children and estate himself, such as under agreeable circumstances might be naturally expected. Moses Linton and Sigismund Massey do not appear to have continued as executors. Confirmation of the displeasure of John Wright, Gent., at the sale of the family home is also seen in the fact that Henry Lee, Gent., in buying back the estate at a low price from Francis was not satisfied to recover a full and legal title to the property upon the customary means of a warranty deed. He saw that the younger
brother John⁴ Wright, Gent., was a lawyer, and as a precaution against any future claim that might arise by any unforeseen or possible accident or event from this brother John⁴ against Francis⁴, or the latter's estate, or against the estate of their deceased father John³ Wright, Gent., Lee required, in addition to the said perfect warranty deed, that Francis⁴ should enter into a bond of £520. to protect him (Lee and his heirs) against John⁴ or any other unnamed person at any and all times thereafter. [Bond recorded at page 339, in deed book E at Manassas, Prince William county, Virginia.]

Ann, the widow of Francis⁴ Wright, is not of further record in Prince William county. Her three daughters, Elizabeth⁵, Dorothy⁵ and one whose name does not appear in Prince William records remained in that county about ten years after their father's death. Ann Wright's name disappears from the records either by death or a second marriage—probably because of death as it is shown by page 65 of the court record book of August 25, 1752, when John⁴ Wright, Gent., uncle to the three daughters, received in court and approved the account of their estate as exhibited by Thomas Stribling, Gent., that this Stribling was then described in that record on page 65 as "Guardian of the orphans of Francis Wright, Dec'd."

And on 26 November, 1754, their said uncle appointed a new guardian for the daughters as is evidenced by an entry, to-wit:

[Prince William county, court record book for 1754, page 177]

Session of November 26, 1754.
"Present, John Wright, Gent., Justice, .......... John Lindsay, Michael Pike and Thos. Speaks of the County of Frederick are appointed to settle the Estate of the Orphans of Francis Wright, deceased, between Thomas Stribling gent., their former guardian and their several Guardians now appointed."

This record indicates that at least two of the orphans had removed, or were about to remove, to the county of Frederick, west of the Blue Ridge and the Shenandoah river in Virginia. Elizabeth Wright, one of these daughters, married near to this period Taliaferro Stribling, who removed to Frederick county, where in a deed of 1771 and in his will of 1774 he bequeathed to her as his
wife. She is shown on page 36 of "Some Virginia Families," by the late Hugh M. McIlhany, Jr., M. A., Ph. D., of the University of Virginia, to have been one of the daughters of the aforesaid Francis Wright who died in 1742 in Prince William county as "a son of John Wright of that county." Dorothy Wright, another daughter (doubtless named after her grandmother Dorothy Wright) chose Francis Ash as her individual guardian; and on 27 November, 1754, her uncle, John Wright, Gent., as a justice, confirmed this choice on that date, as is recorded on page 183 of the Prince William court order book of 1754. Dorothy Wright thereafter disappears from the records of Prince William county; whether she also removed to Frederick county or was the Dorothy Wright who married John Winn at Alexandria, Fairfax county (adjoining Prince William county), the author is not positive, though it seems likely that she was the bride at Alexandria.*

Twenty-one months after Francis Wright had sold one-third of the Wright estate, his brother John Wright, Gent., doubtless aware that Francis was negotiating to sell the remaining two-thirds, prepared for eventualities by purchasing a home for himself, which he did by the following deed four months before Francis sold the said two-thirds to Henry Lee, Esqr. In the recording of this deed it will be noted that John Wright is officially described as Captain and Gentleman:

[Endorsed]: "Darnall to Wright. Release 7th Dec. 1745 D\(^4\) to Capt. Wright"

"Indenture made 23 March 14th year of the Reign of our Sovereign Lord George the Second by the Grace of God of Great Brittain ffrance & Ireland King Defender of the ffaith

---

*Minor Winn came from Wales, isle of Britain, to Fauquier county, dying there about 1772. [He sold land there early in that year to John Wright, Jr., son of John Wright, Gent.] leaving sons John, Minor, Jr., William, James, Richard and three daughters. Minor, Jr., was an ancestor of Gen. Stonewall Jackson. John, William and Richard removed to the Fairfield district of South Carolina. John Winn was captured in the War of the Revolution by the British, and condemned to death for an attempt to ambush and kill Gen. Lord Cornwallis, but was afterward released. He had married Dorothea Wright of Alexandria. Dorothea died during the occupation of Winsboro, S. C., by Cornwallis in 1782. [Virginia Magazine of History and Biography, Vol. 6, page 203.]"
&c. and in the year of our Lord 1740 .......... whereby
Jeremiah Darnall of ye Parish of Hamilton & County of
Prince William, Planter, & Catherine his wife, ........ for
sixty pounds Current money of Virginia ........ sell, etc.,
to John Wright of the aforementioned Parish & County,
Gent. ........ 236 acres scituate in ye Parish of Hamilton &
County of Prince William being part of a greater tract taken
up by Waugh Darnall, father to ye said Jeremiah .........
Vizt. Beginning at a Red Oak standing in Colonel Corbins
line, & extending thence along the said line South 88 degrees
West 414 poles to a Hicory & Gum in ye said Corbin's line
& in the line of the land of John Ambrose, thence along ye
said line North 9 degrees West 90 poles to a Stone Stake &
Hicory in ye said line, thence North 84 degrees East 336
poles to two Red Oak Saplins on a hill, thence South 32
degrees East 142 poles to the beginning ............ with all
Houses, buildings, gardens, woods, ways, water courses (etc.
etc.) ............... To have and to hold ............ forever
............... (etc.)
Signed sealed & delivered in the presence of
John ffrogg     Jacob Holtzelaw
George Crump    Jeremiah Darnall"
Acknowledged in open court March 23d 1740

[Book E., page 460].

"Darnall to Wright. Commission to examine.

GEORGE the second by the grace of God of Great Britain
&ireland King, Defender of the faith &c. To Willi-

Party Hackney Thomas Harrison & Daniel Tibbs, Gent. of the

County of Prince William, Greeting, Know ye that we Trust-
ing to your fidelity & provident Circumspetion in privately

examining Catherine the wife of Jeremiah Darnold of your

County apart from her said Husband pursuant to an act of

General Assembly in Such Cases lately made & provided

touching her free Consent duly to Execute Certain Deeds of

Lease & release bearing Date the 23d day of March one thou-

sand Seven hundred and forty made between the said Jere-
miah Darnold of the one part & John Wright of the other

part for the selling & conveying unto the said John Wright

a Tract of Land containing Two hundred and thirty six acres

in the county of Prince William & in receiving the acknowl-
edgment of the said Catherine of the said deeds her Consent

in manner aforesaid being first given & declared. We there-

fore Command you that at a Certain time & place with you
Shall appoint You call & cause to come before you the said Catherine Darnold & her privately to Examine touching the premises aforesaid & her Examination & acknowledgment thereupon to the Justices of our County Court of Prince William aforesaid on the fourth Monday in this instant You Shall Distinctly return & Certify to this writ Annexed. Witness Catesby Cocke Clerk of our said Court the 10th day of August in the XVth year of our REIGN

Catesby Cocke

We the above mentioned persons have according to the within mentioned dedimus potestatem* have Examined the Consent of the woman to us referred & to return. She has given her full Consent to the within referred. Given under our hands this 21st day of August 1741

Thomas Harrison Junr
William Hackney

Presented in court 24 Aug. 1741."

This tract of land to which Capt. John Wright removed in 1741, from the estate of his deceased father three miles north of Dumfries, is situated about twenty miles west of Dumfries. The fact that Capt. Wright was a lawyer, vestryman and county officer at this time and a judge then or very soon afterward and so continued for thirty years, in addition to being a gentleman-farmer, suggests that in removing further away from the county courthouse he must have had a supreme reason. This reason undoubtedly was that he had married Elizabeth Darnall. There is no record proof of this marriage; as none is likely to be discovered, the author does not go beyond the expression of his belief, hereby set down, that the Elizabeth, named in the will of Capt. John Wright, as his wife, was a daughter of Waugh Darnall, Gent., and sister of the Jeremiah Darnall, Gent., who accommodated Capt. Wright with a share of the estate of the deceased Waugh Darnall, thus still closer drawing these families together. Jeremiah Darnall had married Catherine Holtzclaw, daughter of Jacob Holtzclaw, as is shown by the latter's will of 15 January, 1759. This is the Jacob Holtzclaw who witnessed the Darnall-Wright deed. It is to be observed that this part of Prince William county where the original grant to Waugh Darnall, Gent., was situated had begun to develop

*A commission or writ authorizing judicial acts.
promisingly some years before Capt. John* Wright purchased land there. Twelve families of prosperous Germans had located there, about 1721, among whom were the Holtzclaws, Weavers*, Rectors, Fishbacks, Kempers, Spilmans and Hoffmans, who had arrived from Germany a few years previously. These Germans of the Protestant Reformed Church, not being permitted under the laws of Virginia to establish an independent church of their own or to hold land until they renounced all allegiance to Germany and became subjects of the king of England, united with the English families in the region in the established (Episcopal) state church of England and became estimable citizens of the colony of Virginia. This district, through which ran the branch of Cedar run called Licking run (on the bank of which John Marshall, the chief justice, was born) lays along the branch railway from Calverton to Warrenton, and on both sides of the main line of the Southern Railway from near, or including Midland, to some distance eastward of Calverton. This region is nearly flat and very fertile. The exact site of the two hundred and thirty-six acres purchased in 1741 by Capt. John* Wright embraces the estate of the late Samuel Robinson, bounded chiefly by lands of Sinclair and Ficklin, and divided in 1870 to his heirs, Susan W., Jesse B., Caroline B., Thomas H. Robinson and Mrs. Anne Jackson, as shown by a map of a survey and a report of special commissioners recorded on pages ninety-eight and ninety-nine of Deed Book number 63, of Fauquier county, Virginia. Some of this land was still in the possession of two of these children in 1918. The tract is described in modern deeds as "the old Major Wright Tract"; the major having been James* Wright, to whom his father, Capt. John* Wright (the first Wright owner of the land) bequeathed this land by his will dated 1 June, 1785. [Fauquier county original wills, bundle for 1792.] The original tract lies close to the west side of Midland P. O., and between it and the hamlet of Liberty; it is in-

*The original house of Tilman Weaver bore over the door the date "1721" and is believed to be the only house of an original settler now remaining of this semi-German settlement.

John Jacob Rector, emigrant from Germany, died here before 1729. John Kemper emigrated to Virginia from Musen, near Siegen in Nassau, Germany. John Fishback emigrated to Virginia from Truppbach near the same city of Siegen.
tersected by Marsh run. This estate remained to the Wright descendants until sold to the said Samuel Robinson on 8 November, 1847, by the great-great-grandchildren of the said Capt. John⁴ Wright, Gent., namely Granville J. Kelly and wife Harriet E., Elizabeth Taliaferro, John P. Kelly (in the right of Margaret J. Blackwell and Jane P. Kelly, who then sold, as the deed recites, "all that Tract or parcel of land in Fauquier Known as the Wright tract being the same land bequeathed to the parties of the second part by their deceased Grandmother James, Betsy (Elizabeth) (Wright) James daughter of the aforesaid Major James⁵ Wright and wife of John James). This deed at page 258 of Fauquier deed book number 48, also refers to a reservation in the Wright estate by the Wright heirs of "one quarter acre released to Mr. Kelly, the Wright tract, a family Graveyard." The present living Wright descendant, Wright Kelly, Esqr., of Culpeper Court House, attorney-at-law, recalled this graveyard to the author in 1918, as being formerly fenced in; but the present owners of the estate withheld permission for the author to walk over the now-divided estate in an attempt to find the small Wright family graveyard, and also refused to give any information as to whether the graveyard was still distinguishable or its surface indications or gravestones had been removed by the plow.

On this estate John⁴ Wright, Gent., and his wife Elizabeth (Darnall?) lived for fifty years; in that private burial ground they were interred, as also two of their three daughters and one if not two of their three sons.

We would now conclude the reference to the Wrights of this fourth generation with a citation of some of the many records of John⁴ Wright, Gent., from which we have been diverted by the necessity of clearing up the important situation relating to his elder brother Francis⁴ Wright. John⁴ Wright, Gent., was the first male member of the Wright family in America to live beyond middle age. He died shortly before 27 February, 1792, aged over eighty years, leaving a will dated 1 June, 1785. He repeated in a more extended way the professional careers of his father and grandfather. Born in the "great house" built by his grandfather on the Lower Machodoc peninsula in Westmoreland county, his active public career began where his father's ended—in the Prince Wil-
lillian county courthouse at Dumfries. His education and political preferment were the gift and inheritance from his father, but he soon made his individuality apparent. He was about twelve years of age when his father removed from Westmoreland to Powell's run, and when about twenty was a witness to the formalities and meetings at Dumfries in 1730, which established the new county of Prince William. He early entered into public affairs and, as he was a judge of the county court before 1743, he must have served in minor offices before that date. The first record books of Prince William county being still missing, since the battle of Manassas, these items cannot be specifically quoted. That he married Elizabeth (Darnall?) by 1733 is certain for one of his sons was old enough to marry in 1753. He was the seventh judge, the sixth military officer, the second sheriff, and the seventh "gentleman," successively, in the American history of his ancestry. Well may we recount, at this moment, that his great-great-grandfathers were Lt. Col. Nathaniel Pope, gentleman and justice, and Col. John Mottrom, gentleman, justice and burgess of the colony of Virginia; his great-grandfathers were Col. John Washington, gentleman, justice and burgess, and Capt. Richard Wright, gentleman and justice; he was second cousin of General George Washington, first president of the United States; his grandfather Major Francis Wright was a justice and sheriff; while his father, John3, was the sixth successive justice of Westmoreland and a founder of the county of Prince William. That he fairly maintained the social and official position of his family was to be expected. The records indicate that he was a man of dignity and reserve, who held the respect and confidence of men. So consistent was the continuous prominence in the same vocation of this family in the affairs of the counties in which the successive members lived that were there no other evidences of their relationship that fact of their inherited traits, abilities and vocation descending from father to son would afford cause for a belief in the pedigree. At no time prior to the War of the Revolution is any man surnamed Wright, other than of this particular family of Wrights, found recorded in Northumberland, Westmoreland, Prince William and Fauquier counties, Virginia, in any public office higher than that of a warden or inspector of highways. Judge John4 Wright's parents, John3 and
Dorothy Wright, with their sons, were the first Wrights to settle in the wide region that afterwards, on 19 June, 1730, became the county of Prince William; for years they remained the only persons of that surname therein; while the sons Francis and John remained until their deaths the only contemporary persons named Francis Wright and John Wright in the entire area of either of the counties of Prince William and Fauquier, whilst they lived therein, save the latter's son, John Wright, Jr., who late in the year 1774 removed from Fauquier to the county of Surry in the province of North Carolina. Therefore, there is no mistaking the identities of these men nor the records that relate to them, though other unrelated Wrights moved into the same region from time to time.*

The loss of the first book of Prince William probate records containing records of all estates, testate and intestate, from 19 June, 1731, to September, 1734, which deprived us of the inventory of the intestate estate of John Wright, Gent., also deprives us of any items that may have been therein showing the beginnings of the record-career of his son John Wright, Gent.; but that the son had begun by 1734 to prepare and witness documents for citizens is shown by the first extant record of him in the county at page 408 of Prince William deed book B., when he signed the bond for £100. of James Whaley of Westmoreland to William Muse as to land on "Phileman's branch of Cedar Run" in Prince

*There was a John Lee Wright, son of Joseph Lee Wright [will proved 27 March, 1760, in Fauquier will book No. 1, page 16] both of whom came into Fauquier county, and the former had a son John Lee Wright Jr., who married Elizabeth Coppage 5 December 1767 [see Fauquier county marriage-license bonds in county clerk's office at Warrenton]. This John Lee Wright Jr. died in Prince William county in 1815 leaving a will recorded at Manassas in will book K, page 451, and children and widow Elizabeth; her will, proved in 1839, is recorded in Prince William county will book O, page 428. This Joseph Lee Wright and family came to Fauquier county from near the border of Richmond and Westmoreland counties, Virginia, where they are of record. [See Westmoreland court "Orders &c 1705 to 1721," pages 149 d, 158 d, and court "Order Book 1739-1743," pages 12 and 202; also page 185 whereon is recorded the conviction of John Lee Wright for a criminal offense.] At no time is any member of this family recorded as "gentleman," or in any elective public office. Though a county clerk or other scribe in writing a record of a member of this family occasionally would omit the "Lee," no confusion of identities arises when the records are examined not superficially.
William county. The second record of him is of his service as appraiser of the estate of the German, John Fishback, of Licking run, the entry at page 43 of will book C, for the court session of 21 May, 1735, concluded with the words:

“This being all that was brought to our view this 5th day of May Anno Dom 1735

Jno Wright
Jacob Holtzclaw
Jeffery Johnson”

On page 133 of the same will book C is recorded the will of James Henderson, witnessed on 14 June, 1735, by John Wright, Thomas Jackman and John Bawling, and (page 134) “proved by the oaths of John Wright and Thos. Jackman,” who gave a bond of £50. on 26 September, 1737. At page 215 is entered the inventory of the estate of Richard Bullock and the appraisal thereof by John Wright at £332-16-9 1/2 on 26 May, 1740. W. F. Boogher in his “Gleanings of Virginia History” (page 116) gives the poll list for the election of burgesses of Virginia for the year 1741, in which we see that our John Wright, Gent., did not agree with his brother Francis politically as well as in other ways heretofore noted: John is recorded as a supporter of Col. Thomas Harrison (elected), with whom he afterwards sat on the bench as a justice, and Col. Valentine Peyton (defeated), while Francis Wright voted for William Fairfax (elected) and Major Blackburn (defeated). It was not until 1769 that men eligible to vote in Virginia were fined two hundred pounds of tobacco if they failed to vote. [Hening’s Statutes of Virginia, 8-308.]

The date of John Wright, Gent.’s, first election as vestryman of the parish of Hamilton (covering the entire area of Prince William and Fauquier counties prior to 1745) is not discernible because only the last few pages of the first vestry book of records of Hamilton parish are extant; these pages are now bound into the beginning of the vestry book of Dettingen parish created from the eastern part of Hamilton parish, 23 May, 1745. This original MS. is now in the library of the Theological Seminary at Alexandria, Virginia. On those pages of the Hamilton parish vestry book John Wright, Gent., three times wrote his name, once on the front page, and twice (26 June and 28 November, 1749) on the
back of the same sheet. The signatures of the noted men of that time appear with that of John Wright signed on the front page on May 22, 1749, he, with Col. Thomas Harrison, Joseph Hudnall, Col. Richard Blackburn, Col. Valentine Peyton, Nathaniel Seale, Benjamin Bullett, Robert Wickliff and John Bell being the signers as vestrymen and wardens. The purport of their signatures was to confirm their adherence to their original oaths of office. Bishop Meade at page 207 of the first volume of his *Old Churches, Ministers and Families of Virginia* (1861) states “There was at this time some peculiar fear or detestation of Popery, it being about the time of the last efforts in England in behalf of the Pretender.” The form of the oath or subscription of vestrymen and wardens was prescribed by the Act of the Colonial Assembly of Virginia though not always used in full, and is quoted by Bishop Meade.

The elevation to the bench of John* Wright, Gent., by the governor of Virginia, occurred before 1743; if he had his commission recorded in the books of Prince William county the page so bearing it is now missing; but that he had received the honor of the “judicial mantle” before 1743, and continued as judge until his appointment to a higher office on 4 July, 1751, is proven by various records among the earlier of which are, to-wit:

[Prince William County Will Book C, page 423]

“Bond of Doughhety et al on the estate of James French, deceased.

KNOW all men by these presents that We Jarvis Ah Doggarty*, William French, Leonard Hornsby & John Reno are held and firmly bound unto Robert Jones, John Wright, John Crump, and Benjamin Bullett, gentlemen, Justices of the County of Prince William etc. ............. 23d May 1743”

[page 430]

“At a Court held for Prince William County the 25th day of July 1743 Ordered that We the Subscribers should Value and appraise all and singular the estate of Daniel McKenzey dec’d, and accordingly we shall proceed being first sworn before Cap’ John Wright, Gent.”

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*The recording clerk took liberties with the name signed to the bond as “Jarvis a Doughity.”
"Gibbins's bond & Adm° of Gibbins's Est."

"KNOW ALL MEN by these presents that we Rachel Gibbins George Harper & Samuel Jackson are held and firmly bound unto Benjamin Grayson, John Wright, Joseph Blackwell & John Frogg, Gent., Justices of the County Court of Prince William in the full & just sum of fifty pounds sterling," etc. ................ "26 March 1744" etc.

"At a Court held for the County of Prince William the 26th Day of March 1744, Ordered that We the Subscribers should Value and Appraise all and singular the Estate of Thomas Jurdan deceased and Accordingly we shall proceed, being sworn before Capn John Wright gent." ................ [the inventory follows] .................. "As Witness our hands this 3d day of April 1744. Peter Newport, John Garner, Chas. Morgan Jr, Daniel Marr

This is to sartiff that the above Apprasers was sworn before me.

John Wright."

Numerous other appraisers, executors and administrators took oath before or became bound in bonds to John Wright, Gent., and his official associates, styled "His Majesty's Justices for the County of Prince William." The court minute books of that county, before 1752, have been missing from the courthouse at Manassas since the battle of Manassas in the Civil War; many of the early judicial experiences of Justice John Wright are thus lost to us, but more than enough evidence remains for all purposes of pedigree and of establishing his fine record as a citizen and officer. The records describing him as "Captain" indicate that as a young man he received training in the colonial militia of Virginia, and upon his appointment as a judge in the county court he automatically became a captain in the militia, as the judges had authority over the armed forces of the county and were responsible to the colony for the maintainance, training, command, equipment and uses of such forces. His commission as a captain from the governor of Virginia and his taking of the oath of military allegiance to the
sovereign of Great Britain probably were recorded in the said missing court minute or record books. In no sense may one assume that his captaincy was merely a title, an empty honor, or a colloquialism, for this was long before Kentucky and its interesting colonels were invented. During the French and Indian War of 1754-56 he does not appear to have "taken the field," but remained on the bench to direct the preparation and despatch of soldiers. This detention on "home duty" does not invalidate him as a qualifying ancestor for patriotic societies admittance to which is based upon services in colonial wars. After that war, George Washington, then aged about twenty-four years, was an officer with troops which marched to the site of Cincinnati. Some Fauquier men were active in Kentucky during this war, notably Thomas Marshall who first gained his public preferment in that war, not having been previously of record as serving in any high office in Prince William county.

Captain John Wright, when justice, witnessed the will of Thomas Deacons (or Deacon, also written "Dacons" and "Deakens"), dated 10 February, proved 23 April, 1744, and containing this bequest: "I give and bequeath to my beloved friend John Wright one orphan boy named John Edwards to serve his Indentured time and all my moveable Estate (Except one bed and one Cow)" Further color is given by this will to the belief heretofore expressed that Capt. John Wright married into the Darnall family, by the facts that the only other legatees were Morgan Darnall and Margaret Morgan, while John Darnall, Jonas Williams and Thomas Stone were the appraisers appointed by the same Justice Wright, who certified the inventory: "I do hereby certify that the above mentioned persons was sworn before me. John Wright." [Prince William will book C, pages 476, 494.] Justice Wright and Jeremiah Darnall later became the bonders of John Stone, executor of the estate of the said Thomas Stone, the autographs of both Darnall and Wright, "Sealed and delivered in the Presence of The Court" being on the bond in the volume entitled "Bond Book August 1753 to Sept. 1786." The said Jonas Williams's daughter, Ann, afterwards became the wife of Justice Wright's son John Wright, Jr. The aforesaid testator, Thomas Deacons, was an aged
man who came from Richmond county to Prince William about the
time the Darnalls came; and on 6 April, 1704, Morgan Darnall,
brother of Waugh Darnall (probable father-in-law of John* 
Wright), petitioned the justices of Richmond county that "Thomas 
Deacon's deliver up the estate of his [Darnall's] father in his 
custody." [Richmond county court order book 3, unpaged.] This 
adds some assurance of a relationship between Deacons and Wright 
through the Darnalls.

The deed whereby John* Wright, Gent., added land to his estate 
in 1748 is chiefly of interest for its reference to a previous addi-
tion of land purchased of "Jonas Williams Junr & the said Anne" 
the deed of which cannot now be found; and, as well, for the fact 
that Justice Wright's son, John* Wright, Jr., soon afterwards 
married Ann, sister of this Jonas Williams, Jr., the latter dying 
before 1748 and his widow marrying Charles Garner, the grantor 
of the following deed whereby Justice Wright secured more of the 
land originally patented to his deceased probable father-in-law, 
Waugh Darnall, Gent. Whether Williams possessed a part of 
the Darnall estate by purchase or the inheritance of his wife 
Anne (———) has not been ascertained, but these evidences 
tend to strengthen the belief that Justice Wright had married a 
daughter of Waugh Darnall, Gent., though full, recorded, legal and 
direct proof of the marriage may be necessary to satisfy the exact-
ing-minded critic:

[Manassas, Prince William county, Virginia. Deed book 
L, page 46] (abstract):

Garner & ux. to Wright, gent. Release.

THIS INDENTURE made the 23d day of July in the 
twenty second year of the reign of our Sovereign Lord George 
the second by the grace of God of Great Britain, France & 
Ireland King, Defender of the Faith &c. and in the year 1748 
........... whereby ............ Charles Garner & Anne his 
wife of the County of Prince William and Colony of Vir-
ginia ........... for £12 current money of Virginia ......... 
.. sell to John Wright, gent. of the County & Colony afore-
said ........ sixty acres Scituate lying & being in Prince 
William County aforesaid being part of a tract of Land by 
patent from the proprietors office Granted to Waugh Darnall 
Deed & Joyning to the said John Wrights Land which he
formerly purchased of Jonas Williams Junr & the said Anne, relation being had to the said Records of the aforesaid County will more fully appear; ......... Beginning at two Spanish oaks & an elm by a small branch Corner to another tract belonging to the said Wright & in the division line between the two daughters of Waugh Darnall & extending thence along the division line south seven & a half degrees West 45 poles to (C) two box oaks & a Maple in the said branch, thence North 83 degrees West 228 poles to (D) three hickorys & a Spanish oak, thence North 32 degrees East 50 poles to (E) a white oak Grubb by two red oak Saplins, thence South 83 degrees East 208 poles to the Beginning ................. To have and to hold ........ free of all manner of other titles incumbrances (etc.) ............. the rents & services which from time to time shall grow due & payable to Chief Lord or Lords of the fee or fees of the premises only Excepted & foreprized ..............

his
Charles X Garner
mark
her
Anne X Garner
mark

Signed Sealed & Delivered in the presence of
Thomas Machen, John Garner
Will. Smith

At a Court held for the County of Prince William the 25th day of July 1748 Charles Garner & Anne his wife (she being first privately Examined & thereto Consenting) acknowledged this Release & Receipt to John Wright, gent. to be their acts & deeds which are admitted to record.

Test. P. Wagener Cl. Cur.

Under the statutes* of Virginia a sheriff was chosen from among the judges of a county court, and annually in June or July the judges were required to nominate three of their number, one of whom was to be selected by the governor of Virginia for sheriff for one year and, if renominated by the judges and again commissioned, to serve two years longer, but no more. The position of sheriff thus being the highest county office the high standing of Justice John Wright is proclaimed in his official commission

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*Hening's New Virginia Justice, 414.
recorded (as follows) with the accompanying bond in the beautiful handwriting which characterizes many of the volumes of old records of Prince William and Fauquier counties:


"LEWIS BURWELL, Esq., PRESIDENT OF HIS MAJESTIES COUNCIL AND COMMANDER IN CHIEF OF THE COLONY AND DOMINION VIRGINIA,

TO JOHN WRIGHT GENT

BY Virtue of this power and Authority to me given by his Majesty, as Commander in chief of this Colony I do hereby Constitute and apoint you the said John Wright to be sheriff of the County of Prince William during Pleasure; and that you be accordingly Sworne, as soon as Conveniently may be: And before you are so Sworne or admitted into the said Office, you are to enter into Bond, before his Majesty's Justices of the said County, with two or more good and Sufficient Sureties, in the penal sum of One thousand Pounds Sterling, to render to the Auditor, and Receiver General of his Majesties Revenue, in Particular, perfect & true account of all his Majesty's Rents and dues arising within the said County: and also due payment of all other Publick Dues and Fees put into your Hands to Collect, within the said County unto the several persons to whom the same shall be due and payable; and true Performance to make of all Matters and things relating to your office, during your Continuance therein. And I do hereby Command all his Majestys Subjects, inhabiting the s\textsuperscript{d} County, and others actually there, to be Aiding and Assisting to you the said John Wright as Sheriff of the County aforesaid in all things belonging to your office of Sheriff.

GIVEN under my hand and the seal of the Colony at Williamsburg this fourth day of July in the 25\textsuperscript{th} Year of his Majestys Reign, Annoque Domini 1751.

Truly Recorded. Test Lewis Burwell"

G. Wagener, Cl.

"KNOW ALL MEN by these presents that we John Wright, Tho\textsuperscript{a} Harrison, Jo\textsuperscript{a} Blackwell & Benjamin Grayson, gent\textsuperscript{a}, are held and firmly bound unto our sovereign Lord King George the second in the sum of one thousand pounds Sterling to be paid to our said Lord the King his heirs and Successors to the which payment well and truly to be made We bind our-
selves and every of us one and every of our heirs Exrs & Adms jointly and severally firmly by these presents sealed with our seals and dated the 26th day of August one thousand seven hundred and fifty one.

THE CONDITION of the above obligation is such that if the above-bound John Wright who is appointed sheriff of the County of Prince William by Virtue of a Commission from Lewis Burwell Esq' president and Commander in Chief of the Colony and Dominion of Virginia bearing date the fourth day of July shall render unto the Auditor and receiver General of his Majesties revenues a particular perfect and full account of all his Majesties rents and dues arising within the said County and also due payment of all other public dues fees put into his hands to Collect within the said County under the several persons to whom the same shall be due and payable and true performance shall make of all matters and things relating to his said office of Sheriff during his Continuance therein then this obligation to be void otherwise to remain in full force and Virtue.

Sealed and Delivered in the presence of

John Wright [Seal]
Tho* Harrison [Seal] ✓
Jo* Blackwell [Seal]
Benja Grayson" [Seal] ✓

"AT a Court held for this County of Prince William 26° of August 1751

John Wright, Thomas Harrison, Joseph Blackwell & Benjamin Grayson genm acknowledged this bond which was ordered to be recorded

Test

"G. Wagener."

Sheriff Wright was re-nominated by the following action:


"AT A COURT CONTINUED and held for the County of Prince William 28th day of July 1752 Present Thomas Harrison, Richard Blackburn, Benjamin Grayson & Robert Wickliff, Gent. Justices ............. John Wright, Anthony Seale & Robert Wickliff Gent. are recommended to the Honorable the Governor as fit persons to Execute the office of sheriff of this County."

That the governor again selected Sheriff Wright, though the second commission is not recorded, is evidenced by various entries
in the court records of official business transacted by John 4 Wright, Gent., as sheriff (whose second term had expired by 27 August, 1753), a few of which afford sufficient proof of such service; the first item is the record of Sheriff Wright's share (commission) on the amount of taxes, paid in tobacco, he collected during the first year of his shrievalty:

[Prince William court record book 1752, page 71]

"AT A COURT held for the County of Prince William 23d day of October 1752 .............. Then the Court proceeded to Lay the County Levy.

Prince William County Dr. ........... N[ett] tob°
To John Wright, gen. Sheriff ............. 1250° [pounds]

The appointment of Sheriff John 4 Wright to appraise the estate of the Rev. James Keith, minister of Hamilton parish and maternal grandfather of the eminent John Marshall, is recorded on page 164 of the court record book for 1753 for the session of 25 June. The end of the shrievalty of John 4 Wright, Gent., is indicated by the record of his immediate return to the bench as a justice:

[Prince William court record book 1753, page 218]

"At a Court held for Prince William County the 27th August 1753. Present. Thomas Harrison, Benjamin Grayson, John Bell, and John Crump, gent. Justices..............

Wright Sworn Justice. JOHN WRIGHT GENT. took the Oaths Appointed by the Act of Parliament to be taken and repeated and Subscribed the Test as also the Oath of Justice of the Peace in Common Law and Chancery."

The "Oaths Appointed" were those of abjuration and allegiance, and if our ancestors were stern men who lived up to their engagements, and saw to it that others did likewise, and if their dining-rooms were not the haunts of jazz bands and waltzes between swallows of food, the oaths they had to subscribe to and obey may excuse them, in the sight of present-day diners, for not having been adept at something more flippant than the stately minuet.

The court records for session after session almost without a break for more than twenty years reveal Judge Wright as either on the bench or in some action before the court, many of the entries being of matters more or less trivial or chiefly concerning persons other than himself. He ceased to be "His Majesty's Justice for
the County of Prince William" on the fifth of April, 1759, when

the new county of Fauquier was created from the western part of
Prince William; but he continued in the same office in the new
county. The records reveal that he adjudicated all manner of
actions-at-law, both civil and criminal, by all manner of persons.

At the session of 29 August, 1753, his relative, Lawrence Wash-
ington, appeared before him as plaintiff against John Hartshorn;
and on 24 September, 1753, [page 259] Justice Wright was
absent from the bench when the court appointed him and William
Blackwell, John and George Crump, Charles Morgan, Jeremiah
Darnall and Francis Tennill to settle the estate of George Wheatley,
Sr.,* deceased. The last entry on the last page of the first and
oldest minute book of this court was signed by Justice Wright on
27 November, 1753, with the words, "Then the Court Adjourned
to the Court in Course. John Wright." That he was president
(chief justice) of the court and so signed the record is proven by
the record of the court of that day showing his name at the head
of the four justices present on the bench at that time. At the
session of 22 October, 1753, [page 291] Justice Wright passed
upon a slave belonging to the father of the later chief justice, John
Marshall, to-wit: "Juba a negro boy belonging to Thomas Marshall
adjudged to be twelve years old." This was before Thomas Mar-
shall began that public career as a soldier which led to his sub-
sequent rise to general notice and esteem. The first case recorded
in the second record book of Justice Wright's court [page one],
summoned as a court of oyer and terminer by a special warrant
from the governor of Virginia, was tried on 24 January, 1753, (54)
and is worth noting, as showing the punishment decreed by John* 
Wright, Gent., and his fellow justices against a man whom the
majority of the judges had declared not guilty, to-wit:

"CHARLES a negro man slave being brought before the
court and charged with Feloniously breaking and Entring
the house of Richard Hampton and stealing and taking from
thence Sundry goods, and being Arraigned and the several
Evidences against him heard & Considered, It is the opinion
of the Court that the said Charles is not guilty of the Felony

*His son George Wheatley Jr. by marrying Sarah, daughter of Jonas
Williams, Sr., became related to John's Wright, Jr. (son of Justice
Wright) who married, about this time, Sarah's sister Anne Williams.
above to him Imposed (the Fact against him not being fully proved). Ordered the sheriff take him to the Publick Whipping Post and give him there on his bare back well laid on thirty nine lashes and then that he be discharged and sent back to his Master’s service

Signed Tho* Harrison.”

One may well ask what terrible fate* would have been decreed upon this colored man had he been adjudged guilty; also whether Justice Wright concurred in the decision to punish an unconvicted person on the mere suspicion of guilt? As this trial was by “a superior court of law and equity,” namely, a court of oyer and terminer, this service by Justice John4 Wright qualifies him as an eligible ancestor for the Virginia Society of Colonial Dames.

On 26 March, 1754, [book 2 page 4] John4 Wright, Gent., was again commissioned a justice and took the oaths of allegiance to George II. “repeated and Subscribed the Test as also the oath of Justice of peace at Comon Law and Chancery”; and at this session he admitted to the court and administered the oath to “Henry Lee, gent., produced a License to practice as an Attorney and Qualified himself Accordingly. And also produced a Commission from under the hand of his Honour the Governor appointing him Deputy Attorney of this County.” This was the noted gentleman, Henry Lee, of Leesylvania, son of the Henry Lee, Gent., who sold Leesylvania to the father of Justice Wright, and later recovered it from the justice’s elder brother Francis4 Wright.

At the session of 27 May, 1755, [book 2 page 245] there came before Justice Wright his late father’s first cousin, Augustine Washington, Gent., (father of Col. George Washington then aged twenty-three) as plaintiff in a suit against Thomas Highlander with a warrant for the arrest of the body of the defendant**; the justice gave Washington a verdict for six hundred and twenty-five pounds of “good merchantable tobacco.” At the session of 25 August, 1755, [book 2 pages 269-271] John4 Wright, Gent., as

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*In Virginia capital punishment was then a lawful penalty for breaking and entering with intent to steal.
**A defendant to an ordinary civil action could then be arrested and held in jail until the day of trial, unless bailed.
president of the court, is recorded as having had the honor of formally receiving "The Right Honble Thomas, Lord Fairfax," and of resigning to his lordship, for the time being, his place of president of the court. Lord Fairfax was on a visit to his great estate in Virginia and, when presiding over that day's session, took advantage of his opportunity and administered to John Wright and Bertrand Ewell, gentlemen-justices, the oath of allegiance to George II. Doubtless the serious formality was changed in the evening to a more enlivening session around the punch-bowl at the home of one of the justices; and it would be a strange Englishman who could conceive that this English lord was not then and there as equal to his opportunities for refreshment as the next man. As for Justice Wright's part in the entertainment the record [page 276] shows that he came safe and sound to court on the next day and resumed his place on the bench; and there is the entry also "Present, The Right Hon'ble Thomas, Lord Fairfax." His full title was "The Right Honourable Thomas Lord Fairfax, of Leeds Castle in the County of Kent, England, and Baron of Cameron in Scotland." This nobleman, at this time, was the greatest lord proprietor in America; his domain in ground rents was the largest held by an individual on this continent. Shortly before this visit George Washington had completed his three-year service as Fairfax's surveyor; the historians aver that Washington acquired from his associations with Fairfax something of the dignity of bearing and fine manners, which, with his "majestic walk," indicated his commanding personality. There were no millionaires in America then, no large cities; the people were largely settled on farms, manufacturing not being general.

Numerous items with which the name of John Wright, Gent., is associated in the court records must be passed over as they are individually unimportant; collectively they show the high position he held in the esteem of his countrymen, and his uninterrupted justiceship up to the last day on which he lived in Prince William county, viz., 4 April, 1759. He was succeeded as justice of that county by the same Henry Lee, Gent., whom he had admitted to the practice of law, owner of the estate of Leesylvania, formerly owned by Justice Wright's father.

On the following day, April 5, he became a newly-commissioned
justice of the new county of Fauquier after being a prime mover for its creation from the western part of Prince William county. The first step towards the formation of Fauquier was taken before Justice Wright as president of the court, to-wit:

[Prince William county court record book 2, pages 219-220]

"AT a Court held at the Courthouse of Prince William County the 14th day of April 1755, For Receiving propositions and Grievances and for proof of Public Claims
PRESENT John Wright, Bertrand Ewell
John Crumpe, Howson Hooe & Henry Peyton

A PETITION signed by Sundry Inhabitants praying a Division of the County being presented to the Court was ordered to be Certified to the General Assembly."

The custodians of the state records at Richmond have reported their inability to find, as yet, the original of this petition; but the new county was formed on April 5, 1759, and the commission from the governor of Virginia to John Wright, Gent., and his co-justices is recorded on the first page of the first book of records of the first session of the court of Fauquier, as the first record of the formal establishment of the new county by its justices and citizens. Thomas Marshall (father of John Marshall), returned from his service in the French and Indian war, was rewarded with a justiceship and at the session of 28 June, 1759, [page 12 of the record] he first sat on the bench, as a younger justice, with the veteran Justice Wright, their joint commission being recorded, to-wit:

[Warrenton, Fauquier county, Virginia. Court Minute Book No. 1, page 1]

"At the Courthouse of Fauquier County the Twenty Fourth Day of May One thousand seven hundred and Fifty Nine
“A COMMISSION of the Peace bearing Date at Williamsburg the Seventh Day of May last under the Seal of the Colony as also a Dedimus Potestatem for administering the Oaths directed to Thomas Harrison Joseph Blackwell John Wright William Blackwell John Frogg John Bell William Eustace John Churchill William Grant John Crump Duff Green Yelverton Peyton Thomas Marshall George Lambkin Wharton Ransdall Elias Edmonds Thomas McClenaenham and Richard Foote Gent or any four or more of them whereof any of
them the said Thomas Harrison Joseph Blackwell John Wright William Blackwell John Frogg John Bell William Eustace John Churchill or William Grant should be one were read By Virtue of the Dedinus Potestatem the said Thomas Harrison having first taken the Oaths appointed to be taken by Act of Parliament instead of the Oaths of Allegiance and Supremacy, the Oath appointed to be taken by an Act of Parliament made in the first Year of the Reign of his late Majesty King George the first our Royal Father Intituled 'An Act for the further Security of his Majestys Person and Government and the Succession of the Crown in the Heirs of the late Princess Sophia being Protestants and for extinguishing the Hopes of the pretended Prince of Wales and his open and secret Abettors', also the Test together with the Oath of a Justice of the Peace and the Oath of a Justice of the County Court in Chancery which said Oaths were administered to him by the said Yelverton Peyton and Thomas Marshall, And then the said Thomas Harrison administered all the beforementioned Oaths to the said William Blackwell William Eustace John Churchill William Grant Yelverton Peyton Thomas Marshall and George Lamkin who made and Subscribed the Test."

The record of the taking of the several oaths of office by John Wright, Gent., on that same 24 May is on page twelve of the court book, and is signed: "Present John Wright, Gent." On 23 August, 1759, [page 21] "John Wright, John Bell and Yelverton Peyton, Gent., are appointed to Lay off two Acres of Land belonging to Richard Henry Lee, Esqr., for the Courthouse and prison of this County to be erected on." This is the present site of the county clerk and treasurer's offices which now occupy the original brick courthouse erected soon after 1759 on the top of Warrenton hill, nine miles northward from the estates of John Wright, Gent., and the aforesaid Thomas Marshall, and in the main room of which these gentlemen held court. The first list of tithable inhabitants of Hamilton parish in Fauquier was written by Thomas Marshall in 1759, the original document of which, in his handwriting, was found in 1917 in a heap of rubbish in the attic of the county clerk's office, by the writer, who then requested the county clerk to place it in the safe. The 1759 list for the Leeds parish (northern) part of Fauquier, written by George Lambkin, was also similarly found and delivered. The numbers placed against the
names on Marshall’s list refer to the number of adult tithables living on each plantation or household. We quote only the entries relating to the Wright, Williams and Marshall families:

“A List of Tithables in Fauquier County in the Year 1759. Tho. Marshall.”

“John Wright Sen
Neg[roes] Bray, Will, Dina”

“Honour Williams
Will Simpson
Jonas Williams
Neg[ress] Phillis”

“John Wright Jun’
Francis Self

“George Wheatley
James Wheatly
and 3 negroes?”

“Tho’ Marshall
Jacob, Juba, Hannah”

[“Dina” and “Will” also 4 named in their master’s will of 1785]

[Honour was mother-in-law 3 of John 5 Wright, Jr., who sued her for the negress Phillis]

[Self was a white employee; 2 John 5 Wright, Jr., had no slaves at this time]

[George Wheatley married a 5 sister of Ann Williams, wife of John 5 Wright, Jr.]

(Justice Wright’s son William was probably on Lambkin’s list now extant only in part, while the other son, James was not old enough to be taxed. Justice John 4 Wright senior, is in the 1778 list, but not his son John 5 Wright Jr who left for North Carolina in 1774.)

On the original paper, found in 1917 by the writer amid the rubbish in a room over the county clerk’s office at Warrenton, entitled, “List of tithes taken by Thomas Bronaugh 1778,” occurs an entry proving that Justice Wright was still recorded as a captain during the War of the Revolution, the same as he was thirty years earlier, and, also, as owning several of the same slaves he had in 1759, to-wit:

“Capt. John Wright’s tithes
Negro’s Bray, Dinah, Easter & Jude } 5” [taxable persons]

Aged above sixty-five in 1778 it should not be claimed that he served with troops in the War of the Revolution, but rather in an honorary or administrative capacity at home, for which service his name did not become entered in the lists of soldiers. Thomas Marshall, Justice Wright’s associate on the bench, being twenty years younger, met, in his prime, the field opportunities of the
Revolution and was carried to wider fame by them. That Capt. Wright was not a Tory is certain for his sons William and James were American soldiers in that war, his son John having left Virginia for North Carolina in the year before the war. This latter son's name does not appear in the said tax list of 1778. The last records of Justice Wright's appearances in court are those of April, 1779, when he sued John Peake for debt, and of July, 1780 [page 470], when he won a suit brought against him by Minor Winn. Little is discernible of his last years outside of his will and some records of taxation which show that his activities in public office did not seem to prevent the development of that portion of his estate which he retained until he made his will, though his personal estate was much larger than the average, particularly as to slaves and horses; and that in 1787 he, his wife, unmarried daughters Rosamond and Mary, and son James Wright were living together on that remaining portion of the estate that the judge had purchased forty-six years earlier. The son William had a separate estate, as the record instances:

[Virginia State Library, Richmond, Dept. of Original MSS.]

"Fauquier County. Personal Property Books. 1782"

<table>
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<tr>
<th></th>
<th>Free Males above 21</th>
<th>Negroes</th>
<th>Horses</th>
<th>Cattle</th>
<th>Wheels</th>
<th>Ordinary Licenses</th>
<th>Billard tables</th>
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<td>John Wright</td>
<td>1</td>
<td>14</td>
<td>5</td>
<td>20</td>
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<tr>
<td>William Wright</td>
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<td>1</td>
<td>3</td>
<td>6</td>
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<td>1783:</td>
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</tr>
<tr>
<td>John Wright</td>
<td>1</td>
<td>15*</td>
<td>6</td>
<td>16</td>
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<td></td>
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<tr>
<td>William Wright</td>
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<td>14</td>
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<td>John Wright</td>
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<td>15*</td>
<td>18</td>
<td>0</td>
<td></td>
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<tr>
<td>William Wright</td>
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<td>1</td>
<td>14</td>
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<tr>
<td>John Wright</td>
<td>2</td>
<td>15*</td>
<td>18</td>
<td>8</td>
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<td>William Wright</td>
<td>1</td>
<td>1</td>
<td>10</td>
<td>5</td>
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<td>[The son James at home]</td>
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<tr>
<td>1786:</td>
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<td></td>
<td></td>
<td>[The son James at home]</td>
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<tr>
<td>John Wright</td>
<td>2</td>
<td>9</td>
<td>19</td>
<td>7</td>
<td></td>
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<td>1787:</td>
<td></td>
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<tr>
<td>John Wright</td>
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<td>11</td>
<td>7</td>
<td>13</td>
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<td>Amount of tax £7-7-3.</td>
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<tr>
<td>James Wright</td>
<td>2</td>
<td>8</td>
<td>8</td>
<td></td>
<td></td>
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<td>May 19, 1791:</td>
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<tr>
<td>John Wright</td>
<td>2</td>
<td>8</td>
<td>8</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>James Wright</td>
<td>2</td>
<td>8</td>
<td>9</td>
<td></td>
<td></td>
<td>[His father John had died]</td>
<td></td>
</tr>
</tbody>
</table>

*Nine of these fifteen negroes were under sixteen years of age.
John Fiske, the historian, remarked: "In their fondness for horses the Virginians were true children of England. In the stables of the wealthy planters were to be found specimens of the finest breeds, and the interest in racing was universal." The large number of horses which John Wright, Gent., owned, even in his old age, must have included horses kept for social purposes; and it is probable that his journeys between the courthouse and his home, nine miles away, after the older courthouse at Liberty had been abandoned, were made in the saddle. Though the longest-lived of any of the Wrights he maintained, during the reigns of three kings, one queen, a Council of State, and one president the prestige and English characteristics of his ancestors. He was the last of his line to do that, in a marked degree, for ere he passed away, great political and social changes occurred in the colonies, and Virginia remained pre-eminent on this continent not much longer than it remained pre-dominantly aristocratic. He lived to see his second cousin, George Washington, about twenty-two years younger, become the first president of the first genuine republic in the world. None of Justice Wright's sons succeeded him in high offices in Virginia, above those of captain and vestryman, and his son John lost the opportunity to do so by removing to North Carolina. John Wright, Gent., was the last of his family to be the father of a few children for he had thirty-three known grandchildren, not counting children by his daughter Elizabeth, albeit his two other daughters died unmarried. His excellent will made in 1785, doubtless in the handwriting of the witness, George Maddux, names his three sons and three daughters; and his firm neat signature thereto is as even as that written by him in 1769 on the inventory of John Etherington as an appraiser. The aged testator does not appear to have relished the fact that one of his daughters departed from Fauquier county in connection with her marriage, nor that his sons William and John sold and departed from the land that their father gave to them with the thought that they would thereon remain; William removing to the northern part of Fauquier, while John followed southward the long road near to and parallel with the Blue Ridge mountains, upon which he could gaze from wherever he lived, all the years of his life.
[Warrenton, Fauquier county, Virginia.]

(The will of John Wright, senior, gentleman.)

"IN THE NAME OF GOD AMEN I John Wright of the Parish of Hamilton & County of Fauquier in the Common Wealth of Virginia, being in a weakly State and bodily helth and Calling to mind the uncertainty of this life, being at this time of sound and disposed mind and memory blessed be god for the same, do make this my last Will And Testament in manner and form Following, That is to say, and first as to What Worldly goods it hath pleased god to bless me With. I give Desire bequeath to my son James Wright all of that my land lying on the East Side of the Run, being part of the tract of land Whereon I now live in the County of Fauquier to him his Heirs & assignes for ever. I also give to my son James Wright one negro Named tom and one Negro Named Moses to him his Heirs or assigns for ever. Item, I give to my grand daughter Betsey Wright daughter to my son James Wright one Negro Named Jinny to her her Heirs and assigns for ever. Item, I give likewise to my two Daughters Mary Wright & Rosamond Wright the plantation whereon I now live and all the land I held lying on the West Side of the said Run above mentioned to them & their Heirs Lawfully begotten of their bodys for ever to be divided between the two as they Can agree. And in Case they die Without such Heir, it is my Will and Desire that the said land shall go to my son James Wright to him his Heirs & assigns for ever. Item, I give to my two daughters Mary Wright & Rosamond Wright the Negroes as followeth, vz, Dinah, Jude, Lidie, Robin, Lucy, Will & Milley to them their Heirs and assigns for ever, and all Future increase of the aforesaid negroes to the aforesaid Mary and Rosamond Wright their Heirs and assigns for ever to be devided by the two as they Can agree.

"I likewise give to my aforesaid two Daughters Mary Wright & Rosamond Wright all my household Furneture such as beds &c. and all my Stock such as Horses, Cattle, Sheep & Hogues to them their Heirs and assigns for ever. Item, I give to my son William Wright and my Son John Wright twenty shillings each Current money of Virginia; the reason Why I have left my two Sons, William and John Wright, no more is that I gave them both land which they Sold. Item, it is my Will and Desire that in Case my Daughter Elizabeth Parlow should ever apply that then my executors pay her fifteen pounds out of my Estate Current Money of Virginia. It is my Will & Desire that all my estate hereto-
fore Mentioned shall be kept togetherto for the Use of my Wife, Elizabeth Wright during her life, and after her Death to be divided as before mentioned, And lastly I make and ordain Constitute & Appoint my Son James Wright my Executor, and my two Daughters Mary & Rosamond Wright my Executors of this my last Will and Testament hereby revoking all former and other Wills by me heretofore made Declaring this to be my last. In Witness Whereof I have here Unto Set my hand and Seal this first Day of June in the year of our Lord one thousand Seven Hundred and Eighty five.

"John Wright [Seal]

"Signed Sealed published and Declared by the Said Testator as his last Will & Testament in our presence and his Request Subscribed our Names as Witness hereto

"George Maddox
John Nelson
his
Francis Lathan
mark
Wm Keirnes"

Original will of John Wright (Gent.), Fauquier county, bears this endorsement on the back:

"At a Court held for Fauquier County the 27th day of February 1792. This Will was proved by the oaths of George Maddux and William Kerans witnesses thereto and ordered to be recorded. An on Motion of James Wright the executor therein named who made oath and together with security entered into and acknowledged bond in the penalty of One thousand pounds Conditioned as the law directs Certificate is granted him for obtaining a probate thereof in due form.

"Teste. H. Brooke C. C."

The testator died in the winter of 1791-2 aged over eighty, and was buried on his own estate near Liberty as aforesaid. As his widow left no will and no administration, appraisal or inventory of her estate was undertaken the date of her death is unknown, other than that it occurred not long afterwards as she appears to have been deceased when her daughter Rosamond made a will in 1804. Justice Wright's real estate not having been appraised its value cannot be estimated, but the fact that the personal property, aside from cash and securities, was valued at so large a sum as
£677—16—6 leaves the impression that his total estate was worth far above the average of his time.

Of the descendants of John⁴ Wright, Gent., some of those from his sons William and James have been ascertained from the records, but it is the present purpose, hereinafter, to portray in detail only the records of the family of his son John⁵ Wright, Gent. Thus the other children are now dismissed from notice pending publication elsewhere and more at large.

**John⁵ Wright, Gentleman**

John⁵ Wright (John⁴, John³, Francis², Richard¹), gentleman, surveyor and captain, doubtless was born upon his grandfather’s thousand-acre estate of Leesylvania between Powell’s run and Neapsco creek, near the Potomac river in Prince William county, about the time (1731) that county was formed from Stafford county. This was while his grandfather, who had come to Leesylvania about eight or nine years before from the “great house” in Westmoreland county, was living thereon with all of his family. As this grandfather and his wife, Dorothy, died but a few years after the birth of this grandson, it may be true that the latter did not well remember either of these grandparents. That he was educated to follow the practice of law and to maintain the ascendancy of the family in public office is likely; but neither he nor his brothers William and James became the administrators of law from the bench, however often they figured in the functions of the courts in other capacities. John⁵ Wright, Gent., after his uncle Francis⁴ Wright had sold Leesylvania, must have lived upon his father’s new estate called “Pine View,” near Liberty, from 1741, when the boy was aged about nine years, until after he married in 1753; and soon after that date he appears as temporarily residing upon and managing the estate of his mother-in-law, Honour Williams, which adjoined the said Wright estate. Ere April 25, 1764, however, we find him again upon his father’s estate; and on the day before that date as receiving from his father “by virtue of an Indenture,” the gift of one hundred and sixteen acres, over which, however, the son changed his mind over-night about retaining the land, and desired the gift of a sum of money instead; and thereupon he immediately re-conveyed the land back to his father, took the money
instead, and proceeded to follow his own notions, somewhat to the displeasure of the parent. Not until eight years thereafter had elapsed did the son acquire by purchase an estate of his own; during which period he seems to have continued his residence, after the settlement of a lawsuit with his mother-in-law, upon the estate to which his wife was an heir. The upshot of such records of his life as remain in Fauquier county is that John* Wright, Gent., was a man of independent spirit, not inclined to follow the conservative path of his judicially-minded and self-restrained forebears. He was adventurous; he was bold; he was outspoken—disinclined mentally at that period to judicial functions. That he was strong-headed, bent upon having his own way, and quite fearless of others and of consequences is apparent. So high-spirited a man could not be expected long to remain about where he was born, or to do as others had done before him, albeit noble, indeed, was their example. Nor, when religious freedom was becoming possible in Virginia could he be expected to avoid the more radical sects than the Episcopalian. He was a strong man, in his way; his individuality and virility carried him far from the scenes of his childhood. Hard were the propositions to which he put his hand and his mind, but he held his own. He went back to the conditions in which his first American direct ancestor began, i. e., the wilderness. Commencing civilization all over again, as it were, in another province he created in a few years a new estate and bequeathed it, together with the magnificent gift of eighteen adult children and many grandchildren to the progress and development of his country. Far flung upon this wide continent and many, therefore, have been his descendants since. His life was not a step backwards, as his parents may have imagined it might be when he left their home in Fauquier; rather, it was but a preparation, whether he realized it or not, for the work that his children carried on after him as they and their children came to move into new spheres for the conquest of nature and the extension westward and southward of civilization. Had he remained in Fauquier he might have attained military elevation in the War of the Revolution, and ascended in public favor along with his boyhood playmate on the banks of Licking run, John Marshall, and have even surpassed his father Wright as a public man, for the times were
most propitious for it; but he chose the harder task before the more brilliant chances arrived. And so his descendants must honor him none the less because he did not choose to have his path strewn with the roses of popular public acclaim, nor his life rewarded with the plums of that official preferment and social elevation to which he was, by birth and early environment, acclaimed. He struck out alone for himself, beating a new path—into which we needs must hasten to follow him if this tale of how parts of this country were settled and civilized, and whom were the men who did it, is soon to be ended. We should not proceed without remarking upon the forces of heredity observable in a study of this family. That generations of office holders and judges should have bequeathed their traits and capabilities to their descendants for centuries may not be unexpected. We find lawyers, judges, sheriffs, county clerks, congressmen and other county, state and national officers among the descendants of John* Wright, Gent., to the present time; and the force of the intellectual abilities that anciently accumulated in this family is elsewhere to be seen in most conspicuous examples of extraordinary capacity for large affairs among descendants through Wright daughters who married into other families in which the said professional traits were absent, imparting to their offspring character and consummate power the early source of which is clear, and the force of which has, in some instances, not only continued but has increased. This strain of early colonial blood uniting in the nineteenth century with the Scotch-Irish, of much later beginnings on this continent, has but added to its virility.

The first three official records of John5 Wright, Gent., begin with his service as a grand juror, when his father was the sheriff, the separate identity of father and son being clear in each record because the father was the sheriff, to-wit:

[Prince William county court record book 1752-1753, page 76]

"Court of 27 Nov. 1752. Grand Jury Sworn. The Sheriff pursuant to the Act of Assembly in that case made and provided returns to the Court here the Ensuing Pannell of the Grand Jury .......... John Wright [and twenty others], who being sworn and charged as well to Enquire as true presentment make of all Treasons, Misprisons of Trea-
son, Felonies, Murders, and all other Crimes and Misdemeanors committed perpetrated or done within the said County” (etc.)

[page 97] “AT a Court held for Prince William County the 26th day of February Anno Domini 1753” [new style dating]: ................. “ORDERED that John Wright, Joseph Hudnall, John Frogg or any two of them view the most convenient way for a Road from Beverleys Ford into the Rolling* Road that leads from Hedgman's Quarter to the Marsh Bridge and report to the Court their proceedings”

[page 164] “Report of Road. The Report of John Wright and John Frogg, Gent. being returned upon their Viewing a way from Beverleys’ Ford to the Road leading from Hedgman’s Quarter to the Marsh Bridge. The Rolling Road commonly called Jone’s Rolling Road is hereby Established, and for the Future to be deemed and taken a public way.”

Intense personal rivalry developed later on between John Wright, Gent., and Augustine Jennings over which man should become the major of the Fauquier military forces, prior to which both gentlemen were appointed to act together with the former’s brother-in-law Wheatley and relative Morgan Darnall, by Wright’s father then sitting as justice, to-wit:

[Prince William Court record book 2, page 37]
“Court of 22 April 1754. Present John Wright.”
“Ordered that Augustine Jennings, John Wright, George Wheatly, and Morgan Darnall or any three of them, being first sworn, Inventory and Appraise the Estate of John Smith deceased in Current money and that the Executor return the same to the Court”

John Wright, Jr. was also an executor of the will of said John Smith, and gave an executor’s bond which shows the separate identity of father and son, and which reads, in part, viz.:

“KNOW all Men by these Presents, That We John Smith, John Wright, Vincent Garner are held and firmly bound to Thomas Harrison, John Wright, John Frogg, John Bell, John Crump and Howson Hooe, Gent. Justices of the Court of Prince William County, now sitting, in the Sum of one thousand pounds .... 22d Day of April .... 1754” etc.

[Original bond book, page 5, at county clerk’s office, Manassas, Virginia]

*A rolling road was one over which tobacco was rolled to a seaport in very large casks having a rim of larger circumference at each end, the outer edges of which rims served as does a wheel upon the ground.
When the French tried to secure possession of the territory between the Mississippi and the Alleghanies, and Gov. Dinwiddie sent Virginia troops to aid in preventing it, one regiment of which was commanded by George Washington, one of the soldiers killed, or prevented from returning to the man to whom he was indentured, is referred to in the petition which was not granted by the Virginia legislature:

[Prince William court record book 1754-5, page 220]

Court held 14 April 1755. "Wright’s Petition. A PETITION from John Wright the Younger for a servantman named Samuel Gray who was sent to the Expedition on the Ohio was presented in Court and Ordered to be Certified to the General Assembly"

There is no indication that John’s Wright, Jr., served in the French and Indian War but that, as a young man, he was active in the traditional manner of his ancestors in both legal and military affairs needs no further evidence than the following record when his father was sheriff, and that his military inclinations in Virginia continued to, at least, the year 1771 is proven hereinafter:

[Fauquier court minutes, volume 2, page 152]

"At a Court Continued and held for Fauquier County the Twenty-ninth Day of July 1763. Present. Thomas Harrison, John Bell, Yelverton Peyton, & Jeremiah Darnall, Gent" [Justices] ............

"John Wright Junr Captain** took the usual Oaths to his Majesties Person & Government and subscribed the Teste"


On Motion of John Wright Junr. Ordered that Nicholas Smith pay him three hundred and twenty five pounds of Tobacco for thirteen Days Attendance as a Witness for him against William Wright"


*A report by the state librarian of Virginia states that the originals of all petitions to the General Assembly of Virginia prior to 1773 are lost, thus depriving us of what John’s Wright Jr. wrote in full in his own behalf.

**How long before this date he was commissioned by the governor of Virginia as a captain does not appear as the commission was not recorded; it was dated not long before however. His father was commissioned a captain by 1748.
Francis Trippett vs Nimrod Ashby: "John Wright ju" (foreman) of the jury


[Vol. 2, page 250] November Court 1763 "On Motion of John Wright it is Ordered that James Wheatley pay him two hundred and twenty five pounds of Tobacco for nine days attendance as a Witness for him against Morgan Darnall"

Then came the action of Captain John Wright, Jr., against his mother-in-law, Honour Williams, and Thomas Withers (who seems to have influenced her against her other son-in-law Capt. John Wright Jr.), begun 30 October, 1762, and concluded in July, 1766, by mutual agreement. The plaintiff sets forth his case in his own words, well composed (possibly under the advice of his judicial father), who, of course, did not preside at the trial as the action was settled without being formally tried, and giving genealogical evidence of such prime value, that the entire bill of complaint needs to be now given. The case was continued from term to term, the defendants having failed to put in an answer, but the plaintiff not taking advantage of that failure consented to the postponements.

[Warrenton, Fauquier county, Virginia]. Filed Paper.

"VIRGINIA:
"In the Clerk’s Office of the County Court of Fauquier County: George the Third by the Grace of God of Great Britain France & Ireland King Defender of the Faith &c; To the Sheriff of Fauquier County GREETING:
"We command you to summon Honour Williams & Thomas Withers to appear before our Justices of our said County Court of Fauquier in Chancery at the Court House on the fourth Thursday in next Month to answer a Bill in Chancery exhibited against them by John Wright Jr. and this they shall in no wise omit under the penalty of £100.
"Witness Humphrey Brooke Clerk of our said Court at the Courthouse the 30th day of October in the Third year of our Reign 1762.

"H. Brooke."

[Endorsed on back]
"Exd pr Wm Edmonds T S
"Wright vs Williams Spa*
1763 March Court Bill"

*"Spa"—Writ of subpoena.
[Warrenton, Fauquier county, Virginia.] Filed Paper.

"AT A COURT CONTINUED AND HELD FOR FAUQUIER COUNTY THE THIRTEENTH DAY OF JULY 1766.

PRESENT: Thomas Harrison.     "John Bell.
    Yelverton Peyton       Joseph Hudnall and
    Fauqr Set        John Moffett, Gent.

"To the Worshipfull the Justices of the County of Fauquier in Chancery now sitting,

"Your orator John Wright junr of the County afsd humbly complaining sheweth unto your Worships that some time in or about the year of our Lord 1749 one Jonas Williams being possessed of a considerable estate both real and personal and having made his last will and testament duely authenticated Departed this life; that in his said last will and testament after having given several legacies he devises in the following manner: I give and bequeath to my well beloved wife Honour Williams of the County afsd one of the defendants hereinafter named one feather bed & Furniture forever and the use of all the rest of my estate during her natural life and then to be divided between two of his Daughters Sarah & Ann (which said Ann is since intermarried with your orator) as by the said will recorded in the County Court of Prince William it will more fully and at large appear; and your orator further shews that the said defendant being with one John St Clair appointed an Executrix to the said will sued out Letters Testamentary thereto and possessed herself of the entire Personal Estate of which the said Jonas died possessed and, having paid the specific Legacies, Detained to her own use the Whole Surplus in virtue of the Devise afore-said to a very considerable value as by the Inventory of the said Estate relation thereto being had will appear; and your orator further shews that some time in the year of our Lord 1753 your orator's sd wife, Daughter to the said Deft, being a single woman a conversation was had and moved between your orator & the said Defendant of and concerning an intended marriage between your said orator and the said Ann, when the said Defendt to induce your said orator to address the said Ann upon that score and for a proper advancement for the said Ann in marriage promised that in case your said orator would intermarry with the said Ann that she would give him with her a Negroe Wench named Phillis then in the possession of the said Defendant and all the Estate both real and personal which she, the said defendt, was then seized and
possessed of both in right of her said Husband's will & what she had by her own industry acquired after the Death of her said Husband, which consisted of three Feather Beds and furniture, ten head of sheep, one mare, six chairs, a parcel of hogs, implements of husbandry and Household Goods to a very considerable value; that in consequence of the said Promises of the said Def't the sd marriage soon after in the same year between the said Complainant and the said Ann took effect and was consummated; that thereupon the said defendant agreeable to her said Promise and undertaking put the said Complainant into possession of the Plantation, which she held under her said Husband's will, negro Phillis and all and singular the premises before mentioned; that your com-
plainant continued so possessed of the same for the for all [sic] of two years during which time the said defendant lived with this complainant but she, the said Defendant, growing dissatisfied under circumstances which she looked upon as a state of Dependancy your orator for his own Peace and rather than give the said Defendant any uneasiness or have any Disputes with a person to whom he was so nearly allied chose to remove of off [sic] the said Plantation and to leave the said Defendant in possession of all & singular as well the said Slave, as other the premises which he had received from her with his said wife in manner aforesaid; well hoping that the said Defendant would at the time of her death leave the same entire and without any embezlement or waiste to your said orator; but now so it is may it please your worshipes that the said defendant combining and considering to and with a certain Thomas Withers the other Defendant herein named, and to and with divers persons to your orator unknown whose names when discovered your orator prays may be inserted with apt words to charge them, hath embezled and waisted great part not only of the Estate which she the said De-
fendant hath herself acquired but also of what she hath the use of During Life under the said Decedent's will & what she hath still remaining of either, hath passed for the same a fraudulent Deed of Gift under the Pretence of a Bargain and Sale to the said Thomas Withers sometimes pretending that she never made any such promise and gift to the said Pltff as is above set forth, or that if she did she is not obliged to comply with it; at other times that she is entitled to the whole surplus of the said Decedent's Estate absolutely and may sell & Dispose of it to her own use in whatever manner and to whom she pleases; whereas your orator do now ex-
pressly charge that she the said Defendant hath only the use
of the said Surplus of the said Decedent's Estate during life and that your orator in right of his wife is entitled after to one moiety thereof, that she the said Defendant made the gift to him and his wife as is above set forth, and that he was in virtue thereof possessed of the Premises as is alleged, and that he for the reasons above was induced to give up the possession thereof, all which actings and doings of the said Defts and their confederates are contrary to Equity and good conscience and tend to the manifest wrong and oppression of your orator; in Tender consideration whereof and in as much as your orator is Remediless in the Premises for want of proper witnesses by the just Rules of the Common Law and only and properly relievable herein before your worshipes in a Court of Equity, and to the end the said Defendants may upon their corporal oaths true full and perfect answer make to all and singular the premises as fully as if the same were again repeated and interrogated, but more Especially whether or not the said Jonas Williams did not die possessed of a considerable estate after his debts and legacies paid of which the said Honour Williams possessed herself as afsd in what did it consist, the particulars and their value, what is become of the same, in whose hands is it and how Disposed of, is not your orator in right of his sd wife entitled to a moiety thereof after her the said Defendant's Death, did not she the said Defendant promise your orator upon his marriage with her Daughter to give him the said negro Phillis and all her other Estate both Real and Personal in manner afsd, or what promise did she make him, did not the said marriage in consequence thereof take effect, what was she at the time of the sd marriage possessed of exclusive of what she held under her said husband's will, the particulars and their value, is she now possessed of the same or has she disposed thereof & to whom and to what use or what part thereof remains still in her possession, did not she the said Defendant agreeable to her said promise give up and deliver to your orator immediately upon his marriage possession of her whole estate in manner and form as is above set forth, did he not remain possessed thereof for the space of two years, or how long was he in possession thereof, did he not for the reasons above give her the said Deft up the Plantation & other premises, or for what cause did he do it, what is become of the said negro wench Phillis, has she had no children since the said gift, how many & of what value, hath not she the said defendant entered into some Bargain or Sale either to the said defendant Thomas Withers, and if she has what is the same, &
of what nature hath not she the said Defendant embezeled and
waisted part or all of the Surplus of her said husband’s
Estate, and what part still remains in her possession and
to whom hath she disposed of the Rest, hath she still the same
of her own acquisition in her possession as she had at the time
of your sd orator’s intermarriage, & if she has not how and to
whom hath she disposed of it, and that your orator may as
well have a decree for the value of the said negro wench
Phillis & her increase as they have been received since by
a certain George Wheatley who intermarried with her the
said defendant’s Daughter Sarah in consequence of a gift
made by the said defendant to the said George before your
orator’s said intermarriage as to have the Surplus of the
Estate of the said Decedent or at least his moiety thereof
delivered up to your orator together with the Personal Estate
of the said defendant Honour given him in manner aforesaid
and that he may be relieved in all and singular the premises
before mentioned agreeable to Equity and good conscience;
may it please your worships to grant your said orator his
majesties most esteemed

“Writ of Subpena Directed to the said defendants therein
and thereby commanding them under a certain Pain therein
to be inserted to be and appear up on a certain day before
your Worships in a Court of Chancery to answer the said
premises and to abide by and perform your sd Worships’
Determination therein &c.

“And your orator as in duty bound shall pray &c.


[Endorsed]  “50 lbs Tob.

“Wright junr  Bill Chy
Williams et al
1765
April Cont for Ans[wer]
June Cont for Ans[wer]
1766
July Agreed”

Thus John* Wright, Jr., was married to Ann Williams in 1753.
In 1754 he acted as attorney for the collection of debts due to
“John Wright of King George County, Planter*,” who on 23

*This John Wright, the planter, is identified by the records of King
George and Spotsylvania counties as a son of William Wright who died
in the latter county in October 1789 aged 89. [Fredericksburg Gazette
March appointed "John Wright Jun' of Fauquier, Gent., my true and Lawful Attorney" [Fauquier deed book 2, 100.] While the Wright-Williams suit was pending the plaintiff's father, seeing that his son had left the Williams estate, presented to him, on 25 April, 1764, the one hundred and sixteen acres of land upon which to reside; but the son, after the deed was passed, seemingly preferring to await the outcome of his suit, re-converted the land back to his father and thus obtained the gift in the form of cash, instead (about $800 by present reckoning), with the ultimate result however of displeasing his father, as the latter's will showed, though the displeasure may have been due more to the fact of the son's removal to North Carolina, and sale in 1774 of another property that he had bought of Minor Winn with the aid of his father, John Wright, Gent., who gave a note to the grantor—which note the son, after selling the land, left for his father to pay. The 1764 deed of reconveyance is important in this connection, and it is to be noted that the son does not presume to place himself on a par with his eminent father whom he describes as "Gent.," but modestly calls himself "Planter," though in other records his name bears the affix "Gent."; the deed was witnessed by George Wheatley husband of Sarah, sister of Capt. John Wright Jr.'s wife Ann.


"Wright Jn' & Ux* to Wright.

"THIS INDENTURE made the 25th day of April in the third year of the Reign of our Sovereign Lord George the third by the Grace of God of Great Britain France & Ireland King, defender of the faith &c. And in the year of our Lord one thousand seven hundred & sixty four. Between John Wright Jun' of ye Parish of Hamilton & County of Fau-

Oct. 15, 1789.] The latter was a son of Richard Wright who died near Fredericksburg in 1700 in the house of Capt. Richard Fossaker on the Stafford county side of the Rappahannock river, leaving a nuncupative will naming his two infant sons Richard and William. [Stafford county will book Z, page 57.] This Richard died in Prince William county in 1767 leaving a widow Mary Ann and sons Zealey and John, all of distinct record thereafter in Prince William county. This family of Wrights was never related in America to the Wrights of our narrative.

*uxor—wife.
quier, Planter, & Ann his wife of the one part and John Wright of the aforesaid mentioned parish & County, Gent of the other part. Witnesseth that the said John Wright Junr & Ann his wife for and in consideration of the sum of Eighty pounds current Money of Virginia to them in hand paid by the said John Wright before the Ensealing & delivery of these presents the receipt whereof they do hereby acknowledge and themselves therewith fully satisfied contented and paid Have given Granted, Bargained, Sold, Alienated, Remised, Released, Enfeoffed and Confirmed and by these presents Do Give Grant, Sell, Alien, remise, Release Enfeoff and confirm unto the said John Wright & to his heirs and assigns forever all that tract or parcel of Land containing one hundred & Sixteen Acres Situate lyeing and being in Hamilton Parish & County of Fauquier being part of a Larger tract and is Bounded as followeth Vizt. Beginning at two red tracts on a hill Extending thence South thirty two degrees East one and forty two two [sic] poles to a red oak Saplin thence South Eighty Eight Degrees West one hundred and eighty six poles to the run, Thence up the said Run North nineteen Degrees West one hundred and two poles to two white Oaks on the said Run, thence North Eighty four degrees East One hundred and fifty poles to the Beginning, Together with all houses Edifices Buildings, Gardens Orchards, woods underwoods ways, Waters Watercourses priviledges Commodities & appurtenances whatsoever to the said Lands & premises belonging or in any wise appertaining, all which ye sd premises now are in the actual possession of him ye sd John Wright by virtue of one Indenture of Bargain & Sale to him thereof made for the term of one whole year bearing date the day next before the date of these presents & made between ye sd John Wright Junr & Ann his Wife of the one part and ye sd John Wright of ye other and by Virtue of the Statute for Transferring uses into possession & all ye Estate Right & title Interest use & property reversion Claim & demand whatsoever of them ye sd John Wright Junr & Ann his wife in & to the premises with every part parcel thereof with their & every of their appurtenances together with all and singular Deeds, Wills Evidences, Writings Records Exemplifications of Records, Escripts and minaments whatsoever tocching on or concerning ye premises or any parts or parcel thereof To have and to hold ye sd Tract or parcel of Land and all and singular other premises unto the sd John Wright his heirs or assigns to ye only proper use & Behoofe of him ye sd John Wright his heirs or assigns To be Holden of ye chief Lord of the ffe
by the Quitreints accustomed & ye sd John Wright Junr and Ann his wife their Heirs Executors & Executors do Covenant Grant and assigns against them the said John Wright Junr and Ann his wife their heirs and assigns & against all other persons whatsoever Shall and will warrant & for ever defend by these Presents. And the said John Wright [Junr] & Ann his wife for themselves their Heirs Executors & Administrators do Covenant Grant and agree to and with the said JOHN WRIGHT his heirs and assigns by these presents that it shall and may be lawful for him the said John Wright his tenants, heirs and assigns from time to time and at all times to use occupy possess and enjoy to his and their proper use and behoof ye aforementioned tract or parcel of land and all and singular other the premises without any lawful or equitable suit trouble denial expression eviction interuption claim or demand of them the sd John Wright Jun and Ann his wife their heirs or assigns or any other person or persons whatsoever, and further that they the sd John Wright Junnr and Ann his wife shall and will at any time forever hereafter upon request and at the costs and charges in the law of ye sd John Wright his heirs and assigns do make levy and acknowledge executed suffer or cause or cause [sic] to be made done levied acknowledged, executed and suffered all and every such further lawfull and reasonable assurance and act in ye law for ye further better and more absolute assuring and conveying ye sd tract parcel of land and all and singular other the premises herein before mentioned meant or intended to be hereby granted bargained and sold and every part thereof with the appurtenances unto the said John Wright his heirs and assigns to the only use and behoof of him ye sd John Wright his heirs and assigns forever according to the true intent and meaning of these presents as by the sd John Wright his heirs or assigns or his or their council Learned in the law shall be reasonably devised advised or required IN WITNESS whereof the sd parties to these presents have interchangeably put their hands and affixed their seals the day month and year first above written.

John Wright L. S.
Ann Wright L. S.

Signed, sealed and delivered in presence of—George Wheatley Gerd Bankey Alexander Bradford

Received from the within named John Wright Gent. the sum of eighty pounds current money of Virginia being the
consideration Money for the within mentioned land and appurtenances this 25 day of April, 1764.

John Wright

Present George Wheatley
Gerrd Bankey Alex Bradford

At a Court held for Fauquier County the 26 day of April, 1764. This Indenture with the receipt thereon endorsed was acknowledged by John Wright & Ann his wife she being first privily examined as the law directs to be their act and deed and ordered to be recorded.

Teste: H. Brooke, C. C."

Among the miscellaneous minor items in the court records may be quoted several indicating that Capt. John Wright, Jr., was not largely a planter, and that not only did Honour Williams sue for damages the Thomas Withers against whom her son-in-law Wright had previously proceeded in his suit against his mother-in-law, but that, within thirty days of the record of the agreement between her and Wright, he became a witness in her behalf. It seems quite clear that their differences were fully reconciled and that he returned to the Williams estate, devoting himself to its needs (at least until he may have removed farther north in Fauquier to land he bought in 1772) engaging also in general surveying and in military activities with the hope of being promoted from his captaincy to a majorship.

[Fauquier court minute book 2 page 269]

March Court 1764. John Wright Junr ag. Charles Delaney. "The deft, being arrested and not appearing on the motion of the Plt. by his attorney, it is ordered that judgment be entered for the Plt. against the deft. and Joseph Delaney his Security for the debt [£10] and costs in the declaration mentioned unless ec."

[Vol. 2 page 365]

August Court 1764. "On the motion of John Wright Junr it is Ordered that Freck Burdit pay him Seventy-five Pounds of Tob° for three days Attendance as a Witness for him against Edward Hampton."

[Vol. 2 page 155]

Aug. Court 1765 "John Wright Junr releases to Mary Reeves the residue of her time to serve, on her acquitting him of paying her freedom dues." (Mary Reeves was an inden-
tured white servant. Although her master claimed from Honour Williams the negress, Phillis, he is not of record as a slave-holder in Virginia).

[Vol 2 page 220] Court of Aug. 1766. "On the motion of John Wright Junr it is ordered that Honor Williams pay him one hundred pounds of Tobacco for four days attendance as a Witness for her against John Etherington"

[Vol. for 1768, page 26] "Honor Williams Plt. against Thomas Withers Deft."

Not until he was aged near to forty years was Capt. John's Wright, Jr., commissioned as official surveyor to the county of Fauquier. His age suggests that he did not attend William and Mary College as a student of civil engineering, but gained the experience, which enabled him to qualify for the position at an examination held for or before the faculty of the college, through a practical association with surveyors in the field. At this time the power of appointment of surveyors was vested in the college authorities. The official commission indicates that the recipient had developed an inclination of his own:

[Warrenton, Fauquier county, Virginia. Deed book No. 4, page 165.]
"Wright &c to the King
KNOW all Men by these presents that we John Wright Junr Cuthbert Bullitt & William Blackwell Junr are held and firmly bound unto our Sovereign Lord King George the Third in the sum of five hundred pounds Current Money of Virginia to which paiment well and Truly to be made to our said Lord the King his heirs and successors we bind ourselves our Heirs, Exors and Administrators jointly and severally firmly by these Presents sealed with our seals and dated this 23d day of April 1771.

WHEREAS the above bound John Wright by Commission under the hands of the President and Masters of the College of William and Mary, under the seal of the said College dated this seventeenth day of this instant is appointed Surveyor of the County of Fauquier. NOW the Condition of the above Obligation is such that if the above bound John Wright shall well and faithfully perform the office of Surveyor of the said County according to Law then the above Obligation to be void or else to remain in force and Virtue.
Sealed & delivered in presence of
John Wright
William Blackwell Junr
Cuth Bullitt

At a Court Continued and held for Fauquier County the 23 day of April 1771. This Bond was acknowledged by John Wright, William Blackwell Junr and Cuthbert Bullitt to be their Act and deed and ordered to be recorded.

Test H. Brooke Cl.”

Then Capt. Wright immediately presented his commission to the justices of the county who honored it, to-wit:

[Fauquier court minutes for 1771 page 296]

“April. John Wright Jun. produced a Commission from under the hands and Seals of the President and Masters of the college of William and Mary appointing him Sheriff*, [sic] of this County, and he having with Cuthbert Bullitt and William Blackwell Jun. his securities entered into & acknowledged bond, took the usual Oaths prescribed by Law.”

Capt. John5 Wright, Jr., surveyor, purchased on 27 April, 1772, of Minor Winn and wife Margaret for £94:8:2, then paid, two hundred and ninety-two acres of ordinary land in the northern (upper) half of Fauquier county, to which he may have temporarily removed but that is not certain. [Fauquier deeds 5-21.] The transaction seems to have been a speculation, as on 21 September, 1774, he sold the same property at a profit of over one hundred per cent. Between these two events he was sued by his father’s friend and judicial colleague, Thomas Marshall, who, later, became noted as a colonel in the War of the Revolution; defended and appealed the case, finally obtaining what he may have withstood the suit for, i. e., a reduction of fifty per cent. in the amount Marshall claimed as due. The cause of his absence from the final session of the court whereby the judgment went against him by default may have been due to his being in North Carolina on a visit of inspection or preparation prior to removing there with his family, which he did do a few months later, or he may have been

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*The singular error of the recording clerk who overlooked the word “surveyor” in the commission and unwittingly copied it as “sheriff”—the office previously held by the surveyor’s father; the college had no power to commission a sheriff.
assured of the reduction in the amount and so remained away from court. As he was then on the threshold of his exit from Virginia this incident is important, but that he did not leave to evade paying the judgment is clear from his later recorded relations with Thomas Marshall. The case concluded with this entry:

[Fauquier court minute book 1774, page 149]

"March term 1774, 28 March Thomas Marshall Gent Plt. ag. John Wright Jun', Deft. In debts. This day came the Plt. by his Attorney, and the deff. altho solemnly called came not, but made default. Therefore it is considered by the Court that the order of the last Court against the said deff. be confirmed and that the Plt. recover against the said deff. one hundred pounds the debt in the declaration mentioned & his costs. But this Judgment is to be discharged by the payment of fifty pounds with interest thereon to be computed after the rate of five per cent per annum from the last day of Oct. 1772 till paid."

Capt. John⁵ Wright, Jr., has been observed to have been a man of independent spirit but no evidence of his becoming a radical in religious matters appears until during the last year of his residence in Fauquier county. He is the first one of his family to appear of record as having left the Episcopal Church. His so doing may have had a bearing upon his social life, and upon his father and relatives; and also it may have contributed to the causes of his removal to North Carolina where, later on, as was reported in 1849 by his granddaughter, Nancy (Riley) Clark, both himself and wife were Baptists at heart. This is confirmed by the appearance of his name to the following petition prepared sometime in 1774:

[County Clerk's office. Warrenton, Virginia.Filed paper]

"To the Worshipful Court of Fauq' County—
The Petition of us the Subscribers Sheweth, that we Being Desenters bearing the Denomination of Baptists &c. Desiring to Worship God According to the Best light that we have In Holy Scriptures, and the Dictates of our Own Consciences, Humbly Prayeth that your Worships would be Pleased to grant us liberty To meet to gather for the worship of God in our way the Prosecution of what We believe to be Duty at the Meeting House Built for that Purpose on a Tenement of Land Occupied by Burr Harrison, and Also would beg leave further to Pray That the same might be Entred on
record And a Certificate thereof might be granted to the Barer of these Presents and also that our Brother John Monroe might be Permitted to Qualify according to Law for the Attending on us with the Preaching of the Gosples and the Administrations of the Ordinances. And your Petitioners as in our Duty will Pray for your Worship &c.

Burr Harrison  Matthew Smith  Jeffry Johnson
John Hitt     James Winn     John Oldham
William hollen Sam¹ Pepper  Joseph Neavel
James Winn    John Elliott   James Neavel
Dawson burgess Rich² Oldham  Henry Asbury
Wm Elliott   Henry Snider   Jun³ John Wright
Geo. Bennett Thomas Elliott William Hammon
Rich⁴ Oldham  Jun⁴ William Lain [and others].
Ale⁵ Holton   John Pepper

[Several of these names (about ten of them) are in the same handwriting as the preamble, and the preamble is in the same handwriting as that of Burr Harrison; he therefore put down himself such of the names as are in his handwriting, doubtless at the request or knowledge of such persons. Among these named so written is that of "Jun⁴ John Wright." The prefix "Jun" seems to confirm that John Wright, junior, did not write his own name in this instance].

This petition was acted upon in the following May, as per the entry on page 232 of the court minutes for the May term 1775, when Capt. John Wright, Jr., had gone South: "Leave is granted the Anabaptists in the lower part of this County to erect a meeting house on the Lands of John Kelly."

The last record in Virginia of Captain John⁶ Wright, Jr., gentleman-surveyor, is his deed whereby he completed the sale on October 24, 1774, of all of his estate in Fauquier county, and soon after departed therefrom, through the gap in the Blue Ridge, for the long Indian trail between the ridge and the Cumberland mountains, which, by the treaty of Lancaster, had become the best and chief highway overland to the south from northern Virginia, Maryland and Pennsylvania. Proof that his affairs with Marshall had been adjusted is seen in the fact that Marshall was a party to the following deed by appointment of the court, thus being fully cognizant of the sale, from the proceeds of which he may have received his due if not before.
This Indenture made 21 Sept. 1774 Between John Wright Junr & Ann his wife of the County of Fauquier and Colony of Virginia and Peter Grant of the same county & colony, Witenesseth that for £200 John Wright & Ann [after granting on the day before a years lease] sell 290 acres more or less in the County of Fauquier and on a branch of "little River called White wood" being the land which John Wright Junr purchased of Minor Winn. "Beginning at a hiccory, one of the corners of the main tract of land formerly belonging to Clark now a corner of Thomas Bartletts thence No 22 E. 85 Po. to a White Oak Saplin standing on the South side of white wood branch near a large rock, thence crossing the said Branch at the mouth of Jesses Branch and up the several meanders of the said Jesses Branch as follows No 32 E. 42 poles, No 6 E 46 po: No. 16 E. 86 po: No. 19 E. 16 poles. No 37 W. 26 po: to a stone between a marked red Oak on the side of a hill and a maple Standing in the said Branch thence No 8 1/2 W. 115 poles to a Corner of the said original tract, thence S 64 W 174 poles to a white oak, corner to John Barker, thence S 6 1/2 E. 300 poles to a parcel of red Oak Saplin near Bartlett's meadow on white wood thence No. 68 E. 40 poles to a red oak Saplin, thence to the Beginning, with all buildings, etc., etc.

John Wright [Seal] 
Ann Wright [Seal]

Witnesses:
John Peake
his
Minor X Winn
mark
James Winn

September 21, 1774. Received of Peter Grant the sum of two hundred pounds Current money of Virginia it being the consideration Money Within mentioned John Wright"

"GEORGE the third by Grace of God of great Britain France & Ireland King, Defender of the Faith &c. To Thomas Marshall, John Chilton and John Moffitt, Gentlemen, Greeting, Whereas John Wright Junr and Ann his wife by their certain Indentures of Lease and Release bearing dates the twentieth and twenty first days of September last past have
sold and conveyed unto Peter Grant the Fee Simple Estate of Two hundred and ninety two acres of Land situate in the County of Fauquier. And Whereas the said Ann can not conveniently travel to our court of our said County of Fauquier to make acknowledgment of the same, Therefore we do give unto you or any two or more of you power to receive the acknowledgment which she shall be willing to make before you of the conveyance aforesaid contained in the said Indenture, and we do command you that you do personally go to the said Ann and examine her privily and apart from the said John her husband whether she doth the same freely and voluntarily without his persuasional or threats &c and whether she be willing the same should be recorded in our said County court? And when you have taken her acknowledgment & examined her as aforesaid that you distinctly and openly certify us thereof in our said court under your Seals, sending there the said Indenture, and this Writ. Witness the 26th day of September in the fourteenth year of our Reign 1774.

H. Brooke

Fauquier to wit.

In Obedience to the within Commission to us directed we have proceeded to take the private acknowledgment of the within mentioned Ann touching her right of Dower in the Lands and premises therein mentioned. She acknowledgeth that she is free and willing to relinquish her right of Dower therein to the said Peter Grant agreeable to the terms specified in the deed hereunto annexed. That she doth the same freely & willingly without the threats or persuasion of her said husband, and that she is willing that the same may be recorded in the County Court of Fauquier. Given under our hands and seals this 10th day of October 1774.

Thom. Marshall
John Chilton

Acknowledged by John Wright, in court 24 Oct. 1774 and ordered to be recorded.

Teste H. Brooke”

Ample is the recorded proof that Capt. John Wright, Jr., removed to North Carolina soon after Thomas Marshall had called upon Mrs. Ann (Williams) Wright and secured her assent to the sale of the estate and the waiver of her dower rights therein, thus indicating her willingness to start on the long journey southward. As her husband became of record in Surry county, North Carolina, in the following February, it is well to assume that the journey
was made in November ere Indian summer had gone, and when the many fords of brooks and streams were at low water; likewise that Capt. Wright had previously visited the place to which he removed and had there prepared for the comfort of his large family during the winter. Thereafter he appears no more in Virginia records save in his father's will. His daughter Elizabeth had married Samuel Arnold in 1771 in Fauquier county [Marriage-license bond dated September 5, 1771, recorded at county clerk's office, in Warrenton]; and she and her husband also went to the same place in North Carolina, Samuel Arnold becoming first of record there at the same time as did his father-in-law Wright. Further official proof of the removal is seen in the affidavit of Capt. John⁶ Wright, Jr.'s son, Thomas⁶ Wright, made before the justices of the court of the county of Surry, N. C., on 12 February, 1833, in order to prove his service as a soldier in the War of the Revolution from his enlistment in Surry in June, 1776, in which affidavit he affirms, to-wit: "I was born in Fauquier County, State of Virginia, on the 18th day of Feb'y, 1758. There is a record of my age in my family Bible." [Pension Certificate number 6373 of Thomas Wright, North Carolina troops, File No. 11899, Bureau of Pensions, Washington, D. C.] In his will written 8 October, 1789, Capt. John⁵ Wright specifies this Thomas Wright in these words: "I give to my son Thomas Wright thirty acres of land which is part of his plantation." In the same document the testator further identifies himself as the former Fauquier surveyor, viz.: "My will is that my surveyer Instruments be sold to buy a hors for use of Estate." [Recorded in will book number one, filed among filed wills, and entered in the court minutes as proven at the May term, 1790; preserved at the court clerk's office Dobson, Surry county, N. C.] It will be noted also that the will names "my son William Wright" and another son, "my son Williams Wright," the latter being given his mother's maiden surname of "Williams."

Captain John⁵ Wright had but two routes southward. The eastern route through Fredericksburg, Richmond and Petersburg was difficult because of the wide and deep rivers to be crossed. The valley route between the mountain ranges being by far the easier must have been his choice. It first led westward through Culpeper, thence through the Blue Ridge and southward through
the present Virginian counties of Page, Rockingham, Augusta, Rockbridge, Botetourt and Roanoke, where was crossed the Roanoke river, thence through a gap in the Blue Ridge across Patrick county to the vicinity Mt. Airy in the province of North Carolina; there-from the trail led southward to the river Yadkin, wherefrom there then existed but the semblance of a foot-path southwesterly to the site of the later-formed township of Buck Shoal, traversed by the "Bigg Branch of the North Fork of Hunting Creek" (the northern fork now called "Flat Rock Creek") in the southwestern corner of the then Surry county, now the county of Yadkin. Here where but scarcely more than a dozen years before "the lethargy of un-civilized nature reigned in undisturbed solitude," he found great tasks as well as novel enjoyments. They held him fast for the remaining fifteen years of his life, with Fauquier, Virginia, an ever-distant and fading memory, to which he, in coming to Buck Shoal, had said an absolute "Good-Bye," indeed. No grant of land in Surry county by the State of North Carolina occurred prior to 1778. Capt. Wright seems to have helped himself to land, entered the fact with the entry-taker for the county, and applied for a survey and a grant. He had the discrimination to settle near good neighbors (the Elsberrys and Husbands) who had previously entered the district under similar conditions; and he at once and continually made himself an important figure in county affairs. The first extant record of him in North Carolina is as defendant in a civil suit at the February term, 1775, brought by Joseph Crouch, for £15. damages in proclamation* money. The defendant's sons-in-law, Samuel Arnold and Lewis Elliott, signed his bond [preserved in filed papers at Dobson] as sureties for his appearance at the next session of the court. The entry also appears in book I (unpaged) under "New Actions to Feb. Term 1775" in the book bearing the title, "A Civil Docket for the County of Surry." The suit was dropped, no further record appearing; perhaps it was incidental to Capt. Wright's journey across Surry or getting settled therein, and there is evidence that he came south well provided with funds, and did not officially practice his profession as a sur-veyor but a little. That he soon acquired large tracts of land,

*Paper money issued by the province of North Carolina under the authority of the British colonial governor.
rapidly made them valuable, and had five separate tracts by 1779, is shown by the tax records, the earliest lists now preserved at Dobson being undated but seem to refer to 1778 and 1779, to-wit:

[Filed Papers in unarranged bundles in the office of clerk of the court of Surry county, Dobson, N. C.]*

[1778] "A List of Taxables in Capt. Woldridge's District"

"John Wright Entrees of Land—5"

<table>
<thead>
<tr>
<th>Quantity</th>
<th>1980 [acres]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Value</td>
<td>£600.</td>
</tr>
<tr>
<td>Horses</td>
<td>4</td>
</tr>
<tr>
<td>Value</td>
<td>£520.</td>
</tr>
</tbody>
</table>

[1779] "A List of Taxables in Capt' Wooldridge's District."

"John Wright. No of Entries of Land 5"

| Quantity of Land | 1908 [acres] |
| Improvements     |               |
| Slaves ten and under forty | 2 |
| Horses           | 4            |

The oldest recorded grant of land to Capt. John Wright is that for which the original warrant No. 463 for a survey of six hundred and forty acres "on the Head of a Dreane of a branch known by the Name of the Bigg branch that Emtys into the North fork of Hunter's Creek, near the Bigg's Sholes," dated 1 December, 1778, is preserved in file number 270 in the office at Raleigh of the secretary of state of North Carolina. The survey of this land was made in the following spring, 7 May, 1779, by the official surveyor of Surry county who employed therefor the grantee's son Daniel Wright and John Johnston as "sworn Chain Carriers." The formal grant, signed by Richard Caswell, governor of the state of North Carolina, was issued on 3 April, 1780, and recorded at page 28 of book 41, of land grants in that office, and later became again recorded on page 351 of deed book A at Dobson, Surry county, N. C., beginning, to-wit:

"State of North Carolina to all whom these presents Shall come Greeting, Know ye that we for and in consideration of

*There is a large collection at Dobson of filed papers of all kinds, which, when observed by the author in September, 1917, were stored in a mixed-up mass, in a shed, more or less loose and externally unmarked. The prospect of their being saved and properly filed and arranged was then recommended. As a rule, old papers in southern courthouses, when preserved at all, are in a state of decay, neglect and confusion.
the Sum of fifty shillings for every hundred acres paid in
to our treasury by John Wright have given and granted and
by these presents do give and grant unto the said John
Wright a tract of land containing 640 acres lying and being
in our County of Surry on a branch of Hunting Creek”
[the bounds given in the survey are recited] “together with
all Woods, Waters, mines, minerals, Hereditaments and ap-
purtenances thereunto belonging or appertaining to hold to
the said John Wright his heirs and assigns for Ever Yielding
and paying to us Such Sums of Money Yearly or otherwise
as our General Assembly from time to time may direct pro-
vided always that the said John Wright shall cause this pact
to be Registered in the Register’s Office of our said County
of Surry within 12 Months from the date Whereof, Other-
wise the same shall be Void and of no effect in Testimony
Whereof we have caused our great seal to be hereunto affixed.

Witness Richard Caswell Esqr. our Governor Captain Gen-
eral and Commander in Chief the 3rd day of April in the
fourth year of our Independence and in the year of our
Lord 1780
By His Excellency’s Command
James Glascow, Secretary,
Recorded in the Secretary’s Office
William Sheppard, Dep. Sec.

Richard Caswell”

This grant was not a bounty awarded for services in the War of
the Revolution, but purely by virtue of the fact that Captain
Wright had previously settled upon and claimed the land, and
upon request he paid the merely nominal sum of $77.80 to the
state, the law being that an original settler upon land previously
unoccupied was entitled to that inducement and privilege what-
ever might have been the value of the land. The fact that this
grant is recorded in book A at Dobson on the page preceding the
grant to John Elsberry suggests that he and his next neighbor,
Capt. Wright, journeyed together to the county court on the
same day for the same purpose, unless one took the other’s deed
along. The Captain’s daughter, Agatha, and John Elsberry’s son,
Isaac, had married five years before. Several other acquisitions of
land by Capt. John’s Wright were made, probably with a view to
development by some members of his large family of eighteen
children.
Warrant for a survey.


Joseph Winston Appointed by the Court of Surry County to take Charge of the Land Office Books To the Surveyor of s'd, County Greeting You are hereby Required as Soon as May be to lay off and Survey for John Wright a Tract or Parcel of Land Containing Six hundred & forty Acres in the County Aforesaid Lying on the head of a Branch Called the Great Branch that Imptyes into the North fork of Hunting Creek, and Adjoining John Eldsburies Entry

Observing the Act of Assembly in Such Case Made & provided for Running out Lands, two lust* and fare Plots With this Warrent you are to Transmit to the Secretary's Office Without Delay

Given Under My hand this 27th Decem'r 1782

Jo. Winston"

It was over three years before the county surveyor surveyed this land, and four-and-a-half years ere the full titular grant was signed by the governor. Capt. Wright's son-in-law, Isaac Elsberry, and son, John Wright, assisted Deputy-surveyor Speer in the survey as chain carriers:

"Jo® Wrights

640 acres

P land By a scale of 25 Chains to the Inch

State of N. Carolina Surry County

This plan represents a tract of land Survey'd for John Wright on the Great Branch of the North fork of hunting Creek Beginning at a maple on said Branch runs thirty three Chains West to a pine thence North forty five Chains to a post oak thence East fifteen Chains to a black oak thence North forty five Chains to a black oak thence East fifty four Chains to a Stak thence South Eighty five Chains to a stak thence West forty Six Chains to the fork of Said Branch thence Down the Bigg Branch to the Beginning Including Six Hundred and forty Six Acres Survey'd March 1st 1785

Isaac Elsberry

Ch Crs. &

John Wright

Hen® Speer D. sr"

*"Just"—Just.
The Washington-Wright Connection

[Secretary of State's Office, Raleigh, North Carolina. Book 65, page 278.]


Know Ye that We have given and granted unto John Wright a Tract of Land containing Six Hundred and forty Acres lying and being in Our County of Surry On the great branch of the North fork of Hunting Creek, Beginning at a Maple on Said Branch, and runs West thirty-three Chains to a pine, thence North forty-five Chains to a Black Oak, thence West Ten Chains to a pine, thence North forty Chains to a post Oak, thence East fifteen Chains to a black oak, thence North forty five Chains to a black Oak, thence East fifty four Chains to to [sic] a Stake, thence South Eighty-five Chains to a Stake, thence West forty-six Chains to the fork of Said branch, then Down the big Branch to the Beginning. To Hold to the Said John Wright his Heirs and Assigns forever. Dated the 9th day of August 1787

J. Glasgow, Secretary

Rå Caswell"

[Office of Secretary of State, Raleigh, North Carolina. File No. 461.]

Surry County. John Wright. Warrant for survey dated 1 Dec. 1778, 300 acres on both sides of Miller's Creek ad-joining Samuel Arnold's line and the Line of Lewis Elliott, "including my Improvent." Surveyed 28 September, 1779, Lewis Elliott and Daniel Wright, sworn chain carriers. Grant issued and recorded 13 October, 1783.

John Wright, Surry County, warrant for survey dated 14 February, 1780, 200 acres adjoining his former entry on Miller’s Creek waters and Samuel Arnold, Lewis Elliott and Christian Weathermonds. Surveyed 28 September, 1787: Lewis Elliott and Daniel Wright, chain carriers: Grant issued and recorded 24 December, 1792.

Further details as to Capt. John5 Wright’s land may be best summed up at once. John "Elsbery" wrote out the lists of taxable property for several years and Capt. John Wright assessed the estates. For these years these two men had control of taxation, the county being divided into military districts each of which was called by the name of the captain in command of it for each successive year.

"A List of the Taxable Property Belonging to Cap'. Wool-dredge's District, Recived in by me John Elsberpy for the year 1780."
"John Wright. Entries 5; quantity of Land, 1880 [acres]; slaves 10 & upwards under 40 years of age, 2; horses, 4; cattle, 12; Total" [the sum of valuation is torn off the paper].

"Thomas Wright" [son of Capt. John⁵ Wright] "Entries, 1; quantity of Land, 400 [acres]; horses, 2; cattle, 2; money in hand £7:16; Total £327:16."

"Samuel Arnold" [son-in-law of Capt. John⁵ Wright] "Entries, 3; quantity of Land 940; horses, 2; cattle, 7; money in hand £45; Total £1345."

At the end of this long list, and in the handwriting of Capt. John⁵ Wright is written: "The Within is a List of Taxable property in Capt. Woldridge District Assesed by me John Wright. The account of the time, five days." Extracts from the lists for 1781, 1782 and 1789 follow:

[Unarranged filed papers, County Clerk's Office, Dobson, North Carolina]

1781. "John Wright, Land 1540; negroes over 10 and under 40, 2; Horses, 3; cattle, 13. Total £2903."

(1782) "A List of Taxable property belon'g to Capt. Wright's District taken In by me, John Elsbery:

"John Wright. Improve Land, 300 waters Deep Creek; Unimproved, Land 1220 waters Hunting Creek; Slaves 2 class, 2, Jerry age 13, Line age 15; Horses, 3, cattle, 12" (value of horses and cattle given as £250.) At the end of this tax list is the signature of Capt. John⁵ Wright as assessor.

Tax list for Sanders's district 1788: John Wright 1190 acres, 3 polls.

"A List of all such property as the law has subjected to a Taxation for the Year 1789 in Captn. Sanders's district, Surry County" [formerly Capt. Daniel Wright's district]:

"John Wright Sen. No. of acres, 990; No. of white polls, 1; No. of black polls, 2."

Early records of men and women in this western part of North Carolina are few. Only the most necessary records were made. Births and deaths were not recorded unless in some family Bible. Marriages only became recorded where licenses were issued. No church records were made save by the Quakers. Nevertheless the high moral character of the best families was rigidly maintained. Prone as he may have been by birth and breeding to being a
Loyalist, Captain John Wright's independent spirit and his detached situation probably led to his being a supporter of the cause of Independence. There is no question as to his attitude therein; he is of record as a Patriot. His sons Thomas and Daniel are of record as soldiers active in the field. Their father was aged about forty-five at the outbreak of the war. As his family at that time consisted of not less than twelve, if not fourteen, children his enlistment into the Continental army was not the fanciful contemplation of a young man having no responsibilities. The proofs that he did so enlist and serve as absolute, to-wit:

[Copy]

"War Department. The Adjutant General's Office.

Respectfully returned to Mr. C. A. Hoppin, Raleigh, N. C., with the information that ........... the records show that John Wright served as a soldier in Smith's Co. 4th N. C., Regiment in service in that War. [the Revolution] His name appears only on a book copied from the rolls which shows date of enlistment—1777. The following remark appears opposite his name under the heading of Casualties, 'Omit' Sept. 1777.' The collection of Revolutionary War records in this office is far from complete, and it is suggested that additional information can perhaps be obtained from the North Carolina Historical Society, or from the Commissioner of Pensions, Washington, D. C.

[Signed] H. F. M'Cain
The Adjutant General"

Reference to page 295 of the Year Book 1912 of the National Society Sons of the American Revolution shows that the said John Wright and his said record of war service were accepted for the admission into that society, as member number 23227, of his great-great-grandson William Richard Wright of Jackson, Mississippi; also for the admission therein as member number 26283 of James Long Wright of New Orleans, Louisiana [page 336 Year Book 1916]; also for the admittance in 1907 into the National Society Daughters of the American Revolution, as member number 63470, of John Wright's lineal descendant, Miss Vessie Riley of Greensburg, Indiana, in whose copy of the 1849 diary of John Wright's granddaughter, Nancy (Riley) Clark, occur the words that may
explain his having been "Om" Sept. 1777"—viz. "While serving in the war he took a violent cold that settled on his lungs and eventually caused his death." Five further, official, record evidences of the patriotic and military services rendered by Captain John Wright have been found by the author in the state records of North Carolina, but are too long for present citation.

Repose amid the equanimity of nature surrounded by his family of eighteen children seems to have marked the remaining years of Capt. Wright's life; three records other than his will and the inventory of his personal estate alone remain of his further activities, the first of which depicts him as a surveyor:

[Surry court order or minute book for 1785, page 45]

11 August 1785. "Ordered by the Court that the following persons, to wit, James Sanders Junr. John Wright, Airs Hudspeth" [and 11 others] "be appointed a Jury to view and mark out a Road the nearest and best Way from James Sanders's on Hunting Creek to the yellow Bank ford on the Yadkin River near Richmond."

[page 65] Court of 17 November 1785. "A deed from John Wright to Jeremiah Riley was proved by James Sanders & James Sanders Jur. & Ordered to be Registered. 11/ pd."

[Dobson; Will book 1, page 152] Joseph Masters of Surry County in his will dated 14 June 1781 appoints "my friends John Wright and Samuel Arnold executors"

[Filed papers, Dobson] "Taxables in Sanders' District 1787:
John Wright. 400 (acres) 1 poll
John Wright for Masters Executors, 120 acres 0 poll"

[Dobson, Surry county, deed book C, page 322]
John Wright senr to Jerem' Riley 17 Nov., 1785, for £50 specie land "on the head of a drain of a Branch known by the name of the Big Branch that empties into Hunting Creek ...... West 48 chains to Miers Line, North on said line 22 1/2 chains, to Mier's corner, West 58 chains & 40 links to a pine, North Crossing said Branch 50 chains, East crossing said Branch 160 chains & 40 links, then to Beginning."
James Sanders John Wright
James Sanders Junr Ann Wright*

*Ann (Williams) Wright, wife of Capt. John Wright.
Aged about sixty years Capt. John⁸ Wright died and was buried, if not in his own land, in the churchyard of either the Flat Rock Creek Baptist chapel, more than a mile easterly of the Wright estate, or in the yard of the much closer Elsberry Chapel founded by his neighbor and his daughter Agatha's father-in-law, John Elsberry, and located where both still remain—near the ford of a branch of the North fork of Hunting Creek. The record of his death appears on a page of the family Bible of his son, Thomas⁹ Wright, whose heirs when applying for the arrears due on Thomas's pension in 1853, tore out that page and sent it to the pension office as bearing evidence of their legitimate births and of the marriage of the said Thomas, the Bible page being now preserved among the pension papers of the said son Thomas⁹ in file number 11899 at the U. S. pension office, Washington, D. C., and bearing among the eleven entries thereon the record, to-wit: "Father departed this life October 30, 1789." In that peaceful spot in the shadow of the forest are small old headstones from which any inscriptions they may have borne have disappeared.

Twenty-two days previous to his death Capt. Wright dictated and signed his will, now existing and recorded in the Surry will book for 1790, at Dobson.

The will of John Wright. Filed Paper.

"As it is Necessary Men should settle their affairs of Life before they Leave this Mortal Life, therefore I Make this my Last will and Testament. I give to My Daughters Lezebeth Arnold—Nancy Elliott, Agatha Elsbury, Amelia Martain, Lucrecia Petty and Frances Reiley all of them twenty Shillings Each—I give to my son Thomas Wright thirty acres of Land which is part of his plantation.

I give to My son Daniel Wright twenty Shillings.

I give to My son John Wright two hundred acres of Land Joining Lewis Elliott & Christian Williams Land Including the Field he now has a crop on & fether bead.

I give to My Daughter Sally Wright one bey Mair and saddle.

I give to my son William Wright & James Wright four hundred Acres of Land Lying on Deep Creek Joyning Tho* Jacks Land to be Equally Divided between them.

I give to my son Williams Wright two hundred and seventy acres of Land on which I Now Live but not to purcess* but

*purcess.
one hundred during My wife's Life and that to Include the field on
the South side of the Muster ground Branch that Runs thro the
plantation—bounded on Sam1. Arnold's Land.

it is my will and Desire that the three hundred and twenty
acres of Land I own Joyning John Step'n and John Elsbury
should be sold and the Value to be Divided between My
Daughters Rosey and Patsy Wright—I give to My three
Daughters Sukky Peggey and Polley Wright ten pounds
Value Each.

My will is that the surveyer Instruments be sold to buy a
hors for uset of Estate.

it is my will and desire that my Loving wife Anne Should
have and possess all the Rest of my Estate together with the
plantation I Now Live on—save the one hundred acres Men-
tioned and Left to son Williams During his Life, and after
to be Divided amongst my Children whose Names are under
written Namly Sally Sukkey Peggey Polley William James
Williams Rosey and Patsy Wright.

I Appoint my beloved Wife and son John Executor to this
my Last will and Testament.

Given under my hand and seal in the year of our Lord
One thousand seven hundred and Eighty Nine and the Eight
Day of October.

John Wright [Seal]

Test   Elizabeth Longino*
        William Elliott. Jurat"

[North Carolina, Surry county, May term, 1790].

"The within Will was proven by the Oath of William Elliott
who makes Oath that he heard the said Wright publish &
declare the same to be his last Will & Testament & he was
of sound mind & memory & at the same time he saw Elizabeth
Longino sign the same as witness, and it was ordered to be
recorded.

Recorded accordingly R. J. Williams C. C."

[Dobson, Surry county, North Carolina]. Filed Paper.
(Abstract):

"An Inventory of the goods & Chattles of John Wright
Desceas'd— . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

Surry County   Personally appeared before me One of the
N. Carolina    Justices of Peace for Sd County, a Certain
               Ann Wright, Executrix to the Estate of

*This surname is a refinement of its ancient English original—the
surname of Long-in-the-nose.
John Wright, Diseased, who being duly Sworn saith that she hath not either willingly or unwillingly kept back any part of the above Estate, But has well & truly Inventory'd the whole, except some Trifles that may have escaped her Notice, & that she will well & truly Bring forward all such Trifles that the whole may be Truly Estimated. Sworn & subscrib'd to this 6th Day of August 1790 Before W. Wood Ann Wright".

Though the original Wright house has been replaced by a different structure, the general aspect of the estate remains nearly as it was a century ago save for the enlargement of the rich cultivated area on which tobacco, maize and some cotton are produced. Ann (Williams) Wright, the widow and mother of Capt. John Wright's eighteen children (alive at his death), is of further record, but the date of her death in her ninetieth year in 1825 is unknown; interment, however, is judged to have been beside that of her patriotic husband in a spot in the cemetery now indeterminate.

A brief but interesting account of John Wright, reciting an experience of his in the War of the American Revolution, written in 1849 by the daughter of his daughter Frances, is extant. This Frances Wright, as will be established, married Gerrard Riley who removed from North Carolina, via Kentucky, to Bethel in Clermont county, Ohio. Zachariah Riley, his son, gave an interview on some family history in the 1870's. Nancy Riley, sister of Zachariah, and daughter of the said Frances (Wright) Riley, kept a diary, and in it she wrote entries about her maternal grandparents, John and Ann (Williams) Wright. These entries are all continuous in the diary as one connected account. They not only confirm from an old and independent source, some of our facts about John and Ann (Williams) Wright, but add some intimate knowledge. However, one of the dates given by the diarist, Nancy (Riley) Clark, is subject to amendment when compared with the official records which we have gathered. The alteration, while not of great importance, must be accepted, and it is probable that the diarist trusted to her memory as to the date, unless an error has been made in making extracts from the diary. The following copy of the diary-entry is here presented through the courtesy of Miss Vessie Riley, of 513 N. Franklin St., Greensburg, Indiana, who
writes, under date of August 25, 1920, that the account sent us is a true copy of the entry as made by her in December, 1907, from a copy of the diary then in the possession of another descendant, the late A. M. Sinke, formerly of Bethel, Ohio, who had stated to Miss Vessie Riley in 1907 that he had personally known his grandmother, the said Nancy (Riley) Clark; Mr. Sinke's daughter, May, is the wife of Francis E. Crane, of 1335 Herschel Ave., Cincinnati, Ohio, principal of the Columbian school in that city. Miss Vessie Riley's extract from the diary of Nancy (Riley) Clark reads:

"Indian Hill, Clermont County, Ohio, February 14, 1849.

This book contains the genealogy of Houton Clark and his ancestors; also of Nancy Riley and her ancestors, which I have commenced to copy off from old books I have had many years; wherein I noted many things obtained from my grandfather, Ninnian Riley, my father Gerrard Riley and my mother Frances Wright-Riley.

[signed] Nancy Riley-Clark.

Gerrard Riley was a lad of seventeen when he with his parents moved to North Carolina.* Soon after their arrival there was a call for volunteers to guard the settlement against the Tories or refugees as they were called. John Wright was the leader and they mustered at his place. Wright led his little band out and guarded the settlement.

Some time afterwards, Mrs. Lucretia Whitlock, wife of one of his [John Wright's] neighbors, fell in a trance. When she awoke she said the Tories would gain the day. She persuaded her husband and some of her neighbors to go join the Tories.

As soon as John Wright heard that some of his neighbors had started to join the Tories, and that his brother Babtist [Baptist], William Cook, had also gone he caught his horse

*Gerard Riley went to North Carolina from Maryland with his father Ninian Sr. and grandfather Solomon Riley. It was James Riley of Montgomery county, Maryland, who on November 25, 1784, purchased 250 acres of land in North Carolina of Benjamin Elsberry when the latter removed therefrom to Georgia. Gerard Riley was converted at the mammoth camp-meeting at Cane Ridge, Kentucky, where twenty thousand people assembled in 1799 or 1800. He and his uncle, John Riley (who married Sarah daughter of our ancestor Isaac Elsberry) both became Baptist preachers. Gerard's gravestone at Bloomfield, Illinois, reads: "Gerard Riley, a Baptist Minister of the Gospel who died December 26, 1832." His widow, Frances (Wright) Riley died in 1835 at Bethel, Ohio, where resided her son Zachariah Riley who died there in 1877.
and rode all night after them. He overtook them at daylight after riding nearly forty miles through the dark night.

He tried to get them to come back, but they refused. Finally Cook returned with him, but Whitlock went on, joined the Tories, and was killed in a few days afterwards. So his wife’s trance proved the loss of her husband.

While serving his country John Wright took a violent cold that settled on his lungs and caused his death, six or seven years afterwards. But he lived to see the end of the war, peace proclaimed and the eagle with her thirteen arrows and stripes over the free land of Columbia. This he desired and lived to see.

He had married Ann Williams in Farquier Co. Va., where they both were raised. They had eighteen children, six sons and twelve daughters. Several of them were married before they moved to North Carolina. They settled on Deep Creek, waters of the Yadkin River, where they both lived on the same farm until death; but their children moved to different states.

John Wright drew near his end, and while on his death bed he suffered much, but bore it all with Christian patience and was perfectly resigned to the will of God. When dying, and gone to all appearance, had ceased to breathe, his wife screamed out in the anguish of her heart. She could not give him up. He opened his eyes and said, ‘my dear, it is you that keeps me here.’ His oldest son took his mother out of the room and begged her not to make a noise. He then closed his eyes in death in his fiftieth year.

His wife was left with nine children living with her, and nine more that were married. Some lived near. Her oldest son, Thomas, was a Baptist and lived on an adjoining farm. She had a good farm and two old negroes. She lived on the same farm until her death, and raised her children. Some of them were very small when their father died. They all married and moved away,—some to Kentucky, some to Missouri, some to Alabama. Daniel a great farmer lives in Alabama now; James and family in South Carolina. John

*Inasmuch as he was the father of eighteen children, and his death is recorded in the Bible of his son Thomas Wright as on October 30, 1789, his will proved in May, 1790, and his own affidavit declares that he was married in 1753, it is evident that he was about ten years older at death. Also, as “he lived to see the end of the war, peace proclaimed,” he could not have died in 1779 as has been imagined, for the war did not end until late in the year 1781 and the peace was not signed and proclaimed until September, 1783.
died in Florida, leaving two sons and one daughter. He had left his wife and daughter in Carolina. He divided his property giving half to his wife, took his two sons and moved to Florida. He died there leaving his two sons very rich.

Thomas represented Surrey Co. in the legislature. His mother wrote a letter with her own hand to one of her daughters* in Ohio, six or eight months before her death, and it was well written. She died in her ninetieth year, and was a Babtist with her husband many years before his death. The most of her children were Babtists."

As twelve of the eighteen children of Captain John⁵ and Ann (Williams) Wright were daughters the most of the descendants bore surnames other than Wright; the records of these children and some of their descendants are reserved for later publication, reference being made, at this moment to the daughter Agatha.

Agatha⁶ Wright, daughter of Capt. John⁶ and Ann (Williams) Wright (John⁴, John³, Francis², Richard¹) was born in Fauquier county, Virginia, about 1756, probably in the house of her grandmother Honour Williams, whose estate was then under the management of Agatha’s father, and adjoining the “Pine View” estate of her grandfather, John⁴ Wright, the “Gentleman justice.” Agatha married Isaac Elsberry of Buck Shoal township, Surry county, N. C., in 1775, soon after she arrived there, the Elsberry estate therein adjoining that of her father. So seldom was she, like other good wives of good men, of public record that her character and life, like theirs, can be only perceived through the events recorded of her parents, husband and children. Hers may have been the heavier burden, hers the wiser counsel. Nine in number were her children who lived to maturity. In the year 1803, with them and her husband Isaac Elsberry, she made the great journey over the Blue Ridge to Ashe county, North Carolina; thence over the Appalachian mountains to the vicinity of Winchester, Kentucky, following Daniel Boone’s trail; thence in 1805 or 1806 to Moscow and Bethel, Ohio. Burying there her husband in 1813 she ere long afterward, according to a formal written statement by the late George Washington Ellsberry, of Mason City, Illinois, 21 April,

*This daughter was either Agatha⁶, then widow of Isaac⁴ Elsberry, or Frances⁶ wife of Gerrard Riley, both of whom were then (about 1824) in Ohio.
1902, reposed for the balance of her life in the home at Xenia, Ohio, of her eminent son, Hon. William Elsberry, who repeated, as a lawyer, judge, state legislator and congressional candidate, the successful predilection for public affairs that had made conspicuous her Virginian forebears. The U. S. censuses of 1830 and 1840 for Xenia both confirm her presence there as a member of her said son's household, and her age was given to the enumerator in 1830 as "between seventy and eighty" years, and in 1840 as "between eighty and ninety." She is understood to have died in 1845 or '46 aged eighty-five. She was the last, in our own line, of a long strong chain of Wrights, of whom the living descendants have reason to be proud, and doubly to feel warranted in making known, at large, the recoverable history of them as hereinbefore writ.

Such tax rolls as remain show Isaac Elsberry to have been in as comfortable circumstances as almost any other young man in Surry county, and there can be no doubt but what his early marriage to Agatha Wright was propitious and happy. So few records were made in Surry of men of private station like Isaac Elsberry, in his time, and not all of those that were made being now extant, what one does find preserved calls for exhibition, and all the more so because some of these tax records are the only existing official evidence of the presence in Surry of Isaac Elsberry for the periods which they cover.

[Original Manuscript in Office of Clerk of the Court of Surry county at Dobson]

"A List of the Taxable Property belonging to Capt Wool-dredge's District Recived in by me John Elsbery for the year 1780" .................................

"Isaac Elsbery. Entrys [of land] 2; quantity of land, 400 [acres]; slaves, 0; horses, 3; Cattle 3; money in hand £100. Total £760."

[This manuscript bears the attestation at its end of Isaac's father-in-law, Captain John Wright, who surveyed the estates in 1780]

"1781. Capt. Daniel Wright's* District" ............... 

"Isaac Elsbury. Lands 400 [acres]. Horses 2; Cattle 3, Money in hand £3. Total, £485."

*Brother of Isaac Elsberry's wife Agatha, and commander of the military and taxation district, a part of Surry county.
[1782] "A List of the Taxable property belon'g to Capt. Wright District taken in by me, John Elsbery .............
Isaac Elsberry. Lands Improved 100 acres. Lands Not Improved, 300. Waters Hunting Creek. Slaves 0, Horses 2, Cattle 2. [Value of horses and cattle]—£54."

"1788. Sander's District (formerly Capt. Dan Wright's.) Isaac Elsbury, acres 200. No. of Polls personal, 1. Covering Horses 0. Wheels of Pleasure, 0. Lands West of the Appalachian Mountains, 0."

(1793) "A List of Taxables in Capt. Hudspeth's District for 1793 .................................................................
Isaac Elsbury. Quantity of Land, 200 [acres]; No. of Free Polls 1." [Thus none of his children became of taxable age until after 1793] .................................................................

"Jacob Elsbury, Quantity of land 140. No. of Free Polls 1.
Alexander Latham. 129 acres. 1 Free Poll.
Sidney Macksfield, 1 Free Poll [Maxwell]
Gerard Riley, 200 acres. 1 free poll*
Ninian Riley 170 acres"

Seven of the ten children of Isaac and Agatha* (Wright) Elsberry, living at the time of his death, were born in Surry county before the United States assistant marshal for the Salisbury district called upon Isaac for the enumeration of his family for the United States census of 1790. This visit was on or before the first day of June in that year. His eldest son, John, was then thirteen or fourteen years of age.

*Father of Zachariah Riley who died at Bethel Ohio in 1877, and husband of Frances Wright sister of Isaac Elsberry's wife Agatha.
"North Carolina. Salisbury District, Surry County.

<table>
<thead>
<tr>
<th></th>
<th>Free white males of 16 years and upward, including heads of families</th>
<th>Free white males under 16 years</th>
<th>Free white females including heads of families</th>
<th>All other free persons</th>
<th>Slaves</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaac Elsberry</td>
<td>1</td>
<td>5</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gerard Ryley</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nincan Ryley</td>
<td>2</td>
<td></td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nincan Ryley, Jr.</td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joseph Gentry</td>
<td>2</td>
<td>1</td>
<td>4</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

[father of Zachariah Riley of Bethel, Ohio.]
[Ninean, father of Gerard Riley.]
[Ninean, licensed to marry 14 April 1790 Sarah Wright, sister of Agatha (Wright) Elsberry.]
[Also Shelton, Nicholas, Richard and Allen Gentry.]

Seven years after Isaac Elsberry's father, John, had sold out in Surry for the removal to the north fork of the New river in Ashe county, Isaac still is revealed as residing in Surry; but the census of 1800 shows that two of his children were not then residing under his roof, one being John the eldest who had left after marrying Pamela Husbands on 26 February, 1799, and appears in Ashe county in 1800 with his grandfather, John Elsberry. The Surry census of 1800 is of particular interest at this moment as showing that on the first day of June, 1800, Isaac Elsberry had not reached his forty-sixth birthday, nor had his wife Agatha. This

*The alleged copy of this MS, printed by the state of North Carolina is very erroneous, and gives only two females in Isaac Elsberry's family, whereas the original MS. gives three.
fixes the year of his birth as 1755 and is the only known record thereon as definite:


"North Carolina. Surry County.

<table>
<thead>
<tr>
<th>Under 10</th>
<th>Aged 10 to 16</th>
<th>Aged 16 to 26</th>
<th>Aged 26 to 45</th>
<th>Over 45</th>
<th>Others free</th>
<th>Slaves</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaac Elsberry, Males</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Females</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jacob Elsberry, Males</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Females</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

[the young uncle of Isaac Elsberry]

What shall be inscribed in honor and memory of Agatha, daughter of a "first family of Virginia," who brought to the religious Elsberry's that strain of refinement and intellectual force inherited from generations of gentlemen, justices, legislators and military and social leaders of the Northern Neck of Virginia, that strain that seems to have inclined so many of her descendants towards professional careers? Was she merely the mother of Isaac's children? Almost recordless though her long life was one pauses at the thought of the adventures she shared—from Fauquier to Surry, from Surry to Ashe, from Ashe to near Winchester, Kentucky, from there to Bethel and from Bethel to Xenia on the banks of the Little Miami. It has been observed that public records disclose little or nothing of the noble part played by women in the first two centuries of this country. One lady in referring to the settling by the Pilgrims "on a stern and rock-bound coast" (as the poetess Hemans has it, though the shores of Cape Cod are quite flat and well-nigh rockless) remarked that "the women in the earlier days had a good deal to put up with."

"Yes," added another, "they had to put up with the Pilgrim Fathers." Agatha put up with departing from her widowed mother, and seventeen brothers and sisters because Isaac was called to follow the trail of his son and father over the Appalachians to the New river. Three months after the marriage to Pamela Husband's of his eldest son, John Elsberry, Isaac sold the unimproved one-half of his real estate preparatory to the removal, but it was
more than four years later he sold the other "improved" half upon which stood his dwelling-house. The assertion* that he removed to near Lexington, Kentucky, in the year 1799 cannot be true for he signed the final deed on September 26, 1803, as a resident of Surry county, and his deed then was there witnessed by his wife's brother Thomas Wright. It will be noticed that the deed of May 4, 1799, bore the autograph of Isaac's eldest son, John Elsberry, as a witness then present in Surry, and also recalled that this son and his wife, Pamela, absent from the Surry census of 1800, appear, as has been cited, with their grandfather John Elsberry on the New river. Thither they journeyed either after the month of May, 1799, or the following spring; and the inaccurate conception or tradition that Isaac Elsberry removed from Surry to Kentucky in 1799 may have arisen from this movement towards Kentucky by his son. The desire of Isaac, if not the decision, to depart from Surry may have been entertained at the time of the execution of the first of the two following deeds by which he sold for $650. the land for which he originally paid the state of North Carolina about $50:


Deed dated 4 May, 1799. Isaac Elsberry of Surry Co. sells to James Harvill of Cumberland County, N. C., for £50. 200 acres on the great branch, beginning on a post Oak the corner of John Elsberry's former tract and running west 280 poles to a pine, thence South by a line of marked trees an unknown number of poles to the corner of the said Isaac Elsberry's own land whereon he lives, thence East by a line of marked trees to the said Elsberry's southeast corner, thence south to the old line, East on a stake on the above named branch, thence north 172 poles to the beginning

his
Isaac X Elsberry
mark

[Witnesses]
David Harvill
John Elsberry [the younger].

Proved by the oath of David Harvill in court at the May term, 1799.

*Stated by the late George Washington Ellsberry of Mason City, Illinois, great-grandson of Isaac Elsberry, and later repeated, as from him, by others.
Deed dated 26 Sept., 1803, whereby Isaac Elsberry of Surry County sells to John Angel of Stokes County, for $400, 200 acres, messuage or tenement of Land, on the Waters of Hunting Creek on the big branch, part on Coffin's line.

Isaac X Elsberry [Seal] mark

[Witnesses]
T. Wright
Henry Hampton

Proved in court at the February term, 1804.

Isaac Elsberry's father had died on the north fork of the New river six to nine months before the date, September 26, 1803, of this last deed. The event may have occurred in the winter, for it was not until after the time of ploughing and planting in the following spring of 1803 that Isaac is of record as having come over the mountains (difficult of crossing in winter) to Clifton on the north fork of the New river from Surry. He came to close up his father's estate, and remained there with his sisters, Elizabeth (Elsberry) Latham and Catherine (Elsberry) Maxwell, at least twenty-five days, then returned to his home in Surry, where four months later he had garnered the crops for that year and sold the last of his unmovable estate in that county. The two deeds of sale of the Ashe estate of his father have a genealogical value of the first importance, and were signed by John Elsberry's two sons-in-law acting in behalf of their wives. The advisability of having absolute official record evidences of pedigree, wherever possible or convenient, prompts the presentation of these deeds in full. The copies are not of the original deeds, which Isaac Elsberry delivered to Robert King, but from the copies thereof made and entered in the county deed book by John McMillan, clerk of the circuit court of North Carolina for the county of Ashe. The odd spelling in these deeds of the surname of Elsberry must have been attributable to the conveyancer or lawyer who drew up the original documents, if not to the clerk who copied them later. The first deed is of land upon which the village of Creston now stands at the mouth
of Three Top fork of the north fork of New river, and at the foot of the dominating Three Top mountain:


“The Heirs of John Ellsbury to Robert King.

“This indenture made this third day of May in the year of our Lord one thousand eight hundred and three, between Robert King of the one part and the heirs of John Ellsbury, deceased, of the other part, all of the State of North Carolina:

Witnesseth: that for and in consideration of One hundred dollars to them in hand paid, the receipt whereof they do acknowledge and fully satisfied and paid, hath bargained, sold and conveyed unto the said Robert King, a certain parcel of land, containing forty five acres, more or less, situated in the county of Ashe, Beginning at a buckeye stump near a clift on the East side of the North Fork of New River, running up the meanders of said river to the mouth of the three top fork, then up said fork one hundred poles to a stake, then North thirty two east thirty poles to a stake, then North thirty nine West twenty poles to a white oak stump, then North thirty nine East seventy two poles to a white oak in the line of the old survey, then to the first station. Together with every right, title, privilege and emolument to the said land belonging or in any wise appertaining and the said heirs binding themselves, their heirs, &c., to warrant and forever defend the aforesaid premises from all claims or incumbrances whatsoever under him or them. In witness whereof the said heirs hath set their hands and affixed their seals, the day and date above written.

his
Isaac X. Ellsbury (Seal)
mark
Sidney Maxwell, (Seal)
Alex. Latham (Seal)

Signed, sealed, and delivered in presents of
Jas. B. Bumgardner
his
Jas X. Chappel
mark
his
James X. Hurley”
mark.
"North Carolina, Ashe County.

The within deed was duly proven in open court by the oath of Jas. B. Bumgardner in order to be registered.
Test: Jno. McMillan, C. C. C."

The second deed is for the land of John Ellsberry near to Clifton and the mouth of Copeland creek, and adjoining or close to the lands of his sons-in-law. The private cemetery in which they were all buried, as also their three wives, was not embraced in the land of this deed, though the graves are not far from the bounds herein specified:


The heirs of John Ellsberry to Robert King.

"This indenture made this twenty seventh day of May in the year of our Lord one thousand eight hundred and three between Robert King of the one part and the heirs of John Ellsberry, deceased, of the other part, all of the State of North Carolina,

Witnesseth: that the said heirs, for and in consideration of the sum of One hundred dollars to them in hand paid, the receipt whereof they do acknowledge and themselves fully satisfied and paid, hath bargained, sold and by these presents doth fully, freely, clearly and absolutely grant, bargain, sell and convey and confirm unto him the said Robert King, tract or parcel of land, situated in the county of Ashe, on the North Fork of New River, containing twenty two acres, be the same more or less, being part of a hundred and fifty acre survey, Beginning at an old mill seat, running North twenty West twelve poles, then West forty four poles to a buckeye, then South seventeen East seventy two poles to a maple, then South twenty four West sixteen poles, then South ten poles, then South thirty four East ten poles, to a maple, then South seventeen West four poles to a lynn, then South twenty four East five poles to a stake, then North eighty four East twenty six poles to a beech, then South fifty West ten poles to a sugar tree, then East forty poles to a white oak, then to first station. Together with every right, title, privilege and emolument to the said land belonging or in any wise appertaining, and the said heirs do hereby bind themselves, their heirs, &c., well and truly to warrant and defend the aforesaid premises with all the appurtenances to the said Robert King, his heirs, &c.,
forever free and clear from all incumbrances and claim whatsoever. In witness whereof the said heirs hath hereunto set their hands and affixed their seals, the day and date above written.

Isaac Ellsbury, (Seal)
Sidney Maxwell, (Seal)
Alex. Latham (Seal)
his
James X Hurley."
mark

Signed, sealed and delivered in the presents of
James B. Bumgardner,
his
James X Chappel
mark

"North Carolina, Ashe County.
August term, 1805. The within deed was duly proven in open court by the oath of James Bumgardner in order to be registered. Test: Jno. McMillan, C. C. C."

"I see, I see,
Freedom's established reign; cities and men
Numerous as sands upon the ocean shore,
And empires rising where the sun descends!
The Ohio soon shall glide by many a town
Of note"

Thus imagined Isaac Elsberry, and no impracticable vision it was. Ohioward he started not many days after the twenty-sixth of September, 1803. Not without something more tangible than the figment of a dream did he fare forth again upon the long adventure. At twenty he had travelled the hard rough highways from Bohemia bridge to Buck Shoal. At forty-eight, and with a wife and a large family additional he struck out again, on a longer and harder road, to begin life over again as it were in several particulars. His capital had been increased by several thousands of dollars from the sales of his immovables in Surry. His wife's sister Frances (Wright) Riley, her husband Gerard Riley, their son Zachariah, had left their farm adjoining Isaac Elsberry's in Surry in 1795 for Clark county, Kentucky. Gerard Riley's brother, John Riley,* had mar-

*From the statement of Zachariah Riley made to G. W. Ellsberry at Bethel, Ohio, about the year 1877.
ried in Surry Isaac Elsberry's daughter, Sarah, and she had gone on the long hike with the Rileys. Taking a last fond look at the Elsberry meeting-house he had helped with his father to erect,* Isaac Elsberry's pilgrimage o'er mountain and meadow, through valley, forest and stream, soon brought his family to the new-made graves of his father and mother. His sisters Elizabeth and Catherine alone of the Elsberrys there continued to remain and to lovingly guard the graves of their parents, until these daughters, too, were solemnly ushered into rest there beside. Erstwhile, their husbands, Sidney and Alexander, had prospered famously.

The bronze tablet erected at Salisbury, North Carolina, by the Elizabeth Maxwell Steele Chapter of the Daughters of the American Revolution of that state is inscribed:

"Boone Trail 1769
From this town Richard Henderson
in behalf of Henderson and Company
despatched Daniel Boone, John Findlay,
John Stuart, Joseph Holden, James
Mooney and William Cooley to explore
the Wilderness of Kentucky ............"

The trail is marked by other tablets at Yadkinville, Boone, and so on. Other white men had long before explored Kentucky, but Daniel Boone's little group of men probably was the first to leave North Carolina and mark out a distinct path for a highway in which many others were to follow from that state towards the Ohio. All this movement of men and their families and goods passed along the trail in western Yadkin within sound of the Elsberry plantations during the twenty-eight years of Isaac's residence thereon. Jacob Elsberry, the much younger half-brother of John Elsberry, father of Isaac, in his pension affidavit,** dated November 14, 1833, solemnly declares that he "near thirty years ago moved to Lexington, Kentucky—staid there about four years—then moved to Shelby County, Ky., staid about two years—then moved to mouth of

*On September 4, 1911, J. C. Johnson, Esqr. of Hamptonville wrote that "I recently met with an old lady who said that her mother's great-grandmother said that Isaac Elsberry built the original Elsberry Church."

**In file number W. 10016, room 26, U. S. Bureau of Pensions, Washington, D. C.
Kentucky River—staid about two years—thence moved to Dearborn County, Indiana, where he has ever since lived.” As this declaration implies the same year, 1803, in which Isaac Elsberry in September sold his house and land and soon thereafter began the laborious march westward, we will assume that his company consisted, at least, of twenty-three persons, to-wit, his own family of a wife and eight of their ten children, a daughter-in-law (his son John Elsberry and wife Pamela Husbands and their daughter, Sarah Wilkinson Elsberry, born in Surry county, January 6, 1800, joining the party near Creston in Ashe county, where they had preceded Isaac in 1800), and the wife, four sons and three daughters of Jacob Elsberry. Thus ended the honorable surname of Elsberry in western North Carolina, as applied to an individual; and in the autumn of that year of 1803, if not in the following spring, these Elsberrys established themselves near Winchester, Kentucky, not far from Lexington, where the families of Gerard and Frances (Wright) Riley and Isaac and Agatha (Wright) Elsberry’s son-in-law and daughter, Sarah (Elsberry) Riley had preceded them. It was in the waters of the Clinch that Jacob Elsberry made oath in his aforecited pension affidavit that his Revolutionary war papers were “lost and probably . . . . . with many of his papers, in moving to this country as they were very near drowning in crossing Clinch River, and everything in his waggon was wet & many papers lost.” The story of that Elsberry expedition is lost to us, though it might easily have been saved. The men and women who traversed the route, less dangerous (the Indians being gone) than when Boone had marked it out, but not much easier in transit, were more given to action than to the writing of their deeds. And dim, indeed, are the evidences of the personality and character of Isaac Elsberry. But vaguely, at the best, can the outlines be discerned. From the little of record that we know of him it is opined that had he not been a man of enduring and unshakable fortitude he would not have been prone to enter upon a movement such as that to northern Kentucky. By far, was it the greatest event in his life. With Shaler, the discriminating historian,* would we say: “It is difficult to picture to ourselves the hazardous nature of this movement. We must believe that the

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adventurers had a rare valor, else the evident risks of their project would surely have sufficed to deter even the bravest men.” Onward, a month of effort brought the Elsberries through the present Kentucky counties which Elihu Barker’s map of 1795, depicting Boone’s trail, shows to be Bell, Knox, Rockcastle, Gerrard or Madison to Fayette county and its seat of Lexington, then a log-built hamlet, and to near Winchester in Clark county—having crossed the Kentucky river at Hickman’s creek or Boonesborough where Daniel Boone had built a fort. Still stood then the forest primeval, on the first half of their journey, covering everywhere the earth, but singularly open beneath the trees of old growth so that the early trackways and wagon roads were easily made through them. They found central and western Kentucky largely deforested by the Indians who, for generations, had burned all timber so as to create and preserve great areas for the grazing of buffalo and other “big game,” for the killing of which the Indians annually came to the region from their homes north of the Ohio and south and east of Cumberland Gap. This deforestation and frequent burning of all new growth, coupled with the limestone subsoil, had made Fayette county and its borders the most inexhaustibly fertile soil in the world. Perhaps it still so remains. That finest of land, since known as the “Blue Grass District,” was the chief attraction to the settlers. The soil of the Appalachians was very poor, and that of Surry county not good enough. Where nature was so bounteous men quickly foresaw varied opportunities. The bolder spirited North Carolinians emerged from their mountains. The less active remained behind, became the prisoners of the hills; and to this day many of their descendants therein are still so “cribbed, cabined and confined.”

If Isaac Elsberry, or his son John, bought and sold any land in the adjoining counties of Fayette or Clark, Kentucky, the incomplete land records of the former and the complete records of the latter county do not reveal it. That both Isaac and Jacob found the best land taken and purchasable only at a high price is likely. Isaac is connected with Clark county rather than Fayette by his descendants, notably by the statement of his eminent son, Hon. William Ellsberry, made at Xenia, Ohio, and after his death recited in the resolutions of Xenia lodge No. 49 Free and Accepted Masons,
as published in the Xenia Torchlight April 6, 1863, which stated, in part: "Brother William Ellsberry was born in Surry county, in the State of North Carolina, on the 17th day of June, 1783. He removed with his father and his father’s family, to Clark county in the State of Kentucky, about the year 1802 or 1803," etc. The statement of Isaac’s nephew, Zachariah Riley, in 1877 confirms that Isaac lived a while in Clark county. His son Isaac Jr. and wife Sally, who remained in Kentucky, purchased and sold land in Clark county four times between 1813 and 1819—while Isaac Sr.’s son Benjamin held Clark county land beginning in 1807, after his father had removed to Ohio. These sites may mark the place where Isaac Ellsberry Sr. resided for two or three years after arriving from North Carolina. His eldest son John Ellsberry (understood to have been a shoemaker in North Carolina and Kentucky) ere this had located, apart from Isaac Sr., about five miles from Lexington, as will be evidenced shortly. Jacob Ellsberry’s pension affidavit declares that he, also, remained only about two years near Lexington; westward he went, while Isaac sought a permanent home to the northward. Before Isaac again resumed his quest, after a rest of between two and three years, he found himself in the midst of the political excitement caused by the treasonable actions of Aaron Burr. After Burr had killed Alexander Hamilton and been “banished from all the legitimate and honorable walks of ambition” he came to central Kentucky and won over thousands of men to join in his desperate and daring scheme to capture the great Spanish province of Louisiana, to annex to it all the region west of the Appalachian mountains, and proclaiming a new empire, with himself as its monarch, thus defy, if not destroy the United States of which Jefferson was then president. But it is conjectured that Isaac Ellsberry was more interested in Methodism, which not long before had brought together, amid great excitement, twenty thousand persons at the camp-meeting held at Cane Ridge seven miles from Paris where Isaac’s son, William Ellsberry, studied law and was admitted to the bar, than he was in the projects of the consummate intriguier Aaron Burr. Even may Methodism have had an influence in his coming to Kentucky, for two Methodists who preached in Ellsberry meeting-house, as regular preachers for the Yadkin circuit, Rev. Thomas Williamson and his successor there-
on, Rev. Barnabas McHenry, both had preceded, by several years, Isaac Elsberry into the north central "Garden of Kentucky." Methodism was a much greater power in 1803 within the Lexington circuit than it ever had been, collectively, on the Yadkin, though the first Methodist church in Kentucky, at Masterson's five miles from Lexington, was not built until about 1790.

Tradition, reported by George Washington Ellsberry of Mason City, Illinois, intimates that Isaac Elsberry's sons John and Michael,

"in 1805 with their families moved from Kentucky and leased a farm of ——— Prather, near Moscow.** In 1806 Gerard Riley and family came over to Clermont county also, and settled in what is now called Saltair. About 1807, Isaac Sr., came over from Kentucky and bought of Thomas Guest about 200 acres near Bethel which later became the Richard Pember- ton farm."

[Not Thomas, but Henry C. Gist]

This migration of Isaac Elsberry to near Bethel is confirmed by evidence brought out years later in the suit-at-law brought against his executors, his sons, John and Michael, by Henry C. Gist, in the common pleas court of Clermont county, Ohio, over the land there that Isaac had purchased. In this suit, some details of which will herein appear in further reference to Isaac's sons, evidence was submitted to prove that the agreement for the purchase of the land was entered into by Isaac Elsberry in Clark county, Kentucky, in the presence of his son, William, a witness in the lawsuit.† The best of the wonderful soil of the Scioto and Miami valleys in Ohio had been occupied before Isaac Elsberry could reach it. But between these wide depressions lay the rich and more neglected areas of Clermont and Brown counties on the northern side of the Ohio river. Ere he could reach these lands, Isaac had a hundred miles to traverse, across the counties of Bourbon, Harrison, Pendleton and Campbell to a ferry opposite Bullskin creek in Ohio. Of the material recompense for his efforts, and the fruition of his projects, he lived to gather in Ohio but


**Extracted from the letter to Mrs. Mary Ellsberry of Bethel, Ohio, published in the Bethel Journal of May 23, 1902, and recounting G. W. Ellsberry's interview with the aged Zachariah Riley.

†Page 146 etc. of "Record Book E" court of common pleas, Batavia, Clermont county, Ohio.
little more than the assurance that his judgment and forethought for the welfare of his children and grandchildren would result happily. The closest possible estimate of the man propels the belief that Isaac Elsberry, after reaching Ohio, was more anxious for the success and comfort of his sons, daughters and grandchildren than for his own individual advancement. They reaped the emoluments and advantages of his religious forethought, fully justifying his judgment in leaving North Carolina. Viewed in the light of the perspective of years, Isaac Elsberry did a great thing for his descendants. The whisper that comes to this hour of writing from across the century of years is that he "trusted in the Lord" and that "the Lord was with him."

On August 6, 1806, Isaac Elsberry first became of record reference in Clermont county, Ohio, as cited in the said lawsuit against his executors, to-wit:

............"For that where as the said Isaac Elsberry in his lifetime, to wit, on the 6th day of August 1806 at the County aforesaid made his certain writing obligatory sealed with his seal & to the court here shown the date whereof is the same day and year aforesaid the said Isaac Elsberry, for value received, obliged himself his heirs etc. to pay to the said Henry C. Gist the sum of Thirty Dollars" etc.

The value received was two hundred and fourteen acres of land, two miles south of the center of the town of Bethel, Clermont county, Ohio. Payment for the land was made by Isaac Elsberry at the time of its purchase, but thirteen years later and, six years after the death of the said Isaac, the said Henry C. Gist filed in court a claim against Isaac's sons and executors, John and Michael, for a small balance of thirty dollars alleged remaining due, which claim the executors denied. The deed of this land from Gist to Isaac Elsberry is not on record in the office of the registrar of deeds of Clermont county, but the survey of it for Isaac Elsberry is recorded at page 146 of "Record Book E" in the office of the clerk of the court of common pleas at Batavia, viz.:

"Received October 1st, 1807, of Isaac Elsberry the sum of Ten Dollars, surveying fees in part of surveying lands of the survey Col. Gist—I say reced. pr. Peter Light S. C. C. Surveyed August 27th, 1806, for Isaac Elsberry the following
described tract of land: Situate on the waters Clover Lick Creek, Tate Township, Clermont County and State of Ohio. Beginning at one beech and one double beech; thence E. 140 poles to a sugar and beech Corner to Williams West; thence 157 poles to a hickory and elm; thence E. 40 poles to three elms; thence S. 8 W. 70 1/2 poles to a white oak; thence W. 170 poles to three beech; thence N. 227 poles to the beginning, containing 214 acres, the same being part of a tract of Col. Nathaniel Gist surveyed—Surveyed Pr. Peter Light S. C. C.” [Surveyor of Clermont County]

In the year 1810 the state of Ohio, for the purpose of assessing a nominal tax upon every hundred acres of occupied land within its borders, prepared a manuscript book entitled “Resident Proprietors of Land” (unpaged) now in the custody of the auditor of state, in which occurs the entry:

“Clermont County. Isaac Elsbury, 200 acres, second class land, taxed at $1.00 per hundred acres; originally owned by Nathaniel Gist; original entry No. 4454.”

This land plainly is visible about one-third of a mile eastward of the main highway southward from Bethel to the former estate of Peter McClain, being about three and a half miles north of the latter site and in Tate township. The former Elsberry property was pointed out to the author in November, 1918, by that most amiable and reliable gentleman, Edward Frazier, Esqr., who resides with his equally estimable wife, Caroline (McClain) Frazier, upon a part of the former McClain estate. Incidentally, at this moment, it may be recalled that the said Peter McClain’s son John came here into Tate township from New Jersey at practically the same time (1806) as came from Kentucky Isaac and his son John Elsberry and the latter’s daughter Sarah Wilkinson Elsberry, and that her first meeting here with John McClain led to their happy marriage. This Elsberry farm was inherited in part by Isaac’s sons Enoch and Michael, who doubled the size of it on November 13, 1826, by purchase from the same Henry C. Gist of Franklin county, Kentucky, that part of Nathaniel Gist’s original survey number 964. [Clermont deeds Y 23 page 45.] But twenty months later Michael Elsberry sold fifty-four acres of it for $200 to Richard Pemberton. For two generations thereafter the place was known
as the Richard Pemberton farm, now easily to be identified at Bethel. Miles Pemberton, aged ninety years and born on that land, stated to the author in November, 1918, at Bethel, that some of the first Elsberrys were buried on the place, and that their small gravestones, almost daily in his view whilst he lived there with his father, bore no names or inscriptions now legible.

Isaac Elsberry having lived less than eight years after settling in Ohio there is but little about him in Clermont records, but that little is valuable. Fortunately one original document bearing his only known autograph has been found by the author:

[Batavia, Clermont county, Ohio. Probate court.]
Filed Bond 1809. (Endorsed) "Isaac Elsbury & Sam'l Nelson to Bond on Certiorari, John Flack."

"KNOW all men by these presents that We Isaac Elsbury & Samuel Nelson are held & firmly bound unto John Flack in the just & full sum of One hundred dollars Current Money to the payment Whereof We bind ourselves our heirs Extors & Admr's Jointly severally & firmly by these presence Sealed with our Seals and dated at Williamsburgh this Nineteenth day of July 1809

The Condition of the above Obligation is such that Whereas a Writ of Certiorari hath been allowed by the Honb' Thomas Morris Esq'r one of the Judges of the Supreme Court of the State of Ohio, directed to George Brown Esq', a Justice of the peace for the Township of Washington & County of Clermont Commanding him the said George Brown to Certify the proceedings of a Certain Action whereon the above named John Flack is plaintiff and the above bound Isaac Elsbury is Defendant, Now if the said Isaac Elsberry shall prosecute his said Writ of Certiorari to effect & abide the decision of the Supreme Court aforesaid thereon to be had, and in Case he should be Cast in the said Writ shall pay the Judgment rendered against him then this Obligation is to be Void & of no effect Otherwise remain in full force & Virtue.
Signed Sealed & Acknowledged before R. W. Wareing, Clk Supreme Court.
Isaac Elsbury (Seal)
Samuel Nelson" (Seal)

Let us remember that when Isaac Elsberry settled along Clover Lick run (also called the east fork of the Little Miami river) the Ohio river was regarded as the frontier of America, constituting
the dividing line between the white and red man. Most of the organized fighting with the Indians was over in 1806 but minor outrages continued. Hence the chief battle for the white man, after 1800, was the creation of a home and the whipping up of nature for the comfortable maintenance of it—no easy task for those who bought land that had never been cleared, tilled or dwelt upon as did Isaac Elsberry. In his fifty-eighth year his labors ceased. Although “very sick and weak” he yet had the strength of resolution to dictate the disposition of his estate, to-wit:

[Probate court. Batavia, Clermont county, Ohio, Will register for 1813]

LAST WILL AND TESTAMENT OF ISAAC ELLSBERRY

“Pleas held before the honorable Honorable John Thompson Esquire President Judge and Philip Gatch and Alexander Blair Esquires Associate Judges of the Court of Common Pleas at the Court House in Williamsburgh for the County of Clermont at the Term of July in the year of our Lord One thousand eight hundred and thirteen and of this state the eleventh.

This day came John Ellsberry and Michael Ellsberry the executors and produced the last will and Testament of Isaac Ellsberry late of this county deceased at the same time came John Boggess and William Cornwell two of the subscribing witnesses thereto who being duly sworn on the holy Evangelist depose and say that they were present when the testator Isaac Ellsberry signed and acknowledged the same as his last will and testament and that they believed the testator to be of a sound mind and memory and judgment at the time of signing and acknowledging the same. Whereupon it was ordered that the said Executors enter into a bond in five hundred dollars with John Shotwell and William Cornwell their securities. And thereon the said John and Michael with their said securities entered into and acknowledged bond in open court in five hundred dollars conditioned as the law requires. Thereon the said Executors took the oath required by law, the court order John Boggess William South and Houten Clark to appraise the personal property of said deceased under oath or affirmation. And order said Will be recorded and that Certificate of Probate Issue under the seal of this Court.

IN THE NAME OF GOD AMEN. I, Isaac Ellsberry of the county of Clermont and State of Ohio being very sick and weak of body though of perfect mind and memory calling
to mind the mortality of my body and knowing that it is appointed for all men once to die. Do make and ordain this my last will and testament that is to say first of all: I give and recommend my soul into the hand of Almighty God who gave it, and my body I recommend to the Earth to be buried in a decent Christian Burial at the discretion of my Executors. And as touching such worldly estate wherewith it has pleased God to bless me in this life I give, demise and dispose of the same in the following manner and form. First I give and bequeath to my beloved wife Agatha one hundred acres of land and including the farm I now live on with all the appertainances thereunto belonging during the state of her widowhood and at her decease it is my will that my youngest son Enoch Ellsberry shall have fifty acres of said land and one horse beast if it be for him and one bed and bedding. Also it is my will that my youngest daughter Polly shall have one cow and calf one feather bed and furniture and is my will further that my beloved wife Agatha shall have all my personal property farming utensils of every description during her natural life except as before excepted and at her death it is my will that all the aforesaid property willed to my beloved wife and fifty acres of land if there should be so much remaining after Enoch Ellsberry my youngest son has fifty shall be sold and equally divided between my ten children to-wit: John, Benjamin, Sally, William, Isaac, Michael, Nancy, Susannah, Enoch and Polly. Also it is my will that my sons John and Michael Ellsberry shall be my executors of this my last will and testament whom I do hereby ordain constitute and appoint to execute all matters and things agreeably to this my last will and testament. And I do hereby revoke and disanul all and every other will legacies bequests or executors ratified and confirming this to be my last will and testament and no other.

In witness whereof I have hereunto set my hand and seal this twelfth day of April Anno Domini one thousand eight hundred and thirteen.

his
Isaac X Ellsberry (Seal)
mark

Signed and sealed and pronounced by the said Isaac Ellsberry to be his last will and testament in presence of us who in presence of each other have hereunto subscribed our names.

his
William X Cornwell
mark

John Boggess"
Isaac Elsberry died between the making of this will on April 12, 1813, and the taking of his inventory on September 11, 1813.

**John Elsberry, a Pioneer of Greene County, Ohio.**

John Elsberry, son of Isaac, was born on his father's farm near the Elsberry Methodist meeting-house in the present township of Buck Shoal and county of Surry (now Yadkin), in the year 1776 or 1777, as the first child of Isaac and Agatha (Wright) Elsberry. He bore the Christian name of both his father's and his mother's father; grew to manhood and into the graces of Methodism where he was born. While there he learned the art of making shoes, became educated in the school of experience and, doubtless, realizing that the locality in which he had been reared would not afford him very favorable opportunities for the natural ambitions of youth, it is conceived that he was glad of the chance to remove to Kentucky and Ohio with his parents. Of the adventures of his youthful days in old Surry nothing is known, and he first became of public record in North Carolina when he applied for and received a license to marry Pamelia, the daughter of Robert Husband of Surry and Burke counties. Some writers (not historians) have intimated that there was much laxity in western North Carolina in matters matrimonial. Those remarks do not coincide with the facts of history because, whereas nowadays a marriage license is issued to an applicant without the requirement of any security or a bond, in the olden time a license could not be had without the filing of a large bond, and no person could perform the ceremony of marriage unless duly authorized by the civil authority. The original bond given by John Elsberry for the issuance to him of a license to marry is extant, bearing his autograph and the signature of his bondsman, but the full text of the formal bond was abbreviated by John Williams, county clerk, when he prepared the paper for signing, as was often done by southern record-keepers when attractions outside of the courthouse outweighed the duties within. We give the document in full form as in the 1786 bond of his uncle and aunt, Gerard and Frances (Wright) Riley:

[Filed papers in the registry of deeds, Dobson, North Carolina]

[Endorsed on the outside of the paper:] “John Ellsberry.
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Mar's Bond. 26th Feb’ 1799, fee pd. J. W., C. C. Permealia Husbands."

[Inside] "Know all men by these presents that We John Elsberry & John Anthony are held & firmly bound unto William R. Davie Esq’ Governor &c’ [Captain General, and Commander in Chief, and his successors in the sum of Five Hundred Pounds, For the true payment thereof, we bind ourselves, and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 26th day of February 1799. The condition of this obligation is such That the above-bounden John Elsberry hath, the day and date of these presents, prayed and obtained a license to solemnize the rites of matrimony between him and Permealia Husbands. Now if there shall not appear any lawful cause to obstruct the marriage, then this Obligation to be void, or else to remain in full force and virtue."

"John Elsbery [Seal] his
John X Anthony” [Seal] mark

[Signed sealed and delivered in the presence of J. Williams] "Teste"

This bond confirms the late George Washington Ellsberry’s report of his interview at Bethel, Ohio, in 1877 with the above John Elsberry’s first cousin, Zachariah Riley, which contains the statement “Isaac became the father of a large family .............. It may be well right here to mention these children. First there was John who married Millie in N. C.”—the prim name of Pamela having been familiarly reduced by her friends to the more euphonious “Millie.”

A tradition from an uncertain source exists that Pamela’s “father and mother bitterly opposed the marriage, believing that John was not rich enough for their daughter. Perhaps they were also offended because he was a shoemaker by trade.” Like Tristram Shandy we would avoid shaking what credit we have for veracity by confirming this story, further than that “life was ever thus.” In Ohio John Elsberry is of record as an agriculturist and miller, and when he and Millie strolled together

“In the heart of the greenwood, Into the heart of June”
the only thing that mattered to them was—each other—for the
great mass of mankind was, is, and always will be of exactly what
John and Millie both were—the plain common people—the latch-
string kind: "Bring your knitting and stay a week." Well could
Pamelia have remarked to any critic of her best friend, there
where the edicts of man must have seemed puny beside the pre-
dominant presence of the visible world of nature about them,—
"What went ye out for to see? A man clothed in soft raiment?
Behold, they that wear soft clothing are in King's houses." The
only difference in North Carolina discernible between the families
of Elsberry and Husbands was that the latter was involved in
Toryism when every Elsberry was a Patriot. But John and Pamelia,
having been born during the War of the Revolution, both wisely
ignored sentiments that it had engendered. John Elsberry was not
enumerated in Surry county in the U. S. census of 1800, but ap-
ppears as a member of the household, at Clifton in Ashe county,
of his grandfather, John Elsberry, the last Surry record of him
being that of May 4, 1799 (two and a half months after his
marriage there) when he witnessed his father Isaac's deed of sale
of land to James Harvill [Surry deed book H, page 149]. His
first child, Sarah Wilkinson Elsberry, was born on January 6, 1800,
and before the October following, he, Pamelia, and their babe had
traversed the mountains to Clifton on the north fork of New
river, Ashe county, where on December eighth he signed his name
as a witness to the deed of land executed by his grandfather,
John Elsberry, to Edward King. [Ashe county deed book A, page
74.] There he remained until soon after September 26, 1803,
during which time, quite likely in the winter of 1802-3, his grand-
father John Elsberry died. The grandson, Pamelia, and the babe,
doubtless on horseback, shared their father's journey to Kentucky.
As to John's sojourn there being at a stated place near Lexington,
Fayette county (where his aunt Frances (Wright) Riley and his
sister Sarah (Elsberry) Riley had previously arrived), in-
stead of near Winchester in the adjoining county of Clark, where
his father and others of the family stopped, the affidavit of his
grandson, William Utter Ellsberry, made at Xenia, Ohio, on
September 26, 1918, is of prime importance:
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[Abstract of the original affidavit]

"STATE OF OHIO COUNTY OF GREENE SS.

Personally appeared William Utter Ellsberry who deposes and says:

I, William Utter Ellsberry of the city of Xenia, Greene county, Ohio, was born at Feesburg, Brown county, Ohio, on the sixteenth day of October in the year 1845, the lawful son of Allen and Phebe (Sisco) Ellsberry, who, according to my father's old family Bible which I own, were married at Ripley, Brown county, Ohio, on the twelfth day of March in the year 1832.

I am the grandson of my said father's lawful parents, John and Pamela (Husbands) Elsberry, originally of North Carolina, who removed therefrom to five miles back of Lexington, Kentucky, where my father was born on the 24th day of November 1806 (according to his statement made to me and the old record in his said Bible); and wherefrom my said grandparents removed to Clermont county, Ohio, sometime between the said year 1806 and the year 1813; and from thence thereafter they removed to the town of Xenia in Greene county, Ohio, before the year 1820.

In the year 1872 or 1873, when I was aged 24 or 25, I visited the region near Lexington, Kentucky, where my grandfather John Elsberry and his brother William and their parents had lived before removing to Ohio, and where my father, Allen Ellsberry, was born; and I saw there then the private estate of that well known gentleman and dealer in fine horses, Dr. Hurr. Upon returning home to Ohio I told my father about the Hurr estate; father then told me that it was the very farm upon a part of which his parents had lived when he was very young"

The land records at Lexington of Fayette county contain nothing to suggest that John Elsberry acquired land in that county, nor do the state records at Frankfort; and he was reported by his first cousin, Zachariah Riley, in the interview* had at Bethel, Ohio, about 1877 with George Washington Ellsberry, to-wit: "In 1805 John and Michael with their families moved from Ky., and

*Published in the Bethel Journal May 28, 1902, and existing in an original MS. by the late George? Washington Ellsberry, now preserved by Mrs. May (Ellsberry) English, of Bethel, Ohio.
leased a farm of ——— Prater near Moscow." There is no record of this lease in the Clermont county courthouse at Batavia, but the land was near Bullskin creek and the Ohio river. Michael certainly had moved therefrom to his father's estate two miles southwest of Bethel by the time of his father's (Isaac's) death in 1813. There is no indication that his elder brother John did so. However, it is certain that John was still in Clermont county, probably upon that leased farm near Moscow, in 1813 as he was made an executor of his father's will and later, as such, was sued in that county by Henry C. Gist. Moreover, both John Elsberry and his eldest child, Sarah Wilkinson Elsberry (born in 1800), were frequently present in and around Bethel where his mother, Agatha\(^6\) (Wright) Elsberry, and all of his brothers and sisters then resided, save William who removed to Xenia, Ohio, in 1811 direct from Kentucky, for it could only have been thereabouts that Sarah Wilkinson Elsberry formed for John McClain an attachment of so sound a character as to have resulted in his following her to Xenia where they married in 1822. In some year between 1815 and 1820, the exact year not being discernible, Isaac Elsberry's widow Agatha left to her children her land in Clermont county and, with her eldest son John and all of his family, removed up the valley of the Little Miami river to Xenia in Greene county, Ohio, thus joining there her son William who had married there on December 31, 1813, Elizabeth McKee Miller. Until the time of this removal John Elsberry and his family are not discernible as residing elsewhere than on the farm he had leased of Mr. Prater near Moscow in 1805 or 1806. This place was about fifteen miles southward from his father's estate two miles southwest of Bethel, and nine or ten miles from the McClain estate on a northern branch of Indian creek. The original manuscripts of the U. S. census of Ohio for 1810 were destroyed when the British burned the capitol at Washington, D. C., and we are deprived of John Elsberry's own description of his household in that year. The census of 1820 found his family at Xenia. Ere moving there suit had been entered by Henry C. Gist in the court of common pleas of Clermont county against him and his brother Michael, as executors of the will of their father Isaac Elsberry. John and Michael appealed to the supreme court from the verdict rendered
against them in the common court. The business of the lower court was only fragmentarily recorded; but the supreme court was a "court of record," hence when the higher court remanded the case to the lower court a full record was made and the action of the courts can be presented in full for genealogical reasons, such as that it reflects the fact that the suit was not concluded until after the death of the elder executor, John Elsberry, this being shown in the fact that in the latter part of the record only the name of Michael Elsberry the other executor, appears. It seems singular that it was not until over five years after the death of Isaac Elsberry, and his estate had been closed up, that Gist brought the suit, twelve years after the land in question on Clover Lick creek near Bethel had been bought by Isaac Elsberry.

[Batavia, Clermont county, Ohio. Office of Clerk of the Court of Common Pleas. Original filed writ.]


The State of Ohio, Clermont County, SS:

To John Elsberry and Michael Elsberry Executors etc or their counsel Greeting:

You are hereby Cited to appear before the Honorable the Judges of the Supreme Court at the court house in Williamsburg on the first day of their next term to answer unto a writ of error in a certain Judgment lately rendered in the Court of Common Pleas in and for said county wherein Henry C. Gist is plaintiff and you the said John and Michael Exrs. etc are defendants.

Williamsburg May 19th, 1821. David C. Bryan, Clerk.

[Batavia, Clermont county, Ohio, Court of Common Pleas, Record Book E, page 146, etc., for November term, 1823.] (Abstract):

November Term 1823. Pleas held before the honorable George P. Torrence Esquire president Judge and Alexander Blair John Morris and Philip Gatch Esquire associate Judges of the Court of Common pleas at the Court House in New Richmond for the County of Clermont at the term of November in the year of our Lord one thousand eight hundred and twenty three and of this State the twenty second.

Be it remembered that heretofore, to-wit, at the term of August, 1822, was filed in the Clerk's office of the Court of Common pleas aforesaid the following Transcript of record to-wit: "Plais held before the honorable George P. Torrence Esquire president Judge and Alexander Blair, John Morris & Philip Gatch Esquires associate Judges of the Court of Common Pleas at the Court House in Williamsburgh for the County of Clermont at the term of December in the year of our Lord one thousand eight hundred and twenty, and of this state the eighteenth, Henry C. Gist Appet. vs. John & Michael Elsberry Exrs etc on appeal."

Be it remembered that heretofore, to-wit, on the 2nd rule day in vacation from October term 1819 to April term 1820, the plaintiff put in his place Thos. Morris, his attorney, who filed herein our clerk's office his declaration, to-wit. "Clermont County Court of Common pleas of the term of October in the year of our lord, one thousand eight hundred and nineteen, Clermont County. John Elsberry and Michael Elsberry Executors of Isaac Elsberry Dec. were summoned to answer unto Henry C. Gist in a plea that they render unto him Thirty Dollars which they owe to and unjustly detain from him. For that where as the said Isaac Elsberry in his lifetime, to-wit, on the 6th day of August 1806 at the County aforesaid made his certain writing obligatory sealed with his seal & to the court here shown the date whereof is the same day and year aforesaid the said Isaac Elsberry, for value received, obliged himself his heirs etc to pay to the said Henry C. Gist the sum of Thirty Dollars on or before the first day of March next after the date of the said writing obligatory. Yet the same Isaac Elsberry in his life time did not, nor has the said John Elsberry and Michael Elsberry executors etc. at any time since altho often requested so to do, has not as yet paid the said sum of Thirty Dollars above demanded or any part thereof to the said Henry C. Gist; but they to do this hath hitherto wholly refused and still doth refuse to the damage of the said Henry C. Gist, and therefore he brings his suit etc. Thos. Morris Atty." And afterward to-wit, on the third rule day in vacation aforesaid, the defendants put in their place O. T. Fishback their Attorney who filed in our Clerk's Office the following plea and affidavit to-wit, "And the said defendants by their attorney comes and defend etc and say that the plaintiff his action aforesaid in manner and form aforesaid against them ought not to have and maintain because they say that the deed upon which the said action is founded is not the act
and deed of Isaac Elsberry Deceased, and of this they put themselves upon the County and the Plaintiff like-wise—Fishback for defendants affidavit to-wit—Clermont County State of Ohio SS Personally appeared before me the undersigned Justice of the Peace within and for the County aforesaid, Michael Elsberry, one of the defendants in the above cause, and made oath that he believes the Deed upon which the above action is founded is not the deed of Isaac Elsberry Deceased, Michael Elsberry. Sworn to and subscribed before me this 8th day of January, 1820, Daniel Kain J. P.—"

Be-remembered that on the trial of this cause the defendants offered William Elsberry* as witness and offered to prove by him that the obligation upon which the plaintiff has declared was given for the balance of the purchase money of a tract of land sold by said plaintiff to the defendant's testator in Clermont County; that he the witness was present at the time the contract for said land was made; and that the plaintiff was to pay the expense of laying off said land to the plaintiff's testator; that said Plaintiff at the same time enquired the name of the Surveyor of said county; and, upon being informed that Peter Light was surveyor, addressed a letter to him; that letter required said Surveyor to lay off said land to said plaintiff's testator after which and at the same time the Plt. give the Defts. Testator a title Bond. . . . the obligation declared on was given—The Defts also produced George C. Light who stated that he had some indistinct recollection of seeing a letter in the hands of his father P. Light, who was Surveyor of said County in the lifetime of said Peter Light who is now dead who died intestate & no adm. has granted of his estate; that he thinks he see said letter in the hands of his mother since the death of his father; and also proved the following rect. and certificate of the survey to be in the said handwriting of said Peter Light—

To wit: "Received October 1st, 1807 of Isaac Elsberry the sum of Ten Dollars, surveying fees in part of surveying lands of the survey Col. Gist—I say reced. pr. Peter Light S. C. C. Surveyed August 27th, 1806 for Isaac Elsberry the following described tract of land: Situate on the waters Clover Lick Creek, Tate Township, Clermont County and State of Ohio. Beginning at one beech and one double beech; thence E. 140 poles to a sugar and beech Corner to Williams West; thence 15' poles to a hickory and elm; thence E 40 poles to three elms; thence S 8 W. 70 1/2 poles to a white

*The lawyer of Xenia, son of Isaac Elsberry and brother of the defendant executors.
oak; thence W. 170 poles to three beech; thence N. 227 poles to the beginning, containing 214 acres, the same being part of a tract of Col. Nathaniel Gist surveyed—Surveyed Pr. Peter Light S. C. C."; upon which the Defts. Offered to read said Rect. and Certificate to the jury as evidence; to the reading of said Rec. and Cert. of Survey, together with the facts offered to be proved as aforesaid by the testimony of said Wm. Ellsberry, the plaintiff, by his counsel, objected, and said objection being sustained by the court, except so far as relates to what the obligation declared on was given, the same were not permitted in evidence to the jury; to which opinion of the Court said defendant, by their attorneys, begs leave to accept, and prays this their [———] of exceptions may be signed and sealed by the court which is done according by Geo. P. Torrence (SEAL) Alec. Blair (SEAL) Philip Gatch (SEAL) upon their oath do say, we the jury do find for the PIt. the debt in the declaration mentioned to be discharged on the payment of Twenty Five Dollars Sixty Seven & a half cents and costs. Therefore it is considered by the Court that the PIt. Henry C. Gist, recover against the Defts. John and Michael Elsberry Exors. &c Twenty Five Dollars sixty seven & a half cents, the sum aforesaid by the levy aforesaid in form aforesaid appeared, and the costs herein expended amounting to Fifty Seven Dollars thirty cents to be levied etc.

Eunice, daughter of Judge John Morris, before whom this case was tried, married the defendant's brother Enoch Elsberry; and the plaintiff's attorney, Thomas Morris, was brother of the judge and one of the greatest lawyers of the West—U. S. senator at that time, later a candidate for the vice-presidential nomination, and so famous as an anti-slavery advocate as to have moved the poet John G. Whittier to write, "Thomas Morris stands confessed the lion of the day." Judge John Morris's son, Benjamin, who died September 22, 1861, married John and Michael Elsberry's sister, Susanna, who became the mother-in-law of two judges—Judge Vance of Cincinnati and Judge Winans of Xenia, Ohio, member of Congress. This suit was one of many arising from the unbusinesslike operations of land agents (formerly called "sharks"), some of whom in southern Ohio, after acquiring "blanket titles" to large areas from Revolutionary soldiers who had received the bounties in land in the Virginia Military Reservation of which Clermont
county was a part, sold the lands before accurate surveys had been made, and often sold more land than they actually could convey. That is a fact of history. The shrinking of the two hundred and fourteen acres purchased and paid for in 1806 by Isaac Elsberry of Henry C. Gist, to the one hundred acres Isaac had to bequeath by his will remains unexplained, after a complete search by the author of the land records in the registry of deeds at Batavia. The suit was in progress over a period of four years. John Elsberry undoubtedly had removed to Xenia before it began, returned to Clermont at the first trial of it, but at the final trial he was dead, and his brother William of Xenia appeared instead at Williamsburg, Clermont county, with Michael Elsberry.

On page 300 of G. F. Robinson's *History of Greene County, Ohio*, in the list of "Greene County Pioneers" appears the record "John Ellsberry, Xenia, 1820." The date refers to the earliest record of him there that Robinson learned of. The pioneer is the man who goes ahead—to prepare the way for those who are to follow. Hence it is usually true that the men who thus go forward are generally volunteers and fearless. John Elsberry went up the bloody valley of the Little Miami to near Old Town, the seat of the Shawnee Indians who had previously thereabouts fought many a battle with the white men, captured and held prisoners Daniel Boone and Simon Kenton, when Silver Creek township was a common wilderness fresh from the hands of God, with the obstacles to comfort and civilization awaiting removal. There his days of toil were few—and so almost nothing accrued during those few days, in the way of official public records at Xenia concerning him, that now remains to us save the U. S. census of 1820, to-wit:


"Xenia Township, John Elsberry [family of]

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<th>Under 10</th>
<th>10 to 16</th>
<th>16 to 18</th>
<th>18 to 26</th>
<th>26 to 45</th>
<th>45 and over</th>
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<tr>
<td>Males</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Females</td>
<td>4</td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
<td>1</td>
</tr>
</tbody>
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Persons engaged in agriculture, 2. In commerce, 0. In manufacturing, 0.
Eleven persons under his roof besides his wife Pamela (Husbands) Elsberry and himself, ten of whom are known (as herein-after) and specifically named as their children; ten if not eleven children born to them in the twenty-one years of their married life. Surely they were fruitful years, filled with endeavors and experiences of which but few public records and no written tradition has survived.

His life was the price John Elsberry, son of Isaac, paid in his contention against one of the forces of nature. Best may we let John Elsberry’s grandson, William Utter Elsberry, relate briefly upon that point, as in his solemn declaration, preceded by an affidavit which qualifies the said affiant:

[Copy of an affidavit]

The State of Ohio
Greene County, ss.
Charles H. Kyle, being first duly sworn says that he is Judge of the Court of Common Pleas for the District of Greene County, State of Ohio; that he has personally known William U. Ellsberry of West Second Street Xenia, Ohio for many years and knows him to be an upright and honorable citizen and is worthy of belief in all matters concerning which he may assume to speak.

[ Signed] Charles H. Kyle

Sworn to before me and signed in my presence this 6th day of September, 1918, and hereby certify under the seal of the Court of Common Pleas that said affiant is Judge as therein stated.

(Signed) Geo. W. Sheets
Clerk of Courts, Greene County, O.

[Seal]
Common Pleas Court
The County of Greene, Ohio

[Extract from an affidavit]

“State of Ohio
County of Greene SS.

Personally appeared William Utter Ellsberry who deposes and says:

I, William Utter Ellsberry of the city of Xenia, Greene county, Ohio, was born at Feesburg, Brown county, Ohio, on the sixteenth day of October in the year 1845, the lawful son of Allen and Phebe (Sisco) Ellsberry ............ I am the grandson of my said father’s lawful parents, John and
Pamelia (Husbands) Elsberry, originally of North Carolina, who removed therefrom to five miles back of Lexington, Kentucky, where my father was born on the 24th day of November 1806 ............. and wherefrom my said grandparents removed to Clermont county, Ohio, sometime between the said year 1806 and the year 1813; and from thence thereafter they removed to the town of Xenia in Green county, Ohio, before the year 1820 ......................

It was common knowledge in our family and among our relatives and to the community at large, during my father's time, that his father, John Elsberry of Xenia, lost his life by drowning in the Little Miami river at Old Town, previously known as Old Chillicothe, originally a village of the Shawnee Indians located between three and four miles from his home, where he had gone one day from Xenia. This was in the Fall of 1820 or the following Spring, at which times of the year I have heard it affirmed by various of the older men of this county that great floods overspread wide areas along the Little Miami river. I believe that grandfather's body was not recovered. My chief sources of information, concerning my grandfather's short life in Xenia, were, of course, my father and mother and Mrs. Caroline E. (Morris) Winans, the daughter of my grandfather's sister who married Mr. Morris. Mrs. Winans remembered her uncle, my said grandfather John Elsberry. She married the Honorable James J. Winans of Xenia, judge of the court of common pleas of Greene county and a member of Congress for this district of Ohio. She resided for many years opposite to where I now reside in West Second street, Xenia, dying there, very aged, a few years ago. My grandfather's brother, William Ellsberry, lived for many years on the second house-lot east of where I now live; a part of his old house, built by him in 1845, still remains thereon. Mrs. Winans, among other narrations she made, described to me my said grandfather, John Elsberry, as a man of rather small stature, of a very retiring and reserved disposition, and as wearing his hair quite long, combed straight back from his forehead and cut off square at the back; also, that his confidence, or belief, in the honesty of his fellowmen cost him serious loss, or losses; that if anyone appealed to him to stand as surety for them he would go on their bond. The historian of Greene county, Ohio, George F. Robinson of Xenia, told me years ago that he had seen evidence, in his historical searches among the records of Greene county, Ohio, tending to show that if my grandfather had lived to receive his just dues
certain valuable property in the city of Xenia would have been his. My father, Allen Ellsberry, told me that his father lived about a mile from the present center of Xenia, on a part of the present Avey farm in Columbus street, otherwise known as the Wilmington pike and northeasterly across the road from the present Xenia Orphans' Home; that grandfather was financially interested in a flour mill there. Both the residence and the mill are now gone. Father described to us how grandfather used to carry flour from that mill to Cincinnati. The journey took him three days each way. The first night of the outward journey was usually passed at the tavern at Waynesville, twenty miles south of Xenia. Grandfather brought back general merchandise; on one occasion he brought home to his wife and daughters fancy calico for dresses, the first of the kind they had seen in Xenia. On one of grandfather's trips to Cincinnati with a load of flour, drawn by five horses, he drove into the large wagonyard there where wagons from all about the neighboring country were gathered, and the owner of the wagonyard offered grandfather all the wagons in the yard for the five horses. Grandfather had learned the trade of shoemaking. He taught my father how to make shoes and my father taught me the same trade. I have my grandfather's shoemaker's hammer of which my father said that it was made in England and handed down in the Elsberry family from my grandfather's grandfather Elsberry. It is an iron hammer, hand-wrought," etc. ......................................................

[Signed] William Utter Ellsberry

Sworn and subscribed to this 26 day of September, 1918, before me.

[Signed] J. E. Jones Justice of the Peace in and for Greene County Ohio

John Elsberry's brother William of Xenia having been the chief lawyer of Greene county, took charge of the deceased's estate, and to enhance the advantages to the widow, Pamela (Husbands) Elsberry, and her ten children there present at the time of their loved parent's death, kept the entire business of settlement in his own hands and "out of court"—hence, aside from among this lawyer's own papers (the present place of deposit being unknown) there are no available records, of inventory, administration and settlement of John Elsberry's estate. His widow, Pamela, with
her children removed to New Hope, Brown county, Ohio (where resided her deceased husband's youngest brother, Dr. Enoch Elsberry), at the time or not very long after the marriage at Xenia in 1822 of her eldest child, Sarah Wilkinson Elsberry. Pamela is thought to have died at Fincastle, Brown county, Ohio, in 1849 or 1850 at the home of her son, Allen Elsberry, and also was believed by her grandson, the said William Utter Elsberry, to have been buried in the cemetery of the Laurel Methodist Church, near Nicholsville, Clermont county, Ohio, in which church her daughter Sarah's husband, Rev. John McClain, was a preacher. Caroline (McClain) Frazier now residing near Nicholsville, niece of Rev. John McClain, remembers the funeral there of Pamela, and, as she recalls Pamela having lived there, at a time, with Sarah W. (Elsberry) McClain, deems it probable that Pamela died in the home of her said eldest daughter, Sarah, after having come thereto from the Brown county home of Sarah's eldest brother, Allen Elsberry.

The greatest need in early Ohio was children—to grow up and multiply the earth. For every tree cut down a child was needed to fill the void. John and Pamela (Husbands) Elsberry's contribution to the world was children. Of the eleven males and females in their family at Xenia, beside John and Pamela, both aged forty-five or forty-six, revealed by the U. S. census of 1820 ten are known to have been their children; six of these are recorded in U. S. census of 1830 as residing with or near their widowed mother in Scott township, Brown county, Ohio. The facts concerning these ten children have been extracted from the aforesaid affidavit of William Utter Elsberry, and the family Bibles, records and recollections of others of the grandchildren now or quite recently alive, and from official public records, but the account of them, being too long for presentation in this magazine, is reserved for a better opportunity for publication—save some evidences upon their eldest daughter, Sarah W.

Sarah Wilkinson Elsberry, the first of the ten known children of John and Pamela (Husbands) Elsberry, was born January 6, 1800, according to the record in the McClain family Bible owned by her grandson. The records of her parents hereinbefore displayed, indicate that she was born near and doubtless baptized in
the Elsberry Methodist Church built on the land of her great-grandfather, John Elsberry (then living), in the township of Buck Shoal, Surry (now Yadkin) county, North Carolina. When but a few months old in the year 1800 she was carried by her parents on horseback over the Blue Ridge and Appalachian mountains to the last home of her Elsberry grandparents at Clifton on the north fork of New river, Ashe county, North Carolina, and three years later therefrom to "five miles back of Lexington, Kentucky," where was born on November 24, 1806, her eldest brother, Allen Elsberry. Soon after that date she resided with her parents for ten or twelve years near Moscow, Clermont county, Ohio—and thereabouts, in the sweet way of youth, untrammelled by interference or superficial formalities, and guided by her own unerring instinct plighted the troth with a young man of ministerial inclinations that held fast through the several years of separation after she departed for Xenia, Ohio, until their marriage there. Sarah was among the children enumerated in her father's household at Xenia in the U. S. census of 1820. Her time-proven friend, John McClain of Clermont, came thither, after the sudden death by drowning in the Little Miami river of her father, and they were there married by Rev. William Dixon, with the approval of her widowed mother and uncle, Hon. William Ellsberry of Xenia, and in the presence of her grandmother Agatha (Wright) Elsberry, on February 25, 1822. [Greene county marriage license record book A-I, page 65, in the probate registry at Xenia.]

The late William Utter Ellsberry, of Xenia, Ohio, in his important genealogical affidavit executed there on September 26, 1918, in the presence of the present writer, and from which we have previously quoted, made a brief but definite disclosure from his well-stored memory of his personal knowledge of his "Aunt Sally," her parentage, etc., of which the following is an accurate abstract of the part deemed essential for quoting at this moment:

"Of the sons and daughters of my grandparents, John and Pamela (Husbands) Elsberry, namely, Sarah W. Elsberry, Allen Ellsberry, Pamela Elsberry, Vina Elsberry, Clarissa Elsberry, Narcissa Elsberry, Francena Elsberry, Henry, Wesley and Isaac Elsberry, I personally saw and now remember all of them save the sons Wesley, Henry
and Isaac Elsberry, who disappeared from southern Ohio so very many years ago that I lost trace of them; I only remember their names and of hearing them mentioned by my relatives as my uncles. The most frequently of all, I saw, and the best of all I knew my aunt Sarah Wilkinson Elsberry who married Reverend John McClain, and always that she was the daughter of my grandparents, John and Pamela (Husbands) Elsberry.

My father, Allen Elsberry, was the eldest son, and his sister, Sarah Wilkinson Elsberry, the oldest daughter of John and Pamela (Husbands) Elsberry. One of my earliest recollections of Aunt Sally is that of attending, with my parents, the wedding of her daughter, Amy McClain, to Mr. Potter at Nicholsville, Clermont county, Ohio, (I do not remember the date of the wedding, but have just been told that it occurred on June 1, 1856). My last sight of Aunt Sally was in 1876, after the death of her husband, when she visited my father and mother at New Burlington. During those twenty years she and her husband and my parents visited each other at their respective homes usually twice yearly. I was at home for the most of that period. It was on the occasion of Aunt Sally's last visit to us at New Burlington (eight miles south of Xenia) that she, my mother and my first wife had their portraits made there.

When aunt Sally came to New Burlington to visit us she usually also came to Xenia to see her father's brother, Hon. William Elsberry, and his sister Mrs. Morris and the latter's daughter Caroline E. (Morris) Winans. The children of Judge and Caroline E. (Morris) Winans have all passed away except their daughter, Amelia, who married a Mr. Force, and lived at Chicago; I recall her as being learned in the study of palmistry. My father so much resembled his uncle William Elsberry as to have been frequently mistaken for him. Uncle William's only child died young."

The late C. S. McClain M. D. of Springfield, Missouri, son of Rev. John and Sarah (Elsberry) McClain wrote in January 1917: "Sarah Elsberry McClain was a small woman, of fair complexion and a refined, extremely sensitive nature. She was devoted to the welfare of her husband. Hers was a meek, sympathetic nature, balancing the somewhat austere personality of her husband. Her love for children was very deep."

Sarah's husband, Rev. John McClain, died on July 14, 1875. She died on May 5, 1884, while visiting at Ormanville, Iowa, her
daughter, Sarah Ann (McClain) Boyce. Their descendants are numerous and widely scattered—too many for this present statement of her ancestry.

CERTIFICATE

City, County and
State of New York SS.

I, Charles Arthur Hoppin, examiner of records and writer on family history, hereby certify that the foregoing account of Major Francis² and Anne² (Washington) Wright and of some of their descendants is a substantial portion or digest of a more elaborate manuscript prepared by me; that the citations, in the foregoing account, of and from records, as above presented, are true citations made by me from the sources stated in the said account; that the pedigree outlined by the said account is a true pedigree; and that all renditions, interpretations, observations thereon and thereof, as to all persons named therein, are true renditions, interpretations and observations as perceived by me from the evidence upon which they are based, in so far as it is possible for me to perceive, after having made all possible efforts to find and to establish the truth concerning the identities of such persons.

CHARLES ARTHUR HOPPIN.

Commonwealth of Massachusetts,
Middlesex, SS.

Sworn and subscribed to this 8th day of December, 1922, before me.

JAMES R. OLIVER,
Notary Public.
Commission expires September 27, 1929.
THE GOOD NAME AND FAME OF THE WASHINGTONS.

Here follow proofs that Colonel John¹ Washington of Westmoreland, Virginia, was neither an illegitimate son nor a bigamist, as is untruly intimated or alleged in an attempt to determine his culpability published in May, 1922, in The Pennsylvania Magazine of History and Biography, volume XLV, No. 180, October 1921, pages 320 to 363:

AFFIDAVIT.

City, County and State of New York, SS:

Personally appeared Charles Arthur Hoppin, who deposes, to-wit:

I, Charles Arthur Hoppin, native and citizen of the city and county of Worcester, State of Massachusetts, at present residing in the city, county and State of New York, international examiner of public records and writer on family history, have had the honor and opportunity of being employed to prepare, among other works, biographical accounts of the lives of Colonel John¹ Washington, and of Lieutenant Colonel Nathaniel¹ Pope, of Westmoreland, Virginia, and, in collaboration with the scholarly investigator in England, T. Pape, B. A. (the best informed gentleman in England upon the origin, pedigree and history in that country of the family of Washington), to assist in preparing for presentation to the American people an account of the direct Washington ancestry of the said Colonel John¹ Washington back to about the year 1260, based solely upon extant original records, many of which have not been published, and, I believe, have been unknown heretofore to all inquirers upon the English pedigree of the Washington family of Westmoreland, Virginia. This work is nearing completion for prospective publication in book form, pending which much material that I have is necessarily reserved for initial disclosure in that final form.

I depose that soon after beginning to collect data in America upon the said Colonel John¹ Washington, from the many printed articles, notes, comments, conjectures, queries, letters, and alleged true copies of records that have been printed miscellaneously in this country, from time to time, by numerous persons, adept and
inadept, the most of whom, I must believe, never saw nor caused to be properly examined the original records recorded in the counties of the Northern Neck of Virginia, I was forced by the misconceptions, contradictions, isolated distortions, and erroneous copyings in print to abandon that method of collecting material—to reject, as untrustworthy, a large part of it, and, instead, to begin anew and to confine myself solely to the ancient, original records recorded and preserved in the courthouses of the counties of Westmoreland, Northumberland, Richmond and Stafford, Virginia,—as also of the counties in Maryland lying opposite thereto, and, as well, of the Colonial records of the colonies of Virginia and Maryland, in so far as these latter colonial records could have any bearing upon the lives of the said two gentlemen.

I depose that I devoted seven successive weeks, day by day, to a minute examination of every book of records and every filed paper of whatsoever character, of date prior to the year 1700, in the courthouses of the counties of Westmoreland (wherein I searched for thirty consecutive days), Northumberland, Richmond and Stafford; that I there examined every inscribed line of every page of every such book and paper, with the courteous permission and attention of the official custodians thereof and thereat.

I depose that I, personally, so copied and now have a true and complete copy of every single item, no matter how trivial or how lengthy, recorded or filed in those voluminous old books and papers, that embraces, for the period stated, the names of Washington and (or) Pope, or that contains any essential matter having a bearing upon Colonel John Washington, his three lawful wives, his five legitimate children by his first wife, Ann Pope, his and his wives' relatives, and upon Lieutenant Colonel Nathaniel Pope and his children.

I depose that I believe that, in so reading and transcribing, I was and am qualified, by a professional experience of over twenty years in reading old manuscript records and in studying old statutes and history in both America and Great Britain, correctly to read, to copy and to interpret such records.

I depose that I have read the attempt, printed on the pages of the abovesaid Pennsylvania Magazine of History and Biography, at
a literary assassination of the exalted character of one of the ever most honorable and honored family names in American history, and upon the good name and fame of a noble-minded clergyman of the Established Church of England whose complete loyalty to that church and to the king of England cost him his fortune, his liberty and his life.

I depose, aver, maintain, and will prove that the said account, so published, is based, primarily, upon an alleged “record” alleged to have been “recorded” and alleged to be so now “extant,” which, in truth, is not a record, is not “recorded,” is not “extant,” and that there is not the minutest particle of proper evidence upon which an equitable or judicial mind can even rest a surmise that the “record” so alleged ever was “a recorded paper” or “extant.”

I depose, and will prove, that, being so based upon an error (if not upon a recent invention), the entire structure erected upon that error, in the said issue of The Pennsylvania Magazine of History and Biography, is warped, bent, twisted, perverted, disordered, distorted, with items used out of their true chronological bearings in order to bend them to suit the idea with which their perverter callously began his attempt—contains many displacements and misconceptions of data—and, moreover, the structure is untenable, impossible, built upon the sands of imagination, and immediately falls into utter ruin and chaos when its false foundation is destroyed, as that foundation completely is destroyed by the true copies of the ancient, original, recorded records that I am about to cite in detail.

Primarily thereto, I depose that, upon reading the said article in The Pennsylvania Magazine of History and Biography, I wrote to the author of the said article, requesting him to inform me what was his authority for his alleged record upon which he had based and built his structure of conjecture. His reply (to be quoted presently) not only fails to give any authority or source whatsoever, and not only is tantamount to an admission of his inability to do so, but, instead, practically withdraws, disclaims and deletes from his said article the very foundation, the alleged “extant” “recorded paper,” the authority for which I desired to inquire for because in all of what I believe to be my absolutely exhaustive examinations of original Virginian records, at the places where they are officially preserved, I had not found nor even surmised the
existence of any such record as the said writer in his said article alleged was both there "extant" and "a recorded paper."

I depose that the said letter to me (which I feel should be now quoted), dated 17 June, 1922, reveals, rather naively it seems, the means by which the entire article was composed, viz., in the words in that letter, that the

"idea was only to assemble the many Washington items which have turned up in the thirty years since Mr. Waters said 'the last word' on the Washington 'pedigree' .......... to bring together all the various data of the early Va. Ws., and it was then I began 'to see things' and then prepared my notes for the Pa. Mag., the 'October 1921' which came out in May, 1922."

Thus, alas and alack, the author of the said article and letter did not himself go to the ancient, original records recorded in manuscript in the aforesaid Virginian courthouses for his information, there to "turn up" the truth that is there recorded in order that whomsoever will may see, if they can read it accurately. Had he done so it would have been easy for him to "see things" there (which I am about to cite) that would have prevented the writing of the said article, to say nothing of the mistake of its being published. Thus, publicly to utter a serious and scandalous allegation, or intimation, or publicly to hold such in question against either an honorable gentleman or a famous family, primarily based not upon the fundamental, official, original, reliable records of Virginia, but, instead, chiefly upon the flotsam and jetsam, the rag-tag-and-bobtail of newspaper and magazine comment and query,—the good, bad, and indifferent,—the prints, misprints, conjectures, surmises, misconceptions, incorrect copies of records, alleged records, cherry-tree stories—the isolated and the fragmentary—that have been written and published here, there and anywhere during the past forty years by whomsoever, however enlightened or unenlightened, by casual observers, and by one or two real investigators of original records who, unfortunately, did not complete their investigations, is, to say the least, an unprofessional procedure, as dangerous as lamentable.

On page 324 of The Pennsylvania Magazine of History and Biography occur the assertions:
"The exact date of the marriage of John Washington and Mrs. Brodhurst is unknown, and so is that of the death of Mr. Brodhurst. Mr. Brodhurst's will was dated 26 Jan., 1658-9, was not filed till in Nov. 1659, and the inventory of his personal estate on 17 April, 1661, therefore, we got no information from these sources, or only that Washington seems to have lost no time in getting a second wife to mind the infants of his previous one and look out for his comfort. However, there is a suggestive, tho not convincing, item extant which shows Major Washington must have married Mrs. Brodhurst around Feb. 1658-9, which I shall bring up. There are two good items extant that approximate the time of their wedding. One, dated 12 Feb., 1658-9, a recorded paper in which Ann's father, Lt. Col. Pope, styled her 'my daughter Ann Pope Brodhurst.' The other item, dated 11 May, 1659, also signed with his 'mark' by Lt. Col. Pope, is a power of attorney concerning some land, addressed to his daughter, Ann, in which he calls her 'My daughter Ann Pope alias Washington.' Therefore it may be seen that John Washington and his second Ann, another widow with a son, married early in the year 1659, and before May, certainly, if the 'young son' baptised on 4 Oct. was her first child and not the last one of the first wife of Col. John."

Here is seen the first false foundation, the false beginning, upon which has been erected a consequently impossible structure of conjecture. I will prove that this foundation is false. It sets forth, firstly, that the exact date of the death of Walter Brodhurst, Sr., is unknown; that his will was "filed in Nov. 1659." I will show that the will was filed and proven nine months earlier; that the entire said alleged record of February 12, 1658-9, is untrue, as published as aforesaid.

I depose that there is a record dated February 12, 1658-9; that it does not contain a reference to, or any connection with, Ann Pope or any person surnamed Washington; that, contrary to the assertion and rendition hereinbefore quoted from the said magazine, the record is none other than that of the proving of the will of Walter Brodhurst, Sr.; that in the court minutes for the session of the Westmoreland county court held in the Brodhurst tavern at Nomini on February 12, 1658-9, occur the following words:

"This Will & Testament of Mr. Walter Brodhurst was
proved by ye testimony above specified at a Court held at ye house of ye said Mr. Brodhurst ye 12th day of February, 1658.”

Thus the date of the death of the said Walter Brodhurst, Sr., during the sixteen days between the making and the proving of his will in 1658-9 is established with sufficient exactitude.

I depose that I have found that the truth is that, on the said May 11, 1659 (as mentioned in the second item of the said “two good items” on page 324 of *The Pennsylvania Magazine of History and Biography*), when Lt. Col. Nathaniel Pope did convey, by a deed of that date (of which original, recorded deed I have a full copy signed by his name, not his mark as is alleged), seven hundred acres of land, “for my natural affection to my Daughter Ann Pope alias Washington. . . . . . . To have & to hold ye said land to her my said Daughter Ann Washington,” I say, I depose that the truth is that this daughter Ann Pope had then on that eleventh day of May, 1659, been the lawful wife of the same John Washington, as his first wife and as her first husband, for at least four months, and thus had married him before the death of Walter Brodhurst, Sr., and the widowhood of Anne Brodhurst, wife of the said Walter, as is proven by the well-known letter of Col. John Washington dated on the thirtieth day of the following September, 1659, in which he announced the birth of his son to Governor Fendall of Maryland and referred to the plans for the baptism of that first child—I say the child, Lawrence, the eldest son, named as “my eldest son Lawrence” in the will of Col. John Washington, of which original will I have two of the four only facsimiles extant—I say Lawrence, born in lawful wedlock of the body of Ann Pope, his wife, in that same month of September, 1659—the only wife or woman by whom he, the said Col. John Washington, ever was the father of any child; which fact cannot possibly be escaped by any competent investigator who will (as did I) carefully examine and copy in their entirety the large amount and number of unpublished, original, recorded records of the Washington, Pope, Brodhurst families and other ancient records still extant in Virginia.

Who, therefore, and what, was the Pennsylvania Magazine’s alleged “Ann Pope Brodhurst,” whom it alleges married John.
Washington "around Feb. 12, 1658-9" (within a few days of the death of her alleged former husband Walter Brodhurst, Sr.), and, as it crudely remarks upon the hastiness of the marriage, as "for his comfort" and the care of his children? (He had no child at all then nor until seven months afterwards). She was the invention, or, more politely speaking, the mistake, of Worthington C. Ford and Edward D. Nield, D. D., whose epistles upon this subject were honored with publication in the New England Historical and Genealogical Register and in The Nation, etc. Neither Mr. Ford nor Dr. Nield were genealogists. I depose that I can find no evidence that Mr. Ford or Dr. Nield made a proper examination, in person, of the Brodhurst, Washington and Pope records at the courthouse of Westmoreland, but, instead, seem to have assumed that a clerk employed there in Westmoreland was a person competent to decipher ancient writings and to report the truth upon difficult points of ancient lineage. That amateurish method resulted, as it usually does, in error. Many of us, including myself (see line 11, page 130, and line 9 to 16, page 131, Vol. 1, Tyler's Quarterly Historical and Genealogical Magazine) swallowed the Fordian idea, "bait, hook and sinker," but, with me, that "Jonah" would not stay down. So I continued investigating in Virginia until I found and fully understood records that have cast that error beneath the waters of oblivion—to join therein much other printed stuff that I had been previously compelled to throw overboard as being dangerous ballast that would sink any ship attempting to carry it into the port of truth. Therefore, as to the latest erroneous assertion, or reassertion, in The Pennsylvania Magazine of History and Biography, as hereinbefore quoted, i. e., that its alleged "Ann Pope Brodhurst" married John¹ Washington "around Feb. 12, 1658-9," or at any other time whatsoever, there is ancient, original, official, recorded proof, absolute and unquestionable, which I will cite, that there never was in Virginia any such person as the said alleged "Ann Pope Brodhurst"; proof that the said Walter Brodhurst, Sr., neither married nor had issue by Ann Pope, the daughter of Lt. Col. Nathaniel Pope; proof that there is no such "recorded paper" or any ancient record whatever in Virginia, or elsewhere, as that which the said untrue article, published as aforesaid, alleges was issued on 12 Feb. 1658-
9 by Lt. Col. Pope in which he styled his daughter Ann "my daughter Ann Pope Brodhurst," nor is there, as I have said before, the minutest particle of proper evidence upon which an equitable, judicial or even a particular mind can rest a surmise that such a "recorded paper" ever was recorded or "extant"; proof that the real and only Ann Pope, daughter of Lt. Col. Nathaniel Pope, married, as her first and only husband and to become the mother of all of his five children, John\(^1\) Washington, as his first wife; proof that the Anne who, on a day between Jan. 26 and Feb. 12, 1658-9, became the widow of the said Walter Brodhurst, Sr., was another lady altogether (whose probable maiden name and parentage were suggested years ago, by Lyon G. Tyler, LL. D., as Anne Gerrard, who named her son Gerrard Brodhurst, daughter of Dr. Thomas Gerrard and sister or half-sister of the Frances Gerrard who became the third wife of Col. John\(^1\) Washington); proof that the said widow Anne of Walter Brodhurst, Sr., continued, as his widow unmarried a second time, for at least six years and seven months after her said first husband Walter Brodhurst's death between Jan. 26 and Feb. 12, 1658-9, and so could not have become married to and did not marry either her eventual third husband, Col. John\(^1\) Washington, or her recorded second husband, Henry Brett, at any time prior to September 6, 1665—the date of her last recorded appearance as the still unmarried widow of Walter Brodhurst, Sr.

There are several original, official,anciently recorded records that prove that the said Anne, widow of Walter Brodhurst, Sr., was never Ann Pope, and had not married either Henry Brett or Col. John\(^1\) Washington up to the time of the respective dates of those two records, namely, 20 September, 1659, August 19th and September 6, 1665. I will cite those records in a moment, after quoting (as I feel that I now should) from the letter, dated 17 June, 1922, written to me by the author of the said article in the said Pennsylvania Magazine of History and Biography, in reply to my written request of him, dated June 6, 1922, for his authority for his statement on page 324 of said magazine (which I now re-quote), viz.:

> [page 324 Pennsylvania Magazine of History and Biography]
> "two good items extant that approximate the time of their
wedding: *One, dated* 12 Feb. 1658-9, a recorded paper in which Ann’s father, Lt. Col. Pope styled her ‘My daughter Ann Pope Brodhurst.’” (This item is repeated on page 330 of the same Pennsylvania Magazine.)

[The said letter, which refers to the page, 330, on which occurs the repetition, from page 324, of the same item given on page 324 of the same magazine, contains the following words:]

“As to the item on p. 330, these six lines could be deleted, because of two errors, but I won’t say without weakening my ‘arguement’ because in no part of the whole article would the editor allow me to ‘argue.’”

I depose that well-nigh the “whole article” is practically all “arguement,” and miserably poor argument at that; that my understanding of the above reply is that, as I have said, it practically withdraws, disclaims, deletes, that printed statement I have just quoted from page 324 of the said magazine, because that, within eleven days after receiving my request for its authority, the writer of the statement discovered that his statement contains two errors.

The truth is—it is all error, all imagination, based upon nothing whatever, does not and never did exist in Virginian records. In substantiation thereof I here submit a record that is all truth; the record which, as I have said, primarily renders untenable and impossible the structure built upon the sands of imagination, and that causes that structure, so published, immediately to fall into utter ruin, when its false foundation is destroyed, as that foundation completely is primarily destroyed by the following document, which I hereby depose is a true copy transcribed by me in the office of the clerk of the court of the county of Westmoreland, Virginia, from the ancient, original, official, recorded manuscript volume there existing entitled "Deeds & Wills No. 1," pages 265-266:

“Brodhurst to Wright. Know all men by these present that I Anne Brodhurst of Nomony widow have sold aliened made over and conveyed from me my heirs Executors Administrators forever for a Valuable consideration by me received unto Timothy Wright his heirs Excers., Admrns. or assigns my right title and interest of a tract of land containing three hundred and fifty acres or thereabout situated and lying near to a branch upon Nomony river near the head being formly granted to me by pattent and doe ob’dge myself
to acknowledge this conveyance at the next county court in Westmoreland. In witness whereof I have hereto set my hand and seal this 19th of August 1665.  

Anne Brodhurst

Daniel Hutt
Estrange Mordaunt”

(This sale of land was acknowledged in Court by the said Mrs. Brodhurst and recorded Sept. 6th, 1665.)

Thus, here she is still the unmarried widow of Walter Brodhurst, Sr., six years and seven months after his death.

That land may have been a part of eight hundred acres obtained, by two original grants in 1662, for her young sons Gerrard and Walter Brodhurst, Jr., but their mother, having been left alone and considerably dependent upon her own resources for the six years and seven months preceding this sale, is very likely to have been in need of money for herself and her three children. This land is entirely distinct from the land confirmed to Mrs. Ann (Pope) Washington in 1661 by patent, as the patents prove. The land confirmed to Mrs. Ann (Pope) Washington in 1661 is described in her patent of 1661 as the land she had received from her father Nath'l Pope on May 11, 1659. This patent also proves her identity as separate from that of the then widow Anne Brodhurst.

The other official, incontrovertible record proving the status of actual widowhood of Mrs. Anne Brodhurst, widow of Walter Brodhurst, Sr., and also at a time when Col. John¹ Washington was the loyal husband of the loyal Ann Pope, is dated exactly ten days before Col. John¹ Washington wrote his aforesaid letter to Gov. Fendall announcing the birth of his son. This son was Lawrence, the first child of John¹ and Ann (Pope) Washington. The following record also proves, absolutely, as does the aforesaid deed of Mrs. Anne Brodhurst, dated August 19th and September 6, 1665, that she, Mrs. Anne Brodhurst, widow of Walter Brodhurst, Sr., was another woman than Ann (Pope) Washington. In contemplating this record of Sept. 20, 1659, it is of significance to take note of the facts that Col. John¹ Washington (as I can prove) was never a resident of the county of Northumberland, Virginia, either before or after Westmoreland county was erected from Northum-
berland in July, 1653; that (as I will prove) he did not first arrive in Virginia until more than three years after that said July, 1653; that, after thus first arriving at Pope's creek, Appomattox parish, Westmoreland county in 1656, he resided in that parish (officially renamed in his honor, Washington parish, on May 25, 1664 [page 31 dorso., Westmoreland "Court Orders from 1662 to 1664"], until his death; that his place of residence thereat was about twenty-five miles northwest from the nearest settlement in Northumberland county; that Walter Brodhurst, Sr., and his wife Anne did reside in Northumberland county prior to July, 1653, and that she, Mrs. Anne Brodhurst, after Walter Brodhurst, Sr.'s death between Jan. 26 and Feb. 12, 1658-9, occasionally was present, as his unmarried widow in Northumberland. In 1662, the aforesaid 800 acres in Westmoreland were obtained for her two sons. At the nearest she resided in Cople parish, Westmoreland, about fifteen miles from where resided Col. John¹ and Ann (Pope) Washington. I think that she, Mrs. Anne Brodhurst, held her deceased husband's tavern, courthouse and jail at Nomini, near the Northumberland border, all the time, for ten years after Brodhurst's death. She brought the tavern (used as a courthouse) and the jail to Col. John¹ Washington when she married him in 1669. These facts may assist the reader in emphasizing the separate identities and, also, the widely separate places of residence of Col. John¹ Washington and his wife Ann (Pope) Washington, and of Walter Brodhurst, Sr., and his wife and widow Anne (Gerrard?) Brodhurst up to and after the said deed of sale of Sept. 6, 1665, and, also, of her the widow Anne Brodhurst's residence in 1667 when she had married, secondly (between Sept. 6, 1665, and Sept. 27, 1667), the rather poor Henry Brett, and had patented to her on Sept. 27, 1667, as Mrs. Anne Brett, 300 acres of land in Cople parish, Westmoreland—the same land, as the patent states, that was granted Sept. 4, 1655, to Mr. Walter Brodhurst (her previous husband) and by him deserted. [Virginia Land Office, Patent Book No. 6, page 107.] Brett somehow prevailed upon the widow Anne Brodhurst to marry him, but study reveals that she managed to prevent him from getting control of her real estate. The patent of Sept. 27, 1667, also proves that Brodhurst was her previous husband. I now cite the aforesaid record of Sept. 20, 1659, prov-
ing, as I have said, the status, on that date, of actual unqualified widowhood of Mrs. Anne Brodhurst, widow of Walter Brodhurst, Sr., and widow at a time when (as also on Sept. 6, 1665) Col. John Washington was the loyal husband of the then living and loyal Ann Pope—and, I repeat, it will be noted that the following record is dated (not October 20 as the Pennsylvanian distarter of dates states when he erroneously calls October "7ber"—see lines 27 and 29, page 331, Pennsylvania Magazine—whereas every genealogist knows that September was anciently written "7ber," December being "lOber") but dated September 20, exactly ten days before Col. John Washington wrote his letter to Gov. Fendall announcing the birth of his son—(Lawrence, by none other than his lawful, living and ever-loyal wife, Ann Pope, who remained his first and only wife until her death in 1668.) Thus this record, alone and apart from the other recorded proof of Aug. 19, Sept. 6, 1665, proves that Mrs. Ann (Pope) Washington, and Mrs. Anne Brodhurst were two separate, unrelated persons, both alive then and thereafter:

(Northumberland, Va., Heathville, county clerk's office; Court Record Book 1659)—

"At a Court held for y* County of Northumberland y* 20th of 7br 1659 .............................................
Mrs. Anne Brodhurst ag* capt. Peter Lefebur. Whereas it doth appeare unto y* court by the oath of M*rs Anne Brodhurst Relict and Administratrix of Walter Brodhurst dec'd that Capt Peter Lefebur is indebted unto the Estate of the s'd Mr Brodhurst for three or four months accomodation for himself wife & children both of house, rooms and dyett. It is therefore ordered that the s'd Cap't Peter Lefebur shall by the 20th of 9br next make payment of one thousand pounds of Tobacco and caske unto the s'd M*rs Anne Brodhurst w'th costs of suit als Execucon," etc.

This record of Sept. 20, 1659, was seen by Lyon G. Tyler, LL. D., many years ago and printed by him in The William and Mary College Historical Quarterly—hence by that means, it came to the notice of the writer of the article in The Pennsylvania Magazine of History and Biography. But when that writer encountered this stone-wall forbidding progress upon and further retention by him of the strange notions that he had conceived, he childishly
attempted to climb over or crawl under that stone-wall by the futile suggestion that she thus brought an action-at-law, as Mrs. Anne Brodhurst, appeared as the plaintiff in court as Mrs. Anne Brodhurst, took the oath of witness as Mrs. Anne Brodhurst, testified as Mrs. Anne Brodhurst, and was awarded and received the judgment of the court as Mrs. Anne Brodhurst, and always as the then relict (not widow) and administratrix of Walter Brodhurst, deceased, when that was not her name, and everybody knew it was not her name, but, as the Pennsylvania Magazine's contributor childishly or naively asserts, was "only the half measure of her then identity, but may have then been the legal way." What sophistry this is! What a perversion! What a travesty on the simple, direct and severe laws of Virginia stated so clearly in the famous Hening's Statutes of Virginia, in which I cannot find anything permitting such a ridiculous proceeding. According to Hening it was not "the legal way," or a legal possibility. What a fool would have been Lefebur not instantly to non-suit his opponent who would have so stultified herself under oath. If the plaintiff was the wife of Col. John\(^1\) Washington when she took oath, as the would-be evader of the stone-wall would have it, the suit, in all probability, would have been brought by him as was then customary under the statutes of Virginia. Those statutes practically gave the property of a woman to her husband when he married her, and permitted him to administer the estate of a former husband she may have had. The law trusted the husband justly to deal by her and at his death to return to her the same property so far as possible. That is why in so many old wills one finds the words: "I give and bequeath to my loving wife the" [property, whatever it was] "that was hers when I married her." Furthermore, if the said plaintiff, Mrs. Anne Brodhurst, was the wife, as the said article alleges, of John\(^1\) Washington when she brought that suit in court, she would not then have been a "Relict" as the record describes her. A relict (says Webster's Dictionary) is "a woman whose husband is dead; a widow." The writer of the said article attempts to pervert the word relict to mean a woman already married but who had had a previous husband, and that it does not mean that she was a widow when she was legally referred to as "Relict and Administratrix." I am not to be misled by such sophistry. If the
said plaintiff had been the wife of John Washington on the said September 20, 1659, the legal record, which required a clear distinction of terms and identities, would have read, as was customary in such cases, viz.: (1) Mrs. Anne Washington formerly ye wife of Walter Brodhurst, deceased, administratrix of the said deceased; or (2) Mrs. Anne Washington alias Brodhurst, administratrix of Walter Brodhurst, deceased. The term "Relict" in the said court record was a customary term for "widow," and meant a living widow; as is proven by the occasional expression "widow and relict"—the latter word being included to indicate a living widow, then and there so remaining at the date of record.

I depose that I do not see any possibility by which the said record of Sept. 20, 1659, can be considered as being other than what it clearly says it is, viz., the record of the veritable and only Mrs. Anne Brodhurst as then the actual, living, unmarried widow (relict) of Walter Brodhurst, Sr.

I depose that, in all the extensive evidence I have upon the life of Col. John Washington, nothing has more impressed me with the nobility of his character, and the kindness of his heart, than his coming to the rescue, in 1669, of the twice-bereaved gentlewoman, Mrs. Anne (Gerrard?) Brodhurst-Brett, by offering her his hand in marriage, and his home also bereaved by the death of Ann (Pope) Washington within a year before. The widow Anne Brodhurst-Brett accepted, turned over to him the inn at Nomini that she had held from her first husband, Walter Brodhurst, Sr.; and Col. John Washington on the January 16, 1669-70, following, leased the inn to Lewis Markham and, also, relieved his new second wife of her troubles over the estate of her insolvent last previous husband, Henry Brett, by taking upon himself, as the law allowed a husband to so take, if he desired, merely by virtue of his marriage to her, from and with his wife previously so widowed, the co-administrship of the estate of her last previous husband. Col. John Washington reported a deficit in Brett's estate of 16,325 pounds of tobacco, which he and his wife paid to satisfy the creditors of Henry Brett. So, later, when Samuel Brett, an heir-at-law (not a known son as the Pennsylvanian magazinist claims) of Henry Brett brought an action to recover property of the deceased Henry Brett, against Brett's acting ad-
ministrator, Col. John\(^1\) Washington, the latter was officially cleared of all responsibility to the said Samuel. The statement by W. G. Stanard (page 187, Vol. I, William and Mary College Quarterly): “Samuel Britt, Exor. to his father, Col. John Washington” is an error. The Westmoreland records of 1682 of Samuel Brett versus Col. John\(^1\) Washington’s executor, Lawrence\(^2\) Washington, do not admit of any such construction as Mr. Stanard put upon them; nor is there any reference in Virginian records to the said Samuel Brett as son of Henry Brett, but Samuel was an heir-at-law of the said Henry. The record which Mr. Stanard misquoted from the Westmoreland court record book for 1682, reads:

(At a Court of June 14, 1682)

“The humble peticon of Lawrence Washington Sheweth that Samuell Britt stands indebted to yo'r peticon as Execut'r to his father Coll John Washington,” etc.

On page 324, paragraph one, The Pennsylvania Magazine of History and Biography, October 1921, occurs the statement, viz.:

“A quit-claim deed, dated 20 Sep. 1668, from ‘Mrs. Ann Brodhurst’ (whom we have reasons to imagine was then ‘Mrs. John Washington’), by which she assigned 500 acres of land, which after 1675, lay in Stafford Co., to her stepson, Gerrard Brodthurst.”

Here is an allegation of the existence of a record which, if taken on the face of the above presentation of it, at once forbids the entertaining of an idea that the woman alleged, as above, to be formally described in the deed as “Mrs. Ann Brodthurst” was, on the date of the record, September 20, 1668, “Mrs. John Washington.” This deed is another impassable stone-wall against the erroneous idea that John\(^1\) Washington had married before the said September 20, 1668, Anne, the lady who had once been the wife of Walter Brodthurst, Sr. The Runnymedian romancer of Philadelphia attempts to fly over this stone-wall upon the wings of “reasons to imagine,” and without stating those reasons. But let us come down to earth! I depose that I have seen the official recording of the so-called “quit-claim deed, dated 20 Sep. 1668.” The would-be evader of this third impassable barrier omits to state where he obtained his data about this document, and where the document can be seen. He does imply that, after 1675, those five
hundred acres of land lay in Stafford county. This statement would mean that, prior to 1675, the land was in Westmoreland county from which Stafford was created, hence that this deed of 1668 might be found in Westmoreland courthouse. But it is not there, nor is it at Stafford courthouse. Stafford county was erected in 1664, not 1675, and that land was in Stafford county from 1664, unless it bodily lifted itself up from Mother Earth and flew over the county boundary on a dark night in 1675 for "reasons to imagine." But let us examine the deed itself, as recorded at the Virginia Land Office (at Richmond), wherefrom it issued and was in that office recorded before being sent to anyone else anywhere. Thus, we may see that it is not, as alleged, "a quit-claim deed . . . . from 'Mrs. Ann Brodhurst,'" nor from "Mrs. John Washington," nor describes the patentee, Gerrard Brodhurst, as a "stepson."

I have hereinbefore proven that Mrs. Anne (Gerrard?) Brodhurst married, secondly, Henry Brett between the date of her last recorded appearance, as the unmarried widow of Walter Brodhurst, Sr., on Sept. 6, 1665, and September 27, 1667, when she, as Mrs. Anne Brett, received from the General Court of Virginia a patent of 300 acres of land in Cople parish, Westmoreland. Therefore, who was she, to whom was she married, and what was her rightful legal name at the date of the said "quit-claim deed, dated 20 Sep. 1668?" which deed the Pennsylvanian inquisitor states was "from Mrs. Ann Brodhurst" but imagines that it was from "Mrs. John Washington?" Wherefrom did the said Ardmorean obtain knowledge of the existence of that deed?

I depose that on page 226, Vol. XVII. (1908-09) William and Mary College Quarterly, Lyon G. Tyler, LL. D., printed a reliable abstract of the said "quit-claim deed," or more accurately speaking, patent, dated as aforesaid, and that the following true copy of that abstract proves that the lady, alleged as aforesaid to be named in it as grantor and as "Mrs. Ann Brodhurst" was then on that same Sept. 20, 1668, exactly what the patent actually describes her, viz.: "Mrs. Anne Brett als Brodhurst"—in other words, Mrs. Anne Brett, otherwise, at another time, Brodhurst. Therefore, she was then the wife of her second husband, Henry Brett, himself then alive. "Als" is the abbreviation for "alias."
The noun “alias” (says Webster’s Dictionary) means “otherwise, at another time”; and as an adverb it means—“a term used in legal proceedings to connect the different names of anyone who has gone by one or more names.”

I depose that the term “alias” in Virginian records is neither an indication of illegitimacy, unlawful marriage, nor of anything unpleasant whatsoever.

Here follows the true abstract of the patent proving (1) that the lady named in it was then Mrs. Anne (Gerrard?) Brett, formerly, at another time, Mrs. Anne (Gerrard?) Brodhurst; (2) that her previous married name of Brodhurst was repeated in this patent with her true legal name of Brett at that time, because she once had been the widow of the patentee’s father, and I doubt not was, as well, the patentee’s mother. I think that the notion that the patentee was her stepson instead of son is merely a very recent supposition that cannot be established.

Another reason for the use, in the patent of 1668, of the name of her first husband, Brodhurst, was because, as hereinbefore shown, she was the unmarried widow (relict) of Walter Brodhurst, Sr., on the date in the patent when Ashton secured the land, September 16, 1665; and that when she bought the land of the lawyer and justice, Col. Peter Ashton, she probably was still the widow, Mrs. Anne Brodhurst, but then contemplating matrimony with Henry Brett, whom she married shortly before September 27, 1667, on which latter date she had patented to herself, as I have shown, 300 acres of land in Westmoreland, as Mrs. Anne Brett. She secured the other land from Ashton for presentation to her son, Gerrard Brodhurst, as a matter of filial love and justice to him and to prevent the insolvent Brett from getting control of it in case she died intestate; and her son further clinched the title to himself, while Brett was living as his (Gerrard’s) stepfather, by securing the patent from Gov. Berkeley on September 20, 1668. That patent states that the original gift and assignment to Gerrard Brodhurst by Mrs. Anne Brett, alias Brodhurst (his mother), was dated and recorded prior to September 20, 1668, “as by the Records of Stafford appears.” But the exact date of that gift, between September 16, 1665, and September 20, 1668, and the exact date on which the mother purchased of Ashton, cannot be determined because the
Stafford county book, in which were recorded the deed from Ashton to the said mother and the said mother's assignment of that deed to her said son, is now lost. Because of that loss it is impossible to say whether the gift was made just before or just after Gerrard's mother, the widow (relict) Mrs. Anne Brodhurst, married Henry Brett, and so became, legally and explicitly, the "Mrs. Anne Brett als Brodhurst," thus so perfectly described in the following patent to identify all of her connection with that property and with the persons in the patent named:

"To all &c., Whereas &c. Now know ye that I, the said Sir Wm Berkeley, Knt. Governor &c., give and grant unto Mr. Gerrard Broadhurst, five hundred acres of land in Stafford County, upon the South side of Potomack river and upon the N. E. side of the head of Chapawansick creek, bounded on the South West side with a run upon the head of the said Creek; N. W. upon a branch of the said run; N. E. into the woods; S. E. upon the land of Mr. Nath'l Pope" [son of Lt. Col. Nath'l Pope] "the said land being formerly grant'd unto Coll Peter Ashton, s'd grant dated the 16 Septber 1665, & by said Coll. Ashton, sold & assign'd unto Mrs. Anne Brett als Brodhurst & by the said Brett als Brodhurst given & assign'd unto Gerrard Broadhurst as by the Records of Stafford appeare; to have and to hold &c, to be held &c. Yielding & paying &c. Dated the twentyeth, Septber, 1668."

This patent proves that Anne (Gerrard?) Brodhurst-Brett had not become the wife of Col. John1 Washington nine years and seven months after the Pennsylvania Magazine claims that she had married him "around Feb. 12, 1658-9."

When Lyon G. Tyler, LL. D., published that abstract in January, 1909 (which I have since verified), he added the words:

"This patent shows that Anne, the widow of Walter Brodhurst, had not become Mrs. Washington, as late as 1665, and could not, therefore, have been the mother of the children Lawrence, John and Anne" [who married Major Francis Wright] "mentioned in his [Washington's] will. Indeed it appears that she did not marry Washington till 1670 when her second husband, Henry Brett, of Plymouth, seemingly died. It has already been shown in Quarterly, IV., pp. 33-35, 75-89, that John Washington married, I. Ann Pope; II. Anne the widow of Walter Brodhurst, and then of Henry
Thus this patent disproves the very things that the Philadelphian conjurer cited it (incorrectly) to help prove what he had “good reasons to imagine.” The incorrectness of his citation is in his ignoring of the lady’s real name of “Brett,” as in the record, because its presence in the record affects his argument. Dr. Tyler was the first writer correctly to find and to state these facts in the above quotation from his magazine. I verified them to my own satisfaction. The wholesale rejection of these facts by the High Priest of Runnymedianism, without attempting also so to verify them in Virginia, was hazardous, indeed.

Hence, on his page 321 we find, “John Washington married as his first wife Mrs. Ann Brett”; on his page 322, “this happened certainly before Feb. 1658-59. . . . In their short married life, they had three children, namely, Lawrence, John and Ann.” He kills off Henry Brett about 1652 (which is four years before John Washington came to America), six years before he claims Brett’s widow Ann scarcely more than had her alleged third child by her alleged second husband John I Washington; and he then kills off his said alleged Mrs. Ann Brett Washington before 1659 by ignoring her further and actual recorded existence as Mrs. Anne Brodhurst and as Mrs. Anne Brett alias Brodhurst; and then he marries John I Washington, secondly, “around Feb. 12, 1658-9,” to a lady (whom I have proven was purely a myth) his alleged “Mrs. Ann Pope Brodhurst”; and then being confronted by the true deed of gift of May 11, following, 1659, of Lieutenant-Colonel Nathaniel Pope to “my daughter Ann Pope alias Washington,” he gets rid of her, the aforesaid fictitious Mrs. Ann Pope Brodhurst, by the assertion that she, within a few days of her husband, Walter Brodhurst’s death, married again and became “Ann Pope alias Washington.” Yet, there staring him in the face all the while, on his own page 321, is his citation of the recorded fact that about twelve years after he killed off his Mrs. Ann Brett, as his alleged first wife of John I Washington, and about (1670) eighteen years after he killed off Henry Brett, the said Henry had just then (1670) recently died and the administration of his small and insolvent
estate was recorded in Westmoreland on September 28, 1670; and in that record of administration she, the said Mrs. Ann Brett Washington, is described as having been the "relict of Mr. Henry Brett"; and that she was then living in 1670 is shown by the words in this 1670 record of administration, to-wit: "Wee doe find that Mrs. Ann Brett Washington hath paid beyond the assetts," etc.

I depose that these latter words refer solely to the then (1670) current administrationship of the small estate of Henry Brett and prove that the lady, who had been the relict and was then (1670) co-administratrix with John Washington of Henry Brett, was then (1670) alive in Westmoreland as Mrs. Anne Washington, and that she, previous to marrying John Washington in 1669, was Mrs. Anne (Gerrard?) Brodhurst-Brett. The killing off of Henry Brett at least seventeen years before he died and eight years before his actual wife, the said Anne, married him, and the giving her of three children by John Washington, two of whom would have had to have been born before he (John Washington) ever saw Virginia and all born before 1658-9, ten years before the real widow of the said Henry Brett did marry John Washington in 1669, and the killing off of herself about sixteen years before she actually did die may be a very convenient "good riddance," literary assassination, for the romancer who, thereupon, ostrich-like, buries his head in the sands of his own chosen building material and imagines that no one can see the records that I have herein cited proving that both persons were very much alive. And there confronting him also, is that forbidding and fatal (to him) document which he incorrectly cites on his page 324, viz.—the patent to Gerrard Brodhurst of Sept. 20, 1668, naming "Mrs. Anne Brett als Broadhurst," then the wife of the then living same Henry Brett aforesaid. All "that sort of thing" in the way of genealogy would be merely amusing, unworthy of serious notice, were it not used as contributing to a serious justification, in one person's mind, for allegations of bigamy and illegitimacy. I think that if such stuff had been published in a magazine of much less repute than the one from which I have quoted, I should not have been called upon to present, at this time, the genuine evidence from the genuine old records of which I hold genuine copies.
On pages 333, 334, 335 and 336 the author of the wretchedly erroneous article in *The Pennsylvania Magazine of History and Biography* attempts to lay another foundation to support his charge of bigamy. I will prove that this foundation, like the first foundation already demolished, is likewise utterly false and, likewise, easily destroyed. Briefly quoted the allegations, in part, are (I have an aversion to quoting any more than is absolutely necessary of such rubbish)—

*[Pennsylvania Magazine of History and Biography, October, 1921.]*

*[page 334]*

"The Colonel certainly had a wife of his own, in Sept., 1675, who outlived him, but in the following May, he married another lady, and polygamy had ceased for ages to be fashionable, and was not revived till a couple of centuries later, therefore, how did he get rid of her?"

*[page 335]*

"That Mrs. Ann (Pope) Washington, formerly Mrs. Walter Brodhurst, was alive after Sept. 1675, and survived Col. John Washington, who died before 10 Jan., 1677-8, and after 14 June, 1677, may be seen thru the following items:

.........before, or after, Col. Washington died....... Mrs. Ann (Pope) Brodhurst-Washington went to England to visit her son, Walter Brodhurst, Jr., and her Brodhurst kin residing at Lilleshall, in Salop. And..............to collect a legacy..............

Before sailing, or after reaching England............ she executed a power of attorney, dated 18 March, 1677-8, and signed it 'Ann Washington,' and in which she is described 'the widow and relict of Captain John Washington,' and qualified Mr. Caleb Butler, a Westmoreland Co. Justice to collect and remit to her certain debts due her in Maryland and Virginia. This document was filed in this County Court on 30 March, 1678," etc., etc.

I depose that there is not and never was any such power of attorney, given on any date whatsoever, in any place whatsoever, by any wife, widow or alleged "grass widow" whomsoever of Col. John Washington, to Caleb Butler, or to any other person whomsoever, for any purpose whatsoever, and that there is no record of any such transaction in the courthouse of Westmoreland county or anywhere else.
I deposite that for several years I have had a copy, made by myself from the original recording, of a power of attorney to Mr. Caleb Butler, dated March 28 (not 18 as erroneously alleged), 1698 (not 1678 as alleged aforesaid) and proved in court on March 30, 1698 (not 1678 as alleged aforesaid), and issued by Mrs. Ann Washington, the then (1698) newly-widowed wife of Captain John Washington, the proven second son (not the first son as the visionary has it) of the Col. John and Ann (Pope) Washington, upon which latter father some person has attempted to foist this record of 1698 by changing the date of it to 1678, so that the document of the said daughter-in-law could be used in an attempt to prove that the father, Col. John Washington, Sr., of her, the said daughter-in-law's, just-deceased husband, Captain John Washington, Jr., was a bigamist.

Will the publishers of _The Pennsylvania Magazine of History and Biography_ be so just as to ascertain how came to be changed the date of 1698 to 1678, and also to publish a report of their finding, and, also, an acknowledgment of the mistake of publishing, throughout the English-speaking world, the attempt of a contributor to degrade the reverend progenitors of, and the noble founder of one of the most illustrious families of America—the family to which the Republic of the United States owes as much, if not more, than to any other?

If the librarian of the Historical Society of Pennsylvania and editor of that society's said magazine will examine pages 19 and 20 of a book in his custody entitled "Washington Wills" by W. C. Ford, 1891, he will find a printed copy of the said power of attorney by the said Ann, the widow of the said Capt. John Washington (Jr.), properly dated (viz. given on March 28, 1698, proved March 30, 1698) and certified to by the clerk of the court of Westmoreland county. The author of that book omitted to include the will of the said Capt. John Washington, Jr. Why? Also why did Mr. Ford insert the power of attorney by the latter's widow after the will of her father-in-law, Col. John Washington, without adding any comment, to point out (if he could) her identity, that would prevent any one from assuming that she was the wife Ann, named in the said will of her husband, Capt. John Washington.
ington's father, Col. John Washington? The answer is obvious. But who changed the date of 1698 to 1678?

I depose that in order to find out if the date in the original record of that power of attorney of 1698 in Westmoreland courthouse had been changed since I there made my copy of that power of attorney in 1917, and to again compare my copies of several documents I had copied in 1917, with the originals as now existing, I went to that courthouse on October 9, 1922, and confirmed my previous copies. While there I read over, with the clerk of that county, the 1698 power of attorney by Ann Washington, widow of Capt. John Washington, Jr., and obtained the following certificate: (The power of attorney was executed not in England as suggested, but as it plainly shows—"within this Colony of Virginia," and was one of the details of the closing up of the estate of Capt. John Washington by his widow (relict).

"Know all men by these presents that I Mrs. Ann Washington, widow & relict of Capt. John Washington of Westmoreland County, deced, do hereby constitute, appoint and ordain my trusty and well beloved friend Mr. Caleb Butler of the said County my True and Lawful Attorney for me and in my name, and to my use, to ask sue, receive and recover of all person or persons whatsoever living, residing & abiding within this Colony of Virginia or Province of Maryland, all such sum or sums of money or Tobacco which shall be made appear to be due to me whether by bill, bond or Book Account or otherways & upon non payment of any part of the above Tobacco or money by any person or persons whatsoever I do empower him the said Caleb Butler to Arrest & implead and into prison cast all such person or persons as he sees fitt, and out of Prison to release & sett free at his pleasure and acquittance or other discharges to give for me & in my name and for my use, and likewise I give my said Attorney full power to employ one Attorney or more if he sees fit, and to discharge them at his pleasure & to act and do in all my affairs belonging to me in Virginia or Maryland as if I myself were personally present, ratifying and allowing & confirming all & whatsoever my said attorney shall act and Do in the premises, as Witness my hand and seale this 28th day of March 1698.

Ann Washington (SEAL)

Sealed signed & delivered in presence of—
Thomas Howes, Henry Wickliff.
Westmoreland Sct.

At a Court held for the said County the 30th day of March 1698.

The above letter of Attorney was proved by the oaths of the witnesses thereto subscribed and ordered to be recorded.

Teste James Westcomb C W C

State of Virginia,
County of Westmoreland, to-wit:

I, Albert Stuart, Clerk of the Circuit Court of Westmoreland County, State of Virginia, the same being a Court of record, do hereby certify that the foregoing Power of Attorney from Ann Washington to Mr. Caleb Butler, of record in the said Clerk's Office in Deeds and Wills No. 2, folio 134, is a true and correct transcript from the records of the Clerk's Office aforesaid.

Given under my hand and official seal at Montross, Virginia, in the County of Westmoreland, this 9th day of October, 1922.

(Sd.) Albert Stuart Clerk of the Circuit Court of Westmoreland County, Virginia.

At the date of this document, 1698, Col. John¹ Washington and his second wife, Anne (Gerrard?) Brodthurst-Brett-Washington, had been dead twenty-one and twenty-three years, respectively.

Lest any furtive mind imagine that the said Mrs. Ann Washington of the power of attorney might, by any possibility, have not been the wife and widow of the said Capt. John² Washington, Jr., I depose that I have a copy, also certified as above, of a waiver of all her rights, by the said Ann, on May 10, 1697, in and to a parcel of land "sold by my husband, Capt. John Washington, to Thomas James of Richmond County"—witnessed by the same Thomas Howes and Henry Wickliff (who witnessed the power of attorney of March 28, 1698), proved Nov. 24, 1697, and recorded on folio 121 of Westmoreland "Deeds & Wills No. 2."

Furthermore, I have an abstract of a deed reciting the sale, on June 12, 1697, by "Capt. John Washington of the County of Westmoreland, Gentleman, and Anne his Wife" to John Champ, for 10,000 pounds of tobacco, 300 acres of land in "forrest of Nomony"—acknowledged in court on Sept. 29, 1697, by the said Capt. John² Washington (Jr.), witnessed by the same Henry
Wickliff and Thomas Howes, and recorded on page 11 of Westmoreland "Deeds & Wills No. 2."

Moreover, the will of the said Capt. John\(^2\) Washington (Jr.), dated Jan. 22, 1697-8, proved Feb. 22, 1697-8, names his wife as Ann. This will was not unknown to either the writer or the publisher of the attempted defamation of Col. John\(^1\) Washington, for on page 327 of the said October, 1921, issue of *The Pennsylvania Magazine of History and Biography* occur the following words:

"John Washington, Jr.; Col. John's second son, and last (?) child by his first wife," [meaning in this case Mrs. Anne Brett as the mother] "in his will, dated Washington parish, 22 January, 1697-8 (proved 23" [22] "Feb. following) desired that his body be 'buried by my father and mother and brothers.'"

In another part of the said article the author of it contradicts himself by calling John, Jr., the "eldest son and heir" (which he was not).

Who changed the date of that power of attorney from 1698 to 1678?

Neither the fictitious "Ann (Pope) Brodhurst-Washington," nor the real Ann (Pope) Washington, nor the real Anne (Gerrard?) Brodhurst-Brett-Washington survived Col. John\(^1\) Washington, or was living when he made the agreement with Mrs. Frances (Gerrard) Speke-Peyton-Appleton for a marriage between her and his twice-widowered self. None of these ladies went to Shropshire, England, or died there, or was divorced by or divorced Col. John\(^1\) Washington, or had any tangible grounds for divorce. Mrs. Anne (Gerrard?) Brodhurst-Brett-Washington died at the home of her loyal and just husband, Col. John\(^1\) Washington, as his loyal wife, having the loving care of his home and children; died between Sept. 21, 1675, and the following February, 1675-6. She was buried, not in John Washington's plot on Bridge's creek where he had previously buried his first wife, Ann Pope, and his and Ann Pope's two unnamed children who had died young, but, instead, at Nomini, beside her, the said Anne (Gerrard?) Brodhurst-Brett-Washington's first husband and father of all her children, Walter Brodhurst, Sr.
Some time thereafter, between the drawing up on the 10th day of May, 1676, by Col. John Washington of a proposal of marriage and proposition for a marriage settlement (to become effective upon the consummation of a lawful marriage between himself and his last previous wife’s probable (tho’ not proven) sister, or half-sister (as Dr. Gerrard had issue by two wives) the retired and thrice-widowed gentlewoman, Frances (Gerrard) Speke-Peyton-Appleton, aged about fifty years) and the 20th of March, 1676-7, ten months and ten days later, when that instrument was recorded, the marriage the agreement provided for was lawfully consummated. The exact date of it, like the exact date of the death late in the year 1675 of the last previous wife Anne, is unobtainable, because the records of baptism, marriage and burial of the Episcopal Church of the parish of Washington (previous to 1664 Appomattox parish) were cut up into paper dolls not very many years ago by the children of a modern clerk or sexton of that parish. Inasmuch as ecclesiastical law forbade marriage with a deceased wife’s sister, it is my belief that John Washington’s second wife, Anne, and third wife, Frances, were half-sisters, born of the two wives of Dr. Thomas Gerrard.

John Washington’s will, made while his second wife, Anne Brodhurst-Brett-Washington, was living, and nine months before he drew up the paper for the settlement for his contemplated marriage to Mrs. Frances Appleton, was made Sept. 21, 1675, while he was preparing to go to the Indian fort in Maryland to settle the question of peace or war with the Indians. That will bequeathst to “my Loveing wife M’rs An Washington.” She was Anne (Gerrard?) Brodhurst-Brett-Washington. The words of the will—“my body to be buried on ye plantation where I now Live, by the side of my wife yt is already buried & two Children of mine,” refer solely to his, Col. John Washington’s, first and only other previous wife, at the date of the will, namely, Ann (Pope) Washington, and to her two children deceased, of whom he was the father, as also of their three other children, Lawrence, John and Ann (who married Major Francis Wright), who survived these parents. As this second wife died after Sept. 21 in the same year, 1675, in which the will was made, and John Washington made no new will after her death or after he had married again, the ques-
tion may be asked: Why did he not make a new will? A study of the will and of the marriage settlement for the third wife reveals no conflict between their provisions. Each document continued to stand apart from the other as perfectly befitting his, the testator's, wishes and his circumstances after his third and last marriage. The second wife's removal by death, rendered null and void the generous and full legal provision that the will made for her; and as she had no child by Col. John\(^1\) Washington to inherit it, that provision reverted to the testator's three children. He intentionally allowed the will to remain so thus perfect and in force after the death and after his next marriage because he drew up the marriage settlement so as to cover, entirely independent of the will, the claim that his third wife would have upon him or his estate, both before and after his death; and, also, because he had fulfilled before his death some provisions of that marriage agreement. Thus the will stood good and fitting for his children. As he died between August 14 and September 26, 1677, less than six months after the recording of his marriage jointure to Mrs. Appleton, there was but slight chance of anything occurring after that marriage to necessitate a new will. Neither a new will nor codicil to the will was necessary.

But if there had been a divorce a new will would have been immediately and absolutely necessary. If the wife Anne of the will had not predeceased her husband, and even if divorced, then why was she not present or represented when the legatees of the will met to draw up an agreement as to how should be settled any claims brought against the estate? She was the principal legatee of the will. She was not absent in England. She was asleep in the dust of her grave at Nomini.

At least six years before she died her son (the only son living at her death in 1675) Walter Brodthurst, Jr., removed from Virginia to the home of his deceased father's relatives at Lillieshall, England, as is proven by his having had baptized there all of his children by his wife, Jane, commencing with his daughter Jane on October 5, 1669. He never returned to Virginia, dying at Lillieshall in 1707. His nephew, son of his deceased brother Gerrard Brodthurst who died in Virginia, also went to Lillieshall, when a boy, to remain. Whatever Col. John\(^1\) Washington after the death
in 1675 of his wife Anne (Gerrard?) Brodhurst-Brett-Washington, or the Colonel's own executors later sent to Walter Brodhurst, Jr., of Walter's mother's intestate estate (a very small estate at the most), Walter Brodhurst, Jr., found out that there were three pounds in England that had been due to his mother for nineteen years before her death. On April 12, 1678, he proceeded to collect the money by due process of law. To accomplish that, he first had to apply to the probate court at Lichfield, England, for letters of administration upon that three pounds as being the only part of the estate of his mother's not previously settled in Virginia. This grant to him describes his deceased mother as "Anne Washington als Brodhurst late of Washington pish in ye county of Westmerland in ye Countrey of Virginia." Thus it is indicated that she had died in Virginia; and she was thus called "Washington als Brodhurst" the more clearly to identify her as the lady to whom the three pounds became due, as a bequest, when she was the wife of Walter Brodhurst, Sr., in 1656. The author of the article in The Pennsylvania Magazine of History and Biography asserts that this grant to her son means that she also was in England and died there after her husband, Col. John Washington, had married again and had died in Virginia. Col. J. L. Chester, who many years ago found at Lichfield district probate registry (England) the record of that attempt to collect that long unpaid legacy of three pounds, did not accept the idea that the said mother of Walter Brodhurst, Jr., also came to England and there died; nor can I, because there is no occasion to do so. The only occasion that the said Pennsylvanian imaginator had to attempt to carry the lady to England, after she had been sometime dead in Virginia, was that his previous errors led him into it. This is one of the instances wherein errors breed errors. A better understanding of the matter of the ancient jurisdiction of the Prerogative Court of Canterbury in London, as superior to and as excluding a minor district court in matters testamentary upon the estates of persons, of and from parts beyond the sea, dying seized of any kind of property in such parts, and with the heir in England, might still have saved the Pennsylvanian gentleman from the error.

The Ardmorean assembler of the vague and the visionary juggles with the word "divorce" as though early colonial Vir-
Virginia, when the church and the civil government were closely allied, was a Nevadan Reno, whereas my understanding, though limited, of both the then ecclesiastical law and the colonial statutes is that it was practically impossible for either his wife or himself, as an officer, ever-loyal supporter and benefactor of the church named, in his honor, Washington Parish Church, to have obtained a divorce and married again within the very few months between the will of September, 1675, and the third marriage agreement of the following May, to say nothing of other impediments.

I depose that will of John Washington was composed and penned by himself; that his expression in it of his own religious sentiments and of his conception of his relations to both God and man are in words as beautiful and sincere as I have ever read in any will of an early American gentleman.

The assertion in paragraph 3, page 329, Pennsylvania Magazine of History and Biography Oct. 1921, that Lawrence², son of John¹ Washington, if the son by Ann Pope, would have been too young in 1679 to have then become appointed a justice of the Westmoreland county court, is untenable because he, having been born a short time before Sept. 30, 1659, was in his twenty-first year before the year 1679 had been more than half passed. Furthermore, in early Virginia sixteen was the military age and eighteen often assumed as the legal age, in the case of the educated sons of gentlemen who, when their fathers died before the sons were twenty-one years old, assumed many of the responsibilities of their fathers and were legally named as executors and administrators, and successors to their fathers in public positions. Ability so to succeed, and to serve, was recognized as paramount to the matter of a few months, more or less, as to the son's age; and "day of marriage" was often specified to serve the same purposes as the age of twenty-one when marriage preceded that age. An example of this is seen in the fact that the said son, Lawrence² Washington, was made an executor of his father’s will when aged seventeen years. This son, Lawrence Washington, was nearer his twenty-first birthday than his twentieth before the end of the year 1679 when he succeeded his father as one of the justices of the peace of Westmoreland. Furthermore, youths aged sixteen years were considered in Virginia as taxable inhabitants, and were so taxed apart from their parents.
Col. John¹ Washington married the widow Mrs. Anne Brodhurst-Brett, as his second wife, between the times of the death of his first wife Ann (Pope) Washington late in 1668 and the first recorded appearance of herself, the said Mrs. Anne (Gerrard?) Brodhurst-Brett, as the wife of John¹ Washington, in the county court of Westmoreland to receive the apology made on that day to her and to her then newly-married husband, John¹ Washington, by the bachelor Clement Spilman, who, the recorded evidence suggests, was, earlier in 1669, the jealous and unsuccessful suitor for her hand in marriage. [Westmoreland "Deeds, Patents, Accounts, Depositions, &c., from 1665 to 1677," page 45 dorso:]

As to the attempt on pages 339 to 358 of the said magazine, by the said contributor, to question the legitimacy of the birth in England of Col. John¹ Washington, I depose that I am in possession of evidence that proves that this idea is "off the same piece of cloth," bespattered with the same peculiar imagery and recklessness of statement of the said contributor as the preceding web of erroneous conjecture; that, being under agreement for the joint publication hereafter of the evidence upon the Washington family, including the identity hitherto not fully revealed of the wife of Rev. Lawrence Washington, collected by Mr. Pape of England and myself, I will not now venture to take the liberty of disclosing that evidence confidentially received from England. That is Mr. Pape's privilege. But Mr. Pape has read in England the article I am now dealing with and I will now quote from his letter to me of July 20, 1922, enough facts to cast back into the abyss of Neverwas, from which an American imagines that he has dragged forth a black and hideous shape, the same phantom spectre. Thus it is that an English gentleman and scholar rises to prove that that black and hideous shape has not even the substance of a shadow:

[T. Pape, B. A., to C. A. Hoppin, July 20, 1922.]

"Whatever is the motive of those inaccurate and scurrilous articles on John Washington? He [their writer] rejects facts which he must know about and he makes wild assumptions. These articles are an attempt to prove that the Rev. Lawrence Washington, who became Rector of Purleigh, had an illegitimate child by a woman named Amphillis Roades about the year 1629."
His very first statement of what he calls 'facts' contains two errors, one of which upsets most of his assumptions. He states: 'It is dated at Tring in Hertfordshire, 13 Jan. 1648-9 and signed with his 'mark.' He had considerable property, and had married the widow of John Roades.'

The date of the will is 13 Jan. 1649-50. Anne, wife of John Roades, never was a widow. Her burial entry in Middle Claydon Register is on August 20, 1636, and she is described as 'Anne wife of John Roads.' Sir Ralph Verney notes in his calendar of 'Letters from Roades,' May 1st, 1644: 'John Roades died on Good Friday last.'

I have marked no end of real mistakes in these wretched productions but I will comment on only two points which go to the crux of the matter.

The writer states that he consulted an Oxford university official about the holding of the office of proctor and of a fellowship. The reply states that when Mr. Lawrence Washington was elected a Fellow in 1623 he would necessarily be unmarried. [Quite so, in 1623.] The reply goes on: 'The proctorship is a university office, not a college office. Lawrence Washington was elected the proctor of the university on Aug. 26, 1631, he being at that time a Fellow of Brasenose College.'

The writer of the article then in brackets adds "and 'necessarily' a bachelor, of course." Also he treats this comment of his as though the university official had made it. But the official had some sense and did not make rash statements.

The Rev. R. T. Love of Purleigh went into this very question. He found that it was not unusual at Oxford and Cambridge for Fellows to keep their fellowships for some time after they were married. Also, a Fellow, on becoming benefited to a living, was entitled to a twelve-months continuation of his Fellowship. The Rector of Purleigh kept his Fellowship when he was inducted to Purleigh 17 March 1633 but he resigned it 3 Nov. 1633. If he got married in 1627 or 1628 (but not before 1623) he should have resigned, but he might retain it even if it were unusual.

The other point is—Was John Washington, the eldest son, born in lawful wedlock?

When John Washington was granted letters of Administration on his mother's estate, not a month after Mrs. Washington's funeral (as the writer states) but thirteen months after, he is described in the official document "John Washington the nrall and lawfull sone of Amphillis Washington," etc.—not "eldest" as the perverter of truth states.
He was the lawful son, not the illegitimate son.
I think I have now written enough to show the rotten foundation on which this slimy edifice is built.

\[\text{\ldots\ldots\ldots I have a copy of the only known letter written by Amphillis Washington. She was not an ignorant woman.}\]

\[\text{\ldots\ldots\ldots I should like to give chapter and verse to show up such a tissued of lies as a man like "C. H. B. A." can get into print.\ldots\ldots\ldots You can make use of the comments about C. H. B. A.'s articles when you refute his abominable statements.\ldots\ldots\ldots\ldots\ldots\ldots.}\]

As Mr. Pape shows that, while a married man would not have been chosen for a fellowship, a gentleman already a fellow could marry and have issue and still retain his fellowship with the understanding that he must resign it as soon thereafter as might prove to be consistent with the convenience of himself and the college, as was the case with Lawrence Washington. Perhaps it may be proper for me to add to Mr. Pape's words the suggestion that Lawrence Washington was given advancement and preferment at Oxford and also liberty to hold his fellowship as long as he desired, within reason, partly because of the fact that his family was well established in the favor of King Charles I; that Lawrence's brother, Thomas Washington, had been the personal attendant of that king when, as prince, he went upon a match-making trip to Spain with the Duke of Buckingham (George Villiers) related by marriage to the Washington family; that the said Thomas, while in personal attendance upon the said Charles, died in Spain; that the Washington family was ever loyal to Charles I, even after he was executed, and that this king was a loyal benefactor to the Wash-ingtons; that his influence stood behind Lawrence Washington, if reasonably called for; that at Oxford University that influence was not lost sight of.

I depose that I have never been able to see any reason in the matter of the termination of the tenure of the fellowship by Lawrence Washington, at a reasonable time after his marriage and the birth in 1630 or 1631 of his first child, John, to imagine that that marriage was unlawful, or in any way discreditable, or that that son was illegitimate. Nor can I conceive how Reverend Lawrence Washington either would or could have been continued in the enjoyment of the high position of a Fellow of Brasenose
College, for two years after the birth of his eldest son, if he had committed the blunder (unpardonable in a gentleman and scholar occupying his position at Oxford) of being that son’s unlawful father, for how could he have saved himself from official censure and a prompt ejection from his high office except by resigning before the birth of such a child? Nor can I conceive how he either would or could have been honored in March, 1633-4, about two years after the birth of his son, John, with the degree of Bachelor of Divinity, by the supreme authorities of Oxford University, if there was anything of any consequence that could be said against him.

I depose that the mother of John Washington was not the daughter of a mere farm-bailiff as has been alleged; that she was born, bred, lived and died a gentlewoman, as is shown by some of her correspondence still extant; that her full identity has never been published; that I believe Mr. Pape is in possession of evidence thereon that the late Mr. Waters never secured, and that confirms the latter’s question mark placed against a name on page 396, Volume I of his Genealogical Gleanings in England, viz.: “Amphillis, dau. of Roades (?)” The Philadelphian disturber of dates and names treats this entry upon Mr. Waters’ chart as though it proved that Amphillis was a Roades. Mr. Pape will, I think, disclose his evidence in accordance with his own arrangements.

The said incautious critic of Philadelphia states on page 355 of the October 1921 Pennsylvania Magazine, that the estate of Mrs. Amphillis Washington was administered by her son, John, in the “Archdeacon’s Court at Wheathampstead, Herts”; that said John “was present in person in this Diocesan Court on this date, 8 Feb. 1654-5.”

I depose that the said John Washington was not present on that date, or on any other date, in that archdeacon’s court at Wheathampstead for any purposes of administrationship whatever; that the estate of the said Amphillis never was a matter before that court, or any other archidiaconal or diocesan court in England. As Mr. Waters clearly stated on page 361, Vol. I., of his Genealogical Gleanings, the estate of the said Amphillis and the appointment of her administrator were before the highest probate court in England, the court resorted to by the nobility and gentry,
the Prerogative Court of the Archbishop of Canterbury, now called "His Majesty's High Court of Justice, Probate Division"; that this high court sat at London where its records still remain; and that there in Somerset House, on folio 42 of the Administration Act Book of that former great court of the Primate of England there is recorded, not under the date of "8 Feb. 1654-5" (as claimed by the aforesaid disturber of dates) but exactly a year later, to-wit:

"February 1655. The Eighth day Lres of adcon yssued forth to John Washington the nrall and lawfull sone of Amphillis Washington late of Tring in the County of Hertford dec'd to adster the goods Chells and debtes of the said dec'd. Hee beeing first sworne truly to adster &c."

This record has been in print in America for over twenty years. How any sane genealogist can read its words describing John Washington as the natural and lawful son and then proceed with an attempt to show that he may have been illegitimate is a matter I leave for others to deal with, as I am only a mere genealogist. If he was not the lawful son he perjured himself before the high court of England. Of course, perjury fits in well with bastard and bigamist, but the self-elected inquisitor somehow has overlooked this addition to his surmises of immorality. He also has overlooked certain old restrictions imposed by the Code of the Realm of England upon illegitimates, with respect to the inheritance of titles and estates, from an intestate, and the control thereof, when a lawful son was then and there living. John Washington's brother Lawrence was there and, on the true administration date, Feb. 8, 1655-6, aged more than twenty years seven months and twenty-three days. No protest against John Washington's legal and lawful administration was entered. The rest is obvious.

But, why is the date of February 8, 1655, of the true court record, which date every genealogist knows was 1655-6, charged to a year earlier, 1654-5, on page 355, of The Pennsylvania Magazine of History and Biography, Oct. 1921, in lines eight and eighteen of that page? I venture to say because of the words beginning on that same line eighteen, to-wit: "he must have returned shortly to Virginia, to personally receive his commission, on 4 April, 1655, promoting him from a captain to a major of the Westmoreland regiment." Thus for this alleged reason the true
date of the grant of administration, Feb. 8, 1655-6, won't serve, because if allowed to stand in its verity, it would compel the instigator of inquisitorial imagery to bring John Washington back from Virginia to England ten months after 4 April, 1655, to begin to administer that estate of his mother on the following February 8, 1655-6, which feat cannot be done. The said Pennsylvanian interjector of the injunction, "Watch Your Step" has only fifty-four days between his own alleged dates of Feb. 8, 1654-5 and April 4, 1655, for John Washington to comply with the order of the court to have made an appraisal of that estate, to allow the necessary legal time after the alleged Feb. 8, 1654-5, for the presentation of all claims against the estate, to distribute the residue of the estate, receive his discharge in court from his administration, hurry to the White Star Line's steamship Majestic, hustle across the pond to America, pass the health, the immigration, and the customs officials, catch the Congressional Limited for Virginia, and jump into his new military uniform at Nomini, Virginia, on April 4, 1655.

Did he make it? The original, ancient, official, Virginian record of the said date, "4 April, 1655," gives answer, to-wit:

On page 183, Vol. I, William and Mary College Quarterly (April, 1893), W. G. Stanard, in some miscellaneous notes on the Washingtons and other families in Virginia, stated that John Washington,

"was well established in the country prior to this time" (meaning prior to 1656) "for a commission to the military officers of Westmoreland, dated April 4th, 1655, and recorded in a worn and moth eaten volume which contains the earliest records of Westmoreland County includes Thomas Speke, as Colonel, Nathaniel Pope, Lieutenant-Colonel, and John Washington, Major."

On page 32, Vol. IV., William and Mary College Quarterly (July, 1895), Lyon G. Tyler, LL. D., showed that Mr. Stanard's statement was erroneous, in the following words:

"Washington arrived in Virginia in 1656............. Mr. Stanard errs in giving an earlier settlement. The commission to which he refers does not contain the name of Wash-
ington, as he supposes. This I know from careful personal examination. But here it is:

4th April, 1655. Com" for ye County of Westmoreland
Mr Thomas Speke, These Mr John Dodman,
Mr Nathaniel Pope, first Mr Gerrard Fowke,
Mr John Hallowes, five Mr James Baldridge,
Mr Walter Brodhurst, to be of Mr Alex. Bainham,

These appointed by ye Governor & councell to be of ye Militia for ye said County of Westmoreland Colonel Thomas Speke, Lieut Col Nath: Pope, Major John Hallowes, Capt Thos. Blagg, Capt Alex Bainham

Vera copia Sack Brewer 20 July 1655 this letter was recorded.

The first letter of Major John Hallowes's name is written something like a 'w', and probably it was this similarity that led Mr Stanard into error."

I depose that in February, 1917, I photographed in person at Westmoreland courthouse the said record; that a photostatic facsimile of the record accompanies this affidavit to the present publisher; that there is no difficulty whatever in reading the record; and that the original reads, viz:

[Westmoreland "Deeds Wills Patents &c. 1653-1659" folio 36 dorso]

"4th Aprill 1655

Com" for ye County of Westmoreland
Mr Thomas Speke
Mr Nathaniel Pope
Mr John Hallowes
Mr Walter Brodhurst
Mr John Hiller

Mr John Dodman
Mr Gerrard Fowke
Mr John Tew
Mr James Baldridge
Mr Alex Bainham
Leit Tho Blagg

These first five to be of ye Quorum
These appointed by ye Governr & Counsell to be of ye Militia for ye said County of Westm land

Colonel Thomas Speke
Leif Colo Nath: Pope
Maior John Hallowes
Cap Tho. Blagg
Cap Alex Bainham

Vera copia Sack Brewster
20 July 1655 This Ord was Recorded.

I deposite that I have ancient, official, recorded evidence proving that John Washington was neither in Virginia, either in or before the year 1655, nor until very late in the year 1656; that reveals where he was in April, 1655, and what he was doing; that he was not commissioned a major in Virginia until August 7, 1662; that he is not of record in Virginia as a captain of militia, the assertion of the Pennsylvania gentleman to the contrary notwithstanding; all of which will more fully and at large appear at the pleasure of lineal descendants of Colonel John and Ann (Pope) Washington, whom I am proud to have the honor to serve in this behalf.

I deposite that I find in the said article in The Pennsylvania Magazine of History and Biography still further errors, errors that breed errors on almost every page. So many they are as to become exasperating to one who is engaged in an important constructive work which allows neither the time nor the patience, in advance of the prospective final presentation as planned, in impressive form, for me to here and now set forth the voluminous truth in its fullness, and to correct in detail all of those many needless and remarkable errors.

I deposite that I am unable to see anything whatever lessening in any degree whatever the high esteem that is due to the memories of Rev. Lawrence and Amphillis Washington, their son and daughter-in-law, Col. John and Ann (Pope) Washington and Lieut.-Col. Nathaniel Pope, or the full eligibility of the two latter gentlemen as qualifying ancestors for The National Society of the Colonial Dames of America, through all of their children who had issue, etc. When President George Washington wrote, with his own quill, an account of his family (the original manuscript of which is in the Library of Congress) and therein referred to Col.
John Washington, viz., "He married Ann Pope and left issue two sons, Lawrence and John, and one daughter, Ann, who married Major Francis Wright"—he certainly knew that his said grandfather Lawrence, greatuncle John, and greataunt Ann, were the children of Ann (Pope) Washington.

I trust that the Pennsylvanian dreamer of bad dreams will not become embittered by the shock of this awakening, but, instead, will be relieved to learn that he "was only dreaming"—as a victim of the declarations of eminent persons whose declarations were highly honored in certain publication circles, and, besides, nothing untrue will be suffered, for a moment, to injure The Sulgrave Institution in its present work of raising funds to complete the restoration of Sulgrave Manor House and Gardens, as an American memorial in England, and to foster the spirit of amity and good-will between the two greatest nations of the English-speaking world. Assuredly, President Warren G. Harding, whose ancestors lived at Sulgrave, England, made no mistake when he accepted the honorary chancellorship of The Sulgrave Institution.

CHARLES ARTHUR HOPPIN.

Sworn and subscribed to before me this 31st day of October, 1922.

WM. BRADFORD,

(SEAL) Notary Public, Kings County, No. 4.

Certificate filed in N. Y. Co.

[Postscript to the foregoing affidavit]

On page 66 of the January 1923 issue of The Pennsylvania Magazine of History and Biography its editor states:

"The interested reader is referred in the matter of John Washington's birth, first—to Col. Washington's deposition (undated), but about 24th June, 1674, second—to a legal paper dated 5th January, 1674-5, and third—to a legal paper dated 12th February, 1674-5."

Unfortunately, the said editor does not seem to have taken his own advice, before making that statement, by examining or causing to be examined the original recording of the power of attorney by Thomas Kirson (Kirton) to his wife Anna recorded on page 246 of Westmoreland Deeds, Patents, Accounts, Depositions from
1668 to 1677, immediately preceding the record of the said deposition of John Washington as to the latter’s age, Richard Cole’s will, etc., this power of attorney being the “legal paper” which the said editor states is dated “5th January, 1674-5.” These three dates are evidently taken from the editor’s contributor of the Washington article published in the said magazine of October, 1921 (issued in May, 1922).

Reference to the original ancient records at Montross, Virginia, shows that two of those dates are wrong. The said power of attorney is dated a year later than the editor gives it, viz. (in the actual specification in the “legal paper” itself), “5th January 1675-6,” this date being date of the execution of this instrument, the date of its recordation not being recorded. Hence, Col. Washington’s deposition is highly unlikely to have been dated, as the said editor states, “about 24th June, 1674.” A further examination of the original recorded court records in the office of the clerk of the court at Montross, Virginia, confirms this belief, and shows that the estate of Richard Cole (the original instrument of whose last will and testament was brought into court and there proven to be his will on the said “24th June, 1674”) was not settled for many months thereafter; shows that some of the provisions of that will were not carried out, doubtless because they were deemed unwise, if not altogether foolish; and, more particularly, those records show that John Washington was neither an executor of nor a subscribing witness to the said will; was not one of the witnesses by whose oaths of the said “24th June, 1674,” the instrument then presented in court was then established as the genuine last will of Richard Cole; will show that the testator was a peculiar man who bequeathed quite a goodly estate to a gentleman neighbor to whom he was not related; will show that Cole was rather eccentric, boastful, erratic, and sometimes insolent—came to Virginia as a servant, and later became so prosperous that it “turned his head”; will show that a question as to the soundness of mind of the testator could be raised, or that the testator was somewhat hilarious or in some delusion concerning his own status when he made his will. It is also clear that the so-called “proving” of the paper, presented in court on “24th June, 1674,” as being the genuine will of Richard Cole, was one proceeding, and that the subsequent
matter of the wisdom, practicability, and validity of executing the provisions of the will was another and later proceeding. Hence, it was during the period of the settlement of the estate that John Washington made a remark that caused him to be called upon to make a deposition thereto. The unusual nature of the will evidently left something to be desired as to what occasioned or influenced the bequest to "young Mr Nicholas Spencer," and John Washington was able to give evidence in behalf of his intimate friend, the said principal legatee. Thus the date of John Washington's deposition is entirely separated from the said "24th June, 1674," and so the deposition falls into the following period of the settlement of the estate.

With reference to the position occupied by that deposition in Westmoreland Deeds, Patents, Accounts, Depositions from 1668 to 1677: Further examination shows that there was a change of recorders and, consequently, of handwriting in that book, beginning on the aforesaid page 246 on which page is recorded, without date of recordation, the said power of attorney executed by Thomas Kirson on "5th January, 1675-6," and which "legal paper" immediately precedes the said deposition which is recorded on page 247. After a general examination of this whole book of records it becomes evident that the new recorder did not enter several instruments in it in regular sequence as to their dates of execution. I have reached the opinion, for myself, that when he began his recording in the book he did not begin close to where the previous scribe had ceased, but left a blank leaf at that place, and that, later on, after completing the book in 1677, finding that blank space unused and sufficient for the entering thereon of the two said instruments that belonged within the period embraced by the contents of the book, he then recorded in that space the said power of attorney that had been previously executed on "5th January, 1675-6," and, following it, recorded the said undated deposition; and as they were thus entered out of their chronological position, he omitted to add to either of them the date of recordation. This omission was contrary to the custom as shown by other entries in the book. How long after "5th January, 1675-6," the power of attorney came to be recorded is not visible, nor how much time elapsed after "younge Mr Nicholas Spencer"
received and used the deposition before it came to the clerk of the court to be recorded, nor how long it was after the clerk received it before he recorded it. We do know that there often was not much celerity in such matters at that time, but the student who studies Westmoreland records acquires a high respect for their accuracy and minuteness of specification in general.

The record next following the Washington deposition is an administrator's account by William Kendall, proven in court on the 4th day of February, 1674-5, and "Recorded ye 12th day of February 1674"-(5). It is also to be noted that when the new scribe began his entries at page 246 of this book it was nearly full, there being only two more instruments of date later than February 4-14, 1674-5, recorded in it during the ten months after that date, not counting the power of attorney of "5th January, 1675-6," and the said deposition. John Washington's will ends the book.

I feel that I should not assume that John Washington did not know his own age, and that he incorrectly made oath as to the number of its years when he deposed on or after "5th January, 1675-6," believing himself to be, as must all fair-minded men, the "nrall and lawfull sone" of his parents—natural meaning by the blood, not an adopted son, son-in-law, stepson or other.

On page 63 of the January 1923 number of The Pennsylvania Magazine of History and Biography, its editor refers to the statement that it was "extremely common for the first child of seventeenth-century marriages to be born before marriage, as our New England Court Records amply prove," as being "a sensible admission" applicable to the divinity student, Lawrence Washington, of gentle birth and breeding, Master of Arts, Fellow and Lector of Brasenose College. This comparison, or attempt to associate, is far-fetched, indeed. Also, it is illogical and improbable in the extreme degree, because however common may have been the occurrence of irregular births among early New England inhabitants of a lower caste than Lawrence Washington, and living under crude conditions and hardships much different than in the then matured and ecclesiastically dominated England, the said editor cannot cite a single instance of such an irregularity in connection with any gentleman and scholar, like the high caste Lawrence Washington, engaged in instructing youths at any university in England during
the period of Lawrence Washington's life at Oxford; and until the editor can cite an instance of such an irregularity his comment is valueless. The percentage of irregular births in early New England was very small compared to that of regular births, and scarcely larger than among inhabitants of the same caste in England, and no larger (if as large) than in some of the other American colonies. Though irregularity of birth never anywhere has been confined strictly to one class or rank of society, it was much larger in some than in others; and the impossibility of the said editor producing a record of a single ancient instance of it among the Faculty of the University of Oxford renders untenable his idea that it is a "sensible admission" to admit of the likelihood of such a fault in such a teacher at Oxford as was Lawrence Washington. Strange as it may seem to an American editor, a son of a man without some fair recognized presumption to the standing of "gentleman" was not even permitted to become a student at the University of Oxford in and before the early years of the seventeenth century—so states the Rt. Hon. H. H. Asquith, former prime minister of the Kingdom of Great Britain and Ireland. I have used the word "caste" in the sense of its meaning and fitness as applied to the social structure of England in the early seventeenth century—not as implying that a man of "lower caste" was not a good man and capable in his sphere or vocation.

Charles Arthur Hoppin.

January 20, 1923.

20 Monroe Ave., Worcester, Massachusetts.
Commenting upon the article in the Pennsylvania Magazine of History and Biography, Dr. Tyler says:

"November 14, 1922.

"Dear Mr. Hoppin:

"The author of the article refers to a comment made by me as to the birth of Washington in 1629, and its apparent inconsistency with the office held by his father, Rev. Lawrence Washington, who was proctor of Oxford University in 1631, 'presumably unmarried then.' But this comment was based, so far as birth was concerned, upon a date, 1674, given erroneously by Dr. Stanard to a deposition made by Washington, found in an old record book of Westmoreland County, in which Washington stated his age as 'forty-five yeares or thereabouts.'

"So far as its inconsistency with his father's office as Fellow or Proctor was concerned, presuming an unmarried condition, I rested upon information given by Moncure D. Conway [William and Mary Quarterly II, 137.] I made no investigation as to the status of a Fellow or Proctor, and my comment was intended merely to raise a question, not to make an assertion.

"Subsequently in 1895 I went to Westmoreland County Courthouse, and found that the deposition, though written in a book, had neither date of execution nor of recording. It read as follows:

"'The Deposition of Coll., John Washington, aged 45 yeares or thereabouts: Declareth That hee hath heard Mr Richd Cole, Deceased, Declare that hee had made a Will, and given his whole Estate to younge Mr Nicholas Spencer, and further sayth not. John Washington.' I found moreover that a document copied into the same book just ahead of the Washington deposition had the date January 5, 1675-6. There was no date of the recording of it. Then a document immediately after the deposition had the date Feb. 12, 1674-5. On my return home I published the result of my visit in the William and Mary Quarterly, Vol. 33, taking the ground that, as the deposition could not be earlier than the paper
which preceded it, Washington was born, not in 1629, but probably in 1631.

"But as a matter of fact there is nothing that prevents the real time of the deposition being later than August 14, 1677, when this same book has an entry which shows that Washington was still alive [William and Mary Quarterly, II, p. 48.] It could not have been as late as September 26, 1677, when the order book (1675-1689) has the following entry, page 90, showing that Washington was then dead:

'At A Co't held for ye County of Westmerl'd ye 26th 7ber 1677. Mr Jnº Gerrard vs Coll Washington's estate. It is Ordºd ye t Mr Jno: Garrard have out of ye estate of Capº Jnº Appleton, deceased, now ye estate of Collº Jnº Washington deceas'd, who intermarried with ye Relict of sº Appleton,' etc.

"The mere fact that the Washington deposition has relation to the will of Richard Cole, proved June 24, 1674, does not prevent its being made several years later than the proof of this will, and the fact that the document preceding the deposition was later than the document following it shows that this book was not contemporaneous with the transactions, but was written up several years after the events it records. It contains a jumble of depositions, deeds and wills, and my opinion is that the original record book or books had been burnt or lost, and that this was written up from the original papers, arranged not always in due order. Some of the papers had neither date of execution nor date of recording endorsed upon them; some others had only the date of execution, and then upon others the clerk had endorsed the date of recordation.

"The author of the article in the Pennsylvania Magazine (on page 348) misdates the document preceding John Washington's deposition as Jan. 5, 1674-5 (instead of Jan. 5, 1675-6) which makes it appear as regularly prior to the document following John Washington's deposition, which document bears date Febr. 12, 1674-5."

(Signed) Lyon G. Tyler.
THE WASHINGTON EMIGRANTS AND THEIR PARENTS.

By T. Pape, B. A.

The human element in the solution of a genealogical puzzle carries with it a peculiar satisfaction, more especially if the problem is connected with a famous man. Just because George Washington is one of the bonds of union between England and the great federation of English-speaking states, the foundation of which owes so much to him, his ancestry appeals to a wider circle than that which encompasses those who are merely interested in the pedigree of a great man.

The records of Washington's ancestors in the north of England and in the county of Northampton are a common heritage of England and the United States of America; and the international character of the bond has been greatly strengthened by the acquisition of Sulgrave manor house as a memorial for all who revere the name of Washington. Therefore any facts which throw light on the parentage of John and Lawrence Washington, who emigrated from England after the great Civil War, are of deep interest not only to admirers of George Washington but also to the historical student and the genealogical expert. It is not generally known that in England considerable additions have been made to the researches of Colonel J. L. Chester and Henry F. Waters, the genealogical experts most responsible for establishing George Washington's English ancestry on a firm basis. Undoubtedly the most important publication about George Washington's English ancestry is the article by Henry F. Waters printed in 1889 in the New England Historical and Genealogical Register entitled "An Examination of the English Ancestry of George Washington, setting forth the evidence to connect him with the Washingtons of Sulgrave and Brington." Until that was printed it was not definitely known from which part of England the emigrant ancestor of George Washington had sprung.

It was known that John and Lawrence Washington had emigrated from England to Virginia, but their home in England and their parents were not known. It was also known that John Wash-
ington was the great-grandfather of the first President of the United States of America. Mr. Waters tried to prove that John Washington, who emigrated to America in the year 1656, was the eldest son of the Rev. Lawrence Washington, Rector of Purleigh, Essex, from 1633 to 1643, and that this Rev. Lawrence Washington was the fifth son of Lawrence Washington, of Sulgrave.

Waters made out a pedigree in the highest degree probable, and lacking absolute certainty only on the two following points:

1st. Having shown that Lawrence Washington of Virginia (brother of the emigrant John) owned land near Luton, County Bedford, he lacked positive proof to identify him with the Lawrence, son of Lawrence Washington, baptized at Tring, County Hertford, in 1635.

2nd. Having rendered it almost absolutely certain that the father of the three Washington children baptized at Tring was a clergyman, he could not prove absolutely that the father was identical with the Lawrence Washington, M. A., son of Lawrence and Margaret Washington, of Sulgrave and Brington, who was Rector of Purleigh, County Essex, from 1633 to 1643.

In proving the first identity I will detail the material evidence about Lawrence Washington of Virginia. When Lawrence Washington, of Rappahannock County, in the colony of Virginia, died, his will, dated 27th September, 1675, was proved in America, on 6th January, 1677. He gave all his property in England to his daughter Mary, and the heirs of her body; failing them to his children John and Ann, both under age. He appointed his wife Jane, executrix; and his brother, Colonel John Washington, and friend, Thomas Hawkins, overseers. Although this will was proved in Virginia, letters of administration were granted in England to Edmund Jones, "creditori principali" of Lawrence Washington, recently of Luton, in the county of Bedford, but deceased in Virginia, "in partibus transmarinis."

The Bishop's transcripts of the parish church registers of Luton yielded the following entries:


1663, Dec. 22. Mary Washington, daughter of Mr Lawrence and Mary, baptized."

Evidently, the emigrant Lawrence Washington married for his first wife Mary Jones, at Luton, and the daughter, Mary, mentioned in Lawrence Washington’s will, would at the time of his death, be just over thirteen years of age. This marriage at Luton accounts for the surname of the one who was granted letters of administration in 1677 in connection with the emigrant’s will.

According to his own will the emigrant Lawrence Washington had a brother John. In the latter’s will, also proved in the year 1677, the emigrant John Washington mentioned his brother Lawrence and his sister “Marthaw.”

So John Washington, brother to Lawrence, “late of Luton,” had a sister Martha. The following extract from a letter written by John, the son of the emigrant Lawrence Washington, to his half-sister, Mary, daughter of Lawrence by his first wife, Mary Jones, is preserved at Washington, U. S. A.:

"Virginia, June Ye 22d, 1699.

Dear and Loving Sister,

I had the happiness to see a Letter which you sent to my Aunt Haward who died about a year and a half ago: I had heard of you by her before, but could not tell if you were alive or not. . . . ."

This proves that the emigrant Lawrence Washington had a sister surnamed Haward [or Hayward] who had evidently come from England, as she was personally acquainted with Mary, her niece.

The will of Martha Hayward (nee Washington), sister of the emigrants John and Lawrence Washington, is dated 6th May, 1697, and was proved 8th December in the same year. She mentions two sisters in England, her eldest sister, “Mrs Elizabeth Rumbold,” and her other sister, “Mrs Margaret Talbut.”

So far the evidence about the emigrant Lawrence Washington goes to show: (a) He married Mary Jones at Luton in 1660, and they had a daughter Mary born there in 1663: (b) He, his brother John and his sister Martha emigrated to Virginia, while his sisters Elizabeth and Margaret remained and married in England; (c) He died probably either in December, 1676, or in January, 1677:
(d) Letters of administration were taken out by Edmund Jones, of Luton, in favour of Lawrence Washington’s daughter, Mary, aged about thirteen years.

Now let us turn our attention to Lawrence Washington who was baptized at Tring, 18 June, 1635. From Andrew Knowling’s will, proved in January, 1650 [old style, 1649], we know (a) Lawrence Washington the younger, aged about 14 years, was godson and legatee of Andrew Knowling: (b) his brothers and sisters were named John, William, Elizabeth, Margaret and Martha: (c) their mother’s Christian name was Amphillis: (d) that Amphillis Washington, Susan Billing and Elizabeth Fitzherbert were called “daughters-in-law” by Andrew Knowling, and William Roades was styled “son-in-law.”

In commenting upon this will Waters wrote: “I suppose we may reasonably infer the marriage of Mr Andrew Knowling with the widowed mother of William Roades, Amphillis Washington, Elizabeth Fitzherbert and Susanna Billing.” But that is not altogether reasonable because he assumed (1) that the mother of William Roades survived the father, (2) that Mr Andrew Knowling meant “step-daughter” and “step-son” whenever he used the terms “daughter-in-law” and “son-in-law.” The second assumption may be right, because the different surnames will soon show how many widows Andrew Knowling married if he really meant “daughter-in-law” and “son-in-law.” But the first assumption is certainly wrong. William Roades was steward of Claydon, Sir Ralph Verney’s estate. His father had been bailiff there before him. His parents are mentioned in the will made by Sir Edmund Verney in 1622 before he started to join Prince Charles at Madrid: “I give unto Anne Roades, wife of John Roades my servant, for the care which she hath had in breeding my children when they were young, Tenne pounds.”

The difference between the positions held by John Roades and his son William is well illustrated in extant letters. Sir Ralph and his brothers in writing to William Roades in after life sent love to him and to his wife and they signed “Your affectionate friend,” while their father, in writing to John Roades or his son,

2“Memoirs of the Verney Family” (1907), Vol. I., Chap. XXXII.
had signed simply "Your master E. V." It is interesting also to notice that, when Andrew Knowling appointed John Dagnall and William Roades trustees to see to the proper administration of his estate during the minority of Lawrence Washington, in the bond John Dagnall is described as "yeoman" and William Roades "gen."

During the Civil War in the enforced absence abroad of Sir Ralph Verney for ten years the duties of William Roades as steward at Claydon were to receive rents, to sell cattle and the produce of the land, to pay the weekly exactions of Parliament, which by favour he was allowed to send up once a month; also he had to furnish 'portions' to nine younger members of the family, and after all these payments to save a scanty pittance for his poor master in exile.

The burial entry of William Roades's mother is recorded as "Anne, wife of John Roades" in Middle Claydon parish church register on August 20, 1636.

She died nearly eight years before her husband, John Roades. The death of John Roades is mentioned by Sir Ralph Verney in his calendar of "Letters from Roades" under the date May 1, 1644: "John Roades died on Good Friday last." Therefore Anne Roades never was a widow and accordingly did not marry Andrew Knowling.

Although Waters was not right in this conjecture it did not invalidate his main thesis. It merely meant that the widow whom Andrew Knowling married was most likely not named Roades and that she was certainly not the mother of William Roades of Middle Claydon. But the Christian names of the emigrants and their sisters' Christian names—John, Lawrence, Elizabeth, Margaret, Martha—agreed absolutely with the names of the Tring Washingtons as mentioned by Andrew Knowling in his will. The latter mentions in addition William, who, according to his baptismal entry in Tring parish church register, would be rather more than nine years of age at the time Knowling's will was proved. I do not know what became of him, but perhaps he died young, though his burial entry is not in the Tring parish church registers.

I thought a lot more might be gleaned from original records at Tring. Waters confesses that he made only a hasty examination of the early registers there.
Before I went to Tring I made thorough enquiries and prepared the way. It must be remembered that we are trying to establish the identity of Lawrence Washington, baptized at Tring in 1635, with Lawrence Washington of Virginia, who married Mary Jones at Luton in 1660. Tring in County Hertford is little more than a dozen miles distant from Luton in County Bedford. I received valuable help from Mr. A. Macdonald of Tring. He pointed out to me that in the rate book at Tring, which begins in 1664, Lawrence Washington was rated for the relief of the poor in 1664 and right on to 1683 at 1½d or 2d per week. In 1684 his name is replaced by that of Mary Washington, which occurs again in 1685. The rate for the years 1686 to 1689 is not copied into this book. In 1690 no name of Washington occurs, nor does it appear afterwards. In 1665 "John Gaskin and Washingtons" is mentioned. These entries were almost proof positive of the identity to be established. Lawrence Washington was rated, not on account of residence but because he had inherited Andrew Knowling's property. It may be objected that Mary Washington's name ought to have appeared in the rate book in 1677, after her father Lawrence had died, but it must be remembered that she was then a minor. As soon as possible after she had attained her majority, which was in December, 1684, her name replaced that of her dead father.

In some odd Churchwardens' accounts for the parish of Tring Lawrence Washington was rated in 1665 for £1, and in 1666 for £2. When I went to Tring soon after Easter in 1918 I had made arrangements to inspect the manor court rolls of Great Tring and the parish church registers. There were no less than five sets of different court rolls connected with manors in Tring and I hesitated between Wigginton, Willsterne and Great Tring, but finally decided that the last were the most promising. I had decided that the most likely years for mention of the name Washington on the court rolls were 1650 (when Andrew Knowling died), 1656 (when Lawrence Washington came of age), and 1677. The first two dates would give information only about the Lawrence Washington baptized at Tring in 1635, but if Lawrence Washington's death were recorded in 1677, that would be almost absolute proof that the emigrant Lawrence Washington, whose
will was proved in 1677, and who had land in England (not necessarily in Luton where he was married), was identical with Lawrence Washington, the legatee under Andrew Knowling’s will. As time was precious, (the steward was very reluctant to let me inspect the rolls and at last consented on the extortionate terms of ten shillings per hour!) I spent only one hour in examining the Great Tring court rolls, which are very well preserved. It took me some time to make sure that no courts were held between 1646 and 1661. I suppose the Civil War and the overthrow of the monarchy would account for that. At any rate, I could not examine the rolls of 1650 and 1656, because they were nonexistent. I carefully examined the roll dated 1661 to see if any transfers of land which might have taken place since 1646 had been entered up, but they all appeared to be quite recent, and the name of Washington did not occur. Then I turned to the roll of 1677, and soon found what I was hoping to find. From my copy of the abbreviated Latin script the following particulars are the most interesting: At a Court Baron of the most serene Lady Catherine, the Queen of England, Lady of the Manor, held at Tring, 23rd October, 1677, the “homage” presented the death of Lawrence Washington, who held by copy of the court rolls certain lands within the Manor of Great Tring, called “finches” about two acres in extent, about four acres in “Wormers,” and three and a half acres in “Gamnel field,” by the testimony of a certain Richard Jones, gen., and that Mary Washington, his daughter, was the next heir, of about thirteen years of age, and that she was present in Court to be admitted tenant of the same lands through Richard Jones, gen., “proximo amico suo.”

So Lawrence Washington, born in 1635, at Tring, and godson of Andrew Knowling, died some time between October, 1676, and October, 1677, and was succeeded in his landed property at Tring by his daughter, Mary, aged thirteen years. But the emigrant, Lawrence Washington, also died during the same interval, and was succeeded in his English property by his daughter Mary, aged thirteen years. In the latter case letters of administration were taken out by Edmund Jones, of Luton, and in the former Richard Jones looked after Mary Washington’s interests. The will of Edmund Jones, of Luton, gen., dated 8th March, 1682, mentions
his grandchild, Mary Washington, to whom he bequeathed forty shillings. Richard Jones, most likely, was Mary Washington's uncle, but in any case that transfer of land, recorded on the Great Tring court roll for the year 1677, is absolutely conclusive. If the price had not been prohibitive I would have examined the rolls prior to 1646 just to find out if Andrew Knowling's lands were also called "ffinches," "Wormers," and "Gamnel field," but I hurriedly glanced at the rolls for 1699-1702, to see if any transfer of the same lands had taken place during those years, but the search was without result. I did this because we know from her half-brother's letter that Mary Washington, the daughter of the emigrant Lawrence, was alive in 1699. Her married name was Mrs. Gibson and it is conjectured that she was the wife of Edward Gibson, vicar of Haynes, County Bedford, who died 11 May, 1732, aged 71. If this conjecture is correct, it is reasonable to infer from the Washington entries in the Tring rate book that the marriage took place between 1685 and 1690.

Before discussing the evidence about the parents of the Washington emigrants I will state my reasons for inferring that Andrew Knowling married a widow named Anne Boudon [or Bouden]. I carefully examined the parish church registers at Tring and also the Bishop's transcripts of the same registers preserved at Hitchin and the following extracts are of importance:

**Baptisms.**

1635, June 18. "Layaranc sonn of Layaranc Washington."
["Larranc sonn of M'r Larranc Washington"—transcript.]

1636, August 17. "Elizabeth da of M'r Larranc Washington."
["Elizabeth da of Larranc Washinton"—transcript.]

1636 [New style, 1637], February 21. "Peter sonn of M'r John Bovden."

1641, October 14. "William sonn of M'r Larranc Washenton"
["Willim sonn of Larranc Washington"—transcript.]

**Marriages.**

1638, December 14. "M'r John Bilin and M'rs Susand bovdon."

1641, June 24. "John Dagnall and Elizabeth bovdon."

"Intended marriage betwixt M'r Peter Bouden son to M'rs Dagnall
of Groue and Mary Harding, daughter to Thomas Harding of Tring, published 12th, 19th, and 26 days of Oct. 1656."

"Mr Peter Bouden of Tringe and Mary Hardinge of the same was married the eighth of January 1656 [New Style 1657] before John Edlin, Esq."

Burials.
1635, March 3. "John Dagnall of Grove, the elldar."
1637, April 25. "Ann wife of Andrew Knowling."

In his will Andrew Knowling mentioned his "late daughter in Lawe Susann Billing" and "her late husband John Billing of Lillington." Connected with the papers preserved about the probate of Andrew Knowling's will is a memorandum in Latin that letters of guardianship were granted to John Dagnall of Grove, of Tring, the husband of Elizabeth, "materterae" [aunt by the mother] of the two daughters of Susan Benning, [this should undoubtedly have been Billing]. The bond itself was in English, and in the latter, Elizabeth Dagnall was described first of all "Aunte by the mother" to the daughters. Then a line had been drawn through the word "Aunte" and "Sister" had been written above. Most likely John Dagnall read the English bond through before adding his signature and noticed the error. Susan and Elizabeth Boudon were evidently sisters.

When I saw the marriage entry in Tring register in 1638 "Mr John Bilin and Mrs Susand bovdon," I immediately concluded that Andrew Knowling had married a widow named Anne Boudon, because his "daughter-in-law" [? step-daughter] Susan Billing was named Susan Boudon before her marriage, and a burial entry of 1637 records "Ann, wife of Andrew Knowling." The marriage of John Dagnall and Elizabeth Boudon in 1641 complicated matters. This Elizabeth seemed also to be a "daughter-in-law" to Andrew Knowling, and yet, according to his will, he had a "daughter-in-law" named Elizabeth Fitzherbert. Was it likely that the widow, Ann Boudon had had two daughters named Elizabeth? I could cite many instances where the same Christian name has
been given to another child after the first had died. This was quite different. Both Elizabeths had lived to grow up and get married. But the entries relating to Peter Boudon straighten out the tangle.

According to his baptismal entry in February 1636/7 Peter was the son of Mr John Boudon. His mother Elizabeth married John Dagnall in 1641. Evidently John Boudon died before June 1641, though his burial entry is not to be found in the Tring registers, nor in the Bishop’s transcripts at Hitchin. The widow Elizabeth Boudon would not have been guardian to Susan Billing’s two children unless she were her sister, not sister-in-law.

It seems probable that Andrew Knowling married a widow Anne Boudon, who had by her first husband at least two sons, one of whom was named John, and at least three daughters, named Amphyllis, Elizabeth and Hannah. The two sons and the three daughters all appear to have been of marriageable age at their old home before their widowed mother Anne Boudon was married there to Andrew Knowling. The following is only a suggested relationship:

<table>
<thead>
<tr>
<th>(2)</th>
<th>(1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew = Ann. =</td>
<td>Boudon</td>
</tr>
<tr>
<td>Knowling, buried 1650</td>
<td>buried 1637</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(1)</th>
<th>(2)</th>
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<tbody>
<tr>
<td>John = John =</td>
<td>Susan =</td>
</tr>
<tr>
<td>Boudon</td>
<td>Dagnall, married</td>
</tr>
<tr>
<td>......</td>
<td>1641</td>
</tr>
</tbody>
</table>

| Peter Boudon | 2 daughters |
| bapt. 1637 |

| Lawrence Washington = Amphyllis Boudon |
| Edward Fitzherbert = Elizabeth Boudon |
| William Roades Ha = Hannah Boudon |

Now let us consider the parents of the emigrant Washingtons.

From the entries in the Tring parish church registers we know that the father’s name was Lawrence. He was also styled “Mr”, evidently a man of some importance. From the fact that his son was called “Lawrence Washington the younger” in Andrew Knowl-
ing's will, January, 1650, it is almost certain that the father was then alive.

Andrew Knowling made his will January 13, 1650 [old style 1649], his burial entry in Tring register is on January 21, and on January 29 in the Archdeacon's Court at Whethampsted the will was produced and administration granted to John Dagnall, yeoman, and William Roades, gentleman, as executors, by the Surrogate, William Davis, M. A.

At the same time and place letters of guardianship, "ad lites," over Susan Benning's [Billing's] two daughters, were granted to John Dagnall, in the presence of Lawrence Washington, M. A., "Surrog: Offilis, etc. hac vice" [i. e. Official Surrogate for this turn].

Why did not the Rev. William Davis, the usual Surrogate, act in all these official documents? There was no necessity for another Surrogate. The words "ad lites" refer to some dispute, most likely as to the administration of Andrew Knowling's bequest to Susan Billing's children; and, as Lawrence Washington, junior, was the residuary legatee, the most reasonable inference is that Lawrence Washington, M. A., who was acting as Surrogate, "hac vice," was the father looking after the son's interests. He was in all probability a clergyman, for that court was an ecclesiastical tribunal, and the office of Surrogate in testamentary courts was usually, if not invariably, held by a clerk in holy orders.

Colonel J. L. Chester, by an exhaustive examination of the records of all the Oxford and Cambridge colleges, proved that the only Lawrence Washington, M. A., who could have been present, in the Archdeacon's Court at Whethampsted in 1650, was the Rev. Lawrence Washington who had been Rector of Purleigh, County Essex, for ten years. He was the fifth son of Lawrence and Margaret Washington, born about 1602 as we know from his matriculation entry November 2, 1621, at Brasenose College, Oxford: "Laurent: Washington, Northamp: Gen. fil. an. nat. 19."

That memorandum at Whethampsted is a very strong piece of circumstantial evidence in proving the identity of the father of the emigrant Washingtons with the Rev. Lawrence Washington of

vide illustration at page 377.
Sulgrave and Rector of Purleigh, 1633 to 1643. But the most important piece of evidence about Lawrence Washington's identity is obtained by considering legacies in two different wills. Martha Hayward (nee Washington), sister of the emigrants John and Lawrence Washington, in her will dated 1697, desired her executors to send with all convenient speed to England "to my eldest sister Mrs Elizabeth Rumbold, a tunne of good weight of Tobacco." Also Elizabeth Mewce (nee Washington), sister of the Rev. Lawrence Washington, once the Rector of Purleigh, by her will dated August 11, 1676, bequeathed "To my niece, Mrs Elizabeth Rumball, five pounds." Apparently these legacies are to the same person, viz., Elizabeth Rumball or Rumbold, the eldest daughter of Amphyllis and Mr Lawrence Washington, baptized at Tring in 1636.

Although Lawrence Washington was admitted to Brasenose College, Oxford, in 1619, he did not sign the subscription book until 2 November, 1621. I suppose, to celebrate his admission to the university he gave in 1620 a piece of plate, a silver "Kan" weighing 16 oz. 3 dwts. He took his B. A. degree on 16 May, 1623, and on 27 of the same month and year he became a Fellow of his College on the Darbie foundation. His aunt, Elizabeth Washington, who died at Brington, Co. Northampton, in 1623, made her will on 17 March and in it occurs the following: "Item I doe give unto my Cosen Lawrence Washington who is nowe at Oxford my husband's seale ring."

Lawrence Washington and his elder brothers were regular guests at Althorp, Lord Spencer's beautiful home near Brington. One strike of oats was given to Lawrence Washington's horse at Althorp on 5 February, 1620; and, according to Lady Penelope Spencer's housekeeping-book for the period 1622-1627, three of the visitors at Althorp during the week ending 4 October, 1623, were Sir Richard Anderson, Sir John Washington and Mr Lawrence Washington.

Sir Richard Anderson was lord of the manor of Pendley, which is partly within the parish of Tring, County Hertford, and his wife was Mary, a daughter of Robert, Lord Spencer, Baron of Wormleighton and owner of the manor of Althorp. Sir John
Washington was Lawrence Washington's eldest brother, and these two were again visitors at Althorp three months later.

Lawrence Washington took his M. A. degree 1 February, 1626, and from 1627 to 1632 he served the office of lector, then the principal educational office in Brasenose College. On 26 August, 1631, he became one of the proctors when he filled a vacancy that had occurred by the deprivation of his predecessor by royal warrant. Sir Richard Anderson of Pendley in his will made 5 October, 1630, and proved 27 August, 1632, left forty shillings to "my cousin Laranse Washington of Brasenose" and a similar sum to "Mr Dagnall of Pembrock College."

The latter would be Stephen Dagnall of Tring who took his B. A. degree from Pembroke College in 1626. In the year previous Henry and Robert, two sons of Sir Richard Anderson, had matriculated at the same college. The year 1633 was quite an eventful one in the life of Lawrence Washington. On 14 March, 1633,* Lawrence Washington, Clerk, M. A., was admitted to the Rectory of Purleigh, County Essex, on the presentation of Jane Horsmanden, the patroness for this turn, and his induction took place three days later. Jane Horsmanden was the widow of Thomas Horsmanden, the previous Rector of Purleigh. He had been appointed Vicar of Goudhurst, County Kent, in 1613, Canon of Canterbury in 1618 and Rector of Purleigh in 1624. The advowson of Purleigh remained in the possession of the Horsmanden family from 1624 until 1730. On 4 April, 1633, Lawrence Washington signified to the authorities of Brasenose College, Oxford, his induction to a benefice, but he did not resign his fellowship immediately, as it was customary in those days to allow a year's grace between the induction to a living and the resignation of a fellowship. On 6 July, 1633, "Lawrence Washington, Clerk, Rector of the rectory and parish church of Purlye in Purlye, County Essex, holden of the King as of his manor of East Greenwich" was, according to some Chancery records† at the Public Record Office, London, complainant in a dispute about the tithes of Purleigh wood in the tenure of Sir Henry Mildmay, Knight. Some years ago "Vernon," a writer

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*1632-3, not 1633-4 as erroneously given in The Pennsylvania Magazine.
C. A. H.
†Chas. I. W W 58, No 24.
in *Notes and Queries* stated that he possessed a deed whereby “In 1633 the Rector of Purleigh was indebted in the full sum of £1,000 to Sir Lawrence Washington, and repayment was secured over all his manors, messuages, tenements, goods, chattles and hereditaments.”

On 30 November, 1633, Lawrence Washington resigned his fellowship and in the following March a “Grace” or letter from the Brasenose College authorities to those of the University approved of the degree of Bachelor of Divinity being granted to the Rector of Purleigh.

Some very important particulars about the Rev. Lawrence Washington are contained in the Chancery records under date 20 October, 1640.\(^5\) The complainant, styled Lawrence Washington of Purleigh, County Essex, Clerk, recited that in July 1632 he was indebted to John Browne of the city of Oxford in the sum of £69, 18s for which he gave an obligation in the penalty of £140; that about 1633 Mr Parr and Mr Atherton Burch had a furnished chamber in Brasenose College, Oxon, which they fitted up at a joint expense of £40; that afterwards, when Mr Parr left, Lawrence Washington bought Parr’s interest and had the use of the same for several years and spent £15 more thereon.

Afterwards Lawrence Washington “having some occasion to take a long journey from Oxford to be absent from thence some time,” and Burch dying in his absence, the said John Browne carried off everything under the pretence that Burch owed him money. Browne in his answer said that the obligation was dated 20 July, 1632; that Lawrence Washington afterwards bought other goods from him amounting to £6, 0s, 2d — “and shortly after the complainant left his fellowship and abode in the University of Oxon”; he acknowledged the receipt of £40 in May 1633 and £10 in May 1636.

Now how do all these facts about Lawrence Washington of Brasenose, especially this record of an Oxford debt, concern Lawrence Washington, father of the children baptized at Tring? The first son to be baptized at Tring was Lawrence, in June, 1635,\(^*\)

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\(^5\) Chas. I. W W 35, No 43.

\(^*\) The date of the birth of this son Lawrence is unknown. Baptism usually followed birth within a few weeks, but sometimes circumstances delayed a baptism many months.—C. A. H.
but there was an elder son John. Until quite recently the conjectured date of John Washington's birth was either in 1633 or in 1634, but Mr. C. A. Hoppin of New York, who has made exhaustive researches in America about the emigrant John Washington, has given me the following information which points to an earlier year than 1633.

In the original court records of Westmoreland, Virginia, entitled "Deeds, Patents, Accounts, Depositions from 1668 to 1677," on page 247, there is the following: "The deposition of Coll. John Washington, aged 45 yeares or thereabouts: declareth That hee hath heard Mr Richd Cole, deceased, declare that hee had made a will and given his whole estate to younge Mr Nicholas Spencer, and further sayth not. John Washington."

This deposition bears no date, but as it is recorded immediately after another record dated January 5, 1675/6, though the record book is not absolutely consecutive chronologically, in two instances, it is quite clear that John Washington's deposition was entered after January 5, 1676. As John Washington's death occurred before September 26, 1677, the deposition might have been made and recorded at any time between these two dates. Therefore John Washington was born either in 1631 or 1632.

When John Washington on 8 February, 1655/6, received letters of administration on his mother's estate he is described as "the nrazl [natural] and lawfull sone of Amphillis Washington late of Tring in the County of Hertford."

It is important to stress the word lawful. He was born in lawful wedlock either in 1631 or 1632, most likely in 1631.

Therefore Lawrence Washington married Amphillis Boudon [?] not later than 1631, in all probability in 1630 or even earlier. How does that date agree with the career of Lawrence Washington, M. A., at Oxford? He was then lector of his college and in August, 1631, became a proctor. From May, 1623, until November, 1633, Lawrence Washington was Fellow of his college and in March, 1633, he became Rector of Purleigh, County Essex. According to the record of his Oxford debt which I have quoted, Lawrence Washington, most likely in the year 1632, was absent from Oxford for some time by reason of a long journey he had
take and after resigning his fellowship he did not abide in the University of Oxford.

When Lawrence Washington was elected a Fellow in 1623 he would be unmarried. He would not have been elected if he had been married. He could have been married when he was elected a Proctor: that was a university and not a college appointment. The Rev. R. T. Love, Rector of Purleigh, made rather exhaustive enquiries of the authorities in ancient customs both at Oxford and at Cambridge and he has placed the results at my disposal. He was led in the first instance to make these enquiries because he wondered why a period of eight and a half months elapsed between Lawrence Washington’s induction to Purleigh (17 March, 1633) and the resignation of his Fellowship in the same year.

It was learned that a Fellow, on becoming beneficed to a living, was entitled to a twelve months’ continuation of his Fellowship, which year of grace was originally dated to commence from the day of his induction into the temporalities of his benefice. As induction means that the new incumbent locks himself into the church and tolls a bell, under direction of a neighbouring beneficed clergyman appointed by the Archdeacon, who did not however fix a date, it is easy to see that the ceremony could be indefinitely postponed, the income of the benefice being payable not from the day of induction but from the death of the previous incumbent. Because some Fellows delayed induction for an undue length of time, not necessarily to prolong their Fellowship, a remedy had to be sought. The remedy provided was not the same in every college, but while in a Cambridge college the beginning of the year of grace was thrown back to the day fixed by the Bishop for institution into the spiritualities of the benefice, at Brasenose College, of which Lawrence Washington was a Fellow, the difficulty was met by a rule which required induction to be performed within two months after institution; but induction remained at Brasenose College the day from which the year of grace was dated.

Again, if Lawrence Washington married while a Fellow of his college, he should by usage traced back to the thirteenth century have immediately vacated his Fellowship. But it has been ascertained that it was not unusual either at Oxford or at Cambridge for Fellows to delay to give notice of marriage, just as induction
had sometimes been deferred. Of marriages discovered before notification, at a Cambridge college two instances are recorded, in one of which, only a few years before Lawrence Washington became Rector of Purleigh, King James I issued a mandate for a new election. That immediate loss of Fellowship was felt to be a hardship may be argued from the alteration made in this rule, by which during the latter half of last century in at least many Colleges a year’s grace was allowed on marriage, as on induction. If Lawrence Washington delayed giving notice he had many precedents for his conduct, but other suggestions are made by the Oxford authority, such as the unsettled state of the times, or the good-will of his friends the other Fellows.

But the real difficulty about identifying the Rev. Lawrence Washington, Rector of Purleigh, County Essex, from 1633 to 1643 with Mr Lawrence Washington, the husband of Amphillis, it seems to me, is this: Why should an Essex parson bring at least three children to Tring, about fifty miles away, to be baptized? The baptisms at Tring in 1635, 1636 and 1641 were all within the period when the Rev. Lawrence Washington was presumably at Purleigh, tippling ale according to one account, and doing his duty as Rector according to a local Essex J. P.*

When the Rev. Lawrence Washington was sequestered from Purleigh in 1643 he was charged with being a malignant minister but he was not charged with absenteeism. His chief fault was loyalty to the King in a county where the parliamentarians held sway, and the benefice was a good one. After being ejected from Purleigh the Rev. Lawrence Washington, according to a letter preserved in the Bodleian library, Oxford, was appointed to the cure of Braxted Parva, not far from Purleigh, "such a poor and miserable living, that it was always with difficulty that any one was persuaded to accept it." Mr Moncure D. Conway was allowed in 1890 to consult Col. J. L. Chester’s "Washington Collection" and in May 1891 he published an illustrated article in Harper's Magazine entitled "The English Ancestry of Washington." In that

*Would it have been very unnatural or singular if, when some of her children were born, the mother had preferred to pass those periods with her own relatives at Tring rather than among comparative strangers at Purleigh?—C. A. H.
article the author made extensive use of Col. Chester's investigations.

Sir H. Farnham Burke, the Garter King of Arms, kindly allowed me a similar privilege to that granted to Mr M. D. Conway. I was struck by the variety and number of Washington items collected from all sorts of original sources in England, but it is an undigested mass. I also found from my own investigations that many of Col. Chester's correspondents were unreliable.

The following communication from the Rev. Edward Rogers is quite reliable. It is taken from the Harleian MS. 6244, page 110:

"Judgments and orders of the Standing Committee of Essex, an. 1649."

"Wednesday 15 August, 1649.

Lawrence Washington. Ordered that Mr John Rogers, minister of the sequestered rectory of Purleigh in [Dengey?] hundred do pay the fifth part of the tithes and profits of the said Rectory unto Mrs Washington according to a [——] order of the Committee of plundered ministers and an agreement made between them thereupon, or otherwise attend the Committee on Friday the 17th inst. to show cause of his refusal.

Thursday 20th September, 1649.

Mr John Rogers Ordered that they be both heard on
and Wednesday in the Sessions week
Mrs Washington before the Committee."

On the last page of the MS. there are sundry memoranda and references in a different and more recent handwriting and among others "fifth part of Purleigh living ordered to the plundered Rector's wife."

Four years ago the Rev. R. T. Love, Rector of Purleigh, lent me a copy of a letter written by Amphyllis Washington and addressed (presumably) to William Roades at Middle Claydon, County Buckingham. The original was found by Lady Verney in the family archives at Claydon House with letters of the year 1651. It certainly could not have been written later than January, 1655, when Amphyllis Washington was buried. The following is a literal copy:

"Good Brother,

My kind love remembred to you and my Sister and to all my
Lawrence Washington's resignation of his Brasenose College Fellowship, Oxford, November, 1633. — [From a photograph by T. Pape, B. A.]

Memorandum attached to Andrew Knowling's will, January, 1649-50. Lawrence Washington, M. A., Acting Surrogate. — [From a photograph by T. Pape, B. A.]
Cosens these are to Sertify you that my nephew Dagnall hath not Bought Ripingtons house, and all the reason that I cane heare by him is that he will have noe hand in the puting out of his Cosen Wostar which he tells me hath a leas perrell for fore yeares, so he hath lett Mr Smith bye it, but I understand by him since that Mr Smith is content to part with it againe upon the sam terms as he Bought it, but my Nephew will not bye it because he will have noe hand in the turning out of his Cosen Woster, but goodman woster hath sent me word that if you will bye it he will provid to goe out as soon as ever he can. I would entreat you to take som pains in it for us by reason we have noe constant being, besids there is land that I would not have lost. I pray Brother take some care for us and we are all bound to pray for you and all yours.

Pray Brother if you ore my Sister can help my daughter Bettye to a place I shall be very much behoulding to you pray if you have sent to that gentlewoman that you spack of I would intreat you to send me word. I would intreat you to writ to me by yr Caryer next Tusday that coms throw the grove. I pray Brother if you pleas to come to us lett me know because I will send you word when Mr Smith will be att home, Lawrence and Bettye and Matt [? Margaret or Martha] presents there services to you and my sister and their Love to all there cosens so hoping to hear from you very quickly I remain yr truly Loving Sister to command to her power till death

Amph = Washington

Tring
this 28th
Janeuary."

Evidently Amphillis Washington was living at Tring and on the lookout for a house there in January 1652 [old style 1651].

“Nephew Dagnall” might refer to John Dagnall who married Elizabeth, widow of John Boudon. This John Boudon was most likely, as I have already shown, the brother of Amphillis Washington. “Daughter Bettye” was Elizabeth Washington, baptized in 1636. “Matt” may be an abbreviation, badly written, for one of the other daughters, Margaret or Martha. The “Good Brother”
to whom the letter was addressed was William Roades, the steward at Claydon, who married Andrew Knowling's daughter or step-daughter, Hannah. She would be the "Sister" mentioned in the letter, and their children were named John, Hannah, Hester and Sarah, styled "cosens" by their Aunt Amphillis.

On January 21, 1652/3, the Rev. Lawrence Washington was buried at Maldon, County Essex, not far away from Braxted Parva and Purleigh. On January 19, 1654/5 Mrs Washington was buried at Tring, and in February a year later John Washington administered the estate of his mother Amphillis Washington, late of Tring. All these dates agree with Waters' main theory about the father of the emigrant Washingtons, but it would be much more satisfactory to get conclusive positive evidence.

I have selected two photographs to illustrate this article, because I took them in the first instance with a view to comparing the handwriting. The Rev. Lawrence Washington, when he was Rector of Purleigh in November, 1633, resigned his Fellowship of Brasenose College, Oxford. The deed of resignation is altogether written, signed and sealed by Lawrence Washington himself. The following is a translation of the original Latin:

"I Lawrence Washington an undoubted Fellow of Brasenose College resign into the hands of the lord Principal all my right and interest which I have, had, or am about to have, in regard to the said Fellowship, also I declare this of my own accord, freely and spontaneously, in witness of which matter I have attached my hand and seal.

By me Lawrence Washington."

The red wax of the seal is impressed with the well-known mullets and bars of the Washington coat-of-arms, most likely from the ring bequeathed in 1622 to him by Elizabeth Washington of Brington. I wanted to compare this document, written in November 1633 with the memorandum stitched on to Andrew Knowling's will, dated 29 January 1649/50. I thought that the memorandum would have been written by Lawrence Washington, M. A., who was acting as Surrogate. My photograph of the memorandum is appended. After carefully considering the original I came to the conclusion that William Rolfe, the public notary, who had filled in
the names in the bond for executing the will, had written this memorandum, even the words "Cora Laurentio Washington in Art: magro Surrog: Offilis, etc., hac vice," which seem to have been crowded in last of all.

Therefore, as it was not in the handwriting of Lawrence Washington, M. A., it was not profitable to compare it with the resignation of his Fellowship written by the Rev. Lawrence Washington when he was the Rector of Purleigh.

(1) All my information about the Verney family and the references to William, Ann and John Roades (other than William's will and register entries) are contained in "Memoirs of the Verney Family" (Longmans, 1907), Vol. I, Ch. XXXII, p. 513-539.

(2) Mr T. C. Pinney of Great Brington and Althorp has given me the extracts from the original MSS. at Althorp re the visits of the Washingtons to Lord Spencer's home.

(3) I spent six days at Heralds' College [The College of Arms, London] making extracts from Col. J. L. Chester's "Washington Collection." This was through the courtesy of Sir H. Farnham Burke, Garter King of Arms.


(5) I have made no reference to the fruitless enquiries and searches I have made. For instance the Sulgrave Church registers for the Washington period of occupation were destroyed in a fire at the Rectory a long time ago. The Purleigh registers for 1633-1643 are non-existent and the Bishop's transcripts are an undecipherable mass of damp-decayed pages in a cellar in London. I have got all the Washington extracts from the Oxford church registers and they do not help.

T. Pape, B. A.
THE SARAH CONSTANT, GOODSPEED AND DISCOVERY
The Ships That Brought the Founders of the Nation to Jamestown, 1607.

Genealogical Magazine

Editor: LYON G. TYLER, M. A., LL. D.

Entered as second-class matter at the Post Office in Richmond, Va., according to act of Congress.
NOTICE

Annual subscription, $4.00. Single numbers, $1.25.

As back numbers of the old William and Mary Quarterly, of which I was proprietor, have become very scarce, single copies, as far as had, may be obtained from me at $2.00 apiece.

LYON G. TYLER, Editor

Holdcroft P. O., - - - - - Charles City Co., Va.

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After reading Mr. Hughes article* upon the vindication of John B. Floyd, President Buchanan’s first Secretary of War, it occurred to me that perhaps I might be able to bring a little additional light on the subject of his relation to President Buchanan at the time of his resignation. Having long been an admirer of the much-hated Buchanan, who, because he did not hold views identical to his opponents, the Republicans, has continued to suffer at the hands of their historians, I will try to show why Mr. Buchanan thought Mr. Floyd resigned, and also what seems to me to be the cause of his resignation.

The main facts of the story will be found in Curtis’ Life of Buchanan, Volume I, Chapter 20. The stolen arms legend has long been laid away. An effective article on this subject is in Horatio King’s (Buchanan’s third Postmaster General) “Turning on the Light,” Chapter XVII. Mr. King being a coercionist is not very friendly to Mr. Floyd’s political convictions. Judge Black published his own version, which is far more sympathetic, in his Essays.

The facts very briefly in regard to the abstraction of certain bonds from the Interior Department are as follows:

Mr. Floyd had been in the habit of granting acceptances to one William H. Russell for services rendered to United States troops

in the West. For redemption there funds looked to future government appropriations. The following facts appear in Mr. Buchanan's Defense: "On the night before it was made (22d December) the fact was first made known to the President that 870 State bonds for $1,000 each, held in trust by the government for different Indian tribes, had been purloined from the Interior Department by Godard Bailey, the clerk in charge of them, and had been delivered to Wm. H. Russell, a member of the firm of 'Russell, Majors & Waddington.' Upon examination it was discovered that this clerk, in lieu of the bonds abstracted, had from time to time received bills of corresponding amount from Russell, drawn by the firm on John B. Floyd, Secretary of War, and by him accepted and indorsed and this without any lawful authority."¹

During the probe that followed it seemed that the feelings of this humble Clerk Bailey had been raised to a high state of excitement over the fact that he heard Floyd's practice of issuing acceptances was about to be made public with consequent notoriety to the Secretary. Floyd had taken him from poor estate and recommended him to the position he held under Thompson. With great loyalty to Mr. Floyd, Bailey had taken the bonds and then handed them to Russell with the idea that they would be returned in 90 days.

Mr. Floyd claimed that long precedent could be shown giving right to issue acceptances. In fact, owing to the delays of Congress in granting funds it is difficult to see how the army in the west could have been supplied without such a system. Nevertheless President Buchanan and Judah P. Benjamin having heard of the technically illegal practice ordered and advised Floyd to cease issuing such notes. These suggestions had been agreed to by Floyd. Later probably under press of financial hard times he again issued notes amounting to over $2,000,000. This failure to obey orders of his chief would have inevitably brought a rupture as Mr. Buchanan was very sensitive to public criticism of such a nature.

Mr. Buchanan, Secretary Black, and Mr. Curtis, Buchanan's biographer, have held this to be the reason of Mr. Floyd's action.

¹Buchanan's Administration, p. 186.
on the 28th of December. Mr. Buchanan in reflecting upon this matter when writing his book may have been influenced by the following incident. In testifying before the bond committee Mr. Floyd gave perfectly sensible reasons for his practice. Personally he had issued notes of acceptances since 1858. In September, 1860, Floyd stated that then for the first time he heard he might be embarrassed for his action. The following letter appears from the President to Black:

Private and Confidential.

Soldiers’ Home, Sept. 8, 1860.

My dear Sir:

I fear our friend Floyd is determined to leave us. He told me in as many words he would do so unless Captain Meigs was ordered away. I expressed the regret which I should sincerely feel if it came to this, but said I would examine and decide the case. On your opinion the result will depend. He seems impatient of the least delay.

But this is not the worst. He told me he must go to Virginia. I asked him when? He said immediately, tomorrow. I asked for how long. He said two or three weeks. I remarked it would be extremely inconvenient for him to be absent for so long a time at this particular juncture, but said if it could not be otherwise it must be so, I would not refuse my consent. This looks ominously for the De Grout claim. Indeed I fear a rupture with a man whose noble nature I admire but whose confiding spirit will lead him into all manner of difficulties.

From your friend,

Very respectfully,

James Buchanan.

Hon. J. S. Black.

Mr. Floyd had a small salt and coal mining business in Virginia. One wonders, however, if the forbodings of the future may not have moved him to consider leaving the cabinet. With Meigs he seems to have had a personal quarrel as Meigs (who had charge of the famous Washington aqueduct) collected private
clippings filled with abusive criticisms of Floyd after December, 1860. Certainly in looking backward Buchanan and Black must have remembered the above letter as giving additional proof of their theory.

At the time of Floyd's resignation Black was much displeased with Mr. Buchanan's course. The President was firmly refusing to send troops to Sumter because he held the situation did not demand such measures.

Mr. Buchanan was always his own engineer as Black, Holt and Thomas have held, although most historians try to deny it and make Buchanan a putty man in the hands of his cabinet. The President and his Secretary of State were agreed on policy but seldom on methods. In much chagrin Black wrote a critique on Fort Sumter and Floyd to a friend in South America. It is well to add that later Mr. Black was more favorably to Buchanan's ideas (1881), at least admitting that there were good reasons for his course. Holt upheld Buchanan on the Sumter question. The part of his letter on Floyd's course is as follows:

"Floyd professed to be in favor of manning the forts at first, and probably was sincere at the time. But the danger that he was constantly on of having the corruptions of his Department exposed made it necessary for him to take ground which he thought the President would not agree to stand upon, was to give him an excuse from being turned out in a manner not so creditable. You have probably seen some account of what are called his acceptances. It is literally true that he was in the habit for more than eight months before his retirement of accepting drafts drawn upon the government by a man named Russell to whom the government did not even owe a dollar. It has been discovered that these acceptances now outstanding and in the hands of innocent purchasers amount to several millions—some say as much as six millions. The drawer also turns out to have been engaged in stealing bonds from the Interior Department to amount to $871,000—taking altogether it is the most stupendous fraud that has ever been perpetrated in this country."

Black's excitement later cooled somewhat and he tells us in his Essays that Floyd was certainly not guilty as he had to borrow money to go to his home in Virginia. It shows, however, that there was no over friendly feeling at this time between the two men politically. The same facts are also born out in a banquet speech of Floyd's at Richmond in January, 1861, in which Floyd blames Black for some of the features of the administration policy and praised the virtues of Buchanan.

Black had a personal feeling also in the matter. Some of the purchasers to whom Black alluded had been friends of Nahurn Capen, the gifted postmaster of Boston and a warm friend of Buchanan. These men had asked Buchanan and Black if Floyd's acceptances were valid.¹ The answer had been that anything Floyd did must be all right. Later, of course, this reply had to be recalled to the embarrassment of all concerned.

Having violated the instructions of his chief and brought severe public criticism upon the administration from the press, Mr. Floyd would have had to resign in any case. Black wrote Buchanan of Floyd's return to Washington on March 11, 1861. After alluding to Seward's never fulfilled desire to have a Southern member in Lincoln's cabinet and of Douglas' conversion to Lincoln, Black speaks of Floyd as in Washington "bold and defiant." He then commented on Floyd's clever defense and of his use of the statute giving immunity to witnesses, Floyd having been a witness on the Bailey bond probe. He then continued:

"His reference to the last administration is disgraceful for nothing has injured that administration so much as its over kindness to him." Floyd he reported was angry at him (Black) and held him as the cause of his troubles. He also adds "he uses your reply to Benjamin as a deliberate approbation of his act with full knowledge of its character." In a letter written later in April the former premier criticises Holt for measures and cruelty against a person named Harrison. Truly the secretaries did not have enough agreement to have the regency they are supposed to have set up.

We have seen that Floyd even by Black was not held to be a secessionist before December, 1860. Gorham in his Life of Stanton\(^1\) tries to show Floyd guilty of great duplicity; claiming loyalty to the Union while aiding the South. This is a wrong inference. Floyd in his Richmond speech showed that while he was not for secession he feared a blow from the Republicans. Therefore he had been willing to try to secure some arms by purchase for the South to prepare for defense. (The manuscripts of this material are in the Stanton papers at Washington.) Pollard’s printed extracts of Floyd’s diary show this significant sentence days after Gorham says Floyd’s conversion took place. “My own conservatism seems in these discussion to be unusual and almost misplaced.”\(^2\) The same author also shows Floyd’s personal character to be beyond that type of grafting common to some officeholders. It would appear that by the last of December Floyd had made up his mind that the North did not want a peaceful settlement to hold the Union, but desired to force her will on the South at the point of bayonet. Up to nine days before his resignation Floyd had been devoted to the administration. Then he ordered some heavy artillery from Pittsburgh to the South. This may have been to show the sincerity of his newly-chosen path. The affair was later brought to Buchanan’s attention and the order recalled. Trescott, in his narrative and Floyd’s speech at Richmond, show that Floyd was against coercion of the South but strong for peaceful adjustment. Anderson’s change of position was probably due to his apprehensions or to a misunderstanding of his orders. Buchanan to be sure had made no secret of his policy, but on the other hand made no pledge as strong as the South Carolina commissions implied.

Such a pledge would have been a treaty and Buchanan never recognized or intended to admit the independence of South Carolina. Such a matter he had declared was for Congress not him-

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\(^1\)Gorham’s Life of Stanton, Vol. I., et seq.

\(^2\)Pollard’s Life of Lee and His Lieutenants, 794. Pollard dislikes Buchanan, but is fond of Floyd.
self to decide. Floyd, seeing a clash was likely, and not desiring to have a part in which he might be forced to act against a state of his own section, resigned. True to his long professed creed he followed his state into secession. Happily this opportunity to resign from the cabinet came at a time when he had been asked to resign for other reasons.

Mr. Buchanan may have been angry at the time over the actions of his minister, yet he was not without appreciation of his good qualities. This appreciation was to have been placed in his book published in 1866. One of the President's friends and proof-readers (a Mr. Kennedy, if I am not mistaken), knowing the still prevailing hostility to Floyd's name in the North urged its omission. The part which remained stated that Mr. Buchanan had not known Mr. Floyd personally before 1856, and added that the President had been pleased to hear that Mr. Floyd had refused a recommendation from the Electoral College of Virginia "assigning as a reason that the President in making selections for this high and confidential office, ought to be left free and untrammelled to the exercise of his own judgment." The omitted paragraph on Floyd's resignation reads as follows:

"This afforded him opportunity of conciliating his former political opponents by becoming the only witness to a pledge which his own instructions but a few days before proved had never existed, and enabled him with affected triumph to resign his office at the moment when he knew his removal was inevitable. He thus purchased for himself not withstanding the grave suspicion cast upon his integrity on the affair of the Russell bonds, the commendation and support of the leading secessionists."

It cannot be denied that Secretary Floyd was naturally a man of noble impulses and a generous heart. As a man of business he was both careless and reckless and would go much too far to oblige his favorites. The President often had occasion to correct his decisions. Still it is extremely doubtful whether he ever profited by the Russell frauds. It is certain that he retired from office a

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1Buchanan's Administration, p. 188.
poor man. (Still these had involved him in what he supposed to be a fatal necessity of acting a part in opposition to his better nature.)"  

The orders that the President alluded to were Floyd's verbal orders to Anderson which Floyd had claimed were misconstrued. The President of course held that Floyd's denial was merely a feature in his new position taken after the twenty-ninth of December. This concludes my findings on this subject. I hope that I have at least brought out some new and fairly interesting material upon one of the thorny topics of a troubled period.

FAMOUS BATTLES AS A CONFEDERATE PRIVATE SAW THEM.

The following sketches were by Samuel Elias Mays, a Confederate soldier, and were written out during the war for Southern Independence. Mr. Mays, the author, was born at Pendleton, S. C., November, 1834. He attended school at Pendleton, and after finishing high school there entered Columbia College, at Columbia, S. C., from which he graduated in 1856. He studied law and practiced his profession at Pendleton, Greenville and Columbia until the outbreak of hostilities. He then volunteered as a private and served for three years in the Hampton Legion, C. S. Cavalry until the Hampton Legion was mustered into the South Carolina cavalry, when he was made regimental sergeant. After the war he farmed for several years near Greenville, S. C. In 1871 he moved to north Georgia and settled at Kingston, but he did not continue long in Georgia, and in 1875 moved to Florida, settling on the Alafia River, where he entered on the culture of oranges and founded the orange grove, which is now owned by his son, S. E. Mays, of Planty City, Florida. He died November 27, 1906, at Plant City, Florida.

3Floyd told Trescott he would never re-enforce Sumter.
Samuel Elias Mays was the son of Samuel Mays, born in 1798, who married Miriam Earle. His grandfather was Samuel Mays, born in 1770, who married Mary Butler, and his great-grandfather was William Mays, born in 1700, who moved from Virginia to South Carolina and settled in the Edgefield District. William Mays is said to have been the son of another William Mays and Elizabeth Dannette.

Mr. Mays, the author of these sketches, was related to many of the successful men in the Army of South Carolina—Generals Wade Hampton, M. C. Butler, Stephen D. Lee and P. L. D. Young, but he was often heard to remark that he never desired promotion in the army, being desirous of doing his full duty as a private.

The Battle of Seven Pines.

This was the first great engagement between the Army of Northern Virginia and the Army of the Potomac. It had been preceded by the first battle of Manassas, it is true, but the first battle of Manassas was fought by undisciplined troops, and was more in the nature of a mob fight than a well-planned battle. Seven Pines was fought after a year of preparation by both sides. We had retired slowly before the enemy from the vicinity of Yorktown, on the Peninsula of Virginia, covering the rear of the infantry. We took our position with the infantry around Richmond, or rather on its eastern and northern sides. The camp of our Battalion was on the Williamsburg Road out from Richmond and about three miles out from the outskirts of the city and immediately in the rear of D. H. Hill’s division.

It had been raining all spring and the roads were in a terrible condition and almost impassible for teams. On the morning that this battle commenced an order came to our commander, Major M. C. Butler, for a detail from his command for service. This detail consisted of twelve men, of which number I was one, under the command of Lieutenant Pierce Butler, of the Edgefield Hussars. We were ordered to report to the captain of a battery at the front, which was only about one-fourth of a mile from our camp and immediately on the Williamsburg Road. Mounting our horses
and forming, we proceeded to our destination without the least idea of the duty that we were to perform. When we fell in line Butler told me that he believed a fight was on hand. Soon after reaching the battery a two-horse wagon drove up and the driver handed out to the waiting detail axes and shovels, and it came to us that we were detailed to go along with the battery to which we were to act as pioneers, to clear away the road and make roads, if necessary, for this battery. It was a battery of six pieces of brass howitzers and hid from the enemy by the high embankments on both sides of the road. This battery was to give the signal for the attack. This it did by firing each piece in succession once.

The two-horse wagon that brought up our tools was drawn by two splendid black horses that had not been trained to war. They were standing on a little rise in the road and facing the Yankees, who had their picket line about 300 yards in front of us and across an old field. The driver was standing on the pole of his wagon and making ready to turn and drive back to the rear. At the report of the first howitzer, however, the horses took fright and bolted. The driver fell off between the front wheels of the wagon but held on to his lines. The horses dragged him and the wagon more than half way to the Yankee picket line, and most of the way through and under the mud, but he stopped them and got out and resumed his seat and drove his team back to safety without a wound. He seemed to be perfectly composed until he was safe back within our own lines. Then he got scared and so nervous that he could barely handle his team.

After our battery had fired its signal and was limbering up, the infantry began to pour out of the woods from each side of the road, not in line but in column. The field through which the road ran was about a fourth of a mile across and stretched fully a mile to the east and about a fourth of a mile to the west. The Yankee pickets were posted in the edge of the woods and near the road. The first regiment to deploy was the Second Florida. It marched in column up to the edge of the woods and then deployed into line, throwing out its skirmishers in front. They advanced a few yards and were fired on by the Yankee picket line. They immediately rallied on their skirmishers and then the rush began, and in an
incredibly short time they had pushed the Yankees up to their breastworks, and then the real fighting began.

The first Yankee bullet passed me very close. It was fired about 150 yards away by a Yankee picket, and seemingly at me. He failed to tag me but I could plainly hear its whiz. When the infantry all got at it in good fashion, it was like ten thousand kettle drums all going at once, or so many fire crackers, punctuated now and then by the roar from the cannon. The battle did not open until two o'clock in the evening. Our Battery, which was intended to keep up with the infantry line, found it impossible to make any headway over the road and turned into a field, and the field proved to be as bad traveling as the road itself, so we had to halt not more than half mile from where we started.

This left us entirely out of action, but not out of range of the Yankee batteries, which threw their shot and shells promiscuous like without hurting any of us. I stood about the road, having hitched my horse, to see if any of the wounded coming out were of my acquaintance. Sure enough, in a very short time, there came walking out, helped by two men, a cousin of mine (Robert Maxwell), color bearer of the 4th S. C. Reg. Infantry. He was seriously wounded in the right buttock. He wanted my horse, but on account of his wound he could not ride, but the men with him finally succeeded in getting him a carriage and carried him into Richmond. I promised him that as soon as I could get leave that I would go on the field and look for his two brothers, Priestly and Edward Maxwell, which I did after night, but, of course, could hear nothing of them. They were not wounded, however. This ride over the battlefield was anything but pleasant. The cries of the wounded Yankees sound in my ears yet. Many of them were, I have no doubt, drowned as the ground and ditches were full of water, and some of them seemed to be strangling. It was indeed a fearful ride, dark as pitch, and my horse scary. I rode as far to the front as was permitted but could not find the position of the 4th S. C. Infantry, so I came back without the information that I sought. I saw Gen. Longstreet and Gen. Huger on the field late in the evening and when the shells were flying the thickest and they were right in the midst of them. Longstreet seemed perfectly at ease and paid no attention to them at all.
I was on the field the next day and saw the Yankee dead, which were strewn as it seemed to me all over the face of the earth and in all manners of positions and attitudes, and all dead. The first dead man that I came to was a Confederate. He was lying on his back and his pocketbook empty lying open on his body. The first day's battle was indecisive, and it was renewed next day with no particular advantage to us. It is said that the failure of the first day was due to the tardiness of Gen. Longstreet, who had been ordered to begin the attack at an early hour, but did not do so until a little past two in the evening. Had he begun the attack early in the morning the chances were good that the Yankee left wing would have been destroyed and the second day's battle avoided and its disastrous results. Longstreet was a large man, with long red whiskers and red hair, and rode a sorrel horse. Huger was a handsome man with an extremely handsome face. Huger's adjutant was a cousin of mine, Maj. Ben Sloan, of Pendleton, S. C. He came up to me on the battlefield and spoke to me. In the second day's battle our troops were driven back and within a few days the original lines were established and the fearful mortality on both sides went for nothing. The Second Florida Reg. seemed to have suffered heavily in men and officers. They began the fight and were in it from start to finish and suffered accordingly.

Geo. Call, its major, who married my cousin, was killed and five of its captains. I saw one of them myself lying dead on the field (Tom Perry) where the bodies of dead Yankees were thickest.

Frayser's Farm and Malvern Hill.

A day or two after the battle of Seven Pines, the respective armies resumed the position they occupied before the battle, the Yankees drawing even a little closer to Richmond. Our battalion was ordered from the Williamsburg Road to the Nine Mile Road, where we did duty in picketing and furnishing couriers to the Generals. Our position was near the highest bridge built by the Yankees over the Chickahominy Creek and in plain view of the enemy's breastworks. While on duty one day, Tom Williams of our company saw a Yankee in between our lines and galloped in
and took him prisoner. He was a drunken Irishman, loaded down with canteens filled with whiskey, and had lost his bearings and went too far. He was a witty fellow, and though pretty well filled with whiskey, he sagely advised us all to disband and go home as McClellan was sure to whip us. Of course, this raised a laugh, but I see now that it would have been best to have taken his advice, but we did not believe it at the time, and it took four years of hardship to convince us of the fact.

At this camp my cousin, Priestly Maxwell, joined the company from the infantry, and Pierce Williams was elected lieutenant of the company. After a stay of a few weeks at this camp we were ordered down below Richmond to watch the roads, together with practically all the cavalry of the army. What was afterwards Hampton's Cavalry brigade was scattered along these roads, of which there are several leading south from Richmond, viz.: the Long Bridge Road, the Charles City Road, the Darbytown Road and the River Road, all diverging from the main road from Richmond, and between the James River and the White Oak Swamp. Our camp was on the Darbytown Road and we picketed it in advance of the camp. The First North Carolina Cavalry was on the road to our right.

We were ordered to "Feel the enemy," which we did by charging down the road through their camp and in this affair lost 80 men, killed, wounded and missing. A day or two after this we were ordered to "Feel the enemy" at the foot of the hill at Frayser's Farm, and were drawn up in columns of fours preparatory to making the charge, when Longstreet's infantry division came up and marched past us. I recognized several of my old acquaintances in their ranks, Det Goodwin, John and Bob Foster and Dug Desmoussure, all of whom were in college with me and some in my own class. I spoke to them all and for the last time as they were within less than one hour lying cold in death. The infantry divided at the foot of the hill where we were stationed, about half taking the left hand road and winding round the hill. We held our position until the infantry was into action, which was in plain sight, and threw out its skirmishers and the fighting began about three hundred yards from us. As we were of no use in the battle
being mounted, we were withdrawn to the rear about one mile where we camped for the night. Early next morning orders came for us to go to the front.

It was exceedingly dry, not having rained since the battle of Seven Pines, and the dust was suffocating, rising in such volume as to almost hide the head of your horse from view, and the orders from the lieutenant came with a bad grace to "Close up." We could neither see nor breathe for the dust. The road was filled with wagons and artillery, which only served to make matters worse. Just before the top of the hill, a long gentle rise, we struck the battlefield and the first dead were our own men. They were scattered all through the bushes and would average about two dead men to every square rod for several hundred yards and all dead, the wounded having been removed. But the worst sight was around a Yankee battery near a clump of pine trees. It was the Yankee supports of the battery and covered a space of about one acre. Here the Yankee dead literally covered the ground and in some places were piled on top of each other as many as three deep. I remember one dead Yankee particularly. He had been peeping around a tree and a bullet took him in the middle of the forehead exactly. Another man I saw and recognized, a dead Confederate. He was sitting up on the side of the road binding up a wounded leg with his breeches rolled up above his knee. He looked so natural that I stopped to speak to him and a further look showed that he was dead, killed while dressing or attempting to dress his wound. This man was Miles Waldrop, who had worked for me on the Saluda River in South Carolina.

We proceeded on, however, to the fateful field of Malvern Hill, and after the futile charges of our infantry against the Yankee guns, we were hurriedly ordered to the front and formed into line to protect the infantry against any counter charge by the Yankees while they were reforming. Fortunately for us they made no attempt to do this.

I did not see the field after the Malvern Hill battle, but I know that it was a great and terrible mistake on the part of General Lee to fight here. We were ordered to the left flank of the army and on Malvern Hill itself, which we held until relieved
Famous Battles—Confederate Private Saw Them

by the infantry. We were ordered to the hollow at the foot of the hill where we camped that night.

Of all nights this was one that I will ever remember. We reached the old field just after the Yankee cavalry passed. We had been temporarily attached to the 11th Va. Battalion, or rather as it was known at that time as Pate's Battalion, and afterwards raised to a regiment and known as the 11th Virginia. It was commanded by Col. Rosser, afterwards Maj. Gen. of Cav. C. S. A.

I had to do picket duty on the road running through the battlefield and next to a dense thicket of woods. I was riding a large Virginia mare that had never had enough to eat in her life, and she kept nosing around all the while, and it was dark as pitch or darker. My tour of duty was half the night and it was far from pleasant. I must admit that it was about the most miserable I ever spent, but it came to an end at last.

The next day we marched around to Harrison's Landing, or near it, about one mile, and our battalion was ordered to make a reconnaissance to find the position of the enemy. I never like the order "Feel the enemy." This we did as we got in the woods very near their outpost and they cut loose on us with artillery. The shot and shells flew thick and close around us for a few minutes without injury to man or horse. I was standing near a large oak, having dismounted, and got behind it for protection, holding my horse by the bridle. At the second volley my position behind the oak was shared by my chum Willie Beattie and one more man, and there was a big fellow, Marrion Day, that wanted to share it too, but there was no room for him so he took his position about ten feet away behind a sapling about two inches in diameter as protection against a cannon ball. At any other time this would have been amusing indeed. Several cannon balls struck the ground right among us but did no injury. Orders came for us to retire, which we gladly did. It seemed a miracle that no one was killed or injured here.

That evening a demonstration appeared to be decided upon by the Yankees, and we were drawn up in columns of squadrons to meet them, but they did not appear, and before sundown our in-
fantry made its appearance and we were indeed glad to see them. It was Jackson's, and then for the first time I saw Old Stonewall.

The leading regiment had some of my relatives in it, John B. Sloan and Edward Maxwell. I talked to them both and the latter told me that he had about enough of it, but that he would go again if necessary. The next day we were ordered down to below Harrison's Landing and there we shelled the Yankee transports on the James River. We could not tell what damage we did but the way that they threw overboard boxes and bales was a sight to behold, but they threw them all in the river and it did us no good. From this place we were ordered to Hanover Old C. H., where we were regimented and brigaded and put under the command of Gen. Wade Hampton, who had not yet recovered from his wound received at Seven Pines.

The Maryland Campaign.

After the regimenting of our battalion at Hanover Old Court House, it was ordered down to White Oak Samp to do picket duty on the south side of the swamp. Our camp was on the north side of the swamp where Jackson had his artillery at the action of White Oak Swamp. The other regiments of the brigade were camped on the south side of the swamp and picketed the roads leading to Harrison's Landing. I remember this camp more because it furnished no rations than anything else, and our Government did not supply the deficiency. Our mainstay was green apples, which we mostly ate stewed and fried, when we could get bacon to make grease to fry them with.

One morning after we had been there about ten days our pickets brought in word that the Yankees had evacuated Harrison's Landing. Col. Butler determined to see for himself and asked me and two others to go with him. It was about six or seven miles and we reached there in about two hours and found it abandoned sure enough. It was very strongly entrenched with earthworks, and the timber cleared away so that an enfilading fire could be poured into an attacking party by the Yankee gunboats in the James River. On the top of the old Harrison house (Mc-
Famous Battles—Confederate Private Saw Them

Clellan's headquarters) was a lookout erected, and the inclosure laid out in streets. The privates had quite comfortable little log cabins, while the officers had large sibly (?) tents, but alas, they had so ripped the tents up with their knives that they were useless to us. Along the breastworks were hanging dummies suspended by the neck with a rope and dressed in uniform, and each dummy bearing this inscription, "We'll hang Jeff Davis to a sour apple tree."

A Yankee gunboat was in the river and we could plainly see its mast; and therefore we had to be cautious in going about so as not to be seen. They had left nothing worth taking back with us. On our return, when within about half a mile of our camp, and at the outskirts of the battle ground of the White Oak Swamp, I saw a few yards off the road in the woods two dead bodies of Yankee soldiers, who had been killed or mortally wounded in that battle, and had been carried there to die, or that they had bled to death. They were lying on their oil cloths and nothing left but bones in their uniforms. On the breast of one was an open testament lying on his breast printed side down. I dismounted and looked at the book and as there was nothing in it to identify the bodies I reverently replaced it. They had died and never been disturbed even by buzzards nor hogs.

The evacuation of Harrison's Landing rendered it unnecessary to keep troops any longer around Richmond. Jackson and most of Longstreet's command had already been transferred to the Rapidan and only McLaws' division and Hampton's calvary were left around Richmond, and we were ordered to go too. McLaws left first. We marched through the country, overtaking him at Culpeper Court House. I must say that we left a desolated country in that section of Virginia between the Chickahominy and the James Rivers and Richmond and Harrison's Landing. It seemed absolutely devoid of all animal life as soon as the soldiers left it; not a horse, mule, cow, pig, chicken or dog, not even a buzzard, was to be seen.

On our march to Culpeper we left Freedricksburg a good deal to our right. Our day's march was rather long, about 30 miles or more, and orders were not to leave our horses unsaddled and not to
unsaddle them at all, only a few minutes at a time to let their backs cool. The worst of it all was there were no rations served to either man or horse. We passed McLaws' division at Culpeper and took position on his right flank. There was no demonstration against us by the enemy except a false alarm at Warrenton Junction, where we drew up to meet the enemy, but he was not there. Our march followed that of Longstreet and Jackson, who had just preceded us.

As we were leaving Warrenton, we heard rumors of a great battle that had been fought just ahead of us by our army. Passing through Gainsville we saw thousands of Yankee prisoners taken in this battle, rounded up in a field and guarded by our troops. We soon struck the battlefield of the Second Manassas, and what a sight it was. Our dead had all been removed but the Yankee dead still strewed the ground in all their hideous nakedness. They lay in windrows and in lines as they had stood, and those lines stretched on both sides of the road as far as the eye could reach. In many places they were piled on top of each other. They fought in line, of course, and as shot down the dead marked the line, and to have fallen back and formed another line which marked another windrow of dead, and so on for about a mile. The battle was fought on practically the same ground as the first battle of the year before, only this battle ended where the first began. The first battle was fought parallel with the Gainsville and Alexandria turnpike, while the second battle was fought parallel with the Sudley Springs and Manassas road which crosses the other at right angles at the stone house.

We passed through the battlefield on the Gainsville and Alexandria turnpike, and halted at or near the famous stone bridge over Bull Run, and near a house on the hill used by the Yankees as a hospital. I went up to see it, and it was full, house and yard. It was indeed a house and yard of the dead, though at the first glance it did not appear so. The bodies were sitting and lying in all positions, with their eyes open. It required some investigation to convince one of their actual death. But so it was. We left the battlefield before night and took up our line of march. We crossed Bull Run at Sudley Ford and took camp on the north side of that historic stream and not far from it.
Again we broke camp and marched on the flank of the infantry and passed Ox Hill or Chantilly, where Jackson fought an indecisive battle with Kearney's and Stevens' Yankee divisions, and we got a little the worst of it. We had just halted and were going into camp for the night when word was brought to Gen. Hampton that the Yankees were retreating on a road near the camp, about five miles from Fairfax Court House on the north. It was just sundown, but pursuit was immediately made, our regiment in front and in column of fours. Sure enough when we struck the road we began to pick up Yankee stragglers, who would tell us that "they were just ahead of you, boys." Just at good dark, as we were moving along at a full gallop, we were saluted by a volley of musketry fire followed by several discharges of artillery into our column. This stopped the pursuit as it was too dark to see how to shoot, and strange to say, not a man was injured.

We slowly returned to camp, tired, worn out and disgusted. Jackson's infantry marched towards Leesburg and crossed into Maryland at the ford between that place and Frederick City, Md., and camped at Frederick City. Longstreet took the same direction and our brigade on their flanks which took us in the direction of Washington, which direction we pursued until we struck the road from Washington to Leesburg in sight of Georgetown. From here we took the Washington road and kept all that day, camping on the Virginia side of the Potomac.

At this camp Gabe Cochran, of the Brooks troop, was taken violently ill with cramp colic, and I was detailed with Wash Richardson and Doctor Long to stay over and render what assistance he needed. Our regiment passed on and camped a few miles below Leesburg, crossing the Potomac at a very deep ford below that crossed by the infantry, and proceeded on to Poolesville, Md., where I joined them next day, Cochran having recovered from his illness. I cannot see from the life of me what he had to eat to give him the colic. We had all gotten used to green apples, most anything appeals to a hungry man and it is likely that he got too much at some farmhouse.

Our Regt. had proceeded to the infantry ford where we camped
near several large wheat stacks very near the ford. We had very little to eat but the wheat furnished food for our hungry horses. At daybreak the next morning we were up, and after feeding and saddling up and at just sunrise, we forded the Potomac river at the head of Longstreet's column. The infantry waded, of course, stripped for that purpose. On the Maryland side was a brass band playing that martial air, "Maryland, My Maryland." We then took the Frederick road until we came to the road leading to Poolesville. Here we camped and our regiment did picketing towards Washington, D. C., about ten miles away. We did not stay here very long, however. It was here that I learned of the death at the Second Manassas of Edward Maxwell, my cousin, and Capt. T. J. Warren, who was the husband of his sister, Maria Maxwell. I remember this camp well on account of the shifts we were put to to prepare our meals. Our wagons were with the main army and had not come up with us and we had to do the best that we could. We could manage very well with the meat, but how to prepare the bread was the rub. They issued to us here corn meal, flour and bacon. The bacon we roasted over the fire and that was very fine. The flour we made up with a little salt and worked it on the rubber side of our oil cloths and wrapped the dough around the iron ramrods of our guns and toasted it before the fire. It ate very well to a hungry man. The corn meal was unbolted and we made it up with plain water and spread it as a hoe-cake on a shingle before the fire until it was baked done. This corn bread cooking was no hurry. It took time to bake it.

As the enemy approached we retired, without coming into contact with him, to Frederick City. Here we found the Yankees so close upon us that they had in fact entered the town almost in advance of us. One Yankee Regt. and one piece of artillery were in the outskirts of the town as we entered. We formed in column of fours and Col. Butler and Gen. Hampton with the leading squadron, of which the Beaufort district troop was a part, charged them and captured their colonel, a great big western Yankee, riding a very fine black horse, and all their skirmishers and their cannon. In this engagement we lost but one man, Lieut. Broughton of the Beaufort District troop, who was mortally wounded, and
we left at Frederick City and he died next day. Broughton was a fine man and the boys missed him sadly.

After this we were left alone for some time and we leisurely withdrew, still keeping up our formation of fours, however, so as to be ready in case we were pursued. We camped that night at south end of the south mountain gap. The next day we crossed south mountain on the old Braddock road, and entered Middleton Valley. This is indeed the loveliest little valley that it has been my fortune to see, and in the highest state of cultivation. Middle-
town is immediately on the road and in the centre of the valley. I would judge it to have about five hundred inhabitants but closely built like a small city. It is indeed a strong Union settlement.

Here I asked a little girl for a drink of water and she just turned up her nose at me. When Gen. Jackson passed through this village two little girls ran along before him waving U. S. flags, much to the amusement of Old Stonewall.

As we approached the fot of the other mountain, called the Catoctin Range, I believe, word came that a Yankee cavalry force was approaching by the River Road between Washington and Harper’s Ferry, and were between us and that point. We im-
mediately bout faced, which threw our Regt. in the lead, and we took up our line of march at right angles to that which we had been pursuing and along the foot of the mountain and through country roads. In a short time we came to a fork in the road and before we could bout face and rectify our error in locating the enemy, the Cobb Legion came up and charged in ahead of us and put the Yankees to route with severe loss to the Yankees and very little loss to our men.

We resumed our formation and proceeded only a few miles where we camped. I was on picket in a corn field and firing began only a short distance from me. I had bought some cider from a farmer and I asked him what this firing meant, and he told me that the Yankee pickets had advanced and were firing on our picket line. Soon after this firing began, I was called in. We camped next night at a town that I have entirely forgotten the name of, and crossed into a narrow valley north of the Middle-
town Valley, and proceeded up it to near the gap through which
our infantry retreated to Sharpsburg. Here we staid until the Yankees obtained possession of the gap and shelled us out. We lost few men, however, but moved our camp to not far from Harper’s Ferry and between that place and Fox Gap.

Next day we marched into Harper’s Ferry on a pontoon bridge over the Potomac, without incident except that Gen. Wade Hampton made one of his men give back a horse that he had taken from a farmer. Here we spent the greater part of the day, and having the pleasure of seeing 12,000 Yankees march out as prisoners of war over the same bridge that we had entered the place upon. Here I got a complete Yankee suit as I was about naked, and for a time at least I looked like a Yankee soldier. Late that evening we marched up the south bank of the Potomac River for five or six miles and camped in Virginia. We made a very early start next morning and reached the Potomac just at sunrise and forded it, each regiment taking the water as it came to it. It was a beautiful sight and filled the river for several hundred yards up and down the stream with horsemen. The sun was just rising and the ford was little used and pretty deep, but the bottom was smooth and we had no trouble. The ford was just below a dam across the river to feed the canal, I suppose. We came out just below the mouth of a small creek and close to a burned down sawmill. We were in Maryland again, and for my part for the last time. As we entered the water we could see the Yankee shells bursting over our lines just ahead of us, indicating that the ball was about to open. We were ordered to the left and crossed the small creek on a bridge and turned up the creek in the direction of the bursting shells, which indicated what was ahead of us.

We marched slowly and were halted in rear of our right wing for some time, but were not caled into action. The roar of the cannon was something tremendous. It fairly shook the earth. At about 11 o’clock in the morning we were ordered from the right wing to left wing of the army. This was a hurried order and the line of our march was just a few yards in the rear of our line of battle. Everything was jammed with ordinance wagons, artillery and wounded men. We passed the body of one of our generals. He was wrapped in an oil cloth covering him from head
to foot, and shivering in the last agonies of death. I asked one of
the men with him who he was and he told me it was General
Branch. I know that Gen. Branch was killed at Sharpsburg.
Personally I did not know Gen. Branch, but I know that he was
from North Carolina and stood well with the army.
Strange to say, while our line of march was only a few hun-
dred yards from the firing line we could see very little, on account
of the smoke and brush, until we passed as far as the Dunker
Church, where we had a good view of the field and the fighting.
At this church a great many wounded had assembled. Just beyond
this church we marched along the flank of McLaws' division, which
had just come up from Harper's Ferry and was going into action.
This was about 4 o'clock P. M. Just here we passed in full view
of the famous cornfield and could plainly see the combat and so
close that Yankee bullets and cannon balls were passing through
our lines continuously, but fortunately without injury to us. Just
after this McLaws' division diverged to the right and two Yankee
batteries began to play on them with shot and shell. It looked
as if the division would be annihilated. Yes, indeed, it was scary
times but the entire division seemed to pay but little attention to
the shells. They walked along at their usual gait without quick-
ening their step in the least. We were turned to the left and
formed into columns of squadrons for action, our Regt. in front
and I in the front rank of the same. No sooner than McLaws'
division deployed for action than orders came to charge these
Yankee batteries which were firing on that division with consid-
erable damage. The command passed along the line and we really
began the charge and had gone some distance when orders came
(very much to my personal relief) to halt as the Yankee batteries
were being withdrawn. This was then near sundown and at the
going down thereof the firing practically ceased and the great
battle of Sharpsburg was without advantage to either side.
We were ordered to a small piece of woods about 100 yards
distant to go into camp. This we did and about ten o'clock that
night, after all warlike sounds had ceased for hours, there was
heard a report of a cannon, the last shot of that great battle.
That cannon ball, fired at random I dare say, struck our camp
fire and created more sensation among us than all our fighting of
the day. It did no other damage than put out our fire, leaving us in utter darkness and all camp material scattered. Next day there was no fighting. It was devoted to burying the dead.

A detailed was sent from our regt., of which I was one, to collect stragglers, of which there were thousands. Details were sent from all the cavalry commands mostly on the south side of the Potomac. Our duty was solely on the north, or Maryland, side of the river and to bring in all stragglers dead or alive. We were under the command of Lieut. F——, of the Beaufort District Troop, a big read-headed and long whiskered man, double jointed, and I am told had been a sailor. We ran across a little fellow loaded with canteens going towards the river and F—— undertook to arrest him, but after he got through cussing Ferrebee he was glad to let him alone. The little fellow was still hot with the fever of battle and refused to allow anyone to interfere with his business. He had left the battle line under orders to go for water for his company, which F—— ought to have known by the number of canteens he was carrying. F—— was afterwards cour-martialed for cowardice and dismissed from the army, so I was told later. Late that evening our Regt. was ordered to the extreme right of our army for picket duty. We camped on a hill near some old graves and passed a very comfortable night.

Next morning it was very foggy and my horse had gotten loose in the night, but I soon found him. News came early that the army had retreated in the night to the Virginia side of the river. Col. Butler was not sure of this and ordered us to saddle up and we rode at a brisk pace to Sheppardstown road and found it true. Our regiment had been forgotten and we were the very last troops in Maryland. Col. Butler ordered a trot, and when we had gone but a short distance and near the ford on the Potomac we saw an infantry command marching along, which as soon as they saw us, filed into line and threw out its skirmishers and were preparing to fire into us when our colonel called out who we were, when they resumed their march and crossed the river in safety, and we followed immediately after. Nearly all our men were fitted out as Yankees, wearing the uniforms captured at Harper's Ferry. It was hard to tell who was the enemy by the uniforms. After we were safely across the Potomac we were in safety. Thus ended
the great battle of Sharpsburg, the hardest stand up fight and against the greatest odds our army ever encountered in its career. It speaks little for the generalship of McClellan that he did not destroy Lee's army then and there. Only one division of Yankees crossing the little creek at its mouth where we forded the Potomac would have thrown them entirely in the rear of Lee's army and ruined it. But the fates willed otherwise, and the war was destined to be prolonged two more unhappy years longer, and at last our immortal heroes compelled to submit to overwhelming numbers. Sic transit gloria mundi.

Only the skillful generalship of R. E. Lee's master mind saved the Army of Northern Virginia at Sharpsburg. If McClellan had been Lee's equal he would have destroyed his army at that battle.

At no time had our equipment been equal to that of the Yankees. Most of the time we were hungry and almost naked and some of our men were actually barefooted. When we captured Harper's Ferry I was somewhat in need myself. I had a hat with no brim and one leg off my trousers at the knee and both boots out at the toes, and we were all lousy. Even with all this no one ever complained.

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LETTERS OF JAMES MONROE.¹

(Continued from page 108)

Washington April 19, 1813

Dear Sir

I have recd your letter of the 16th & sincerely rejoice at the proof which the county has afforded of its confidence in you. It is undoubtedly the strongest it can give, and is one which puts down all the little attempts to injure you.

You complain of my not writing you, without being aware that you are open to the same complaint. You have never written me, altho I have expected from you, only, hints, about my private concerns, which are so highly interesting to me. I have not heard a word from Mr

¹From the correspondence of Dr. Charles Everett, of Albemarle Co. Through an omission the letter on page 100, beginning "My friend Dr. Everett, being about to visit Washington, &c.," has no address. It was, as a matter of fact, addressed to "Vice-President George Clinton."
Alexander for two months or more, & I know about as much of them as when I was abroad. In fact they have been a source of troubled distress to me heretofore, which I hope will cease under the auspices of Mr Alexr.

You know but little of the heavy pressure which has borne on me, since I have been here, & of the few consoling circumstances that have occur'd, to diminish any part of it, as even in that respect, you would have found a sufficient motive, to have declined any complaint. I have written scarcely a letter to any one, & had I had time, I have had little inclination for it.

I have heretofore done all that I could in favor of P. Marks, but as I presume without effect. I enclose you a letter for him to Col. Goodwyn, to whom I advised, in a letter to Mr. Shelly his application some time since. I will write you again on his subject shortly, when I will in case I have time say something on other subjects.

Your friend

Jas Monroe

I did not know that any opposition to Mr. Nelson was contemplated. I am happy that it has received its merited vote.

[Addressed on back]

Dept of State

Jas Monroe

Doctr Charles Everett
Charlottesville

Dear Sir

I have sometime since expected you here, Mr Nelson having intimated to me that you proposed making us a visit. I should have written you sooner had I not presumed on that pleasure. I most sincerely wish you would come. There are many reasons, which make it important that you should do so. You would get an insight into our affairs, which books & the report of others could not give you. A week or fortnight would be sufficient for the purpose. The President is ill. This is his 15th day of a remittant bilious fever. Several phisicians attend him, but it would be gratifying to me if you could see him, but it would be gratifying to me if you could see him. And by coming immediately, you might have that opportunity of evincing your friendship for him. I have a room for you. Pray do not hesitate but set out on the recel of this. He is I think, not in imminent danger; every other day he takes bark; but yet he is very weak, & his fever not broken.

As I hope to see you I shall say no more at this time—

Your friend

James Monroe.

Washington June 28. 1813.
[No address]
Dear Sir

I have rec'd your letter by mail, & begin to fear that it will be impossible for me to see you in Albemarle, while there on the present visit. during the session of Congress I am tied to the spot, and a new cartel being on the point of sailing for Gottenburg imposes on me heavy duties. I intend however visiting the county soon, tho' perhaps not before the rising of Congress.

It gives me great pleasure to hear that Joseph has not resigned himself up to idleness & despair. I shall write him by this mail, & be happy to render & receive good offices from him.

It will give me great pleasure to see you here. I am aware of the justice of the suggestion contained in yours, and regret that I cannot see you in Albemarle. I have a room at your service.

Your friend

Jas Monroe.

[Addressed on back] Dept of State

Jas Monroe.

Dr Charles Everett
Charlottesville
Virga

Washington June 1, 1814.

Dear Sir

Your letter of the 30 ulto. is this moment rec'd. A preceding one mentioned in it, was rec'd. a few days past, on my return from Loudoun. Much business of great importance pressing on me, prevented my answering the former sooner & both at this time, fully.

Believe me, and I have some claim to confidence, on several accounts, that it would do you, Mr Nelson, & me, great injury should Joseph publish a book of the kind imputed to him, while it would degrade him in an eminent degree. It would give consequence to the people, whom, it was intended to affect in another way, & injure those it was intended to benefit. I have had much experience in public affairs, particularly in what relates, to the vibration of public opinion, connected with party politics. Having just sensibility to the injury done me by the subalterns in Albemarle, and the use made of a certain name to favor their views, it has been my constant effort, to diminish the extent of that injury, by putting it out of the power of those persons to continue it. This crisis has passed; they have become harmless. They can no longer injure me, nor you, or Nelson, provided new means are not afforded them. All that is requisite, is, to let them alone. While that is done, every attack they make, will only recoil on themselves and plunge them deeper in the mire.

Keep your ground. If you resign your injure yourself in the
estimation equally of friends & enemies. It will admit of no excuse. Why get there it will be asked? Why resign? How reconcile the two acts with each other on any consistent or rational principle?

Confide in McRae; he deserves confidence & will be eminently useful to you & to the cause. He will have great weight in the approaching session. You have nothing to fear there if no false step is taken in the interim.

It is my intention to be friendly to Joseph but he must be attentive to himself. Keep him in Albemarle till I visit it, which will be soon. Perhaps it will be better for him, not to move westward.

I expect to visit Richmond sometime next week, but circumstances may delay it. Of this you shall hear either, directly, or thro' Mr Hay

Your friend

Jas Monroe

[No address]

Washington June 17, 1814

Dear Sir

You did what was proper in declining to draw out any additional force in consequence of the late intelligence from Europe. Under certain circumstances the right exists, in the state Executive, but not under those of the moment. Through the whole of our revolution, Virga, acted as if she had no connection with the rest of the union, drew out, & even raised troops, & incurred expenses, which fell on herself; for which at least she never did obtain any credit. Press those in power here, when you see an occasion for it; but do it with method; in making any call or claim, know the ground of it, & make it appear.

Had Joseph published his book he would have ruined his reputation for ever, & injur'd all his friends. This book would have been an object of curiosity with the enemies of the govt. by his connection with me, and its object, in the person attacked. For the same reason it would have excited favor, with all the friends of the govt. We, of Albemarle, act pretty much on the principle, that the State of Virga, has done, with the Union. The people there have some weight, but by no means, are they, the arbiters of every thing.

Your friend

Jas Monroe.

[No address]

My dear Sir

I must see you to day, when we will confer more at leisure, & fully, on the subject of our friend in Albemarle. In the mean time be assured, that none of my family, have any other wish than that you & I, who have done so much for him, should uselessly furnish the mean of supporting him in idleness and dissipation. My whole family wish
him well, but have seen me make so many fruitless efforts in his favor, which brought distress on me, that they have a horror at a repetition, while I am in such want of money myself, especially as he has afforded no proof of reformation.

Very sincerely your friend  
Jas Monroe

20 July 1814

I am much engaged in writing or would come over.

Doc'r Chs Everett
at Mrs. Nelsons

Washington July 27. 1814.

Dear Sir

Presuming that you are in Albemarle I address you there.

I was sorry that I had not an opportunity of seeing you again before I left Richmond, tho' I believe that all the topics of conversation were exhausted in our previous interviews.

I gave Mr. Traylor a power to sell my land in Albemarle, on certain conditions as to price, being resolved not to sell it, unless they be obtained, & in the mean time, holding out the tract in Loudon for sale, with intention to sell it, if a fair price can be obtained, comparatively with that given for similar land in that quarter. By this arrangement I shall try the market for both tracts, and sell that in Albemarle, in case only, that I fail to sell the other. I should indeed sell the tract in Albemarle with great reluctance. I have considered that county my home 26 years past; have bestowed much labour, even personal on that tract, & otherwise done much to improve it. The site for a house is in my opinion one of the handsomest in the state. All the buildings are valuable and most of the necessary ones erected. Much valuable ground is cleared. Good fences are raised, on the mountain, & on the plantation below. Wood is convenient, for ornament, & use. In short I have done all the heavy work. It remains now only to improve the residence and make the estate profitable. Add to this, I should leave the county with regret. For many of its inhabitants I have great friendship, & for very many others good wishes & esteem. After having so long consider'd that place my home, and those people as neighbours & friends it would give me pain to settle elsewhere. But I owe much money, which I cannot without extreme pain longer delay the payment of; it is important to enjoy peace the balance of my days, and to improve my residence wherever it may be, so as to make it comfortable. Since my return from Europe, I have been engaged in improving both those tracts. I really expended much money in it, particularly that in Loudoun. The present is a favorable opportunity for selling, one or the other. I have adopted the best plan I could for ascertaining which I could sell to most advantage.

With respect to Joseph, all that he has to do is to settle himself
somewhere and begin the practice of the law. If he would act, as you, or I would, and as all men do who support themselves by their good conduct, & industry, in six months, he would be beforehand. Some young men in that county, without education, law knowledge, or half his talents in any line, are making their way. The trifling sums that have embarrassed him, and under which he sunk, would not have been felt, had he done what he might have done. Still he may advance himself and gain fortune & consid[eration]. and will it not be wonder-ful if he does not? Wonderful, considering the facility with which he may succeed. Is he disposed to make an effort, or does he prefer relying as heretofore on the contributions of his friends? He has a mind capable of nice discrimination, and, in reasoning on the conduct of others, as correct sentiments, and as honorable, as any man. How can he reconcile it to his feelings, to receive from the labours of others, what he might so easily gain from his own? I am very sincerely his friend but hope to see him not unmindful, of what he owes to his own welfare, his character, & the just claims of his children & friends.

We have nothing, since I saw you, from Europe, or the northern frontiers. A week or two, must shed much light on the views & designs of the British gov't.—

Your friend

Jas Monroe

Where is Mr Nelson? Is he at home or gone to the springs?

[No address]  

Washington Sepr 16 1814

Dear Sir

I received your of the 14 yesterday. It has been owing to the extent & purpose of my duties that I have not been able to answer your former sooner.

I will make a single remark on my conduct in the past. I advanc'd myself on the lines &c. because I not only thought I might be useful, but that there appeared to me to be a necessity for it. It was in that way that my little military experience, not simply by communicat-ing intelligence, but by forming opinions on facts, might have some influence on our affairs in so important a crisis. For what occurr'd while Armstrong remained here, I had no responsibility. I stand re-sponsible for my own acts only. He claims credit for the measures which had been taken for defense of this place. Those measures were not proposed by him but the President. This is communicated in con-fidence, solely for the purpose of putting in possession of facts.

My future course will not be marked by any will of my own. I shall follow that of my friends in remaining where I am, or taking any other station.

Mr Jennings has rec'd of this dept every cent to which he is entitled. It was not known that he had borrow'd any money on acct of the U States. I mention this in confidence.
Major Wheaton's bill for 5000 dolrs has been lately paid. He receives his supplies thro' Swann at Norfolk. Joseph was detained here by me till very recently. He has probably called on our sisters family in Caroline on his return.

Your friend

Jas Monroe

[No address]

Washington Novr 27. 1815.

Dear Sir

I send you two copies of my report relative to the difference of opinion between this govt, & the Executives of some of the Eastern states, which prevailed in the late war on their respective rights, to the command of the militia. I wish you to give one to Col: Yancey, with a request that he let his colleague peruse it. It embodies & presents to view, all the grounds of that controversy, by which the principles and objects of the leaders in those states, may be distinctly traced.

With respect to the men alluded to in your last letter, delicacy forbids, as they are known to be personally hostile to me, if there was no other motive, that I should take any part in what relates to them. My conduct is before the public; so is theirs. In the last election of Mr Giles, tho' I was then a member of the assembly, I made no opposition to him tho' insisted to do it, and had before rec'd from him personal injury. The same remark is applicable to Mr Nicholas, as you can all testify. Altho' I had been injur'd by both, yet I had no resentments to gratify. What part they have since acted against me, is better known to others than to me, tho' I know that it has been hostile. Still I feel that in a case relating to myself, as this does in a considerable degree, altho' the public are deeply interested, in the course of policy to be pursued, and of course, in the conduct of their servants, the public should look to its own welfare, unbias'd by any interference on my part. Let every one do what he things right, & let the act be the suggestion of his own conscience.

I will send you in a few days the paper you request, & some others which will give a full view of the subjects on which it treats. A friend is making out a copy of them, as I think that the originals, or rather the only copy I have, ought not to be risked.

Your friend

Jas Monroe

But what has my conduct been? Is there any one in the republican party, sincerely attached to the principles of republican govt who censures it? Have I not done all that I could to support the cause, after the sense of the party was fix'd, in the same manner, as if every measure in every stage had been my own?

[No address]

(To be Continued)
THE BATTLE OF THE BLUE LICKS.

To his Excellency the Governor of the Commonwealth of Virginia

Sr. Through the Continued Series of a seven Years Vicissitude, Nothing has happened so Allarming, fatal & Injurious to the Interest of the Kanetuckians in Particular & all its Votaries in General, as the present Concatenation of Hostillities wherewith I am now to Acquaint Your Excellency—

The fifteenth of this Instant, Bryans Station was Besieged by a Number of Indians whereof I am not able to form a Just Estimate; the Attack Continued warm for about Thirty Hours, During which Period, the Enemy burned several Exterior Houses, killed three of our Men & made large Depredations on the Neat Stock & Crop—they then Retired leaving three of their Savage party dead on the ground, besides a Number Circumstantially so.—

The seventeenth, We were Reinforced from Lincoln with one Hundred & fifty Horsemen, Commanded by Lieut Colo. Stephen Trigg & Joined by a few of the Fayette Commanded by Colo. Jno Todd who Compos'd an Army of one Hundred & Eighty Two. We followed them to the Lower Bluelicks where ended the Direfull Catastrophy—in short—we were defeated—with the loss of seventy five Men—among whom fell our two Commanders with many other Officers & soldiers of Distinguished Bravery. To Express the feelings of the Inhabitants of both Counties at this Ruefull Scene of hitherto unparraleled Barbarities Barre all Words & Cuts Description short.

The Twenty fifth, five Hundred of the Lincoln Militia Commanded by Colo Benjamin Logan (who hitherto had neither been Consulted nor solicited to our Assistance) marched to the Battle ground in Expectation of a second Engagement, but the Enemy had march'd, several days before, from the Order of their March with many other Accruing Circumstances their Number was supposed to be nearly Six Hundred.—

Fortyseven of our Brave Kanetuckians were found in the field, the Matchless Massaced Victims of their Unprecedented Cruelty—
We are led to Conceive that none were captivated from a Number found at the Crossing of the Creek tied & Butchered with Knives & Spears—Laboring under these Distressing Circumstances we Rely on your goodness, (Actuated from a principle of Universal Benevolence which is the Distinguishing Characteristic of the truly great &noble soul) that we will not only become the subject of your Commiseration, but of your Patronage & Protection also. the Ballance stands upon an Equilibrium & one Stroke more will cause it to Preponderate to our Irritrievable Wo & terminate in the Intire Breach of our County if your Excellency is not concerned in our Immediate Safety—

The Author of this Narrative is a Person in a private sphere of Life & hopes that your forgiving Candor will induce you to not only pardon the Intrusion, but the many Inaccuracies that may appear through the whole of this Illiterate & undigested Detail—as it comes from welwisher to American Liberty & Your Excellency’s Most Obat Hbl. Servt

Andrew Steele

Lexington August 26th, 1782.
Addressed: Aug. 5, 1782.
His Excelency Benjamin Harrison
Governor of the Commonwealth Virg.
Per Express.

—

JAMES WARRELL.

An extract from a letter of the Reverend Anson Titus, of West Somerville, Massachusetts, is as follows:

“My service to the world has brought me in touch with James Warrell—the English-Richmond portrait painter—who produced the portrait of Judge John Tyler, also of Washington and La-Fayette. I find among your writings, also of Robert A. Brock, that Richmond was practically his home, and was living and rendering service as late as 1824: but how much longer?

“I have recently unearthed a pen and ink sketch of Agnes
Pye Usher, an actress, autographed by 'J. Warrell.' She was born 1810, died in Lexington, Ky., 1834, and I infer from style and dress that it was created about 1830. The Virginian, J. Warrell, is the only one of whom I know. The sketch is the work of a real artist, and of no amateur. Have sometime thought there might have been among the Warrell actors of Philadelphia, an artist, gifted in pen and ink sketches.

"Agnes Pye Usher was a dau. of Luke Noble Usher and wife Harriet Ann L'Estrange, actors on Phila. circuit, 1796-1804; in Boston 1804-08; and in Quebec, thence to Lexington, Ky., the Usher home. Mr. and Mrs. Usher died in 1814. Agnes Pye Usher and her less famous brother, James Campbell Usher were brought up by their grandfather, the owner of the Lexington, Ky., theater. Mrs. Usher, as you may recall, was a running mate of 'Betty' Arnold, who became the mother of Edgar Allan Poe. They were playing in Boston Theater when James Campbell Usher and Edgar Allan Poe were born, 1807-1809. Agnes Pye Usher was born in Quebec, where she was baptized in the English Cathedral. As you know Mrs. Poe died in Richmond, Nov. 1811, of pneumonia, and David Poe died two days later of tuberculosis. Miss Phillips Boston is now carrying through the press a new biography of 'Edgar Allan Poe, the Man,' to be published ere many months, making two volumes of 1,200 pages. I found a silhouette of Mrs. Usher, which will appear in the book. Since then, I have uncovered this pen and ink sketch of Miss Usher. It may be that Poe's Tale 'The Fall of the House of Usher' will herein find another interpretation.

"But our quest! When did James Warrell (sometimes spelled Worrell) die? and is there any mention of him in the books of which you have a more intimate knowledge?"

[The statement that Mr. Warrell painted the portraits of Washington and LaFayette in the Council Chambers of the City of Richmond is, according to Mr. E. C. Valentine, an error. He painted that of LaFayette, it is true, but that of Washington is a copy by Petticolas from the Stewart portrait.]
LETTERS FROM THE GOVERNORS’ LETTER BOOKS.

The Virginia Delegates in Congress

Richmond August 3d 1781

Gentlemen

In the last Letter I wrote to you I mentioned that a Fleet of the Enemy’s Transports with Troops on Board had fallen down from Portsmouth into Hampton Road. They have since moved round into York River and have landed both on the York and Gloucester Shores. The uncertainty we were in with respect to their Intentions had induced the Marquis to take a Position not far below this Place that he might have it in his power to march either Northward or Southward as their movements should make necessary. Few Troops were left below as it was not suspected that they would come to a Place the neighborhood of which they had lately evacuated. From these Circumstances and their being able with ease to transport their Troops across the River as they see fit, they will have it in their Power for a short Time to commit great Devastations. These sudden Incursions into different parts of the State are Calamities which the Geography of the Country and their possessing the Water make it impossible for us to guard against, but I hope the Measures we have taken for our Defence will effectually prevent in future their penetrating far or possessing long what their Command of the Water does not secure to them.

I am anxious to hear what Congress had done respecting the Illinois Country. It is a matter which I think ought not to be deferred, if they mean to take it up at all.

Mr. Charles Tomkins and William Buckner Inhabitants of Gloucester County were taken prisoners by the Enemy some time last March in Chesapeake Bay by Arbuthnots Fleet which they mistook for a French one, and I am informed are now confined at New York. They are only private Militia Men when taken and by a Cartel settled between the Commanders of the American and British Southern Armies, all the Militia made Prisoners in the Southern Department before the 15th of last June are exchanged and are to be immediately liberated. They are then evidently intitled to their Liberty and cannot be refused it on Application being made for this Purpose. I hope you will take the Trouble of doing them this Favour and recovering two good Citizens for the State.

I have for a long Time had no other Information of what has been doing in your Part of the Continent than what vague Report has given
me. If any Intelligence has been intended, it has met with some Interruption. This I am inclined to think has been the Case, as I understand the last Mail was robbed near Christiana Bridge. I shall once a week except to be favored by some one of you with the News of your City. I am &

Thomas Nelson

Marquis LaFayette

Richmond August 3d 1781

Sir,

I inclose you Papers received yesterday relative to a Seizure of Stores the Property of this State made by Genl Wayne. This Step will in a considerable Degree distress us, the Stores being intended for the use of our Troops now in the Field, which are in the greatest want of them. Besides the Action in itself is of such a nature as is not to be tolerated where civil Government is established and regular modes laid down for procuring necessaries for our Armies. Other Excesses are also said to be committed on the property of Individuals by the Troops of the Pensylvania Line. I would willingly flatter myself that they are done without the Privity and Countenance of the Officers. But whatever the Authority may be under which they are perpetrated, as first magistrate of the State and Guardian of the Rights of the People, it is my Duty to take Care that they be in future prevented. For this Purpose I have made you this representation, who as Commander in chief of the American Forces in the State of Virginia, must be vested with a Power of examining into and regulating the Conduct of all subordinate Officers.

If there is any thing which you would wish to communicate to the Executive they will be happy in giving you an Opportunity in the Council Chamber at any Time you shall think proper. I am &

Thomas Nelson.

Major Claiborne

Council Chamber Novr 9th 1781

Sir,

Your letter of the 7th received yesterday afternoon was this day delivered in at the Council Table. His Excellency the Governor being still prevented by his indisposition from resuming his Seat here & the resignation & Removal of most of the members of the Executive depriving us of a legal board, we can not give you So definitive an Answer as the importance of Colo Carington's Requisitions demand. The members present think it their duty however to observe that the treasury

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1Thomas Nelson, Jr., was governor from June 12, 1781, to November 30, 1781.
of Virginia is for the fourth Time exhausted by the repeated Advances which have been made on Continental Account.

Thirty five Millions of Pounds have been remitted from thence in the course of the last twelve months & we are convinced we speak far within Compass when we say that 19/20ths of that enormous sum have been applied to Continental purposes. If to this be added the innumerable specific supplies which have been furnished to the Continental Army & the Militia in our own & the States to the Southward of us, perhaps the State of Virginia will be found to have been liberal in her Advances beyond her Abilities, & nothing short of her proportion compared with the others in the union. If you were as fully possessed of the great Advances made both in Cash & Specifics in the other Continental Departments as you are of the Cash Advances in your own you would immediately be convinced of the impropriety of stating the Account in the mode now before us. You must be sensible that Millions have been furnished to other departments and Millions more are not yet passed to the Credit of the State. The impossibility of establishing a regular mode of delivering and accounting for supplies while our Country was harassed and over run so frequently by the enemy must be obvious. With respect to present Aid until our Legislature can devise means for replenishing our treasury it is impossible for the Executive to make further Advances of Cash: and tho. dire necessity has obliged us however reluctantly to make use of the Odious oppressive means of impress for obtaining supplies we conceive nothing but the same necessity can justify the Continuance of a Mode so injurious to our fellow citizens. As you were pressing for an Answer to return Colo Carlington we thought it necessary to say thus much on the subject, but for a definitive one Answer your Letter with its Inclosures must lie till his Excellency the Governor's Arrival in the meeting of a legal Board. I am &c

Geo. Webb.

The Honble Benjamin Harrison, Esq. Speaker of the House of Delegates Council Chamber Nov 26 1781

Sir,

Expecting hourly the return of his Excellency, The Governor I concluded the business necessary to be laid before the legislature would have been communicated by him at the commencement of the Session. Upon his Excellency's resignation it became my Duty, & believing there were some matters which required prompt Discussion, I did myself the Honor on the 23rd to transmit to you the original Letters & papers which related to them. There are others however which merit the

1George Webb succeeded Robert Carter Nicholas as treasurer in 1777.
Attention of the legislature & which I think it incumbent on me to communicate.

The first subject I wish to solicit the attention of the legislature to is that of our Western Country. Since the proposed Cession of the Illinois, the Executive have doubted of the propriety of admitting & discharging Claims for services done therein, indeed it has been difficult in many instances to discriminate the services rendered on that from those on this side the River Ohio.

In many they were confussedly blended. To discharge all claims from that Country without some Assurance from Congress of being reimbursed is ruinous to our finances; to reject them absolutely sinks the Credit of our State in that Quarter & alienates the Affections of the Inhabitants.

The Advances which have been made both for the Illinois & Kentucky Counties have been very great, and there is some reason to believe they have been increased by Impositions. These however it has been difficult to fix. As the most likely means of detecting & in order to carry into execution the Resolve of the last session the Executive nominated five Gentlemen of Integrity and Ability who being fully empowered should receive, examine & settle all claims in the Western Countries: and make minute Enquiry into the former as well as the present Conduct of all public Officers employed there. Those Gentlemen were written to in the most pressing Terms on the Occasion: one only has yet signifedy his Acceptance of the Appointment: several have refused by Letter & others have been nominated in their stead from whom no answer is received. To all the public Officers here where neither information nor evidence can be had would be as ineffectual as expensive: in the meantime claims are daily coming in and the Executive much at a loss how to act. If it is intended that the same protection shall be continued to the Western Country as heretofore, means should be furnished for supporting the military posts & forces there by which alone effectual protection can be afforded. The great distance and peculiar Circumstances of that Country will necessarily Occasion very great expense in defending it. On the other hand if the new settlers are left to provide for their own security, there is too much Reason to apprehend that the Enemy will with the Assistance of the Indians distress them greatly: perhaps drive them in, throw one whole Western Frontier into Confusion & deprive us of the principal sources of Succours in case of another formidable Invasion on the Sea board.

The Executive deeply regretted the necessity there was found by the legislature for giving them those extraordinary powers by an Act of the last session. Nothing less than the like necessity could have forced them into the exercise of those powers. A powerful and cruel Enemy carrying Devastation through our Country was to be opposed
and checked if possible & at all hazard. This could not be effected without a formidable Army and the numerous expensive Appendages attending it. These were to be obtained by no other means in the Reach of the Executive except those of Impressment—The powers of Impressment were as prudently conferred & as effectually guarded as the situation of affairs could possibly admit of. The Confusion of the Times, however, opened a door to Licentiousness, and it is to be lamented that our fellow Citizens suffered oppression in some instances by those exceeding their powers who were legally authorized to Impress, & in many by those who were not, notwithstanding every precaution to prevent it. It will be happy for our Country if similar evils are prevented in future by seizing the present opportunity of Respite & providing such means as may render the further exercise of Powers at best extremely odious unnecessary.

We have no reasonable ground of Assurance that another formidable Invasion may not take place. Thus much at least is certain that near 3000 of the British prisoners lately captured at York are left with us to be guarded & maintained, that daily Applications are made for provisions for the several Continental posts established in different parts of the State, and above all that the principal supplies for the support of the Southern Army is looked for and depended on from hence. It rests with the wisdom of the Legislature to determine how these important objects are to be provided for.

The liquidating and settling the Accounts between this State and the Continent is another subject exceedingly interesting & well worthy the Attention of the Legislature. Every Day's Delay of this important Business: Every Change of Persons in the several Departments & Officers of Government render the work more difficult & inexplicable. The Executive have repeatedly experienced the mortification of being pressed to make up Deficiencies in our quota of supplies, when probably on a fair Adjustment we be found to have exceeded them.

Mr. John Boush was appointed an Auditor during the recess of Assembly in the room of Mr. Archer who resigned. Mr. Walkers declining his appointment, the Death of General Lewis & the resignation of Mr. Fleming & Mr. McDowell have left the Council Board far short of its Constitutional number

I am &c

David Jameson

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1Lt. Governor and acting President of the Council in the absence of Gen. Thomas Nelson in camp.
The Honble Robert Morris Esqr

In Council March 27th 1782

Sir

Your letter of the 26th ulto did not come to hand til the 24th instant or I should have acknowledged the receipt of it sooner. The Stile of it is new, and but ill suited either to the Character of the writer, or to that of the supreme Magistrate of any one of the United States, and savours much more of that passion and ignorance you so obligingly attribute to me, than that calmness and decency ever the Characteristic of the great Minister. But as literary Altercation is of all things most disagreeable to me I shall pursue the subject no farther than to say I have examined my Letter with Care and do not find it liable to the interpretation you are pleased to put upon it I gave you my Opinion why the Assembly did not comply with the requisition of Congress founded on the Articles of Confederation, which gives a liberty to that Honorable Body of calling on the States for a supply but leaves it to them to raise it by such ways as they shall think least oppressive. The reasons given for this were the same that I gave that it was impossible for the wisest men on Earth to determine at a great distance what kind of Tax any one of the States could bear. I have as high an esteem for the Virgina Delegates as you can have; I know them to be men of honor, integrity & politeness, and zealously attached to the Interests of America & the State they represent, but I once thought you knew that with all those accomplishments the delegates of no one State could prevent the adoption of measures that they thought wrong. The doctrine that an American has no right to spend his opinion on public measures is so totally new to me I shall pass it over with this single resolution that if heaven in its wrath should please to establish it I will look out for some happier clime. Congress shall ever have my acknowledgments for the timely aid sent us, tho' perhaps I may again fall under your censure for saying the state had a right to expect it, but is their superintending care to end with the success of that well timed expedition? I hope not. From the Time the Continental Troops came into the State to this hour, they with all the Staff & prisoners have been mostly supported by the arbitrary measure of Impressment; The Assembly thought this wrong, & therefore forbid it. It then became the duty of the Executive as well to ease their own people as to serve the American cause to call on Congress for assistance and to request them to adopt the same measures in this State that were used from Boston to Potowmack river. I desired the delegates of the State to make the application if the business was not going forward; It is on this letter that I suppose you found your polite charge of ignorance and want of reflection, because Pennsylvan-via had commuted for the specifics demanded of her in calls, and
Virginia had paid hers only in the articles call’d for; reflection tells me that both States have equal merit, and that both have incur’d their proportion of expence. The paragraph of Governor Jefferson’s Letter proves nothing more than that the Assembly had laid a tax of Tobacco on the people, which they might appropriate to Continental purposes; this they never did do, but directed it in another channel, for which I make no doubt they are able to assign sufficient reasons. I am &c.

[Benjamin Harrison]

The President of Congress

Virginia—In Council. March 29th 1782.

Sir

The resolution of Congress of the 13th ult; recommending to the Executive of this State to take decisive and effectual measures to furnish the men and beef required by General Green on the 27th of December last came to hand yesterday. The executive have every disposition to assist and support that great and worthy General but find it altogether out of their power for the present. Beef is not to be had at this Season of the year, nor can it be stalled for want of long Forage which is mostly consumed thro' the country, & the cattle are so very poor from the hardiness and length of the winter they could not be made fit for Slaughter in several months, even if that article was to be obtained. I have long since informed General Green of this, and also that as our Laws now stand the Executive have not the power of Sending the Militia out of the State, it being given formerly by temporary Laws which expired at the end of the last Session of Assembly. I am greatly concerned at being thus bound up, tho' I have not the least doubt of having my hands strengthened by the next assembly, which will set the fifth day of May before whom your resolutions shall be immediately laid. The General has by this time received a reinforcement of four hundred and Twenty Six Continentals from this State & there are Two hundred & fifty more that will follow them soon; these with what we expect from enlistments will I doubt not enable him to keep his ground 'til I shall be at Liberty to send him more powerful assistance. I am with the greatest respect

Yr Excellency’s

Most Obedt hble serv

[Benjamin Harrison]

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1Benjamin Harrison was elected Governor Nov. 29, 1781, and continued such till Nov. 29, 1784, when Patrick Henry was again elected Governor.
The Honble Speaker of the House of Delegates [Hon. John Tyler]
In Council—May 30th 1782.

Sir,

The great injury sustained by the people who live near the Towns of Wmsburg, York and Gloucester by the allied Army and the Little probability of their being paid without the interposition of Government induc'd the Executive to appoint Dudley Diggs Esqr to receive their claims, adjust them and to settle with the French for such articles as were used by them, and to send to us all those that were properly due from the Continent in order to their being laid before the General Assembly. Colo Diggs has finished the business much to the satisfaction of the people; those that had suffered by the French are paid their money; The other claims I have now the honor to inclose you. I requested of Colo Carrington to look over them and to give me his opinion as to the propriety of the measure taken, and the sufficiency of the proof, and to inform me how the people were to be paid; He seem'd pleas'd with the manner in which the business had been managed, & satisfied with the proof and supposed that the person appointed to settle the Continental account with the State might order payment, but he was far from being certain that any such power would be given him. It rests now with the Assembly alone to say in what manner the unhappy sufferers are to come by their right.

When I had the honor of the Chief Majestrcy conferr'd on me I found the Seal of the State intrusted to the door keeper of the Council; there appeared so great an impropriety in its being in such hands that I put a stop to the practice, since which the Seal has been affixed by the Clerk of the Council and of the War Office as occasion required. I submit it to the consideration of the Assembly whether this also is not improper, and whether it ought to be entrusted to more than one person, who would then be answerable to the public for any bad use that might be made of it. The Clerks of the Council cannot perform the duty but in the hours allowed them for relaxation, and I think it would be unreasonable to deprive them of any of those without some compensation. Gentlemen who are unacquainted with the multitude of Commissions that issue and the many other public Instruments to which the seal is necessary cannot form an idea of the trouble, and it will be greatly increased shortly as I understand there are many hundreds of Patents ready, to these the act of Assembly declares the Governor shall cause the Seal to be affixed as I have no person on whom I can lay my commands to perform this necessary duty I request the favor of the Assembly to take such order in it as to them shall seem just and proper. The Governors house at Wmsburg is burnt Down and many of the walls have tumbled. The Executive have given orders for the Sala of the Bricks the only method by which they could be saved to the public: the outhouses are going fast to de-
struction and will be soon in ruins. I submit it to the Assembly whether it would not be better to dispose of them and the lands adjoining; It is supposed it might be done to advantage by way of Lottery. You have inclosed a Letter from our delegates in Congress which I beg the favor of you to Lay before the Assembly, with one other from the Commercial Agent assigning reasons why the Accounts required by the Late resolution are not now ready. I have the honor to be &

Benja Harrison.

His Excellency General Washington.
Virginia In Council August 1st 1782.

D. Sir

I reed your Excellency's favor of the 22d & 23d ulto by post, Gen. Lincoln had given Orders for the destruction of all the Works at York Town without even writing to me on the Subject and they would most certainly have been demolish'd before your Letter got to hand (leaving it with the State) if Colo Lavelette had not been more complaisant than the Gen. I have desired that the batteries and platforms next the Water, which were built by the State may be preserved and have order'd Colo Dabney with about two Hundred State Troops to take possession of them, I propose to have them enclosed with a strong palisade which will preserve them against a sudden attack. The removal of the French Troops leave us in a defenceless condition, our means not being such as I could wish them. We shall never be right or respectable, till the Executive are left to do the business of an Executive without interference of any other Power. It is much to be regretted that there is no way to curb the grasping wishes of some or open the Eyes of the well meaning and indolent. The rod of correction has been applied in vain, and fatal experience changes not measures—I congratulate you on the arrival of the French Fleet, and wish they may be in time to add new Laurels to the many that adorn you, tho' I expect it not, as the victorious English Fleet will certainly follow them. I am, &

B. H. [Benjamin Harrison]

Majr General Greene.
Council Chamber Augt 30th 1782.—

Sir

I wish Gen. Muhlenburg had forwarded to you the Act of Assembly of this State for raising three Thousand men when he gave you notice there was such a one, it would probably have satisfied you that the intention of the Assembly was not merely to place men on paper but actually to raise them if they were to be got for a bounty which has never yet been given by any Country on Earth. I enclose you the
Act let it speak for itself.—No Country in the union has been more prodigal of its blood and money than Virginia nor has any one had more men in the field till the fall of Charles Town, or endeavor'd more both before and since to keep their Battalions full all the Acts of Assembly on the Subject except May last prove it. A great Number have been raised by most extravagant Bounties, that have marched and counter-marched thro' this country till most of them have been lost either by Death or Desertion, the latter chiefly occasion'd by the want of Cloths, which it was not in the States power to procure their ports being all shut up and Trade at an end, had the other States done by us as we did by them when in similar circumstances, I trust no complaints would have been heard. If any Thing hinders the Completion of the present act it will be the want of necessaries to keep the Soldiers comfortable, our people every Day see the wretched state of those whose Times have expired, and those who are at your posts, they hear indeed of cloaths coming on, but they see them not, and I fear they have been too often deceived to make another tryal, be this as it may my endeavours shall not be wanting to procure them. Money for the recruiting Service is coming in fast and officers will be appointed Tomorrow, if they prove industrious and can procure good sergeants to assist them. I still have hopes a good body may be raised. You have been misinform'd on the Subject of a revenue for Congress, the Assembly have appropriated a very considerable part of the Taxes to their use, and depend on it the people are taxed to the extent of their Ability to pay, what sum the portion allotted to the united States will amount to I know not tho' I suppose it will, if the commodities paid sell any Thing near their Value be about a hundred and fifty Thousand pounds, but it will be many Months before it can be got to the Hands of their Officer; Collections in this Country being always tedious.— Why the circulation of Mr Morris's Notes was oppos'd I will not undertake to say, happily it was overuled and they are now in equal Demand with Specie. Your informant knows very little of the designs of Government in Garrisoning York Town, the Motives for it, or the force order'd. Gen. Washington and Count Rochambeau left all the heavy Artillery and artillery Stores of both Armies at that post and West Point, and when the French Army marched call'd on me to assist the five Hundred French troops that were left with a Thousand Men to guard them, to comply with this requisition as far as I thought necessary I order'd about 200 State regulars and four Hundred Militia to York, and had Six Hundred Men ready to march from the Neighboring Counties to their assistance if call'd on, which I think was incuring neither a useless nor an unnecessary expense, as soon as the Stores were removed the Militia were desmiss'd, and I have now at that post not above one Hundred Men. The want of Economy or Attention to the finances of the State shall never justly be laid to my charge. I wish I may not err on the other
Side, for there is no State in the Union at this Time more exposed or so much distress'd as this is by the continual Invasions of the Enemy on both our Eastern and Western Frontier.— The expectations of a general peace are high in this Country, much more so than perhaps they ought, they may injure but will not lessen the Attention of Government to the general Welfare. Gen. Carleton has inform'd Gen. Washington that conferences are open'd at Paris for a general peace, and that American Independence will be declared in the first Instance by the British Plenipotentiary. If this is really true it appears strange to me that neither the French Ambassador nor Congress should have received the least official Information of it, which our Delegates tell me was the case the 20th of this month.—— I am &

B. H. [Benjamin Harrison]

THE JENNINGS FAMILY OF ELIZABETH CITY CO., VA., AND ANSON COUNTY, N. C.

(1) Charles Jenings (1705), Clerk of Elizabeth City Co., Va. Married as early as 1680 (See Wm. & Mary Quar. 9-124), Mary ———, born 1651, died 1710, in Elizabeth City Co., Va.

Issue: (2) Thomas Jenings, son and heir who died about 1720, unmarried. (3) Charles Jenings, born before 1680, died 1747. Left will; (later); (4) Elizabeth Jenings, who married Allenby and had daughter Elynor.

(3) Charles Jenings,* II. (1680-1747), married three times—Elizabeth Naylor-Westwood (married in 1702); Jane Latimer (mother of John and other children), daughter of Edward Latimer (see his will); Hannah Chandler, Chandler, Armistead, Hawkins (married in 1736).

Issue: (5) Charles Jennings, III., executor of his father's will 1748; (6) John Jennings, born between 1702 and 1736, died after 1785 in N. C.; (7) Thomas Jennings, left will probated in

*Note: Above Charles, Sr., and Charles, Jr., spelt their names, and Charles, Jr., signed his will "Jenings," the same as Edmund Jenings, the Colonial Governor of Va., and Peter Jenings, Atty.-Gen. of Va. These are the only ones on record who spell names this way. They must have been of the same family in England.
1794, left descendants (see his will); (8) Mary Jennings (no record); (9) Ann Jennings (no record.)

(6) Col. John Jennings (see above), lived in Elizabeth City Co. and acting clerk in 1744, living in Lunenburg Co., Va., 1764; moved to Anson Co., N. C., and bought land 1774; married Lydia Batts, daughter of Thomas Batts, of Elizabeth City Co., Va.

Issue: (10) Thomas Batts Jennings, who had daughter Elizabeth Batts Jennings. She married John Jennings 3rd (his third wife) (later); (11) Maj. John Jennings, born 1761, died 1806. (See later); (12) Martha Jennings (Pemberton), born 1765, married Stith Pemberton, 1783 (later); (13) Mary Jennings, who died Feb. 22nd, 1829, recorded in Old Bible, married in 1768 Thomas Stainback.


Issue: (14) John Jennings, 3rd, born Apr. 17, 1788, died Nov. 26, 1828. He was also Sheriq of Anson Co., N. C.; (15) Dr. Edmund Jennings, born Wadesboro, N. C., Apr. 23, 1792, and died Shelby, N. C., Dec. 2nd, 1863 (later); (16) Dr. Thomas Jennings, died in Anson Co., Sept. 4, 1822 (see later); (17) Elizabeth Jennings, who married Dr. Dunlap; (18) Charlotte Jennings, who married Dr. Dunlap after Elizabeth died.

(14) John Jennings, 3rd (1788-1828) (Charles-Charles-John-John), married in Fayetteville, N. C., Dec. 28, 1809 (see his Bible), Ann Staiert, daughter of Sebastian Staiert, Fayetteville, N. C. She was born Nov. 17, 1792, died Sept. 29, 1822. He married 3rd Elizabeth Batts Jennings (dau. of 10).

Issue: (19) Sebastian Staiert Jennings, born Nov. 9, 1810, died 186— (later); (20) John Augustus Jennings, born Jan. 9, 1813, died unmarried in Memphis; (21) Dr. Wm. Pickett Leak Jennings, born Sept. 22, 1815, died 188— in Ga.; (22) Thomas Jennings, born Sept. 16, 1817, died unmarried in 1837; (23) Edmund Jennings, born Dec. 15, 1819 (no record); (24) Alexander Thomas Jennings, born May 4, 1822, died when 7 mos. old.

(19) Sebastian Staiert Jennings (1810-186—) (Chas.-
Chas.-John-John-John). He and eldest son killed in battle Perryville, Ky. Married Miss Smoot of Mobile, Ala. He lived in Mobile, Ala. He claimed the Jennings estate in England as being eldest son of the eldest son through Charles S. and went to England 3 times.

Issue: Eldest son killed in battle Perryville, Ky., under Gen. Bragg. Sebastian had 6 children or more.

(21) Dr. WM. PICKETT LEAK JENNINGS (1815-188—) (Chas.-Chas.-John-John-John). Born in Fayetteville, N. C., died in Albany, Ga. Married, 1st, Miss Alexander of Mecklenburg Co., N. C., 2nd and 3rd wives were Georgians. He was physician. He was living in Albany, Ga., in 1848. (No record of descendants.)


Issue: (25) Robert Torrence Jennings, born Sept. 12, 1815, died 1900 unmarried; (26) Dr. Jonathan Beatty Jennings, born Oct. 14, 1817, died 1889 (later); (27) John Thomas Jennings, born Oct. 9, 1819, died in Miss. 1885, unmarried; (28) William Smith Jennings, born Oct. 23, 1821, died 1841, unmarried. (By second wife, Lucy Martha Birchett)— (29) Edmund Birchett Jennings, born Oct. 7, 1826, died in 1900 (later); (30) Eliza A. Jennings, born Oct. 17, 1828, died in 1849, unmarried; (31) Mary Rebecca Jennings (Kistler), born July 6, 1831, died 1914 (later); (32) Dr. Julius Theodoric (Birchett) Jennings, born Jan. 23, 1834, died 1899 (later); (33) Charlotte Cornelia Jennings (Douglas-Pearce), born June 27, 1836, died 1868; (34) Edward Franklin Jennings, born May 9, 1838, died about 1900 (later); (35) Lucy Martha Jennings, born Feb. 8, 1842, and died young.


Issue: (36) Dr. WM. Beatty Jennings, D. D., who lives in Germantown, Pa. (later); (37) Edmund Harraden Jennings, who
lived in Fayetteville, N. C. (later), (38) Douglas Jennings, who lives in Bennettsville, S. C. (later); (39) Isabella Beatty Jennings, who lives in Bennettsville, S. C., unmarried; (40) Sally Jennings, who died in Bennettsville, S. C., when young girl.


Issue: (41) William Beatty Jennings, Jr., died when a boy; (42) Judith Jennings, living in Germantown, Pa.; (43) Arnold Jennings, M. D., living in Germantown, Pa.; (44) Martha Jennings, living in Germantown, Pa.


Issue: (45) Margaret Jennings, married and living in Fayetteville, N. C.; (46) Edna Jennings (Tolar), married Robt. Tolar, living in New York; (47) William Jennings, living in Fayetteville, N. C.


Issue: (48) Dr. Douglas Jennings, married Mary Edens; (49) William Crossland Jennings; (49-a) Henry Crossland, died when a boy.


Issue: (50) Mary Louise Jennings, married J. H. Moore, died at 37 years of age; (51) Julia Courtland Jennings, died at age of 23 years unmarried; (52) William Henry Jennings, lives in Shelby, N. C., has a family; (53) Frances Cleveland Jennings, died at age of 21 years; (54) John Edmund Jennings, lives in Knoxville, Tenn.; (55) Lawrence Marshall Jennings, died at the age of 18 years; (56) James Walton Jennings, lives in Knoxville, Tenn., married; (57) Ernest Ashton Jennings, died at age of 14 years; (58) Mildred Lee Jennings, lives in Knoxville, Tenn., unmarried; (59) Preston Bynum Jennings, lives in Roanoke, Va., married.

Issue: (60) Lucy Anna Kistler, born Jan. 24, 1851, died Sept. 1852; (61) Mary Franklin (Minnie) Kistler, who married Mr. Sease (later); (62) Maggie Belle Kistler, who lives in Charleston, S. C.; (63) Carrie Lee Kistler.

(61) Mary Franklin (Sease), married Mr. Sease, of Orangeburg, S. C., and they lived there.

Issue: (64) Mary Franklin (Fanny) Sease, lives in Washington, D. C.; (65) William Sease, lives in South Carolina; (66) Marion Sease (Doom), lives in Atlanta, Ga.; (67) Hugh Sease, who is in the U. S. Navy.

(66) Marion Sease, married J. M. Doom, lives in Atlanta, Ga.

Issue: (68) Marion Doom; (69) James Doom; (70) Mary Franklin Doom.


Issue: (82) Frances Louise, who married Furman King, and has a daughter, Frances.

(73) Frances Adele Jennings (Baker), married Dr. Archibald E. Baker, of Charleston, S. C.

(74) MARY BRUARD JENNINGS, married Hiram Wilson Glasgow, of Charlotte, N. C.

Issue: (88) Susan Glasgow; (89) Adele Glasgow; (90) Wilson Glasgow.

(75) DUDLEY LENOX JENNINGS, of Spartanburg, S. C., married Shirley Sims, of Spartanburg, S. C.

Issue: (91) Shirley Lenox Jennings; (92) Margaret Lanier Jennings; (93) Frances Dudley Jennings.

(76) JULIUS THOMAS JENNINGS, of New York (49 West 72nd St.), married Natalie Whitted Farrow, of Atlanta, Ga.

Issue: (94) Natalie Whitted Jennings, born June 3rd, 1921.

(77) HENRY BIRCHETT JENNINGS, of Lumberton, N. C., married 1st, Mattie May Faucett, of Durham, N. C., 2nd wife, Ada McClean.

Issue: (95) Mattie May Jennings, living in Spartanburg, S. C. (by second wife); (96) Elizabeth Jennings, living in Lumberton, N. C.; (97) Henry Birchett Jennings, Jr., living in Lumberton, N. C.; (98) Neil Archie Jennings, living in Lumberton, N. C.; (99) Frances Jennings, who died young; (100) Dudley Jennings, living in Lumberton, N. C.; (101) Ada McLean Jennings, living in Lumberton, N. C.

(78) ROBERT BEATTY JENNINGS, who lives in Columbia, S. C., married Mattie Brown, of Burlington, N. C.


(16) DR. THOMAS JENNINGS (Chas.-Chas.-John), died Sept. 4, 1822, Anson Co.; married Ann Cole, daughter of John Cole, of Rockingham, N. C.

Issue: (105) Peter Jennings, died before he was 25 years old; (106) Daughter.

(33) CHARLOTTE CORNELIA JENNINGS (1836-1868) (Chas.-Chas.-John-John-Edmund), married Archibald Douglas; 2nd husband, _______ Pearce.
Issue: (107) Archibald Jennings Douglas, left son and daughter, who married Chamberlayne, of Chattanooga, Tenn.; (108) Paul Franklin Douglas (died young); (109) Archie Hope Douglas, living in Florida (2nd marriage); (110) Daughter.

(4) Edward Franklin Jennings (1838-190—) (Chas.-Chas.-Jno.-Jno.-Edmund). Married ———

Issue: (111) Robert Jennings, living in Western N. C.; (112) Daughter; probably others.

(12) Martha Jennings (Jemberton) (Chas.-Chas.-John). Born 1765, died 1823; married Dec. 3rd, 1783, Stith Pemberton, born Dec. 6, 1763, died Jan., 1819.


(132) Rosa Lilly Andrews (Ashcraft), born 1867, living Monroe, N. C., married 190, Dr. John Ellis Ashcraft, of Monroe, N. C.

Issue: (138) Jean Ashcraft, married 1922, William Oliver Huske, Fayetteville, N. C.; (139) John Ellis Ashcraft, Jr. (1897-1898), died young; (140) Martha Pemberton Ashcraft, unmarried, living in Monroe, N. C.

(122) Samuel Pemberton, born Feb. 9, 1805, died in 1831; married in 1824 Tamer Cochran, born 1808, died 1891.

Issue: (141) David Stith Pemberton.

(141) David Stith Pemberton, born 1826, married Mary Ledbetter.

Issue: (142) Samuel Pemberton; (143) Betie Pemberton; (144) William David Pemberton.

(144) William David Pemberton, born 1859, married 1890, Ellen Brower.

Issue: (145) Myrtle Pemberton, married John Lewis Carpenter; (146) Caroline Adele Pemberton; (147) Mary Phifer Pemberton; (148) William David Pemberton, Jr.; (149) Heath Lee Pemberton.

(124) William Stith Pemberton (1825-1874), married 1848, Laura James Craig.

Issue: (150) Laura Frances Pemberton (1849-1920), married Dr. Robinson; (151) Walter Henry Pemberton, born 1853, married Virginia Carroll.

(150) Laura Frances Pemberton (Robinson), born 1849, died 1920, married 1880, Dr. Oliver P. Robinson, and moved to Arkansas.

Issue: (152) Laura Craig Robinson, died in infancy; (153) Alice Montague Robinson (Campbell), married Gordon Campbell.
(13) Mary Jennings (Stainback) (Chas.-Chas.-John), born 1768, died Feb. 22, 1829; married 1784, Thomas Stainback, of Anson Co., N. C.

Issue: (154) David Stainback.

(154) David Stainback, born 1785, died 1833, married two sisters, Eleanor F. Pemberton, in 1809, she died in 1815; Phoebe Dejarnette Pemberton in 1820. She died in 1834.

Issue: (by second wife) (155) William Pemberton Stainback.


(7) Thomas Jennings, of Elizabeth City Co. (Chas.-Chas.), will probated 1794, married Elizabeth ———.

Issue: (161) Charles Jennings, born 1749, died 1816, buried at Hampton; (162) John Jennings, think it is his will dated 1801, wife Mary; (163) William Jennings, died at age 41, made will 1791, Hampton, Va.; (164) Thomas Jennings (no record of descendants); (165) Jean Jennings Robinson (no record of descendants); (166) Susannah Jennings Rudd (had daughters Jane and Mary).

(161) Charles Jennings, born 1749, died 1816, left will 1816; married in Virginia, lived at Hampton, Va., Rachael ———.

Issue: (167) Mrs. Whiting W. Latimer, of Elizabeth City Co., Va.; (168) ——— Watts (children: Elizabeth, Samuel, Asphia, Chas. and Susan Watts); (168 ——— Needham (left child, Thomas S. Needham); (169) Jane Jennings Mallory, wife of Edward Mallory, dau. Elizabeth; (170) Susan Jennings, lived at Hampton, Va.

S. S. Jennings to William C. Jennings.

Mobile July 31st 1850

My Dear Sir.

I was much gratified when I received yours of the 5th inst. I was from home when it arrived, and have been away since, so that I have not had a good opportunity of writing before.
In compliance with your request, to give you in a letter the data & proofs of my pedigree, I now do so my dear friend as correctly & explicitly as possible— I found in Hampton, Elizabeth City County, that Mary wife of Charles Jennings, was appointed Admrx of her husband estate in 1705 by Sir Francis Nicholson Governor of the Colony.

In 1710 She makes her Son Charles the Exor of her will. Charles 1st was Clerk of the Vestry— & he & his Son, Charles 2nd were both Clerks of the Court of E City Co. Charles 2nd father of my great-grandfather, deeded a negro fellow Cuffy to his Son John my g g father, Said Negro is Represented in the deed as having come by the wife of Cha 2nd (Jane Lattimer) 1747— Said Cuffy was given by old John to his Son in Law Stith Pemberton in No Carolina after he moved there from Va— my G G father John in making a deed of land mentions in the deed that it is a lot of land in the Town of Hampton came by his wife Lydia Batts by heirship, my step Mother was cousin to my father She was his 3d wife her name was Elizabeth Batts Jennings— her father's name was Thomas Batts Jennings, This deed of old John was dated in 1764, Old John also lived in Lunenburg Co. for I find deeds of his of Land & Negroes—

The balance of my family I proove by living witnesses down to my own birth— I am the oldest lineal descendant, living— Altho I have an Uncle who is 58 years old my father was the oldest.

You ask what relation and how near am I to Humphreys Son Charles— I can only state that, the information we have from England is that Humphreys Son Charles had a Son Charles & daughter Elizabeth— My old ancestor Charles had children by these names— also that Charles of England married a Mary— So did my ancestor, Old Charles 1st was father to Charles 2nd he was father to John my Great g father who was father to John my Grand father, who was father to my father John — my father & his father were both Sheriffs of Anson Co No Ca.

I only can judge that my old ancestor Charles 1st was Humphreys Son, for if he was born in 1602 as it appears he died in 1705, he would have been 43 years old, besides some 15 years ago some high functionary in England wrote a letter to the Secry of State at Washington making inquiries what had become of the descendants of the Jennings of Hampton Va— and last Jany about a month before I arrived in Hampton— the British Consul at Norfolk went over to Hampton he said by instructions to inquire after the descendants of old Charles Jennings—

I suppose that in those days the Clerks of the Courts in the

1William C. Jennings was Secretary of the Jennings Family Association, which met in Charlottesville, Va.
Colonies sent over to England copies or transcripts of the Court Proceedings—

I expect to leave here for England by the 10th August next, I will then soon determine what prospect I have in gaining any part of the Jennings Estate, I find the only way to do business, or have it done is to do it yourself, I never should have known any thing of my old ancestors if I had not gone to Va myself, I believe I have given you sufficient data to understand my pedigree— In the report I sent to Charlottesville, I made no comment whatever, but left others to Judge for themselves You will perceive there is not one Single link wanting in my pedigree from myself up to my G. G. G. Grand father Charles so that if he is the son of Humphrew— I must be 5th Cousin to William of Acton which I think will prove to be the case.

I found in Hampton some relatives, also descendents of old Charles Among them an old lady by the name of Rudd formerly Susan Jennings 78 years old She has often previous to knowing my existence, spoken of her Uncle John who married an hiress Lydia Batts.  

I shall be in Washington City some time during the next month, to have my papers authenticated— before going over to England, I shall take the Steamer at N. York if you wish to write me direct to me at Washington, I believe my dear friend that I have answered every inquiry in your letter. I$t will afford me great pleasure at any time to hear from you and give you all the information in my power— By the by— as to Sloans proceedings I will say that my opinion of him is the same as your he is not only a knave but a fool to try to humbug any of us— for he ought to have sense enough to know that he cannot manufacture any thing that could avail him in gaining any part of the Estate, for he cannot fool old John bull— I well remember when we were at Nashville he did not like to hear the name of Charles Jennings mentioned at all & I then thought & so did Saunders that he kept back some information— I am now confirmed in my opinion & now revoke my intended kindness to him if I should succeed, but dear friend you may rest assured you will not be forgotten by me in any event, I forgot to mention that some time ago Mr Saunders wrote to Augustus Jennings South Port Conn asking him if my Ancestor Charles could have been Son of Humphrey his reply is that he could have been & nothing in it improbable, That he has always doubted that Charles Jennings of Gopshall was the Son of Humphrey— I should like to hear from you at Washington— Please write— friend Saunders is at his plantation. I sent him a transcript of your letter, his address is Courtland, Ala., it is some 5 or 600 miles from here.

I am my dear friend
most truly yours

S. S. Jennings.

N. B.—It will be impossible for me to send you any money as I shall barely have enough to carry me over and back.
Wm. C. Jennings, esq.

Dear Sir

I had supposed up to yesterday that I had answered your letter of Oct. last, but I may not have mailed the letter or it may have miscarried— Yours of 24th Inst. is before me— I do not know of Descendants of Willoughby Jennings— My Family descends from Charles Jennings who arrived in this Country in 1579 from England having a wife and two children as the Family tradition reports he was clerk of the County of Elizabeth City in 1582 he died in Hampton as Clerk in some short time after and acts up to 1759— when he resigns from old age or infirm health— as the latter is given for his resigning the Clerkship of the Church Vestry in above year— and he is not found acting as Clerk of the Court after —— he had a grant of land from the King — for himself and two females (the first Charles) whic hwas located in Elizabeth City County— the second Charles is the only child of the first Charles who left descendants that we know of —although the Will of his Wife 1710 mentions other children

The Second Charles left Son’s Tom, John, & Wm. I am descended from Tom the N. Carolina Family from John, and William we have always supposed returned to England in 1769 went into Government employ in the East Indies— and died in 1805 — in Bombay leaving a large Est, which my family have been for 15 years trying to trace, but have not succeeded.

The Major part of my Family have entangled themselves with Lawyers—who agreed to pay all expenses for a specific int. in case of success— and therefore did not feel themselves at liberty to enter into other engagements, I shall advise them to require of the Lawyers some more expensive action on their part or to annul the contract.

A Member of the N. Carolina family is now in England as I am informed to ascertain, the correct time of Charles the oldest son of Humphrey’s birth and if he Emigrated to this Country and if in 1579 which facts I should think would be easily known The wife of the first Charles was named Mary but my old Aunt, great Aunt, now over 80 years used to say the wife which he brought over died and he married a second in this Country; that may or may not be so.

There may be other descendants of this first Charles of which we know nothing.

I will make enquiry’s as to the Richmond County Jennings family and as to name of Willoughby, when I may see my old Aunt again who lives in Hampton and whose mind is not very sound — but when
names are mentioned to her she goes on to talk of something connected with them if she has known the name before— She is fully capable of giving evidence of any act of a late date — but is not clear on subjects remote.

Very Respectfully
Sam'l F. Bright.

BOOKER FAMILY.

An account of this family was prepared by the editor of the old William and Mary Quarterly and published in that magazine July, 1898. A more extended statement appeared from the pen of Dr. Wm. G. Stanard, in Virginia Magazine, Volume VII. It is shown in the latter account that Col. Richard Booker (numbered 14, on page 208 of Va. Magazine) married Rachel Marot, of Williamsburg. She was daughter of Jean Marot, a French Huguenot innkeeper, of Williamsburg (see Tyler’s Quarterly II, p. 282), and one of three sisters, the other two being Edith, who married Samuel Cobbs, of Amelia, and Anne, who married (1) James Inglis, (2) James Shields, of York County, and (3) Henry Wetherburn, who kept the Raleigh Tavern in Williamsburg.

By his marriage with Rachel Marot, Col. Booker, who died in 1760, left issue numbered by Dr. Stanard as follows: (33) Edward; (34) Richard; (35) Parham; (36) John; (37) William Marshall. (Va. Magazine, VII. 209.) And of these Dr. Stanard says that “nothing can be certainly asserted from the information at hand. Much of the land left to them was in other counties.”

The records of Halifax County supply some information not had by Dr. Stanard at the time he wrote.

(33) Edward Booker died in Halifax County and his will was proved there December 17, 1767. He names wife Henrica, and children (1) Elizabeth, (2) Rebecca, (3) a son, not named in the will, but whose name from other records was Richard E. Booker. He married Anne Moore (Marriage bond Oct. 6, 1788).

(34) Richard Booker, or Richard Marot Booker, married in 1770, Elizabeth Palmer. She was one of the daughters of John
Palmer, a lawyer of Williamsburg, who married Elizabeth Lowe Bowcock, née Tyler, and died in 1760. Her guardian, Thomas Yuille, was probably a brother of John Yuille, whose tombstone is still to be seen in Williamsburg.

(35) Parham Booker married Frances Martin in 1772. His will dated 25 April, 1781, was proved in Halifax Co., 21 Sept., 1786, and names wife Frances, and children (1) Susannah, (2) Richard, (3) James. He appointed his wife executor and James McCraw executor. (William & Mary College Quarterly XX, p. 204.)

Another member of this branch was Shields Booker, of Halifax Co., who in 1785 married Anne Pride, daughter of William Pride and sister of William Pride, Jr., Mary Townes Pride, John Halcott Pride and Francis Pride.

John Palmer, with Benjamin Waller and Bedford Davenport, Gents, were sworn attorneys in York Court (according to Act of Assembly) November 15, 1742. In 1752 there is a deed from John Palmer and Elizabeth Lowe, his wife. Agnes Hilliard, in her will (proved 1746) directs a ring of the value of 12 shillings to be given to Mary Bowcock, daughter of Elizabeth Lowe Bowcock. John Palmer was bursar of the College and died in 1760. In 1775 John Tyler advertised "a brick house and its appurtenances, near the Capitol in Williamsburg, belonging to the daughters of the late John Palmer." (William & Mary Quarterly, XVII, p. 150.)

TYLER-BOULDIN-EPES.

Communicated by MRS. JOANNA T. EPES, Blackstone, Va.

"Miss Joanna Tyler, daughter of John Tyler, of Williamsburg, married Major Wood Bouldin, of Charlotte Co., Va.

Miss Tyler, after her father's death had come to Charlotte to stay with her brother, Louis Tyler. This was about 1775.

Major Wood Bouldin was the recruiting officer for Charlotte County, and left for the war very soon after they were married."
Joanna Tyler Bouldin’s son, Hon. James Wood Bouldin, member of Congress, was my grandfather. He married Elsie Lewis Jouett, the daughter of Capt. Robert Jouett and Alice Lewis, his wife.

My mother was Joanna Tyler Bouldin, who married my father, Dr. Louis Bouldin Spencer, of Charlotte County.


We had three sons, Louis Spencer Epes, James Fletcher Epes, and Robert Jouett Epes. Louis lives with me at Blackstone, Va., James in Helena, Ark., and Robert died in 1902 at 16 years of age. Dr. Epes died in 1911.

Hon. Thomas T. Bouldin, of Charlotte Co., member of Congress, was my great-uncle, also my great-uncle-in-law, and my uncle-in-law: he was brother of Hon. Jas. Wood Bouldin; he married first my mother’s aunt, Miss Lewis, and then his cousin, Eliza Spencer, my father’s sister. To sum up the descent:

John Tyler, of Williamsburg (1710-1773), Marshall of the Vice-Admiralty Court, had daughter Joanna.

Joanna Tyler & Major Wood Bouldin, her husband.

Hon. James Wood Bouldin & Elsie Lewis, Jouett, his wife.

Joanna Tyler Bouldin & Dr. Louis Bouldin Spencer, her husband.

Joanna Tyler Spencer, who married Rev. T. P. Epes, D. D.

The photograph sent you is of an oil painting of Mrs. Joanna Tyler Bouldin, wife of Major Wood Bouldin. You wrote me some time ago asking for it, and I had not been able to get even this one until recently.

My grandmother’s sister, Ann Lewis, married George Wythe. My mother was raised by her grandmother and her aunts: she was only two years old when her mother died. I wish you could have known my mother and her sister, Elsie, who married Mr. McCargo. They were charming ladies.”
COLEMAN FAMILY.

Communicated by CHARLES C. THACH, JR.

Daniel Coleman, son of James Coleman and Mary, his wife, was born 21st January, 1753.

Martha Coleman, daughter of Hartwell Cocke, and Ann, his wife, was born 5th September, 1761. [Died at home of son, Daniel Coleman, Athens, Ala., circa 1842; buried in family ground, Coleman Hill.]

Richard H. Coleman, son of Daniel Coleman and Martha, his wife, was born 20th November, 179—, and departed this life 21st August, 1836.

Ruffin Coleman, son of Daniel Coleman, Sr., and Martha, his wife, was born 2nd December, 1798. [Died in Miss. 1849; body brought by brother, Danl. Coleman, to Athens, Ala., and buried in family plot.]

Daniel Coleman, son of Daniel Coleman, senior, and Martha, his wife, was born 2nd August, 1801. [Concord, Caroline Co., Virginia.] Died, Athens, Ala., Nov. 4, 1857. [Buried first in family plot, then removed in 1885 to Town Cemetery.]

Elizabeth Lockhart Coleman, daughter of B[att] Peterson and Sarah [Lockhart], his wife, was born 22nd May, 1811. [Northampton Co., North Carolina.] Died Athens, Ala., Feby. 15, 1885. [Buried in Town Cemetery. Came to Alabama at 8 years of age with her uncle, James B. Lockhart, Limestone County.]

John Hartwell Coleman, son of Daniel Coleman and Elizabeth, his wife, was born 28th May, 1828. Died ——.

James L. Coleman, son of Daniel Coleman, was born 29th Jan., 1830. Died Athens, Alabama, 189—. [A minister in M. E. Church, South.] Married and had issue.

Ruffin Coleman, Jr., son of Daniel Coleman, was born 15 October, 1832, died 18— (an infant).

Martha Coleman, daughter of Daniel Coleman and Elizabeth, his wife, was born 10th April, 1836. [Died Dec. 1, 1907; unmarried; buried Auburn, Alabama.]
Eliza Lockhart Coleman, daughter of Daniel Coleman and Elizabeth, his wife, was born 10th April, 1836. [Died April 25, 1918, at Auburn, Alabama; issue Robert Henry Thach and had, among others, Charles Coleman Thach, of Auburn, Ala., and Robert H. Thach, of Birmingham, Alabama.]

Daniel Coleman, son of Daniel Coleman and Elizabeth, his wife, was born 7th Sept., 1838. [Died in Huntsville, Ala., June 29, 1907; m. Claude LeVert; had issue, LeVert Coleman and Verdot Coleman m. —— Dickinson.]


Cornelius Coleman, son of Daniel Coleman and Elizabeth, his wife, was born 3rd April, 1842; died at age of 4 months.


Ruffin Coleman, born 1st Oct., 1846. [Died unmarried.]

Franklin Coleman, born May 17, 1849. [Died unmarried.]

Martha Cocke was the second wife of Daniel Coleman. His first wife was a Miss Childs, according to a genealogy that I find on a loose sheet in our family Bible. By this first marriage he had James D., Thomas Burbage, Henry, Mildred, Sarah, Elizabeth. I do not know the authority for this, but it is doubtless correct. James Coleman, father of the first Daniel Coleman, is supposed to have come to Virginia in about 1730, settling first in Maryland, where he married Mary Key, of the famous Key family of that State. I have never been able to discover a particle of evidence for this and am very little inclined to believe it. If you could put me in touch with anyone who could throw light on the matter I should be greatly obliged. Elizabeth Peterson is evidently a descendant of the Peterson of Brunswick, later Greensville County. I find reference to a Batt Peterson and Brunswick as early as 1733. Also a Batt Peterson was a member of the first commission for the peace of Greensville County on its organization just at the close of the Revolution.
THE ENOCH (ENOCHS) FAMILY.

(Communicated by Arthur L. Keith, Northfield, Minnesota.)

The Enoch family first appears in Hampshire County, Virginia, in 1750, at that time part of Frederick County. The first record is from the Journal of George Washington, who when a young man made surveys in this region. This Journal shows that on April 23, 1750, he surveyed for Henry Enoch land in the Fork of Cacapehon, 388 acres. John Keith (the writer's ancestor) acted as chainman and John Constant as marker. On April 25, 1750, George Washington surveyed for John Newton on North River, about a mile above said Fork, beginning at Henry Enoch's corner, with John Keith, chainman, and John Constant, marker. On April 26, 1750, he surveyed for John Parker of South Branch on Little Cacapehon, 200 acres, with Henry Enoch, chainman. Hening's Statutes, VII, 18, indicate that in 1756 a chain of forts was to begin with Henry Enochs' place on Great Cape-Capon in Hampshire County. The Maryland Archives, XXXI, 247-53, show that in 1756 Henry Enochs, Sr. and Henry Enocks, Jr. were being sued by Col. Thomas Cresap. The evidence refers to Henry Enocks's plantation on Cape Capon.

Land records at Richmond give the following items. Henry Enoch of Frederick County received grant Apr. 22, 1753 for 388 acres on Cacapehon Creek (evidently the land surveyed by Washington). Henry Enoch of Hampshire County received grant in 1761 for 271 1/2 acres on Little Cacapehon; in 1762 for 38 acres (he is here called Sr.); in 1763 for 100 acres on the Great Cacapehon.; in 1763 for 278 acres on the Great Cacapehon.; in 1764 for 57 acres in Enoch's hollow. Henry Enoch, Jr., in 1765 received grant for 308 acres between French's and Little Cacapehon. Enoch Enoch received 168 acres in Frederick County on Sept. 3, 1753, at a neck of the Potomac River.

In 1750 John Newton brought suit against Henry Enocks in Frederick County. In 1780 Henry Enoch sued Thomas York. An item in the Journal of George Washington's Tour to the Ohio
River shows that on Nov. 28, 1770, he dined with Henry Enock's at the Forks of the Cacapehon (whose land he had surveyed twenty years before).

On Aug. 10, 1762, in Hampshire County, Henry Enochs (but also called Enoch in deed) and wife Elizabeth sold land on Little Cacapon to George Untis, granted to said Enoch on Feb. 20, 1761. On Feb. 14, 1765 Henry Enochs, Sr. and Elizabeth, his wife, sold to William Bowells land on south side of Great Cape Capon. Witnesses were William Craycroft, Henry Enoch, Jr, Jeremiah York, and John Corbly (otherwise shown to be a Baptist preacher). On May 10, 1779 Henry Enich, Sr. and Elizabeth, his wife, sold land at Forks of Great Cacapehon and North River, 134 acres, to Enoch Enochs. On Aug. 1, 1782 Henry Enoch sold to John Chinoth (Chenoweth?) land in Enoch's hollow on both sides of Hollow Branch which runs into North River of Capehon. Witnesses were Enoch Enoch, James Blue, and Daniel Newcomb. The Virginia census for 1782 shows Enoch Enochs as head of a household in Hampshire County, with thirteen whites in his family. Henry Enoch appeared in same census at head of family of two whites.

The census for 1784 shows Enoch Enoch with same family. Henry Enoch does not appear but Elizabeth Enoch appears for the first time as the head of a family of one. She is undoubtedly the widow of Henry Enoch, Sr., whose death must have occurred between 1782 and 1784. On July 26, 1788 Enoch Enoch and Rebecca, his wife, indenture James Sargent. In 1790 Henry Enoch of Washington County, Pa., and Sarah, his wife, sold to James Sargent of Hampshire County, Va.

About 1770 the Enochs begin to appear in southwestern Pennsylvania and they are undoubtedly of Hampshire County, Virginia, origin. Henry Enoch, Jr., David Enoch, and Enoch Enoch were probably sons of Henry Enoch, Sr., of Hampshire County, Va. They intermarried with the Cox family, which likewise came to Pennsylvania from Hampshire County, and the Keiths of Hampshire County likewise are associated with them in the Pennsylvania records. As seen above, Henry Enoch of Washington Co., Pa., sold land in Hampshire Co., Va. Henry Enoch appears in
Springhill Township, Bedford County (now in part known as Washington County), Pa., in 1772. Enoch Enoch also appears here in 1773 and 1774, but not later so far as I can discover. He may have returned to Hampshire County, Va., where we find the name later. David Enoch held a lieutenant's commission during the Revolution and did service on the frontier. Alexander Keith, son of John Keith, of Hampshire County, Va., was a member of his company. Henry Enoch was captain of Monongahela militia in the Revolution and John Enoch also did service on the frontier. Crumrine in his history of Washington County, Pa., mentions a Col. John Enoch who lived near the present village of Clarksville and was a brother of David Enoch. On Aug. 20, 1778, Isaac Cox, David Enoch, and Henry Enoch were recommended as fit persons to be added to Commission of Peace of Yohogania County. David Enoch had a son David who was born before 1776 who had 14 children. David Enoch, Sr., had a daughter Rachel who married Joseph Arvacost. 

The Enoch family was prominent in the organization of the Ten Mile Baptist Church, located two miles north of present Ten Mile village in Washington County, Pa., and said to be the first church of any kind in the county. The first business meeting of this church was held at the home of Enoch Enoch on Dec. 1, 1773. On Feb. 4, 1774, the church met at the home of David Enoch. At this meeting Alexander Keith was chosen to take the place of clerk in order to raise the Psalm tune (whatever that may mean). David Enoch was one of the representatives of this church at the Redstone Association held Oct. 7, 1776. About 1781 the Rev. John Corbley, formerly a neighbor of the Enochs and Keiths in Hampshire County, Va. (his land joined John Keith's) became the pastor of the church.

The Enoch family was connected by marriage with the Cox family, formerly of Hampshire County, Va., later of southwestern Pa. and later still of Kentucky. Col. Isaac Cox married Mary Enoch probably before the Revolution. They had no issue. Col. Gabriel Cox, brother of Isaac, married Sarah Enoch, probably the daughter of Capt. Henry Enoch. Gabriel Cox and Isaac Cox both appear in the Hampshire County, Va., records and very likely de-
scend from Friend Cox of that county for whom Washington made a survey in 1750, two days after making survey for Henry Enoch. Mrs. Johnson, wife of Congressman Ben Johnson, of Kentucky, is a descendant of Gabriel Cox and his wife Sarah Enoch.

Arthur L. Keith.

Northfield, Minnesota.

COLLIER, COLLYER, ETC.

In the register of the Parish of St. Antholin, London, is the following birth:
1653, 4th May: Isack, son of Isack Collier and Elizabeth (Bapt.).

In the register of the Parish of Bunhill-Fields, London, is the following entry:
1714, 20th Dec.: Isaac Collier, son of Henry and Sarah Collier. Bap. 4th of September and buried 20th Dec., 1714.

This Henry Collier, the father, was of the St. Mary, White Chapel, London, and his will was proved P. C. C. 5th Aug., 1720 (Smith Folio 176).

N. B.—The above was result of investigations in London, instituted by Mrs. E. T. Comer, Millhaven, Georgia.
HISTORICAL AND GENEALOGICAL NOTES.

Hard Times at Point Comfort. The following occurs in a letter of Anthony Henley, of the Grange, County Southampton, England, father of the Lord High Chancellor, Robert Earl of Northington (1708-1772), to Dean Swift:

"Col. Morrison of the guards (he lives next door to Tart-Hall) his father was in Virginia, and being like to be starved, the company had recourse to a learned master of arts; his name was Venter: he advised them to eat one another pour passer le temps, and to begin with a fat cook-maid. She had certainly gone to pot, had not a ship arrived just in the nick with a quantity of pork, which appeased their hunger, and saved the wench's bacon."—London Magazine 1766, p. 352.

(Henry Moryson, son of Col. Francis Moryson, was born in the parish of Bishops Waltham, Southampton Co., England, October 21, 1669. In 1699 he was Lieut. Col. of Lord Cutts' Regiment of Foot Guards. His father, Francis Moryson, son of Sir Richard Moryson, was a cavalier in the army of Charles I, and came to Virginia in 1649, where he was captain of the Fort at Point Comfort and acting governor in the absence of Sir William Berkeley in 161-62.—(William and Mary College Quarterly, IX, 119-122.)

Civics at William and Mary College, 1775. Mr. Jefferson states that Dr. William Small was the first who ever gave at William and Mary College regular lectures in Ethics, Rhetoric and Belles Lettres. This was in 1760. Under Ethics came the natural law. The following is an extract from a letter of Samuel Henley (the translator of Vathek and professor of Moral Philosophy in the College from 1770 to 1776):

"As I am obliged by my office at the College to deliver lectures upon natural law, it is not to be wondered at—even if a general acquaintance with the institutions of our country were not an essential part of a liberal education—that the duty of my profession should have lead me into an enquiry how these principles which are
the object of it, have been modified for the government of different countries, and more especially our own.” (Va. Gazette, Febr. 11, 1775.) It would appear from this that Prof. Henley extended his enquiries into the civil government of Virginia.

Hubard Bookplate (See William and Mary Quarterly). “Referring again to the James Hubard Bookplate, it is a combination of the Hubard, Douglas and Newport families. The Hubard part of it is: ‘Sable in chief a crescent argent, and in base an estoile of eight points or, between two fleur-de-lis ernine. This is the same as the Hubards of Durham, England.”—Judge Otis Bowyer, Baird, Texas.

Lightfoot. The History of Antigua shows that a Lightfoot family was living in that Island at a very early date. Richard Lightfoot, of East Grimstead Co., Sussex, and of Antigua, Esq., was appointed to the Council of the Island in 1711. Married 1, Jane, widow of Thomas Warner, Esq., and 2, Grace Dun, who survived him and married Nathaniel Gilbert, Gent., of Antigua and Barbadoes. In this history of the Island appear Henry Benskin Lightfoot, a member of the Legislature for St. John’s Town, Dec. 1, 1788, who died July 29, 1806, and Nicholas Lightfoot, who married Mary ——— and had a daughter, Caroline Norvell. These last appear to have emigrated from James City and New Kent Counties, Virginia (see William and Mary Quarterly, I, 151, 209, II. 207), but the records do not show their relationship, if any, with Richard Lightfoot mentioned above.

Holladay Family (Tyler’s Quarterly, Vol. II, No. 4, April, 1921, p. 257). Corrections: The first record from the Family Bible of Benjamin Holladay should read: “Benjamin Holladay and Susannah (torn off) were married 20th day of January, in the year 1744.”

The second wife of Benjamin Holladay was Mary, widow of Isaac Scott, who died in Spotsylvania Co., Va., in 1757. She had several sons by her first marriage, viz. John Scott, Robert Scott and William Scott, and perhaps other children. By her second marriage with Benjamin Holladay, she had Mary, who married Austin Sandridge, and Nancy, who married John Rawlings. Their son, Levi Rawlings, married Eliza Hansbrough. Their daughter,
Frances Virginia Rawlins, married Charles Hume. Amongst their children was the late Frank Hume of Washington, D. C., and Alexandria Co., Va.

Also notice the mistake in spelling Cooke, which is always with the “e.”

MAJOR GOOCH'S RING. On October 12, 1922, Mr. Roy Harcum, of New Upton, Gloucester Co., found in a lot in which hogs had been kept for many years a solid gold ring bearing the inscription “Maj. W. G. dyed 29 Oct. 1655.” (Letter of Mr. Roy Harcum, New Upton, Virginia, Feb. 20, 1923.) This ring was doubtless a mourning ring in memory of Major William Gooch, of York County. Within the enclosure of old York Church at Temple Farm, York County, may still be seen a slab bearing the inscription “Major William Gooch, of this Parish. Dyed October 29, 1655.” Major Gooch was an uncle of William Gooch, governor from 1727-1749. In 1652 he was a justice of York County; in 1654 a member of the House of Burgesses, and on March 31, 1655, he was elected by the General Assembly a member of the Council. He left an only daughter, Ann, who married Capt. Thomas Beale, Jr., son of Col. Thomas Beale of the Council. From this marriage was descended Serg. R. L. T. Beale, of the Confederate Army. (Tyler’s Quarterly I, 261; William and Mary Quarterly V, 110-112.) The tombstone at Temple Farm is the third oldest tombstone preserved in Virginia. The oldest is that of Capt. William Perry, which lies at Westover between the tombstones of Col. Walter Aston and Theodoric Bland. It is worn smooth, but once bore the inscription “Dyed Augt. 6, 1737.” The next oldest lies at “Four Mile Tree” on James River in Surry Co. It is that of Alice Jordan, wife of Col. George Jordan, Attorney General of Virginia, and daughter of John Miles of Brantford “Near Herreford,” gent., who died Jan. 7, 1650 (1651). (William and Mary Quarterly IV, 154, 196.) Capt. Perry married Isabella, widow of Richard Pace of Pace’s Pains, who was warned by his Indian servant Chawco, and saved the colony in 1622.
BOOK REVIEWS.


The author has spared no pains to make this Life of John Randolph as complete as possible. There have been other biographies of John Randolph, but the only book in the past deserving the name is his Life by Hugh A. Garland, a native of Virginia, and during his last years a member of the bar of St. Louis; but this was written as far back as 1850, and since that time a great mass of material relating to Randolph, which was either unknown or inaccessible to him, has come to light and has been freely used in the present work.

The book about Randolph, which has the widest currency at this time, perhaps because it is one of the American Statesmen Series, of Houghton, Mifflin & Co., and partly because it was written with the literary skill which marks all of the productions of its author, is the John Randolph of Henry Adams; but Henry Adams, unlike his brother, Charles Francis Adams, had no use for anything Virginian, and in this work he appears to do all he can, not only to misrepresent Randolph, but worse, to misrepresent the society of Virginia in which he moved. No one suffered more from the political opposition of Randolph than John Quincy Adams, and it is impossible to understand how a man of apparent culture and refinement, as his grandson, Henry Adams, was, could have showed so little taste in becoming Randolph's biographer. I think it may safely be said that the character of a biographer presumes some degree of sympathetic feeling with his subject, but one one could presume such a thing of Henry Adams, and it is astonishing that the publisher should have selected him as the one to write a biographical essay on Randolph. That Adams had some consciousness of his ill part in writing this book is shown by his conduct
during a visit paid by him to Williamsburg. In company with John Hay, he called at the house of Mrs. C. B. T. Coleman, a half-niece of John Randolph, to see a portrait of the subject of his biography. But he did not give his right name, much to the surprise of Mr. Hay.

Dr. Bruce had unquestionably a difficult task to perform, for it cannot be said truly that John Randolph, while, not "the damaged soul" which Henry Adams represents him, was a man that possessed many very lovable traits, or moved on a plane of true greatness. He said all sorts of objectionable things about not only his friends, but his relatives, including his splendid and upright father-in-law, St. George Tucker. In the latter part of his life he was undoubtedly insane and at all times he was eccentric, the pride and despair of his friends. His strong points were his remarkable independence, fearlessness, political consistency and astonishing grasp of circumstances.

Any one conversant with the history of the United States can now readily see that the problems which it presented were due to the great fact that the Union consisted of two nations, a Northern Nation and a Southern Nation, that had no more real sympathy with one another than France and Germany. Randolph was among the few who seemed to recognize the hopelessness of the contradiction involved in the character of the Union. He denounced the principle of the tariff as worse than the Stamp Act, and wanted the issue to be made there and then, whether the South was to remain the milch cow of the Northern States or become an independent nation.

But even he never fully realized the situation. The conversion of Otis, Quincy, and others in New England from furious Federalism into States Rights zealots is one of the jokes of history, and Randolph appeared not to understand the joke. He took all they said in dead earnest and allied himself closely with them. But the Virginian and his New England friends were really no more alike than oil and water. Randolph in whatever garb he appeared was genuine and honest, and with him States Rights was a principle, but, with these men from New England, States Rights meant
only a shield to protect a temporary interest, to be thrown aside at any moment.

In his charges that Jefferson and Madison went from the extreme of States Rights to the extreme of Federalism I wish Dr. Bruce had been more explicit. Although Jefferson laid himself open by his message on the annexation of Louisiana to the attack of the Federalists that he had exceeded his powers under the constitution, there was really no reason for his admission except one of excessive respect, not disrespect, for States Rights. Randolph was one of those who considered that the constitution gave the Executive ample power to annex foreign territory, and this view was generally held by the Republicans everywhere. The other deviations of Jefferson and Madison from States Rights by no means placed the Virginia presidents in the company of confessed Federalists, such as Hamilton and John Adams, who believed in class distinctions and the rule of autocracies such as prevailed in the New England towns. The questions of expatriation, naturalization, allegiance, immigration, democracy, impressment, the limitations of the common law, "free ships make free goods," and the Monroe Doctrine were sufficient to discriminate Jefferson, Madison and Monroe from the old-time Federalists, who believed in none of these things. Jefferson, Madison and Monroe made compromises, but no one of the three went to the extreme of Federalism or anything like it.

Undoubtedly Randolph is a fascinating character in American history, perhaps the most brilliant man in the whole catalogue of American statesmen, but he appears to the writer to be a man who had no plan, no program, no balance of opinions and therefore not a great man, nothing like as great as James Monroe for instance, whom Dr. Bruce terms "a dull man." After all, greatness consists in judgment and moral power, and we have the authority of all who knew James Monroe, including John C. Calhoun and Thomas Jefferson, that Monroe was a man of the very best judgment. Monroe may have been "a slow man," as Calhoun terms him, but he was never "a dull man," and it is impossible to explain the offices he held and the confidence retained through a long period of years unless he had been a man of real
power and moral force. On the other hand, Randolph was brilliant and quick, and thus rushed into saying things and doing things that got him constantly into trouble. He lost his leadership in Congress, his election to the House of Representatives, and his election to the Senate, and therefore as a leader of men compared with Patrick Henry or Thomas Jefferson for instance, who never lost their hold at any time on the people, he makes a poor show.

The truth is, the reading of the two volumes leaves a man favorably inclined to Randolph in a puzzle to know what to make of him. In his nature there seem to be jumbled up the strangest combination of qualities, noble impulses jostling with malignant passions which his biographer is candid enough to say cannot be excused or explained. That he was capable of generous and even noble acts the details of his Life by Dr. Bruce amply prove.
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