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DATE: 21 November 2021  
REPORT TO: File  
SUBJECT: Hobsons/Hopsons & John Wades of Franklin County, Virginia (1786–c1850)  
Including Ferguson, Mills, Patterson, & Other Associated Families

BACKGROUND: **Mary Ann Hobson** (b. c1817–18, North Carolina, according to the 1860 census) married 17 December 1841, in Franklin Co., VA, **Samuel E. Mills** (b. 26 February 1818, Franklin Co.; died 31 July 1894, Talbot Co., GA). James Patterson served as surety for the marriage bond.<sup>1</sup> No parentage has been determined for her by prior researchers.

No Hobsons (*var.* Hopsons) are enumerated on the 1810 to 1840 censuses of Franklin County. Two Hobson/Hopson youth of contemporary age have been identified in Franklin County in 1850:

- 1850: **Richard Hopson**, aged 18, b. Virginia, no occupation stated, lived in the household of the well-to-do planter **John Wade** (age 68) and wife Elizabeth (55).<sup>2</sup> Franklin County had numerous males named John Wade and two with wives named Elizabeth. One married Elizabeth *Ferguson* by bond of 22 March 1823.<sup>3</sup> However, young Richard Hobson's presence in this John Wade household and the ages of the couple suggest that the family with which he lived was that of **John Wade** who married **Elizabeth Hobson** 23 November 1812 in Halifax County.<sup>4</sup>
- 1850: **John W. Hobson**, by bond of 23 December 1850, married Mary E. Bennett.<sup>5</sup> He has not been tracked thereafter.

James Patterson, the bondsman for Mary Ann Hobson's marriage, was exceptionally well-placed in Franklin County's political and social circles, serving as both sheriff and a tax commissioner. He also married a daughter of one John Wade, according to the records created at his marriage.<sup>6</sup>

No association or kinship is known between Patterson and Samuel E. Mills. The groom's family was not of the same economic status as Patterson. Samuel's parents, William Mills and wife Drucilla Kemp of the Blackwater, were in-laws of the well-to-do Dudley family, but were themselves of modest means. They were not Patterson neighbors. Their farm of 156 acres inherited from Drucilla's father

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<sup>1</sup> Marshall Wingfield, *Marriage Bonds of Franklin County, Virginia, 1786–1858* (Memphis: West Tennessee Historical Society, 1941), 162.

<sup>2</sup> 1850 U.S. census, Franklin Co., VA, pop. sch., p. 71 (stamped), dwelling/family 173/173. While no occupation was stated for Richard "Hopson," the household also included a 21-year-old Willis Jenkins, whose occupation was given as "laborer." By implication, Hopson was not in the household as a laborer for whom the Wades provided board.

<sup>3</sup> Wingfield, *Marriage Bonds of Franklin County, Virginia, 1786–1858*, 176.

<sup>4</sup> "Virginia, U.S., Select Marriages, 1785–1940," database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/5259596:60214> : accessed 12 August 2021), citing "FHL Film Number 31918 p80."

<sup>5</sup> Wingfield, *Marriage Bonds of Franklin County, Virginia, 1786–1858*, 115.

<sup>6</sup> Wingfield, *Marriage Bonds of Franklin County, Virginia, 1786–1858*, 176.

Robert Kemp, at the juncture of Blackwater and Standifer's Creek, was *18 miles northeast* of the courthouse—while the taxed lands of Patterson were *10–11 miles southeast* of the courthouse.<sup>7</sup>

One possible, indirect connection exists between William Mills (the father-in-law of Mary Ann Hobson) and a Wade family. William (of unknown parentage, carrying a Witt-Y<sup>8</sup>) made his first appearance on the Franklin Co. tax roll of 1806. He was listed immediately after **Samuel McCarrell** and his list of taxable items (which consisted only of himself as a tithable) was submitted the same day as McCarrell, suggesting that William was in McCarrell's employ. McCarrell, himself a young adult in 1806 although he owned three tracts of land, is named in the 1789 will of grandfather John *Ferguson*; also named in that will was McCarrell's aunt (a sister to Samuel McCarrell's mother) "**Faney Wade**."<sup>9</sup> Frances "Fanny" Ferguson was the wife of **Moses Wade**<sup>10</sup> (1761–1819); they are said to have married on 29 September 1779 in Franklin County.<sup>11</sup>

OBJECTIVE: This project will identify and extract

- all Hobson documents that can be found in the Franklin County courthouse records digitized and placed online by *FamilySearch*. I will make a page-by-page search of registers and files, rather than relying solely on indexes, to glean documents created by and about other people that carry internal references to the Hobsons.
- all John Wade/Waid documents found while combing these materials.

This report will *not* offer a thorough extraction of *all* Wade records to be found within the studied Franklin County records. The focus will be on the identification of the John Wade who associated with Hobsons and Pattersons. Data on other Wades will be collected only to the extent that the details help to identify the man of interest and disambiguate him from other John Wades in the county.

Extracts from the courthouse records will also be put into context using available published sources.

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<sup>7</sup> Distances and directions from the courthouse have been gleaned from contemporary tax records. See Elizabeth Shown Mills, "Mills & Associates: Franklin County, Virginia: Extended Survey," report to file, 21 November 2021; archived at E. S. Mills, *Historic Pathways* (<https://www.historicpathways.com>) under the "Research" tab.

<sup>8</sup> See Elizabeth Shown Mills, "William Mills (b. c1783–88; d. c1863); Spouse Drucilla Kemp: Research Notes," a work-in-progress last updated 21 November 2021; archived at *Historic Pathways* under the "Research" tab.

<sup>9</sup> Franklin Co., Will Book 1 with Inventories & Accounts (1786–1812): 51; imaged, *FamilySearch* digital film 7644994, image 53.

<sup>10</sup> Franklin Co., Deed Book 3 (1793–1800): 612; imaged, *FamilySearch* digital film 7894517, image 338.

<sup>11</sup> See nita153, "Murray Family Tree," user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/39079891/person/20007024771/facts>: accessed 12 August 2021), "Frances Fanny Ferguson" facts page; the cited source is itself an undocumented *Ancestry* database.

## Summary of Findings

### Hopsons:

Two critical documents have been found for the Hobsons in Franklin's court order books. Neither represent the full proceedings and no further documents were found by reading Franklin's "Determined Papers" frame by frame from 1806 through 1850:<sup>12</sup>

- 4 December 1843 "**Wade & wife agt. Hobson et al.**" John Wade had been appointed commissioner to sell and divide an estate held in common by the heirs of Benjamin Hobson.
- 6 December 1841 **Mary Ann Hobson**, "late widow of Benjamin Hobson" had died in Franklin County, at which time the court appointed Henry L. Muse, Pleasant Dickenson, John S. Brown, William Hutcherson & Henry Frailing to divide among her heirs the dower slaves she was holding from Benjamin Hobson's estate.<sup>13</sup> William Hutcherson's land lay adjacent to **John** and **Elizabeth Wade**,<sup>14</sup> suggesting that Mary Ann Hobson had been living in that neighborhood.

The details of the 1843 case imply that Benjamin Hobson died leaving seven or eight children:

1. **Watkins Hobson**
2. **Richard Hobson**
3. **Henrietta Hobson**, wife of John Terry.
4. **Benjamin Hobson**, deceased, who left "only" two heirs:
  - William Hobson
  - Benjamin Hobson
5. **Matthew Hobson**, who left a widow **Sarah**, remarried to a **Sweeny**—as a result of which remarriage, part of her inheritance from her first husband reverted to his siblings.
6. **Sarah Hobson**, who married **Wall**, by whom she had four now-adult children James, Charles, Martha & Elizabeth Wall; then married **Whitfield**, by whom she had three Whitfield minors, unnamed.
7. \_\_\_\_\_ **Hobson**, married to a Timothy Stamps. Nothing further has been found on this couple.
8. **John Wade** who received one eighth part of the estate as either husband of a Hobson female or as administrator and commissioner. Given that the suit was launched by "**Wade & Wife**," it would seem that he was married to a Hobson heir. If he were merely a court-

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<sup>12</sup> Franklin's "Determined Papers" collection consist of "loose" documents generated by legal suits heard in the District Court for the counties of Bedford, Campbell, Franklin, Henry, Patrick, and Pittsylvania; initially, the court's "seat" was at New London; from roughly the mid-1790s, cases were heard at both New London and Rocky Mount. The papers are accessible via a hundred or so rolls of microfilm that may be studied at the Library of Virginia; images are also available online at *FamilySearch*. The label "Determined" implies that the papers represent settled cases, but many cases therein do not reflect a settlement. Papers are arranged in very rough chronological order, theoretically by the date the case was "determined," but for many cases the relevant documents for that one case are separated out and filmed across several years. Many (if not most) cases contain documents across a span of years; a case could continue in the court system for two, five, ten, or even twenty years before a final settlement. Thus, within these abstracts and their citations, there are frequent disconnects between the year of the document and the year cited for the microfilm that imaged the case papers.

<sup>13</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 363.

<sup>14</sup> Franklin Co., Deed Book 11 (1824–1827): 194–95; imaged, *FamilySearch* digital film 8190423, images 128–29. Franklin Co., Deed Book 13 (1830–33): 542–43; imaged, *FamilySearch* digital film 7894518, images 286–87.

appointed commissioner or administrator, his wife would not have been a co-plaintiff in the suit.

If this reconstruction is correct, then

- Young Mary Ann Hobson (who married Samuel E. Mills in 1841) was likely a child of either Watkins Hobson, Richard Hobson, or their nephew William or Benjamin Hobson Jr. Mary Ann and Samuel E. Mills gave the name Benjamin to one of their sons.
- James Patterson served as surety for the marriage bond of Samuel Mills to Mary Ann Hobson because his mother-in-law (wife of John Wade) was Mary Ann's aunt.

Beyond reasonable doubt, there should be other probate records in at least one other county where the head of this family resided at the time of his death.

A superficial survey of published resources reveals that one Benjamin Hobson married Mary Ann Mosely about 4 September 1779 in Powhatan County, Virginia,<sup>15</sup> after which they bore eight children:

1. **Watkins Hobson** m. **Sally Oliver**, 22 December 1809, in Halifax County.<sup>16</sup> Watkins appears on Halifax's census of 1820. He and Sally appear on the 1850 census of Trigg Co., KY, where he is said to be 63.<sup>17</sup>
2. **Richard Hobson** (18 February 1793–26 August 1835, NC) allegedly m. **Harriet Wade** "daughter of Andrew Wade" on 7 April 1812 in Montgomery County, North Carolina. Children are said to be Elizabeth, Alexander, Sarah *Carolina*, William Gaston, John Wade, *Benjamin* Mosby, Richard R., Harriet Drusilla, and **Mary Ann Hobson b. 16 May 1817, for whom online trees provide no information.**<sup>18</sup> (The 1860 census entry for Mary Ann (Hobson) Mills, the only census on which she has been found, cites her birth place as *North Carolina*. She named a daughter *Caroline* and sons *James Henry* and *Benjamin*.) **Richard's Mary Ann is a prime candidate for the Mary Ann who married Samuel E. Mills, eleven days after the court appointment to divide the dower slaves of her proposed grandmother, the aged Mary Ann Hobson, widow of Benjamin.**

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<sup>15</sup> "Virginia, U.S., Select Marriages, 1785–1940," database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/1428236:60214> : 2 August 2021).

<sup>16</sup> "Virginia, U.S., Select Marriages, 1785–1940," database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/2204001:60214> : 2 August 2021); citing FHL film no. 31918 p71.

<sup>17</sup> For example, see wholigans138, "Hazelip Family Tree 1," user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/5308255/person/461813440/facts> : 3 August 2021), "Watkins Hobson" facts page.

<sup>18</sup> In online trees, Richard is usually presented as "Richard Henry Hobson," without evidence for the middle name. For example, see amygregory, "Hubbard Family," user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/100965198/person/320006601184/facts>), "Richard Henry Hobson" facts page. A preliminary search of Montgomery Co., NC, records has not turned up either Richard (or Richard Henry) or Harriet Hobson in that county.

Andrew Wade, Harriet's alleged father, was a brother of John Wade who married Richard's sister Elizabeth. See "Henry Wade's Family Bible," *Library of Virginia* ([image.lva.virginia.gov/VHI/html/11/0400.html](http://image.lva.virginia.gov/VHI/html/11/0400.html)) > Maps > Architectural Drawings and Plans > Virginia Historical Inventory. This WPA record offer a list of marriages from an unced Bible, extracted into an inventory format used by the Historical Inventory Project of the Virginia Works Progress Administration. Most of the marriages listed in this WPA record can be documented with public records; what is not documentable by the public record is the statements of parentage for each of the Wades that are called "my son" or "my daughter" in the WPA record.

According to this document, Andrew Wade first married Sarah Petty of Halifax County, VA, on 2 December 1790 and then married Elizabeth Kimball of Anson Co., NC 24 November 1795. Andrew was enumerated 1810 in Montgomery Co., NC. His alleged son-in-law Richard Hobson was enumerated 1820 in adjacent Anson Co. No compatible Harriet or Richard or Henry has been found in 1830 or 1840.

3. **Henrietta Hobson**, b. c1798, married **John Terry** about 14 December 1820 in Pittsylvania Co., VA.<sup>19</sup> She is enumerated with him there in 1850 and died there on 12 April 1882, at which time her death was registered.<sup>20</sup>
4. **Benjamin Hobson**, b. c1787; married 26 December 1808 in Pittsylvania Co., VA, **Lucy Stamp**.<sup>21</sup> He died 1814 in Pittsylvania Co., leaving his estate to his wife Lucy and three children: William E. Hobson, Benjamin Hobson, and "Polly W. Hobson."<sup>22</sup> Lucy supposedly died August 1874 in Cumberland County, Virginia. Online trees cite the children as Rev. Benjamin Mosby Hobson (1810–1886), Mary I. Hobson (b. 1816) and Edward Hobson.<sup>23</sup> The will's identification of his wife as Lucy eliminates the possibility that the "Mary Ann Hobson, widow of Benjamin" whose slaves were to be sold and proceeds divided in 1841 was not the widow of Benjamin Jr. The will's identification of his daughter as "Polly W." Hobson suggests she was not the Mary Ann Hobson who married Samuel E. Mills in 1841.
5. **Matthew Hobson**, b. 1785 according to online trees, married in Halifax Co. on 23 November 1811, **Sarah Wade**, daughter of Henry and Lucy (Turner) Wade.<sup>24</sup> Sarah remarried 21 March 1822 in Pittsylvania, to **William Swinney**.<sup>25</sup>
6. **Sarah Hobson**, b. c1787, married in Halifax Co. on 21 December 1807, **Capt. Johnson Wall**.<sup>26</sup> Wall supposedly d. 1822 in Montgomery Co., TN, after which she married **Lewis Whitfield**.<sup>27</sup>
7. **Mary "Polly" Hobson**, m. **Timothy Stamps**. One Timothy Stamps (c1799–21 Oct. 1867) resided in Pittsylvania Co., where he married 19 December 1803 to Leah Wilson. On 30 December 1811, a Timothy Stamps took out a marriage bond in Halifax Co. to wed Polly Carter, with Richard Hobson as a witness.<sup>28</sup> *FamilySearch FamilyTree* asserts that she was née Hobson, first married to William Carter.<sup>29</sup> Supposedly Stamp's Hobson wife died before

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<sup>19</sup> "Virginia, U.S., Select Marriages, 1785–1940," database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/4116699:60214> : 2 August 2021).

<sup>20</sup> "Virginia, U.S., Deaths and Burials Index, 1853–1917," database, *Ancestry* ([https://search.ancestry.com/cgi-bin/sse.dll?\\_phsrc=RRT183&\\_phstart=successSource&usePUBJs=true&indiv=1&dbid=2558&gsfn=Henrietta&gsln=Terryd&pcat=34&fh=0&h=578902&recoff=&ml\\_rpos=1&queryId=cc7f5db4cf535a806f8b840136236ee5](https://search.ancestry.com/cgi-bin/sse.dll?_phsrc=RRT183&_phstart=successSource&usePUBJs=true&indiv=1&dbid=2558&gsfn=Henrietta&gsln=Terryd&pcat=34&fh=0&h=578902&recoff=&ml_rpos=1&queryId=cc7f5db4cf535a806f8b840136236ee5) : 2 August 2021), Henrietta Terry, white, widow, d. 12 April 1882, aged 84.

<sup>21</sup> "Virginia, U.S., Compiled Marriages, 1740–1850," database, *Ancestry* (<https://www.ancestry.com/search/collections/3723> : 21 August 2021).

<sup>22</sup> Pittsylvania Co., VA, Will Book 1 (1814–1820): 1; the will was written 13 Feb. 1814 and proved 21 Nov. 1814.

<sup>23</sup> For example, see: Gayle N. Green Ray, "Meaningful Family Tree," user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/105420562/person/360150982221/facts> : 18 August 2021), "Rev Benjamin Mosby Hobson" facts page ; and tobiperson, "A Tye Family Tree," user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/74284949/person/252028577260/facts> : 18 August 2021), "Benmajmin Hobson" facts page.

<sup>24</sup> "Henry Wade's Family Bible," *Library of Virginia* ([image.lva.virginia.gov/VHI/html/11/0400.html](http://image.lva.virginia.gov/VHI/html/11/0400.html)) > Maps > Architectural Drawings and Plans > Virginia Historical Inventory. The Bible record gives the date as 23 January, the courthouse record give it as 22 January; see "Virginia, U.S., Select marriages, 1785–1940," database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/427502:60214> : 19 August 2021); citing FHL film 33326, p. 50.

<sup>25</sup> "Virginia, U.S., Compiled Marriages, 1740–1850," database, *Ancestry* (<https://www.ancestry.com/search/collections/3723/> : 29 August 2021).

<sup>26</sup> Marian Dodson Chiarito and James Hadley Prendergast, *Halifax County, Virginia, Marriages, 1801–1831* (Athens, GA: Iberian Publishing Co., 1985), 142; citing "p. 67."

<sup>27</sup> Elida Faye Tirey, "EF Tirey Family Tree," user tree, *Ancestry* ([https://www.ancestry.com/family-tree/person/tree/85319248/person/322236362548/facts?\\_phsrc=ZDD8379&\\_phstart=successSource](https://www.ancestry.com/family-tree/person/tree/85319248/person/322236362548/facts?_phsrc=ZDD8379&_phstart=successSource)), "Sarah Hobson" facts page.

<sup>28</sup> "Virginia, U.S., Compiled Marriages, 1740–1850," database, *Ancestry* (<https://www.ancestry.com/search/collections/3723/> : 29 August 2021). Also Marian Dodson Chiarito and James Hadley Prendergast, *Halifax County, Virginia, Marriages, 1801–1831* (Athens, GA: Iberian Publishing Co., 1985), 126; citing "p. 78."

<sup>29</sup> *FamilySearch FamilyTree* (<https://www.familysearch.org/tree/person/details/LZDS-BRJ>), "Mary 'Polly' Hobson". No evidence is provided for the Carter marriage.

22 Oct. 1828.<sup>30</sup> The 1840 census offers only one Timothy Stamps household and attributes to it a female of appropriate age: 50–59. She apparently died before the 1850 census of Pittsylvania, at which time Timothy lived alone.

8. **Mary Elizabeth “Betsy” Hobson**, b. c1795, married **John Wade**, 23 November 1812, in Halifax Co., VA.<sup>31</sup> Her daughter Sarah M. Wade m. **James Patterson** in Franklin in 1834; her son Henry H. Wade m. Julia E. Patterson in Franklin, 1834; her daughter Lucy A. Wade married William Patterson in 1855; and daughter Julia F. Wade married James Robert Patterson, 1858.<sup>32</sup>

The 1820, 1830 and 1840 census data for this John Wade household include an older female and numerous slaves, suggesting that he and Elizabeth made a home for her aging mother, Mary Ann (Mosby) Hobson. That conclusion is compatible with John’s role in the settlement of Mary Ann’s estate.

In addition to this Hobson family, one “John Hobson Jr.” appears in 1805–11 documents in company with the economically prominent Andersons, Guerrants, and Toney’s of the Blackwater region. However, those records identify him as a resident of Buckingham County.

## Wades

Some eight or nine adult John Wades were in Franklin County during the period covered by this project. By order of appearance, they were

1. **John Utly Wade**, first appeared on 12 November 1787, purchasing land from Joel Ragland of Goochland County, land located on the **Turner Creek of Pigg River** adjoining Thomas Hutchings. A Dolley Wade witnessed the purchase.<sup>33</sup> In 1792 he witnessed a deed for Ragland, again with “Dolly Wade.”<sup>34</sup> He sold part of his land in 1794, at which time it was said to be on Turner’s Creek.<sup>35</sup> On 27 September 1798 he made his will naming wife “Ally” (Alice in 1794 deed); sons: Castleton, Royal, Bradly, **John**, and Anderson; and daughters: Susana Hale and Dorothea Troupe. The will was proved in December 1798.<sup>36</sup> His son Royal was an adult, purchasing land, by 1789.<sup>37</sup>

*Origin:* John Utly Wade married “Elles” Woodrum in Goochland County, Virginia, 21 November 1763.<sup>38</sup> He is believed to be the child John fathered 1739 by John Utly II of Goochland “upon the

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<sup>30</sup> For example, see calarsen828, “W.A. Moore Family Tree,” user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/40998146/person/19653132822/facts>), “Leah Wilson” facts page; and (<https://www.ancestry.com/family-tree/person/tree/40998146/person/28444953743/facts>), “Timothy Stamps” facts page.

<sup>31</sup> “Virginia, U.S., Select Marriages, 1785–1940,” database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/5259596:60214> : accessed 12 August 2021), citing “FHL Film Number 31918 p80.”

<sup>32</sup> “Virginia, U.S., Select Marriages, 1785–1940,” database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/5259596:60214> “ 2 August 2021), Wade-Hopson, citing FHL microfilm 31918 “p80.” Also Wingfield, *Marriage Bonds of Franklin County, 1786–1858*, 232. Franklin Co., Circuit Court Will Book 2 (1804–1901): 152–54; imaged, *FamilySearch* digital film 7645001, images 94–95.

<sup>33</sup> Franklin Co., Deed Book 1 (1786–1789): 459–61; imaged, *FamilySearch* digital film 7894517, images 497–98.

<sup>34</sup> Franklin Co., Deed Book 1 (1786–1789): 461–62; imaged, *FamilySearch* digital film 7894517, image 498.

<sup>35</sup> Franklin Co., Deed Book 3 (1793–1800): 488–89; imaged, *FamilySearch* digital film 7898084, image 119.

<sup>36</sup> Franklin Co., Will Book 1 with Inventories & Accounts (1786–1812): 142; imaged, *FamilySearch* digital film 7644994, image 106.

<sup>37</sup> Franklin Co., Deed Book 2 (1789–1793): 8–9; imaged, *FamilySearch* digital film 7894517, image 272.

<sup>38</sup> William Douglas with William Macfarlane Jones, ed., *The Douglas Register: Being a Detailed Record of Births, Marriage, and Deaths Together with Other Interesting Notes, Kept by the Rev. William Douglas from 1750 to 1797* (Baltimore: Clearfield Publishing, 1966), 48.

body of” the unmarried Angelica Wade (daughter of James Wade and wife Elizabeth Ballenger), who was ordered by the court to support her child.<sup>39</sup> Allegedly, Angelica died shortly thereafter.<sup>40</sup>

2. **John Wade**, son of John Utley Wade, married Hannah Jones in Franklin County by bond dated 30 January 1792.<sup>41</sup> On 5 September 1796 he purchased land on **Chestnut Creek**, a branch of **Town Creek**, from Stephen Stone, adjoining John Donaldson.<sup>42</sup> He sold part of the land in 1798<sup>43</sup> and the remainder in 1801, at which time he and Hannah were residents of then-adjacent Montgomery County, Virginia.<sup>44</sup> In 1804, they were still in Montgomery,<sup>45</sup> but this John appears intermittently in Franklin through 2 September 1822, at which time he sold his last 102 acres on the S fork of Pigg River.<sup>46</sup> He is said to have been born 8 June 1770 in Goochland, to have served in the Revolution, and to have died 15 April 1849 in Floyd County, Virginia.<sup>47</sup>
3. **John Wade**, son of Moses Wade and wife Fanny Ferguson, born c1782, first acted as an adult on record in Franklin County in 1810 when he, his mother, and his siblings executed a deed of sale.

The parental marriage, which occurred by bond dated 29 September 1779 in the parent county of Henry,<sup>48</sup> was a troubled one. Fanny’s wealthy father John Ferguson, in his will of 1789, bequeathed her “six shillings and no more” but also instructed his executors to lay off 100 acres “for the Suport and Mentainance of my Daughter Faney Wade and her Children During her Natural Life and a Negro wench named Agnes<sub>[,]</sub> which Land and Negro wench is to be under the Imediat Derection of my Executors.”<sup>49</sup> Similar provisions were not made for Fanny’s two sisters. Typically, bequests of this type indicated a father’s belief that the married daughter’s husband could not be depended upon to provide support for her and their children. Documents created by Fanny and Moses support that interpretation.

Twice more, across the next sixteen years, Fanny inherited property; in each case Moses inserted himself into the proceedings, as was his legal prerogative as her husband. However, the circumstances clearly indicate an estrangement by 1807. The death of Fanny’s unmarried

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<sup>39</sup> Ann R. Blomquist, *Goochland County, Virginia, Court Order Book 4, 1735–1741* (Bowie, MD: Heritage Books, 2010), 477, 515, 562; citing 4: 452, 485, 527, being February–March 1740 court term.

<sup>40</sup> DonU506, “Utly Family Tree,” user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/102567132/person/220037068666/facts> : 2 August 2021), “Angelica Wade”; the linked source is an undocumented FindAGrave memorial page.

<sup>41</sup> “Franklin County, Virginia, Marriage Bond Index, 1786–1858,” database, *Ancestry* (<https://www.ancestry.com/search/collections/4004/> : 4 August 2021); database created from Marshall Wingfield, *Marriage Bonds of Franklin County, Virginia, 1786–1858* (Memphis: West Tennessee Historical Society, 1941).

<sup>42</sup> Franklin Co., Deed Book 3 (1793–1800): 360; imaged, *FamilySearch* digital film 7898084, image 210.

<sup>43</sup> Franklin Co., Deed Book 3 (1793–1800): 695; imaged, *FamilySearch* digital film 7898084, image 380.

<sup>44</sup> Franklin Co., Deed Book 4 (1800–1804): 143–44; imaged, *FamilySearch* digital film 7898084, image 476.

<sup>45</sup> Franklin Co., Deed Book 4 (1800–1804): 594–95; imaged, *FamilySearch* digital film 7898084, image 701

<sup>46</sup> Franklin Co., Deed Book 10 (1822–1824): 131–32; imaged, *FamilySearch* digital film 7897649, images 358–59.

<sup>47</sup> DonU506, “Utly Family Tree,” user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/102567132/person/221002456552/facts> : 2 August 2021), citing a FindAGrave memorial whose URL generates a message that the memorial has been removed.

<sup>48</sup> “Virginia, U.S. Select Marriages, 1785–1940,” database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/4436044:60214> : 3 July 2018), citing FHL Film 31990, p. 3. Henry Co, was created in 1777 from Pittsylvania Co. (which was created 1767 from Halifax). One **Moses Wade** appeared in **Pittsylvania 1776**, witnessing the will of Joshua Leak (Deeds & Wills Book 5: 424). An **Edward Wade** also appeared there contemporaneously (1770–1776). In 1770, Edward inventoried the Samuel Nowling’s estate, with Benjamin Tarrant and Jeremiah Ward (Deed Book 1: 440); and in 1776, he and Samuel Bolling witnessed the will of James Waldrope (Deeds & Wills Book 5: 386–87).

<sup>49</sup> Franklin Co., Will Book 1 with Inventories & Accounts (1786–1812): 50–51; imaged, *FamilySearch* digital film 7644994, images 53–54.

brother Charles triggered a 1798 document in which Moses Wade “authorized” his wife Fanny to receive “the whole proportion of the Estate due to her as one of the legatees of Charles Ferguson deceased.”<sup>50</sup> A second document, dated December 1807, reveals that the couple no longer resided together. From his home in Rockingham County, North Carolina, Moses executed a deed of gift in which he, for “natural love and affection which I bear to my well beloved children Robert Wade, Charles Wade, **John Wade**, and Naomi Robertson,” gave to them “all the property devised by Elizabeth Ferguson to Fanny Wade together with all the property which I may be entitled to in right of my wife in consequence of the death of Charles Ferguson ... both real and personal estate.”<sup>51</sup> Fanny and her children, as residents of Franklin County then sold part of this land in 1810.<sup>52</sup>

The 1810 census reports Moses as a resident of Rockingham, sharing his home with an unidentified free person of color, a white female 16–25, and a white male 10–15.<sup>53</sup> Fanny, that year, was enumerated as a head of household in Franklin County, living between her brother George Ferguson and their kinsman George “Manaffee.”<sup>54</sup>

This John Wade is positively identifiable in Franklin only twice after 1810. In 1811, several of Fanny siblings relinquished to her children (again named as Robert, Charles, and John Waid, and Naomi Robertson) their interest in the estate of their own mother and brother Elizabeth and Charles Ferguson.<sup>55</sup> In 1815, Charles Wade (*var.* Waid) and wife sold to his brothers John and Robert, Charles “four ninth parts, or four shares out of nine in that undivided tract of land which was devised by ... John Ferguson deceased to his son Charles Ferguson ... having since become vested in Fanny Waid & her Children.”<sup>56</sup> Thereafter, no record found for Charles or Robert references a brother John—not as a witness, a land neighbor, or any other capacity.

This John Wade was likely the one John Wade of the 1820 Franklin census, a man who owned no slaves; and he might—or might not—be the John Wade who married Elizabeth Ferguson there

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<sup>50</sup> Franklin Co., Deed Book 5 (1804–1811): 421–22; imaged, *FamilySearch* digital film 7898085, image 223.

<sup>51</sup> Franklin Co., Deed Book 5 (1804–1811): 686; imaged, *FamilySearch* digital film 7898085, image 367. A seriously misinterpreted account of this deed appears in Essie Wade Smith’s 1937 write-up, “Creed Waide Home,” in Beverly Merritt, ed., *Franklin County, Virginia Historical Inventory: Writer’s Project Administration Stories, 1936–1940* (Rocky Mount: Jacob Dill, Publisher, 2017), 33; and repeated in Beverly Merritt, *History of Franklin County, Virginia: “Miss Essie” Wade Smith* (N.P., N.p., 2017), 202.

<sup>52</sup> Franklin Co., Deed Book 6 (1811–1814): 105–7; imaged, *FamilySearch* digital film 7898085, images 469–70.

<sup>53</sup> 1810 U.S. census, Rockingham Co., NC, p. 194 (penned), line 3; 1810 U.S. census, Franklin Co., VA, p. 317 (stamped), line 10. Moses also appears on the 1800 census of Rockingham, p. 494 (stamped), line 6, with a white female over 45, a white male 10–15, 2 white females 0–10, and 1 white male 0–10. 0 No separate household is found for Fanny that year; but the 1800 Virginia census for that year has been destroyed, making it impossible to conclude whether or not Fanny shared Moses’ household in 1800.

Moses has not been found in 1820 or 1830. On 17 February 1819 a 61-year-old Moses Wade appeared before the county court in Wilkes Co., GA, asserting that he enlisted in the Virginia Line in January 1777 in **Hanover Co., VA**, that he served three years, and that he was now very indigent and needed aid under the act of 18 March 1818. He said nothing about a family. Georgia enrolled him as a pensioner on 6 July 1819 and his last payment was March 1820. See “Revolutionary War Pensions,” database with images, *Fold3* (<https://www.fold3.com/image/19435873> : 17 August 2021) > Virginia > Wade > Moses, 12 images. The county clerk who certified his application was a Wingfield; whether he was an offspring of the Franklin County Wingfields has not been explored. No other potential connection to Franklin County is evident in the Moses Wade pension file.

Regarding the Hanover Co. origin of this Moses Wade: as subsequently seen above, the father of John Wade Sr., Henry Wade, was also born in Hanover Co.

<sup>54</sup> 1810 U.S. census, Franklin Co., VA, p. 317 (stamped), line 10.

<sup>55</sup> Franklin Co., Deed Book 6 (1811–1814): 291–92; imaged, *FamilySearch* digital film 7898085, image 562.

<sup>56</sup> Franklin Co., Deed Book 7 (1813–1817): 286–87; imaged, *FamilySearch* digital film 7898086, image 159.

in 1823.<sup>57</sup> *He may well be the John F. Wade at No. 5 below.* A year-by-year study of Franklin County's personal and land tax records should help to clarify his life and identity.

4. **JOHN WADE SR.**, born 1781–82 (1850 census), married by bond dated 23 November 1812, Halifax County, **Elizabeth Hobson**,<sup>58</sup> apparently settled in Franklin County in the winter of 1821–22.<sup>59</sup>

**This John is the John of prime interest within this Hobson-Wade project.** Existing accounts of his life, parentage, and marriage have erroneously merged him with a same-name man who is likely a kinsman, John H. Wade of Campbell and Franklin Counties. On the basis of that false middle initial, others have merged him with a third man: an entrepreneur named Hampton Wade of Halifax, Pittsylvania, and (briefly) Franklin County.<sup>60</sup>

*Parentage:*

The “Henry Wade Family Bible” transcription, previously referenced, offers a list of marriages compiled about 1812–13 by one Henry Wade who states he was born 1740 in Hanover County and married “Lucy Turner of same County, August 30, 1761.” The last two entries on that list state:

- “My daughter Sarah was married to Matthew Hobson of Halifax County, Nov. 23, 1811.”
- “My son, John Wade, was married to Elizabeth Hobson of Halifax County, Dec. 24, 1812.”

The marriage of Sarah to Matthew Hobson has not been located; but John did indeed wed Elizabeth Hobson in Halifax, with Matthew Hobson as witness, after consent by her mother “Mary A. Hobson.”<sup>61</sup>

*Activities:*

Before 1820, John appears to have moved his wife, their young children, and his widowed mother-in-law to Campbell County where his bother Zackfield had lived since his 1799 marriage

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<sup>57</sup> Marshall Wingfield, *Marriage Bonds of Franklin County, Virginia, 1786–1858* (Memphis: West Tennessee Historical Society, 1941), 176.

<sup>58</sup> “Virginia, U.S., Select Marriages, 1785–1940,” database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/5259596:60214> : accessed 2 July 2021).

<sup>59</sup> Franklin Co., Deed Book 10 (1822–1824): 1–2; imaged, *FamilySearch* digital film 7897649, images 293–94. Essie Wade Smith, in her WPA-era writings, asserted that John and Elizabeth (Hobson) Wade “moved to Franklin in 1820.” She cited no document. Apparently, that statement is based on the fact that the 1820 census of Franklin includes one John Wade. However, the John Wade household of that year, in Franklin, is not compatible with the family composition and slaveholdings of the family created by John Wade and Elizabeth Hobson. John and Elizabeth, in 1820, were enumerated in Campbell County where John’s brother Zackfield had been since the 1790s. See the census notes under “1820” in this report. For Smith’s assertion, see Beverly Merritt, ed., *Franklin County, Virginia, Historical Inventory: Writer’s Project Administration Stories, 1936–1940* (Rocky Mount: Jacob Dill, Publisher, 1917), 110.

<sup>60</sup> For examples of John Sr. merged with John H. or John Hampton and presented as son of Henry (aka Henry Joseph and Henry Farley) Wade and Lucy Turner, see

- Youngts\_vmi, “Young – Jordan – Dudney – Kelly – Coleman – Wade,” user contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/102976911/person/330159361590/facts> : 12 August 2021), “John Hampton Wade Sr.” facts page.

- Judy Wade Knott, “Wade/McKissick Family Tree,” user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/35262170/person/322144738017/facts> : accessed 20 August 2021), “Henry Farley Wade Jr.” facts page.

- *FamilySearch FamilyTree* (<https://www.familysearch.org/tree/person/details/L5G1-R5Y> : 12 August 2021) identifying “John Wade Sr.” as son of “Henry Joseph Wade Jr.” of Hanover and wife Lucy Turner.

<sup>61</sup> Marian Dodson Chiarito and James Hadley Prendergast, *Halifax County, Virginia, Marriages, 1801–1831* (Athens, GA: Iberian Publishing Co., 1985), 142; citing p. 80. Mathew Hobson witnessed his sister Elizabeth’s marriage to John Wade.

there to Polly Johnson.<sup>62</sup> The 1820 census enumerates the Wade family of seven whites with eighteen slaves, two free persons of color under fourteen, and eleven persons engaged in commerce.<sup>63</sup> Shortly thereafter, John and his nephew John H. (son of Zachfield) moved their families to Franklin. There, both Johns became large-scale landowners. “John Sr.” also held county offices intermittently, while John H. represented the firm Luke Wade & Co. in which he was partnered with his brothers Luke, William J., and Zachfield Jr. (See the biographical sketch below for John H.) As shown by the records abstracted or transcribed in this report, the two Johns periodically appeared in each other’s records.<sup>64</sup>

By the time of the 1830 census, with the labor of the enslaved people his widowed mother-in-law brought into his household and those he apparently inherited from his father,<sup>65</sup> John Wade was a wealthy planter as well as sheriff.<sup>66</sup> In 1841, he was cited as a mill owner along the Pigg.<sup>67</sup> He was first called John Wade “Sr.” in 1841 when he sold land to Henry Frailin adjacent to Elizabeth Muse<sup>68</sup>—one week before Frailin and Wade’s neighbors Henry L. Muse and William Hutcherson were appointed to divide and assign” the dower slaves of widow Mary Ann Hobson (John’s mother-in-law).<sup>69</sup> In March 1848, John appears on record as a justice of the peace for Franklin County, taking a deposition at his mill.<sup>70</sup>

The 1830 and 1840 censuses show John Wade sharing his home with an elderly female of age to be his mother-in-law. That female is not in the household in 1850, at which time John and wife Elizabeth shared their home with the teenaged Richard Hobson.<sup>71</sup>

John Sr. made his will in 1864 (filed April 1865), naming his **wife Elizabeth**, his daughters: **Sarah M. Patterson** (wife of James), **Elizabeth M. Patterson** (wife of John P.), **Emily Davis** (deceased wife of Peter P. Davis), **Lucy A. Patterson** (wife of William), **Julia F. Patterson** (no husband named), and **Drusilla H. Whitehead** (no husband named); sons **John Wade Jr.**, **Zackfield Wade**,

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<sup>62</sup> William Wade HinshFaw, ed., *Encyclopedia of American Quaker Genealogy, 1607–1943*, 6 vols. (1936: reprinted, Baltimore: Genealogical Publishing Co., 1969), 6: 862. “Henry Wade Family Bible” also states: My third son Zachfield was married to Polly Johnson of Campbell Co., Va., Aug. 15, 1799.”

<sup>63</sup> 1820 U.S. census, Campbell County, VA, p. 132 ( as penned in lower right corner), line 8.

<sup>64</sup> Franklin Co., Deed Book 11 (1824–1827): 194–95; imaged, *FamilySearch* digital film 8190423, images 128–29.

<sup>65</sup> I have not yet studied Henry Wade nor found an estate record for him. However, between 1798 and 1810 he waged a legal suit against executors of William Lemay of Hanover Co., a kinsman of Henry’s wife Lucy, who had left Lucy a legacy. That proceeding provides a county of residence for Henry and Lucy in 1810: Pittsylvania. No Henry Wade is enumerated in Pittsylvania that year; however, the 1820 census enumerates a Henry Wade household (with two males over 45, etc.), holding sixteen enslaved people. His son John would have inherited one-eighth part of that household. See 1820 U.S. census, Pittsylvania Co., p. 828, line 15.

For the legal suit, see George Harrison Sanford King, “Copies of Extant Wills from Counties Whose Records Have Been Destroyed,” in *Genealogies of Virginia Families from Tyler’s Quarterly Historical and Genealogical Magazine*, vol. 4 (Baltimore: Genealogical Publishing Co., 1981), 790–92.

Henry Wade’s will appears in Pittsylvania Co. Will Book 1: 66, according to Beverly Merritt, ed., *History of Franklin County, Virginia: “Miss Essie” Wade Smith* (N.P.: N.p., 2017), 165. This volume is currently unavailable at *FamilySearch.org*.

<sup>66</sup> 1830 U.S. census, Franklin Co., VA, p. 101 (penned), line 12, household of “John Wade (Shff).” One John Wade also appears in this set of research notes as a deputy sheriff and tax collector in the 1820s.

<sup>67</sup> Franklin Co., Determined Papers, 1850–51, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706557, images 318–19.

<sup>68</sup> Franklin Co., Deed Book 27 (1861–1866): 65–66; imaged, *FamilySearch* digital film 8572267, images 48–49.

<sup>69</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 263.

<sup>70</sup> Franklin Co., Determined Papers, 1850–51, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706557, image 305.

<sup>71</sup> The younger John H. Wade, the man with whom John Sr. has been erroneously merged, was enumerated in 1850 with his wife Sarah in Campbell County.

and **Benjamin H. Wade**; grandchildren: **Andrew P. Wade, Elizabeth M. Wade, John Lewis Wade, and Zachary T. Wade.**<sup>72</sup>

*Analysis:*

The court cases and the census records, taken together, suggest that John Wade and wife Elizabeth Hobson provided a home for

- her widowed mother, Mary Ann (Mosby) Hobson *and*
- her orphaned nephew and niece, Richard Hobson Jr. and Mary Ann Hobson—who were also the great-nephew and great-niece of John himself.

**That orphaned niece should be the Mary Ann who married Samuel E. Mills** eleven days after the court order the sale and distribution of slaves belonging to her deceased grandmother, Mary Ann (Mosby) Hobson. Thus, the explanation for Elizabeth's son-in-law, James Patterson, serving as surety for Samuel E. Mills when he posted bond to marry young Mary Ann.

5. **John F. Wade** (John Ferguson Wade), was named in 1823 as executor in the will of Charles Wade (son of Moses). It is entirely possible that he was Charles' brother John (see John Wade No. 3, above) who has not otherwise been accounted for after 1815.<sup>73</sup> Less likely, he might have been the eldest son of Charles by a wife prior to Elizabeth Hale whom Charles married in 1814. John F. also associated frequently with the Fergusons who would be his kinsmen—for example: 23 March 1832 when he served as special bail for Samuel H. Ferguson, who was being sued for debt.<sup>74</sup> Repeated associations with Samuel H. Ferguson suggest he may be the John Wade who married one Elizabeth Ferguson in 1823.<sup>75</sup> In September 1839, John F. signed a promissory note in favor of Peter Brammer for \$100, the purchase price for 150 acres.<sup>76</sup> His estate was opened for probate in 1845; his inventory included the Brammer land and four other tracts.<sup>77</sup>
6. **John H. Wade**, b. c1802 (according to 1850 census) to Zackfield Wade, son of Henry and Lucy (Turner) Wade.<sup>78</sup> John H. married **Sarah W. Swinney**, daughter of William Swinney, in Campbell County by bond dated 13 October 1823.<sup>79</sup>

John H. Wade first appeared on record in Franklin County on 9 August 1825 when he witnessed a deed of purchase for John Wade [Sr.] on Chesnut Creek off Pigg River.<sup>80</sup> He purchased his first

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<sup>72</sup> Franklin Co., Circuit Court Will Book 2 (1804–1901): 152–54; imaged, *FamilySearch* digital film 7645001, image 94–95.

<sup>73</sup> He should not be the John Wade who sold 102 acres in 1822 on “branches of the S fork of Pig River, along Hairston’s line,” with no neighbors or associates named. That John purchased his 102 acres in 1816 from Owen Ruble, husband of the widow of John Utly Wade—an association strongly suggesting that the 1816–22 owner of the land adjacent to Hairston was the John named as son in John Utly’s will. For the 1816 purchase, see Franklin Co., Deed Book 7 (1813–17): 359–60; imaged, *FamilySearch* digital film 7898086, images 195–96. For the 1822 sale, see Deed Book 10 (1822–1824): 131–32; imaged, *FamilySearch* digital film 7897649, images 348–59.

<sup>74</sup> Franklin Co., Determined Papers, 1831–1832, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704989, image 624.

<sup>75</sup> Marshall Wingfield, *Marriage Bonds of Franklin County, Virginia, 1786–1858* (Memphis: West Tennessee Historical Society, 1941), 176.

<sup>76</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705002, images 757–766.

<sup>77</sup> Franklin Co., Will Book 5 with Inventories & Accounts (1837–1845): 704–5; imaged, *FamilySearch* digital film 007644996, images 385–86.

<sup>78</sup> For John H.’s parents and siblings, see William Wade Hinshaw, ed., *Encyclopedia of American Quaker Genealogy, 1607–1943*, 6 vols. (1936: reprinted, Baltimore: Genealogical Publishing Co., 1969), 6: 862. Also see “Henry Wade Family Bible” which states: My third son Zachfield was married to Polly Johnson of Campbell Co., Va., Aug. 15, 1799.”

<sup>79</sup> “Virginia, U.S., Select Marriages, 1895–1940,” database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/3449165:60214 : 3 August 2021>), citing FHL film 31050.

<sup>80</sup> Franklin Co., Deed Book 11 (1824–1827): 194–95; imaged, *FamilySearch* digital film 8190423, images 128–29.

land in 1826 in northwestern Franklin County from John and Charlotte Arthur and then in 1828 a 2,000-acre tract from the Calloways on the ridge between Blackwater River and Maggoty Creek.<sup>81</sup> He continued to expand his holdings in that area, was frequently appointed by the court as a commissioner to settle legal issues, and executed numerous documents as part of “Luke Wade & Co.”<sup>82</sup> As shown throughout this report, partners in the firm were Luke, William J., and John H. Wade, operating with the assistance of Zackfield Wade Jr. In 1841, John H. was a county justice of the peace.<sup>83</sup> By 1842, he and his wife Sarah had returned to Campbell County.<sup>84</sup> After the move, he sold a small part of his Franklin County land to “John A. Wade” and the rest to “John Wade Sr.”<sup>85</sup> He and Sarah are enumerated in Campbell in 1850.<sup>86</sup>

7. **John P. Wade/Waid**, first on record as an adult on 1 January 1838,<sup>87</sup> was son of Robert Wade by his wife Ann Standifer (and grandson of Moses Wade by wife Fanny Ferguson). In July 1845, John P.’s widowed mother served as special bail for him in a suit against him for a \$75 debt due 1 January 1839.<sup>88</sup> A deed executed by him and his siblings in 1852 identifies his siblings as **James S. Waid** (wife Eliza A.), **William Waid** (wife Elizabeth), **Powell M. Waid** (wife Susan), **Naomi J. Waid** (husband William Minefee); **Edmund Waid** (wife Sophronia née Wade), **Elizabeth Waid** (widow of **Hiett**), and **Creed W. Waid**. John P. and other siblings sold Creed their interest in 190 acres in Franklin County at the mouth of **Coles Branch** on **Pigg River** adjoining **Fall Branch**, a tract said to be then “in the possession of **Anna Waid** and held by her as her dower in the lands of her deceased husband **Robert Waid**.”<sup>89</sup>
8. **John A. Wade**, born 1800–10, is enumerated on the 1840 census of Franklin with a presumed wife and three boys under the age of ten. That census, semi-alphabetized by first letter of surname, groups him with John H. Wade; only one “W” name intervened.<sup>90</sup> In April 1842, John A. was sued by merchants Burwell and Steptoe, at which time his special bail was an associate of John H. Wade: John Arthur Jr.<sup>91</sup> On 24 December 1842 he bought a small tract of land from **John H. Wade** and wife Sarah, who had removed to Campbell County and simultaneously sold the bulk of their land to “John Wade Sr.”<sup>92</sup> In May 1844, John A. and his **wife Eliza** sold the land he had purchased from John H. Wade.<sup>93</sup> John A. should not be the son of John H. and Sarah, given that the 1850 census of Campbell places a different “John Wade,” aged 20, in the John [H.] and Sarah Wade household.

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<sup>81</sup> Franklin Co., Deed Book 11 (1824–1827): 404–5; imaged, *FamilySearch* digital film 8190423, image 233. Franklin Co., Deed Book 12 (1827–1830): 329–30; imaged, *FamilySearch* digital film 8190423, image 522.

<sup>82</sup> For example, see Franklin Co., Determined Papers, 1840, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705000, images 143–53.

<sup>83</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705002, images 479–84.

<sup>84</sup> Franklin Co., Deed Book 18 (1842–1844): 79–80; imaged, *FamilySearch* digital film 8572262, images 315–16.

<sup>85</sup> Franklin Co., Deed Book 18 (1842–1844): 72–74; imaged, *FamilySearch* digital film 8572262, images 312–13.

<sup>86</sup> 1850 U.S. census, Campbell County, VA, pop. sch., p. 160 (stamped), dwell./fam. 488/488.

<sup>87</sup> Franklin Co., Determined Papers, 1838, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704995, images 66–71.

<sup>88</sup> Franklin Co., Determined Papers, 1845–1846, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706548, images 252–58.

<sup>89</sup> Franklin Co., Deed Book 22 (1851–1853): 252–53; imaged, *FamilySearch* digital film 8572264, image 427.

<sup>90</sup> 1830 U.S. census, Franklin Co., p. 317 (stamped), line 21. John H. Wade appears at line 19.

<sup>91</sup> Franklin Co., Determined Papers, 1843, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706544, images 458–60.

<sup>92</sup> Franklin Co., Deed Book 18 (1842–1844): 79–80; imaged, *FamilySearch* digital film 8572262, images 315–16.

<sup>93</sup> Franklin Co., Deed Book 18 (1842–1844): 379; imaged, *FamilySearch* digital film 8572262, image 469.

9. **John Wade Jr.**, born 1843—44, first on record in 1845 when his parents “John Wade Sr.” and wife Elizabeth sold a tract of 109 acres to John Jr. and his brother-in-law James Patterson.<sup>94</sup> By July 1848 John Jr. was a deputy sheriff,<sup>95</sup> a position he held for a number of years before rising to sheriff in Franklin County. He married sisters: “first Palmyra Ashinghurst, whose mother was a daughter of Robert Hill; and second, her sister, Adelia Ashinghurst.”<sup>96</sup>



## Research Notes

**1784–1789**

**HENRY > FRANKLIN COUNTIES, VA**

Affidavit

(14 February 1786)

William Keith, before J.P. Jno. Salmon, states that “what he swore against William Dillingham [regarding] the Charges against Sd Dillingham for Stealing Walter Barnard’s mare is a false Oath as Often as it may be Swore by him the Sd Keith, and the reasons Given by him, the sd. William Keith for his false swearing ... was to save his own life out of the hands of a Set of People cal’d regulators who to the Great terror with punishment nearly takeing life of the Sd William Keith extorted such oath from him. Certified under my hand this 14<sup>th</sup> day of February 1786, Jno. Salmon.”

(No date)

*William Dillington [Dillingham] complains of John Martin, Hugh Martin, Hugh Woods, Robert Woods Junior, and **Bartlett Wade**, the defendants on the **tenth day of October 1784** with force and arms to wit: with swords, staves, knives, clubs, ropes, guns, pistols, and sticks, in and upon the plaintiff at the parish of [left blank] in the county of *Henry* aforesaid, made an assault, and him the plaintiff then and there did beat, wound, and ill treat, so that his the *plaintiff's* life was greatly despaired of, and other outrages on him the plaintiff, then and there committed against the peace of the commonwealth of Virginia and to the damage of the plaintiff *one thousand* pounds. Edmund Randolph, for the Plaintiff.”*

(20 October 1789)

A summons was issued against the Martins, the Woodses, and Wade. It was returned to court by the deputy sheriff John Redd noting that “Hugh Woods and Wade were not to be found in his Bailiwick.” On the reverse, Redd stated “Hugh Wood & Bartlett Wade lives in Franklin County.”<sup>97</sup>

### COMMENT:

In the second document, the italicized words were handwritten onto a pre-printed form. The rest of the language was part of the pre-printed form.

Earlier in this record set, I saw (but did not note) a similar case involving Jeremiah Early and Dillingham, wherein Early asserted that a certain unidentified person, if questioned would

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<sup>94</sup> Franklin Co., Deed Book 19 (1845–1847): 59; imaged, *FamilySearch* digital film 8572263, image 48.

<sup>95</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706554, image 23.

<sup>96</sup> Marshall Wingfield, *Pioneer Families of Franklin County, Virginia* (1964; reprinted Baltimore: Clearfield Co., 1992), 93.

<sup>97</sup> Franklin Co., Determined Papers, 1789–1790, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705555, images 167–82.

swear that the charges levied against him (Early) were false and had been made only because a “gang” of men had seized that person and forced him to make the charges.

At image 182 of the present file appears a note stating “I do hereby Certify that there is a Suit now depending in the County Court [of Henry] (& has been for Several Years) Jeremiah Early Admr. of Charles Holloway decd. against William Dillingham. Given under my hand this 29<sup>th</sup> Day of September 1786. John Cox, C[lerk], H[enry] C[ounty].

The two cases should be studied in tandem.

#### 7 APRIL 1785

##### HENRY > FRANKLIN COUNTIES, VA

Bond

**Bartlet Wade** (s) and Thomas Edwards (s) of Henry Co., VA, bind themselves to Abraham Penn, high sheriff of Henry Co., to guarantee Wade’s appearance in court in the City of Richmond on 23 April 1785 to answer the suit of Samuel Muelehaney for a plea of trespass, assault and battery. Witness, Thos. Prunty “debety Sheriff.”<sup>98</sup>

#### 1785–1790

##### HENRY & FRANKLIN COUNTIES, VA

Legal suit

(27 October 1785)

James Dillon vs. **Bartlett Wade**, Jeremiah Earley, Thomas Hill, William Connor, William Menfield & Jacob Price. Assault and battery. Damages sought: 2000£. Summons issued against defendants.

(27 April 1786)

Summons issued to Sheriff of Henry County against **Bartlett Wade**, Jeremiah Earley, Thomas Hill, William Conner, William Minfield, John Doughton & Jacob Persise. Issued by “John Brown C.G.C.”

(30 May 1786)

“**Bartlet Wade**, Thos. Hill & Wm. Menfield lives in Franklyn county Virginia. The Rest of the defendants are not Inhabitants of Henry County.” [Signed] John Redd D.S.

(27 October 1786)

Summons issued by John Brown, “CGC” to Sheriff of Franklin County to arrest **Bartlett Wade**, Jeremiah Early, Thomas Hill, William Connor, William Menfield, John Doughton, and Jacob Persis on A&B charges brought by Dillon.

(22 April 1790)

“Hailsford, Franklin County. Sir. Please Issue Execution for the benefit of John Hook on the Judgment I obtained in the district Court against William Minefee, John Douton, **Bartelott Wade**, William Conner, Jeremiah Earley & Jacob Forcythe and oblige. Sir, Your Most Obdt. James Dillon [s]. Witnesses: Benjamin Hunt, William Smith. Addressed to “James Steptoe, Esqr., Clerk of Deistrict Court, New London.”<sup>99</sup>

#### 19 MAY 1787

##### FRANKLIN COUNTY, VA

Land purchase

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<sup>98</sup> Franklin Co., Determined Papers, 1789–1791, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705554, image 257.

<sup>99</sup> Franklin Co., Determined Papers, 1789–1790, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705555, images 185–204.

Anthony Pate sells to **Hampton Wade, Executor of William Wade Decd.**, both of Franklin County, for 132£, 500 acres in Franklin County on the head branches of **Gills Creek**, adjoining Morgan [metes and bounds not copied here]. Signed: Hampton Wade. Witnesses: John Early, Jubal Early, William Charter, Joseph Young, his + mark. Proved September 1787 court by two witnesses [not named] and on 4 October 1790 in court by third witness.<sup>100</sup>

COMMENT:

One Hampton Wade of this era appears regularly in the records of Pittsylvania and Halifax.

**12 NOVEMBER 1787**

**FRANKLIN COUNTY, VA**

Land purchase

Joel Ragland (s) of Goochland County, Virginia, to **John Utly Wade** of Franklin County, sale for 50£ cash in hand, 193 acres on the South branch of **Pigg River**, adjoining **Thomas Hutchings**. [Metes and bounds not copied.] Witnesses: **John Frazier, Even Glasby, Dolley Wade**. Proved in January Court 1793 with oaths of witnesses.<sup>101</sup>

**1 FEBRUARY 1789**

**FRANKLIN COUNTY, VA**

Land purchase

John Jones sells to **Royal Wade**, both of Franklin County, for 13£, 391 acres on branches of **Turners Creek** and **Nicholases Creek** ... adjoining **Thomas Jones** [metes & bounds not copied into this report]. Signed: John Jones. Witnesses: David Barton, Thos. Jones Jr., Thos. Ruble. Acknowledged in court, 2 March 1789, by John Jones and wife Mary.<sup>102</sup>

**4 FEBRUARY 1789**

**FRANKLIN COUNTY, VA**

Will

"In the name of God amen, I, **John Forguson** of the County of Franklin and State of Virginia, Farmer, Being in a reasonable State of health and of Sound Mind and Memory thanks be to God for his Mercys, But Calling to Mind the Mortality of my Body and that is is [*sic*] appointed for all men once to Die<sub>[,]</sub> do make and ordain this my Last will and Testament (that is to Say) Principally & first of all<sub>[,]</sub> I recommend my Soul to God that Gave it and my Body to the Earth to be Deasantly Bured at the Disc[r]etion of my Executors, Nothing Doubting But I shall Receive the same again by the Mighty Power of God and as Touching such worldly Estate wherewith it has Pleased God to Bles me with I leave, Demise, and Dispose of in the following manner and form (that is to Say)

"First of all I Desire that my funeral Expence and Just Debts be Paid. Secondly, I give my Beloved Wife **Elizabeth** the Plantaiton which I now Live on for her Natural Life, also Two Good work horses and [garbled], together with the Plantatton utencils with **the Still** and all the [unreadable] thereunto Belonging, all my household furniture, also Three Negroes (to wit) **Josua, Aiam & Spence** and at her plasure the Disposal of Negro Joshua.

"And unto my son **William Forguson** I Give and Bequeath a Negro fellow named **Jes** together with his Equal Share of my Estate not now or hereafter Bequested, and to my son **James Forguson** I leave and Bequath a Negro wench Named **Leann** together with his Equal share of my Estate not now of hereafter Bequthed<sub>[,]</sub> and to my son **George Forgeson** I Give and Bequath one half of all my Quarter Land on **Pig River** and **Story Creek** Including **the Mill** and Land thereunto Belonging, Reserving one

<sup>100</sup> Franklin Co., Deed Book 2 (1789–1793): 134–35; imaged, *FamilySearch* digital film 7894517, images 334–35.

<sup>101</sup> Franklin Co., Deed Book 2 (1789–1793): 459–61; imaged, *FamilySearch* digital film 7894517, images 497–98.

<sup>102</sup> Franklin Co., Deed Book 2 (1789–1793): 8–9; imaged, *FamilySearch* digital film 7894517, image 272.

hundred acres out of the place Known by the Name of **Menefee's Place** and the other half of the aforesaid mentioned Place I Gave and Bequeth to my Son **Thomas Forgeson** his Part Including **the mill** the said Land and Improvements to be Equally Divided Between the said Thomas and George Forgesons Aagrabable to to Quintaty and Quality and also to the said George and Thomas Forgesons their Equle Share of My Estate not Know [now] or hereafter Bequethed<sub>[,]</sub> and to my daughter **Mere Carril** [Mary McCarrill] I give and bequath a Negro Fellow Named **Abraham** and no more, and to my Daughter **Sarah Weacks** I give and Bequath a Negro wench named **Sill**.

"Also I Give and Bequeth to my Daughter **FANEY WADE** Six Shillings and No more. I also order my Executors to Lay off one hundred Acres of the above Excepted Land out of **John Menefees Tract** for the Suport and Mentainance of my Daughter **Faney Wade** and her Children During her Natural Life and a Negro wench named **Agnes<sub>[,]</sub>** which Land and Negro wench is to be under the Imediat Derection of my Executors to be Aplied wholely to the use afforsaid and at her De[scretion?] to be Injoyed and Possest by the Lawful heirs of her Body.

"And to my Grand Son **Samuel [Mc]Carrel**, I Bequath one Negro Gerl Named **Nace** to him and his heirs forever but if he dies Before he comes of Eage, hir and Increase to be equally divided between my childring<sub>[,]</sub> and to my son **Charles Forgeson**, I Bequath the Land and Plantation I now Live on after my wife's Deces to him and his heirs for Ever. Also an Equal share of my Estate not Now of hereafter Bequethed, and I appoint and ordain my son **John Forguson** and **Swinfield Hill** my Sol Executors of this my last will & Testament, [illegible word] Disallowing and Revoking all other wills Legaceys and Bequths Ratifying & [illegible word] this and no other allowing this my last will and Testment. In witness whereof I have hereunto set my hand and affixed my Sale this 4<sup>th</sup> February 1789.

"In Presence of James Cannon, Robert Woods Jr., William Campbell. [Signed] John Ferguson his + mark."

1 February 1790 "This Last will and Testament of John Ferguson Deceased was Proved by the oath of Robert Woods Jr. one of the witnesses hereto Subscribed & the Same was Ordered to be Certified."

3 May 1790, also proved by William Campbell; John Ferguson and Swinfield executors granted the Executorship. Sureties: **Samuel Patteson**, Stephn Smith, Moses Greer.<sup>103</sup>

#### **29 SEPTEMBER 1789**

##### **FRANKLIN COUNTY, VA**

Legal suit

**Hampton Wade** vs. Pate & Early. Complaint. Debt of 244£ by "their certain writing obligatory" of 19 May 1787.<sup>104</sup>

#### **1 MARCH 1791**

##### **HENRY COUNTY, VA**

Legal suit

"Memorandum that George Hairston & Henry Lyne came before me a Magistrate for the said County, and as Special Bail for **Ballenger Wade** at the suit of George Taylor atty in fact for Miles Jennings [and] undertook in a suit in the District Court at New London now Depending, that in case the said Wade should be Cast in the suit aforesd. he should pay the Cost & Condemnation of the Court or render his body to prison in discharge thereof or that they the said George Hairston &

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<sup>103</sup> Franklin Co., Will Book 1: 50–52; imaged, *FamilySearch* digital film 7644994, images 53–55.

<sup>104</sup> Franklin Co., Determined Papers, 1789–1791, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705554, image 338.

Henry Lyne would do it for him. [Signed] Henry Lyne, Geo. Hairston. Acknowledged & undertaken before me the date above. [Signed] Abm. Penn." &c.<sup>105</sup>

COMMENT:

Ballenger Wade also appears in a document of 22 March 1792, prosecuting a suit against "The Hon[ora]ble Edmund Winston, Esq.," of Campbell County. (image 425)

I am not gleaning all data on Ballenger Wade because he does not appear to be central to the problem on which I'm working. I'm merely noting the presence of these records in the event that he should later prove essential. His parentage is identified under 1791–1795, below.

**30 JULY 1791**

**FRANKLIN COUNTY, VA**

Land sale

**Royal Wade** (s) of Franklin County to Conrod Plaster. Sale for 13£, 391 acres on branches of **Turners Creek** and **Nicholas's Creek**, adjoining **Thomas Jones**. Witnesses: Thomas Jones Junr., Randolph Hall, Henry Jones. Acknowledged 1 August 1791 in court by Royal Wade and **wife Rachel**.<sup>106</sup>

**3 OCTOBER 1791**

**FRANKLIN? COUNTY, VA**

Legal suit

Deposition of **Pierce Wade** at Lynchburg, in debt suit of David Ross vs. Samuel Scott.<sup>107</sup>

**29 NOVEMBER 1791–1795**

**AMHERST & BEDFORD COUNTIES, VA**

Legal suit

Suit: Justices of Amherst vs. John Hardwick. Writ to Sheriff of Bedford County to "take John Hardwick, Dan. Gains, Jos. Magan, and **Ballenger Wade**, if they be found within your Bailiwick" and have them at the next term of District Court at New London to answer a suit by William Cabell Junr., Zachs. Taliaferro, Hugh Rose & Ambrose Rucker, Gentlemen Justices of the county court of Amherst. Hardwick had not made the required inventory of the "goods & Chattles [and] Credits of **Pierce Wade Decd.** which came to his hand [and] Possession."

7 May 1770. John Hardwick (with sureties Daniel Gaines, Joseph Magann, and **Ballenger Wade**) made bond to the Gentlemen Justices of Amherst County for 1500£ as administrator of the estate of Pearce Wade.

21 September 1793. **Ballenger Wade** made oath before James Callaway, JP of Bedford, naming material witnesses in this case.

12 July 1794. Affidavit of **David Wade** who swore he had "no interest" in the suit. He did not know whether the sale of the estate by administrator Hardwick was approved of by the legatees. "His motive for abandoning this claim was he thought it improper in his bad [state] of Health to engage in a Law Suit [that might] involve his Family in Trouble after his Death." Sworn to at the house of Thomas Sale in Bedford County.

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<sup>105</sup> Franklin Co., Determined Papers, 1792–94, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705557, image 211–14.

<sup>106</sup> Franklin Co., Deed Book 2 (1789–1793): 247–48; imaged, *FamilySearch* digital film 7894517, images 391–92.

<sup>107</sup> Franklin Co., Determined Papers, 1790–1793, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705556, images 106–7, 115.

18 September 1795 **Ballenger Wade**, with George Hairston and John Redd, posted bond in the suit; Hardwick had won a judgment in the District Court, which Ballenger Wade now appealed as one of the heirs on whoses behalf the justices of Amherst County had filed suit.

Numerous affidavits taken in Amherst, Bedford, and Campbell Counties. Pierce Wade operated Wade's Mill. Ultimate verdict for the defendants.<sup>108</sup>

COMMENT:

See subsequent papers from 1794–95, filmed under a later term of court.

**9 NOVEMBER 1790–1796**

**CAMPBELL COUNTY, VA**

Legal suit

Thomas Youll, Assignee, for Josiah Jackson vs. **Henry Wade**.

9 November 1790 **Henry Wade** of Campbell signed bond to Josiah Jackson for 33£ 6 sh & 8 pence; witnesses John Catlins (x), Harbin Tilley.

17 December 1791 Wade credited with payment of 1£ 10sh.

23 December 1791 Josiah had assigned it to Thomas Yuill, with John Patrick as witness.

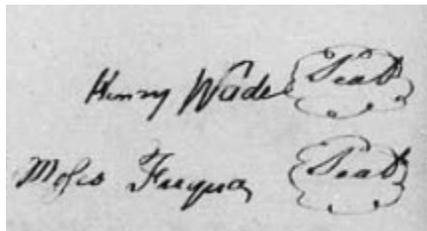
September 1793 suit filed

5 November 1793 writ issued to Campbell Co. sheriff to bring Henry Wade into District Court at the next term.

17 September 1794 Moses Fuqua appeared before Alexr. Hunter, JP for Campbell Co., to "undertake" for Wade.

April 1795 judgment for plaintiff in April term 1795

9 July 1795 Henry Wade posted bond, with Moses Fuqua as surety, guaranteeing that he would pay the judgment to Thomas Yuille, assignee of Jackson.<sup>109</sup>



**14 APRIL 1792**

**FRANKLIN? COUNTY, VA**

Association

Samuel Walton penned a note to the clerk of the District Court at New London requesting that his suit against John Cox be dismissed. Witness: **Ballenger Wade**.<sup>110</sup>

**19 SEPTEMBER 1792**

**BEDFORD & CUMBERLAND COUNTIES, VA**

Legal suit

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<sup>108</sup> Franklin Co., Determined Papers, 1793–1795, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705558, images 39–85.

<sup>109</sup> Franklin Co., Determined Papers, 1794–1796, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705560, images 218–27.

<sup>110</sup> Franklin Co., Determined Papers, 1790–1793, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705556, image 72.

Notice issued to Mr. Andrew Thompson that William Read would on 1 October next, at the house of **William Hobson** in the county of Cumberland," take Hobson's deposition for a case pending against Read in the district court at New London. Subsequent documents place Read in Bedford Co.

21 September 1793: Similar notice; same parties and same info.

22 November 1793: District Court orders Thomas Nash, \_\_\_ Allin, Benjamin Allin, Archer Allin & Nelson Pateson of Cumberland County to examine "**William Hobson, an Infirm Witness**" on behalf of Andrew Thompson, etc."<sup>111</sup>

**12 NOVEMBER 1792**  
**FRANKLIN COUNTY, VA**

Association

Joel Ragland (s) of Goochland County to John Frazier of Franklin, sale for 50£ 97 acres on a branch of **Pigg River** at **Shoals Gap**. Witnesses: **John Utly Wade**, his U mark; Even Gillaspy, his + mark, **Dolley Wade** his X mark. Proved in January term 1793 by the oath of the witnesses.<sup>112</sup>

**13 NOVEMBER 1792**  
**FRANKLIN COUNTY, VA**

Land purchase

Charles M. Talbott of Campbell County and Samuel Underwood of Franklin County to **John Waid [Ward?]** of Franklin County, for 40£, sale of 175 acres in Franklin County near the headwaters of Runnetts Bagg Creek, adj. "Mead's old patent ... Wards Branch, a fork of Runnett Bag Creek ... Jones's Lane." Witnesses: "Peter Saunders as to Talbot, Joseph Underwood (x) as to Talbot, William Roberts as to Talbot." Acknowledged in court February 1793 by Talbott; no reference to a wife.<sup>113</sup>

**25 MARCH 1793**  
**BEDFORD COUNTY, VA**

Legal suit

Sheriff of Bedford County is ordered to "take **Jacob Wade** & George Stone if they be found within your Bailiwick and to have them at the court in New London, next term, to answer a suit for debt by Sarah Quarles for 62£ and 5£ damages."<sup>114</sup>

**APRIL 1793**  
**CAMPBELL COUNTY, VA**

Legal suit

King, assignee, vs. Brothell. Sackville King & Co. complains of Samuel Holt for debt owed under a writing obligatory dated 3 June 1792. Also King, as assignee of **Jeremiah Waide**, complains of William Brethell & Samuel Johnston for debt to Waide that they acknowledged on 24 October 1792. &c.<sup>115</sup>

COMMENT:

Subsequent documents are at images 236–37 and 288–89. I'm not extracting details because Jeremiah Waide of Campbell is not intrinsic to my problem. I'm merely noting his existence

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<sup>111</sup> Franklin Co., Determined Papers, 1792–1794, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705557, images 591–613 and 618–19 and 660–69, particularly 593, 597, 611, 619, 664, 664.

<sup>112</sup> Franklin Co., Deed Book 2 (1786–1789): 461–62; imaged, *FamilySearch* digital film 7894517, image 498.

<sup>113</sup> Franklin Co., Deed Book 2 (1789–1793): 488–89; imaged, *FamilySearch* digital film 7894517, images 511–12.

<sup>114</sup> Franklin Co., Determined Papers, 1791–1794, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705558, images 172–78.

<sup>115</sup> Franklin Co., Determined Papers, 1791–1794, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705558, images 299–300.

there because two of the John Wades of Franklin, as well as “Zackfield” Wade Jr., came there from Campbell.

**20 AUGUST 1794**

**FRANKLIN COUNTY, VA**

Land sale

**John Utly Wade** (s) to John Huff, sale for 30£, 104 acres in Franklin County on Turners Creek, a fork of Pigg River [metes and bounds not copied]. No witnesses named. Acknowledged in September 1796 term by Wade and wife **Alice**.<sup>116</sup>

**NOVEMBER 1794**

**CAMPBELL COUNTY, VA**

Legal suit

Wade &c vs. Winston (also titled Wade’s Orphans vs. Winston). Summons. “The Common Wealth of Virginia to the Sheriff of Campbell County, Greeting. We command you that you summon the Hon<sup>ble</sup> Edmund Winston Esquire if he be found within your bailiwick to appear before the Judges of the District Court holden at the Court House in New London at the Court in April next to Answer **Ballinger Wade, Lucretia Wade & Abigail Harewick Wade**, Infants & Children of **Pierce Wade** deceased by Richard Ballinger their Guardian, **Clary Wade** Inft. & Child of the said **Pierce Wade** Deceased by David Woodroof her guardian, & **Jerem<sup>h</sup> Wade** by Jno Daneson his next friend, **David Wade, Pierce Wade, J. White & Mary** his wife, Jno. Daneson & **Charity** his Wife & **Jane Wade**, Children of **Pierce Wade** Deceased of a plea of Debt for one thousand pounds [with] Damages one thousand pounds.” Suit dismissed May 1795.<sup>117</sup>

**30 NOVEMBER 1795**

**HENRY COUNTY, VA**

Association

**Ballenger Wade**, George Hairston, Henry Lyne, Francis Cox, and John Pace are sureties for the performance bond of John Salmon, newly appointed sheriff of Henry County.<sup>118</sup>

**10 APRIL 1796**

**BEDFORD COUNTY, VA**

Civic role

John Doe, Lessee of William Harris Pltff vs. **Charles Lambert**, Charles Carter & **George Lambert**. Jurors: Lewellen Jones, John Thompson, **Benjamin Hobson**, Francis Steel, William Clark, Micajah Clark, William Chastain, William Grey, **Richard Hobson**, Julius Hatcher, John Bundurant, Benjamin Gassaway.” Involves land granted September 1783 to Samuel Hatcher who, with wife Julia, is litigating this suit from Kentucky. A survey of the land, 712 acres, places it “on the Branches of Reed Creek” but does not identify adjacent landowners.<sup>119</sup>

COMMENT:

HomeTownLocator.com shows two Reed Creeks in Bedford County:

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<sup>116</sup> Franklin Co., Deed Book 3 (1793–1800): 177–78; imaged, *FamilySearch* digital film 7898084, image 119.

<sup>117</sup> Franklin Co., Determined Papers, 1794–1796, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705560, image 512–515, esp. 513.

<sup>118</sup> Franklin Co., Determined Papers, 1799–1800, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705564, image 634.

<sup>119</sup> Franklin Co., Determined Papers, 1796–1798, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705562, images 313–25.

- a branch of Reed Creek, running NE to the town of Thaxton on Hwy. 221, a few miles west of the city of Bedford in the central portion of the county.
- a branch of James River, between Big Island and Waugh, on the northern border of the county, considerably NE of the city of Bedford.

Reed Creek of James River and the Lamberts who lived there already figure into this research project. Ten years earlier (1786), George Lambert, a middle-aged planter and former Revolutionary War captain, penned a permission for William Burton to obtain a license to marry “Elizabeth Mills,” attesting that the “Young Lady” was “of lawfull age.” Prior research strongly suggests that Elizabeth was the eldest daughter of Jesse Mills and wife Lucy Tilman who lived across the James in Amherst County. Her proposed parents, Jesse and Lucy “farmed out” several of their teens to prominent families of the region amid financial difficulties of the 1780s.<sup>120</sup>

A proved daughter of Jesse and Lucy, Sarah (Mills) Sartain, is a proposed mother of William Mills-Witt whose son Samuel E. married Mary Ann Hobson in Franklin in 1841.

#### 20 APRIL 1796

##### PATRICK? COUNTY, VA

**Isaac Wade** witnessed a notice by Jeremiah Birnet (+) stating that he did not “intend to Defend the suit Talbot & al against me & others any longer,” with regard to 30 acres of land.<sup>121</sup>

#### 5 SEPTEMBER 1796

##### FRANKLIN COUNTY, VA

Land purchase

Stephen Stone (s) of Henry County, VA, to **John Wade** of Franklin County, sale for 80£, 264 acres on **Chesnut Creek**, a branch of **Town Creek**, beginning at John Donalson’s Corner ... crossing Coles road ... crossing a branch .... crossing a branch ... to John Donaldson’s corner ... crossing Chesnut Creek to the beginning [metes not copied]. No witnesses. Acknowledged in September 1796 term by Stephen Stone.<sup>122</sup>

#### COMMENT:

See documents of 18 January 1797 and April 1801. This John Wade should be the son of John Utly Wade.

#### 18 JANUARY 1797

##### FRANKLIN COUNTY, VA

Land survey

**John Wade**, 373 acres “on the Branches of **Chesnut Creek** by an Inclusive Survey lands 264 Acres patented in the name of John Cox, and from him conveyed in fee simple to Stephen Stone, and by the said stone to **John Wade**; and 109 acres by survey” dated 10 May 1796 by virtue of a Land office Treasury Warrant granted James Martin 5 April 1796, beginning at **Hopkins’** corner red oak .. **Barksdale** Corner ... **James Martin’s line** ... **Gasper Houser’s** line ... James Martin’s line. Stephen Smith Surveyor. **William Ferguson** & William Mavity, assistants.<sup>123</sup>

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<sup>120</sup> E. S. Mills, “Jesse Mills Sr. (c1740–aft1811) of Albemarle & Amherst Counties, Virginia; Spouse: Lucy Tilman: Research Notes,” pp. 2–3, a work-in-progress last updated 8 April 2021; archived at Mills, *HistoricPathways* under the “Research” tab.

<sup>121</sup> Franklin Co., Determined Papers, 1793–1795, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705559, image 388.

<sup>122</sup> Franklin Co., Deed Book 3 (1793–1800): 360; imaged, *FamilySearch* digital film 7898084, image 210.

<sup>123</sup> Franklin Co., Plat Book 1 (1792–1811): 129; imaged, *FamilySearch* digital film 8141191, image 227.

COMMENT:

This John should be the son of John Utly Wade and wife Alice. See documents of November 1798 (Isaiah Willis buying land 105 John Wade), 11 December 1798 (Isaiah Willis inventoring estate of John Utly Wade), and April 1801 (John Wade selling land adjacent to James Martin).

**18 APRIL 1797**

**HENRY COUNTY, VA**

Legal suit

**Joseph Hopson** and Nathaniel W. Dandrdge witnessed a letter to the District Court at New London signed by Joseph Ryan and Thos. Jett in the case Ryan vs. Jett, on charges of assault and battery. The litigators agreed for their dispute to be determined by John Dilliard, "John King (Preacher) & Joseph Anthony."<sup>124</sup>

COMMENT:

I have found nothing to suggest that this Joseph Hopson is in the immediate family of the Hobson/Hopson line I am studying.

**13 JANUARY 1798**

**FRANKLIN COUNTY, VA**

Authorization

**Moses Wade** (s) authorizes **Fanny Wade** of Franklin County to receive from **George Ferguson** "the whole proportion of the Estate due to her as one of the legatees of Charles Ferguson deceased." Witnesses: Agness Perkins, Mary Burton, Lewis Daves, **Samuel McCarroll**. Proved in October 1798 term of court by oaths of Lewis Davis and Samuel McCarroll.<sup>125</sup>

COMMENT:

Fanny (Ferguson) Wade was the sister of George Ferguson and Samuel McCarroll's mother, Mary (Ferguson) McCarroll. Two related facts are notable here:

In 1806, when William Mills (i.e., Mills-Witt) first appeared on record, he was inserted on the tax roll between Samuel McCarroll and Booker Mullins, and his list of taxable items was submitted on the same day as Samuel McCarroll.

**27 SEPTEMBER 1798**

**FRANKLIN COUNTY, VA**

Will

"In the name of god, Amen, I, **John Utly Wade** of the County of Franklin, the State of Virginia, being sick & weak of Body but of sound mind and memory, thanks be to god for his mercies, Calling unto mind the mortality of my body and that it is appointed for all men once to die<sub>[,]</sub> do make and ordain this my Last will and Testament, that is to say in the first place, I Recommend my soul into the hands of god, that gave it and my body to the Earth to be decently Buried at the discretion of [word or words apparently missing] and as touching such worldly goods wherewith it hath pleased god in his mercy to bless me, I give devise and dispose of the same in the following manner and form, to wit: FIRST: I derect my Executors to pay all my Just debts and funeral Expenses out of my Personal Estate; SECONDLY, I give unto my beloved Wife **Ally Wade [Alice]** one third part of all my Personal Estate, together with third Part of the Land whereon I now Live for which I have a bond of **Joel**

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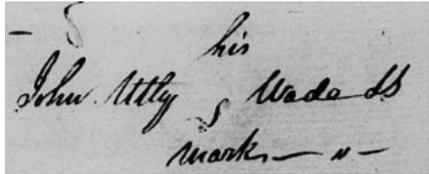
<sup>124</sup> Franklin Co., Determined Papers, 1796–1798, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705562, image 87.

<sup>125</sup> Franklin Co., Deed Book 3 (1793–1800): 612; imaged, *FamilySearch* digital film 7898084, image 338.

**Ragland** for a Title during her natural Life; and I direct my Executors to use all Lawful means to Recover a title for said Tract of Land agreeable to said Ragland's Bond, for my two sons **Bradley and Anderson Wade**,<sup>[r]</sup> only Reserving my wife's dower to her during her natural Life and to my son **John Wade** I Give and bequeath one dollar to be paid out of my Estate and the rest of my Estate I desire to be Equally divided, Between my sons **Castleton Wade, Royal Wade, Bradley Wade and Anderson Wade** and my daughters **Susanna Hale** and **Dorothea Troupe**, Shall allow out of their Shares ten dollars Each for a Cow Given to Each of them, formerly<sup>[r]</sup> only one mare and bed not to be sold, but my wife to have it as part of her In[heritanc]e and I also Constitute appoint and ordain **Thomas Jones Junr. & William Akers** my whole and sole Executors of this my Last Will Last Will [sic] and Testament. In witness whereof I have hereunto Set my hand and affixed my seal this 27<sup>th</sup> day of September 1798. [Signed] John Utly Wade his mark, L.S. [legal seal]

"Published Pronounced and Delivered by the said **John Utly Wade** to be his Last Will & Testament in presence of us **John Mavety, John Frazier (x)**.

"At a Court held for Franklin County in December 1798 the within Last Will & Testament of John Utly Wade was proved by the oaths of the Witnesses thereto Subscribed and the same was ordered to be Recorded by the Court. Test. James Calloway, Cl[erk]."<sup>126</sup>



COMMENT:

- By bond of 17 March 1789, Susannah Wade married John Hale.
- By bond of 24 February 1791, Royal Wade married Rachael Jones.
- By bond of 30 January 1792, John Wade (son of John Utley) married Hannah Jones.
- By bond of 16 January 1794, Dolly Wade married Henry Troup.
- By bond of 24 December 1801, "Alley Wade" married Owen Thomas Ruble.
- By bond of 5 February 1810, Bradley Wade married Rachel Lemon.<sup>127</sup>

**22 OCTOBER 1798**

**BEDFORD COUNTY, VA**

Legal suit

**Jacob Wade** vs. James Wright. Assault and battery, on an unspecified day, month, and year. Witnesses summoned to appear: James Branch, William Thornhill, James Grason, Joseph Holt, Ann Reece, James Turner, Theresuilleys? Minor.<sup>128</sup>

**5 NOVEMBER 1798**

**FRANKLIN COUNTY, VA**

Land sale

<sup>126</sup> Franklin Co., Will Book 1 with Inventories & Accounts (1786–1812): 142; imaged, *FamilySearch* digital film 007644994, image 106.

<sup>127</sup> "Franklin County, Virginia, Marriage Bond Index, 1786–1858," database, *Ancestry* (<https://www.ancestry.com/search/collections/4004/> : 4 August 2021).

<sup>128</sup> Franklin Co., Determined Papers, 1800–1801, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705565, images 247–52.

**John Wade** [signed John **Waid**] to Isaiah Willis, both of Franklin County, sale for 70£, 105 acres on the branches of **Pigg River** adj. McCoy and the North Fork [metes not copied]. Witnesses: Thos. Hale, James Welch, [a German signature I cannot read]. Ackn. April 1799 term by John Wade.<sup>129</sup>

COMMENT:

John Utly Wade's will was probated in December 1798. Therefore, the John Wade who appeared in court to acknowledge his deed on April 1799 would be John Utly's son—John Wade of Chesnut Creek/Town Creek, husband of Hannah.

**11 DECEMBER 1798**  
**FRANKLIN COUNTY, VA**

Inventory

Estate of **John Utly Wade** inventoried by Owen Ruble, Isaiah Willis, Peter Young, and Christian Harter. July Court 1800, inventory returned to Court and ordered to be recorded. Household and farm items only, no enslaved people or land included.<sup>130</sup>

**30 SEPTEMBER 1799**  
**FRANKLIN COUNTY, VA**

Legal suit

**Ballenger Wade** appeared before Reuben Payne of Henry County, Justice of the Peace, to swear that "Rachal Fee & Salley Hays who is Witnesses for him in a suit now Depending in the Court held at New London Between the said Ballenger Wade Plaintiff and Henry Fee & Phillip Anglin Defendants, is by old age Complains of not being able to attend the said Court." The suit, for which the first document is dated 19<sup>th</sup> March 1799, was for slander. Allegedly Anglin had publicly said that Ballenger offered Henry Fee ten pounds to swear that a Certain Ruth Atkisan "was the author of" a Scandalous report upon [blank] Wade Daughter to the aforesaid Ballenger." Dismissed September 17 1800 at plaintiff's costs.<sup>131</sup>

COMMENT:

In four different documents from this case, a blank space is left for the given name of the said daughter.

**16 MARCH 1800**  
**BEDFORD & CAMPBELL COUNTIES, VA**

Legal suit

Penelope Lowther v. **David Wade**. Notice dated April 1800 ("Leave to Plt. to take depo. of Saml Johnson & Francis his wife and Margaret McKinsey of No. Carolina") delivered 15 April 1800 to David Wade in **Campbell County**. Witness list: (April 1801) John Baughan, William Wright, Isaac Thomas; (Sepr. 1804) William Wright, David Rice, John Baughan; (April 1802) John Baughan, William Wright; (Sepr. 1802) William Wright, David Rice, John Baughan. 9 May 1800: **George Lambert** of **Bedford** County agreed to undertake for the plaintiff, since (as a nonresident of the state) she was required to provide bail. 20 June 1800: genealogically rich depositions of Margaret McKinsey and the Johnsons from Edenton in Martin County, NC. The Widow Lowther claimed that Wade was clearing and cultivating her plantation in Bedford County as an interloper. "Jury & Judg for Plaintiff,

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<sup>129</sup> Franklin Co., Deed Book 3 (1793–1800): 695; imaged, *FamilySearch* digital film 7898084, image 380.

<sup>130</sup> Franklin Co., Will Book 1 with Inventories & Accounts (1786–1812): 150; imaged, *FamilySearch* digital film 7644994, image 110.

<sup>131</sup> Franklin Co., Determined Papers, 1799–1800, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705564, images 588–98.

16 Sepr. 1802.<sup>132</sup>

COMMENT:

More on this case appears on FS digital film 8705569 (1803–1804), images 97–118 and 126. The Wade documents are intermingled with Penelope Lowther vs. Henry L. Davies, same charges, same witnesses. Lambert also served as special bail for Davies.

**4 APRIL 1801**

**FRANKLIN COUNTY, VA**

Land sale

**John Wade** (s) and wife **Hannah** (s) of **Montgomery County**, Virginia, sell to Obediah White of Franklin County, for \$200, land in Franklin on the branches of **Town Creek** containing 257 acres, adjacent to Rock Run ... Jamison's line ... Martin's corner ... Hopkinson's Line ... Stone's line. Witnesses: William Hunter, **John Wade**. Proved April 1801 court, Franklin County, by acknowledgment of John Wade.<sup>133</sup>

COMMENT:

John Utly Wade has died. The John Wade with wife Hannah, sellers of the land, should be John Utly's son John. This document presents a third John, serving as witness. The new John would appear to be the son of Moses Wade and Fanny Ferguson. Note, under 1810, that the above witness William Hunter sold land to Charles Wade (son of Moses) adjacent to himself and Samuel McCarroll (nephew of Moses' wife Fanny Ferguson.)

**9 JUNE 1801**

**HENRY COUNTY, VA**

Association

**Bartlett Wade** and Jacob Lindsay witnessed Susanah Going's notice to the District Court of Franklin, to dismiss the suit she was prosecuting against Jeremiah Stone for an assault of an enslaved man held by her. Same day, Wade and Lindsay witnessed Jeremiah Stone's agreement to pay all costs if the charges were discontinued. The suit had been filed in 1799 by Simeon Going against James Baker, Samuel Scritchfield, Jeremiah Stone, **John Witt**, Joseph Cummins & Simon Dodson, for whom an arrest warrant was issued on 28 October 1799.<sup>134</sup>

**27 JULY 1801**

**BEDFORD COUNTY, VA**

Legal suit

**Jacob Wade** vs. James Wright & David Richardson. Suit for 105£ and 5 shillings, 4 pence with interest from 29 May 1801. Writ issued to sheriff of Franklin County to summon James Wright.<sup>135</sup>

COMMENT:

Other papers in this case are found on FS digital film 8705570 (1804) at images 309–12.

**22 MARCH 1802**

**BEDFORD COUNTY, VA**

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<sup>132</sup> Franklin Co., Determined Papers, 1802–1803, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705567, images 31–57.

<sup>133</sup> Franklin Co., Deed Book 4 (1800–1804): 143–44; imaged, *FamilySearch* digital film 7898084, image 476.

<sup>134</sup> Franklin Co., Determined Papers, 1801–1802, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705566, images 266–300, especially 282 (for John Witt's signature), 284, and 292 and 296 (Bartlett Wade's signature).

<sup>135</sup> Franklin Co., Determined Papers, 1801–1802, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705566, images 521–24.

Legal suit

James Wright vs. **Jacob Wade**. Summons issued to Wade to appear at District Court in Franklin County on 22 March 1802. Wade had been hired to “superintend the han[ds] or slaves” on plaintiff’s plantation in exchange for a crop share, etc. Dismissed September 1803 at plaintiff’s costs.<sup>136</sup>

**8 MARCH 1803**

**FRANKLIN COUNTY, VA**

Land sale

**Bartlett Wade** of **Henry County**, Virginia, sells to Theodrick Webb for 300£, 300 acres on **Blackwater** River, adj. Nave’s line, crossing a branch, etc. [metes and bounds not copied; no other neighbors named]. Witnesses: William Armstrong, William Greer, Nathl. H. Claiborne. Proved in court by Greer and Claiborne, 6 June 1803. Recorded 2 February 1825.<sup>137</sup>

**22 MAY 1804**

**PITTSYLVANIA COUNTY**

Legal suit

**Elizabeth Hopson**, executrix of **Samuel Hopson** vs. Isaac Hill and Hickman Spiller. Debt.

COMMENT:

No details suggest a connection to the Hobson family under study. Details not extracted.<sup>138</sup>

**4 JUNE 1804**

**FRANKLIN COUNTY, VA**

Land sale

**John Wade** of Montgomery County, VA, to **Obediah White** of Franklin County, sale for 100£, land on the waters of **Chestnut Creek** beginning at Hopkinses corner .. to Barkstell’s pointers ... to James Martin’s line ... to Gasper Houser’s line ... to Cole’s road [crossing Cole’s road added in margin] ... to James Martin’s line ... Signed: John Wade, **Hannah Wade**. no witnesses. Acknowledged by John Wade, with relinquishment by Hannah in court on 4 June 1804.<sup>139</sup>

COMMENT:

This John should be the son of John Utly Wade.

**2 APRIL 1805**

**FRANKLIN COUNTY, VA**

Association

James Anderson & Jane his wife, and William Anderson Junr. and Nancy his wife, of Buckingham Co., to Peter Guerrant Junr., sale of land, for 2300£ lying on both sides of south fork of Blackwater River, containing 1266.5 acres by estimation, bounded by Joseph Price dec’d, Joseph Price Junior, George Snuffer, John Wilson, William Kelly, and Abram Ritter. Witnesses: Wm. Guerrant, Dan. Guerrant, John Anderson, William Anderson. “**Teste, Jno. Hobson Jr.**, Wm. Guerrant, John Anderson, Dan. Guerrant as to J & W Anderson.”

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<sup>136</sup> Franklin Co., Determined Papers, 1803–1804, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705569, images 292–96.

<sup>137</sup> Franklin Co., Deed Book 11 (1824–1827): 106–7; imaged, *FamilySearch* digital film 8190423, images 84–85.

<sup>138</sup> Franklin Co., Determined Papers, 1804, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705570, images 577–80.

<sup>139</sup> Franklin Co., Deed Book 4 (1800–1804): 594–95; imaged, *FamilySearch* digital film 7898084, image 701

10 December 1811, "William Anderson Jr. for himself & his brother James Anderson acknowledged before us ... that the above deed was their act & Deed. ... Witnesses **John Hobson Jr.**, Wm. Ford, William Johnson, George O. Price, **John Toney Jr.**

6 January 1812, At a court held for Franklin County ... This Indenture ... was acknowledged by the said William Anderson Jr. for himself and as attorney in fact for James Anderson."

Marginal note: Exd. & D<sup>d</sup> [Delivered to] John R. Guerrant June 1814."<sup>140</sup>

COMMENT:

Peter Guerrant Jr. and Sr, acquired Montgomery County land that would become Floyd Co. Some of that land lay adjacent to the land that William Mills-Witt rented (from either **Henry Iddings** or **Samuel D. Light**) between 1849 and 1852. Peter Jr. was also, in that time frame, a justice of the peace in Floyd.

As noted below, this John Hobson was from Buckingham.

**2 APRIL 1805**

**FRANKLIN COUNTY, VA**

Association

**Peter Guerrant** Junior of Franklin County to **John Hobson** and Oglesby Scruggs of Buckingham. To secure the payment of 2,300 lbs. to James Anderson and William Anderson Junior, both of Buckingham [terms stated at length] Guerrant mortgages land in Franklin adjoining Joseph Price deceased, Jos. Price Junior, George Snuffer, John Wilson, William Kelly, and Abram Ritter, 1260.5 acres by estimation and a number of enslaved people. Witnesses: Wm. Guerrant, Dan. Guerrant, John Anderson, William Anderson.

**10 December 1811**, Peter Guerrant Jr. acknowledged that this deed of trust was his own act before witnesses George O. Price, **John Toney Jr.**, Wm. Ford, William Johnson.

6 January 1812, Peter Guerrant Jr. acknowledged the document in court and it was ordered to be recorded.<sup>141</sup>

**2 FEBRUARY 1807**

**FRANKLIN COUNTY, VA**

Estate inventory

Estate of Thomas Robertson, inventoried by Lewis Davis, Thomas Crutcher, and **George Menefee**. Included "one Bond on **Saml. McCarroll** pble [payable] 17<sup>th</sup> Octo. 1807 [for] 6.-.-." Similar notes on Lewis Davis, Melker Waggoner, Walker Waggoner, John Griffith, smaller amounts, all due same date."<sup>142</sup>

COMMENT:

- This Samuel McCarroll/McCarrell is the young landowner with whom William Mills-Witt was coupled in 1806 when he first came onto Franklin's tax roll as a propertyless tithable. McCarroll's inheritance from his grandfather John Ferguson Sr. included part of the "Menafee Tract" from which 100 acres were set aside for the testator's daughter Fanny Wade and her children.
- Samuel McCarroll married **Polly Menafee** by bond dated 8 December 1806.<sup>143</sup>

<sup>140</sup> Franklin Co., Deed Book 6 (1811–1814): 240–41; imaged, *FamilySearch* digital film 7898085, images 536–37.

<sup>141</sup> Franklin Co., Deed Book 6 (1811–1814): 241–43; imaged, *FamilySearch* digital film 7898085, images 537–38.

<sup>142</sup> Franklin Co., Will Book 1 with Inventories & Accounts (1786–1812): 289; imaged, *FamilySearch* digital film 7644994.

<sup>143</sup> "Franklin County, Virginia, Marriage Bond Index, 1786–1858," database, *Ancestry* (<https://www.ancestry.com/search/collections/4004/> : 4 August 2021).

- Thomas Robertson was the husband of Naomi Wade, daughter of Moses and Fanny.

**16 NOVEMBER 1807**  
**FRANKLIN COUNTY, VA**

Donation

**Moses Wade (s)** of Rockingham County, NC, “in consideration of the natural love and affection which I bear to my well beloved children **Robert Wade, Charles Wade, John Wade, and Naomi Robertson,**” gives to the said children “all the property devised by **Elizabeth Ferguson to Fanny Wade** together with all the property which I may be entitled to in right of my wife in consequence of the death of **Charles Ferguson,** consisting both of real and personal estate.” Witnesses: James Barnett, Wm. Buckingham. Acknowledged in Rockingham County Court, November session 1807; registered there in Book M, folio 328. Exhibited in court, Franklin County, 7 December 1807 and ordered to be recorded.

*Codicil:*

“I, Moses Wade, do hereby release to Robert Wade, Charles Wade, **John Wade,** and Naomi Robertson “all right and title to all the property of every description, Willed and devised to **my wife Fanny Wade** by her **mother Elizabeth Ferguson,** as well as all the property which she the said Fanny Wade or myself may be entitled in consequence of the death of **her Brother Charles Ferguson.**” 16 November 1807. Same witnesses, acknowledgment, and same recordings, as above.<sup>144</sup>

**10 JANUARY 1810**  
**FRANKLIN COUNTY, VA**

Land purchase

William Hunter Senr. to **Charles Waid,** both of Franklin County, for \$100 sells 150 acres adjoining **William Hunter** and **McCarrol.** Witnesses: John Hunter, John Carter, Martin Philpott. Proved in court by oaths of the witnesses on 5 March 1810.<sup>145</sup>

**12 [19?] JANUARY 1810**  
**FRANKLIN COUNTY, VA**

Land purchase

**Samuel McCarroll** to **Charles Waid,** for 100£, sells 139 acres on **Town Creek** [no neighbors named; metes and bounds not copied]. Signed: Samuel McCarroll, Mary McCarroll. Witnesses: Lewis Davis, John Hunter, **John Waid.** Acknowledged 5 March 1810 in court by Samuel and Mary his wife, with dower relinquishment by Mary.<sup>146</sup>

**1810**  
**FRANKLIN COUNTY, VA**

Census

<b>Fanney Wade</b>	2 males 16–25	3 females 26–44	9 slaves
	1 male 0–10	2 females 0–10	

NEIGHBORHOOD:

Samuel Underwood, David Austin, William Moor, Thomas Hale, John McGehee, William Via, William B. Sparrick, **George Ferguson,** George McCollister, **Fanney Wade,** George **Maniffee,**

<sup>144</sup> Franklin Co., Deed Book 5 (1804–1811): 421–22; imaged, *FamilySearch* digital film 7898085, image 223.

<sup>145</sup> Franklin Co., Deed Book 5 (1804–1811): 686; imaged, *FamilySearch* digital film 7898085, image 356.

<sup>146</sup> Franklin Co., Deed Book 5 (1804–1811): 687; imaged, *FamilySearch* digital film 7898085, image 357.

Esom Edmonds, John Woods Jr., Robert Woods, Charles Rigney, John Bird Sr., Samuel Bird, John Jakes, James Jakes.<sup>147</sup>

COMMENT:

No John Wade is a head-of-household in Franklin County this year. Fanny's son Robert Wade is enumerated in his own household adjacent to his father-in-law Luke Standifer.<sup>148</sup> Naomi Robertson *might* be represented by the Thomas Robertson household on p. 300 *verso*, next door to "Brown, for James Callaway." However, the December 1810 document below shows Naomi selling property without a husband's involvement, something that should not happen if he were still alive. If Naomi were a widow, then she and her children are likely represented in the Fanny Wade household. That would leave a third female aged 26–44 in that household still to be identified.

**22 DECEMBER 1810**

**FRANKLIN COUNTY, VA**

**Fanny Wade (+), Robert Wade (s), Charles Wade (s), John Wade (s), and Neome Robertson (s)** all of Franklin County, sell to Thomas Hill of same, for \$1000, a tract of 100 acres "being the Land laid off by the Executors of John Ferguson deceased to the above married Fanny Wade, daughter of said John Ferguson decd., for the support of said Fanny Wade during her life" in Ferguson's will dated 4 February 1789. Land lies on N side of **Pigg River**, adjacent to Callaway & Early, George Ferguson. Witnesses: Lewis Davis, Wm. Crump, Joseph Hale, Thomas Hale. Proved in court on 7 January 1811 by witnesses Crump, Hale, and Hale.<sup>149</sup>

COMMENT:

This land adjacent to George Ferguson should be the land on which Fanny was enumerated earlier that year.

**16 SEPTEMBER 1811**

**FRANKLIN COUNTY, VA**

Quitclaim

William Ferguson and wife Sarah, John Ferguson and wife Mary, George Ferguson and wife Polly, all of Franklin County, to **Robert Waid, Charles Waid, John Waid, and Naomi Robertson**, for \$900, have sold their "claim, right, title, interest, and Estate whatsoever ... in an undivided tract of Land on **Pigg River** in the county of Franklin, being the place on which the late **Elizabeth Ferguson** resided, and which was by the last Will and testament of **John Ferguson** deceased, devised to his Son Charles Ferguson, the said Charles Ferguson having died intestate and without issue, whereby the said Land reverts to his heirs general [who are] the said Fergusons, being the brothers of the said Charles. ... It being distinctly understood by the Parties that the said John Ferguson conveys to the Grantees in this Indenture as well his own interest as a Legatee in the said Land, as the Interest of Thomas Ferguson, another brother of the said Chs. Ferguson, which the said John holds by purchase and a regular conveyance from the said Ferguson." Signed: William Ferguson, Sarah Ferguson her + mark, John Ferguson, Mary Ferguson, George Ferguson, Polly Ferguson. Witnesses C. Tate, Cortland Cabaniss, Saml. Adams, Peter Saunders Jr. ("as to Jno. Ferguson & wife and Geo. Ferguson") and Thos. Thompson, George Turner ("to Sarah Ferguson"). Acknowledged in court on 2 March 1812 by

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<sup>147</sup> 1810 U.S. census, Franklin Co., VA, p. 317 (stamped), line 10.

<sup>148</sup> 1810 U.S. census, Franklin Co., VA, p. 313 (stamped), lines 12–13.

<sup>149</sup> Franklin Co., Deed Book 6 (1811–1814): 105–7; imaged, *FamilySearch* digital film 7898085, images 469–70.

the Ferguson couples, after the wives relinquished their dower rights—with the exception of Sarah Ferguson who “cannot conveniently travel to our Court.”<sup>150</sup>

COMMENT:

Fanny Wade’s brothers are selling their rights to the land of Fanny’s brother Charles (to which Fanny was also an heir), but they are selling to Fanny’s children, with no mention of Fanny.

**1 FEBRUARY 1812**

**FRANKLIN COUNTY, VA**

Land sale

Castleton Wade, **John Wade**, Bradley Wade, Anderson Wade, Mary Wade, and Henry Troupe, heirs of **John Utly Wade**, to John Hale of Franklin County, for \$200, sale of 130 acres in Franklin County on branches of **Turners Creek**, a branch of **Pigg River** [metes and bounds not copied; no neighbors named]. All sellers signed. Witnesses: Owen Ruble, William Hale, **Thomas Wade**. Proved in court 6 April 1812 by oaths of Owen Ruble and William Hale.<sup>151</sup>

COMMENT:

This group of Wades were the children and heirs of John Utly Wade. Owen Ruble was married to John Utly’s widow.

**19 OCTOBER 1812**

**FRANKLIN COUNTY, VA**

Association

Luke Standifer, **Charles Wade** [signed Charles Waid] and George Ferguson appraised the estate of Thos. Hale. Submitted to court 13 May 1813.

COMMENT:

Luke Standifer was the father-in-law of Charles Wade’s brother Robert. Charles Wade was married to a Hale, but Thomas Hale should not be his wife’s father given that Charles was appraising the estate.

**OCTOBER 1814**

**FRANKLIN COUNTY, VA**

Mill petition

**Bradley Wade** petitioned for right to build a mill on **Turner’s Creek of Pigg River**. He owned the land on both sides of the creek. Order of *ad quod damnum* issued. Community members appointed to the jury to assess the physical situation were Abram Jones, Robert Hairston, John Jones, Robert Jones, Moses Jenney, Jacob Prillaman, John Keeseey, Edmond Kasy, Benjamin Swinney, Saml. Higg, John Hale, Henry **Troup**.<sup>152</sup>

COMMENT:

Bradley is previously identified as a son and heir of the late John Utly Wade, who came to Franklin County from Goochland County. Bradley’s sister Dorothea was married to a **Troupe**, according to John Utly’s will.

**NOVEMBER 1814**

**FRANKLIN COUNTY, VA**

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<sup>150</sup> Franklin Co., Deed Book 6 (1811–1814): 291–92; imaged, *FamilySearch* digital film 7898085, image 562.

<sup>151</sup> Franklin Co., Deed Book 7 (1813–1817): 7–8; imaged, *FamilySearch* digital film 7898086, images 19–20.

<sup>152</sup> Franklin Co., Deed Book 7 (1813–1817): 208–11; imaged, *FamilySearch* digital film 7898086, images 120–21.

Court order

“A Letter of Attorney from **James Ferguson** & wife to **Samuel McCarroll** Certified & OR<sup>d</sup>.”

“A Deed of Release from **Thomas McCarroll** & wife of their Interest in a Tract of Land formerly belonging to **John Ferguson** Certified & OR<sup>d</sup>.”<sup>153</sup>

COMMENT:

Thomas McCarroll was father of Samuel; Thomas’s wife Mary was a daughter of the late John Ferguson.

## 2 JANUARY 1815

### FRANKLIN COUNTY, VA

Court order

“A Deed from ... **Sam<sup>l</sup> McCarroll** to **Charles Waid**, \_\_\_\_\_ — prv<sup>d</sup> & OR<sup>d</sup>.”<sup>154</sup>

COMMENT:

I am not extracting all documents relating to the McCarrolls—only selected documents to provide context for the Wades. Other documents relating to Samuel and Thomas McCarroll in this period in Franklin County have already been extracted into two of my prior Franklin County reports.<sup>155</sup>

## 4 FEBRUARY 1815

### FRANKLIN COUNTY, VA

**Charles Waid (s)** and wife **Elizabeth** (signed “Eliza Waid”) and **John Waid (s)** to **Robert Waid**, all of Franklin, sale, for \$1000, “four ninth parts, or four shares out of nine in that undivided tract of Land which was devised by the Last Will and Testament of John Ferguson deceased to his son Charles Ferguson who died intestate and without Issue, and the whole of the same Tract having since become vested in **Fanny Waid** & her Children, and **William Weeks** and his wife. The said Fanny Waid and her Children at this time being entitled to eight parts out of nine in the same.” Witnesses: William **Standefer**, Larkin Taylor, Andrew Thompson. 6 August 1815, George Turner and George Menefee, Justices of the Peace, certify that they questioned Elizabeth separate from her husband and that she freely relinquished her dower rights. Proved in court 7 August 1815 by oaths of Standefer, Taylor, and Thompson.<sup>156</sup>

COMMENT:

The wording of this document suggests that Fanny is still alive. It appears that Robert has taken over that tract of land, with Fanny likely residing in his home. In exchange for Charles relinquishing to Robert his rights to the land his mother inherited, Robert has assigned his rights to Standifer land to Charles in the document below.

The lack of a wife’s participation for John implies that he was not yet married.

## 4 FEBRUARY 1815

### FRANKLIN COUNTY, VA

Land purchase

“Waid from Standifer: Dower.”

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<sup>153</sup> Franklin Co., VA, Court Order Book, 1811–1817: 228.

<sup>154</sup> Franklin Co., VA, Court Order Book, 1811–1817: 240.

<sup>155</sup> E. S. Mills, “Mills & Associates: Franklin & Floyd Counties, Virginia: Initial Survey,” report to file, 28 August 2018; also “Mills & Associates: Franklin County, Virginia: Extended Survey,” report to file, 1 September 2021; both archived online at *HistoricPathways.com* under the “Research” tab.

<sup>156</sup> Franklin Co., Deed Book 7 (1813–1817): 286–87; imaged, *FamilySearch* digital film 7898086, image 159.

**Luke Standifer** (s) and wife **Mary Ann** (x) to **Charles Waid** for \$900, sells 102 acres on both sides of **Story Creek** in Franklin County adjoining Thomas Hills [metes and bounds not copied]. “The 102 acres of land within mentioned is the tract given by Luke Standifer to his Daughter **Anna**, after her Inter-marriage with **Robert Waid**, who for a valuable consideration sold the same to his brother **Charles Waid** and this conveyance is executed to him in stead of to the said Robert Waid (s) with the consent and approbation of all the parties who have signed. Witnesses: Caleb Tate, **John Waid**, William **Standifer**. Proved in court 7 April 1815 by the oaths of Caleb Tate and William Standifer.

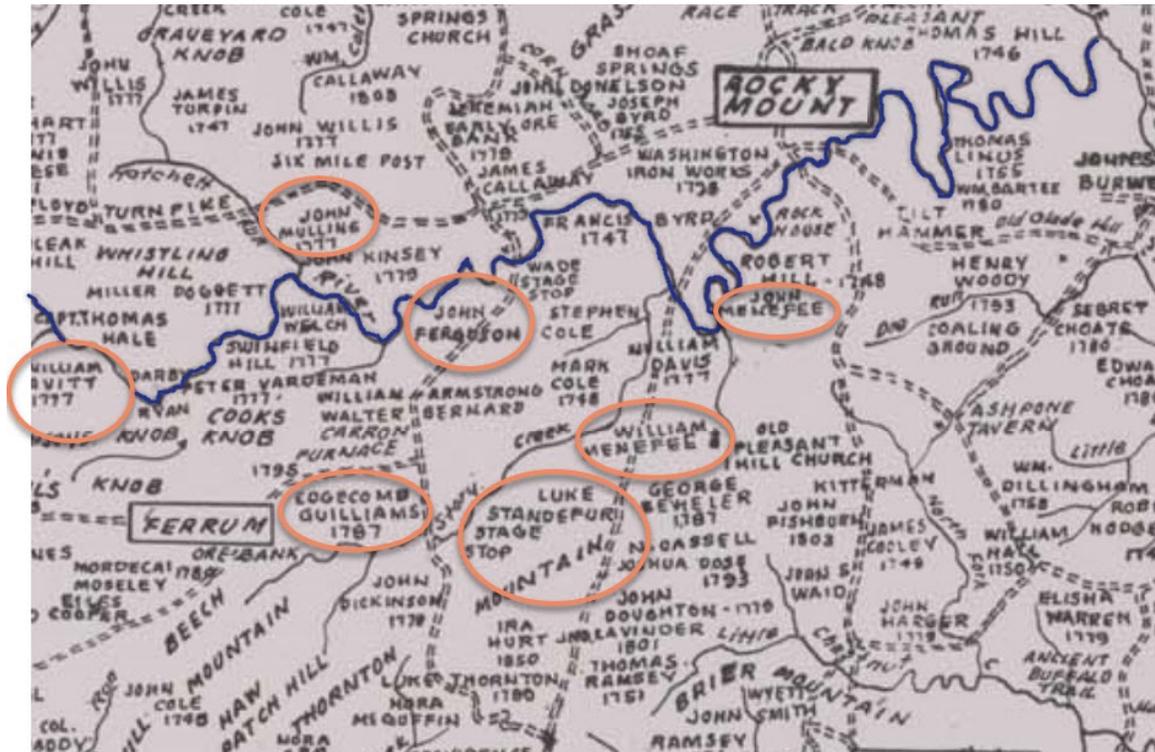
6 August 1815 Mary Ann Standifer, wife of Luke Standifer, relinquished her dower rights before justices George Menefee and George Turner.<sup>157</sup>

**4 FEBRUARY 1815  
FRANKLIN COUNTY, VA**

Thomas Hill to **Charles Waid**, for \$64, sells 16 acres “by survey” on **Story Creek** in Franklin County, Beginning at pointers in **Standefur’s Line**, thence SE ... [metes not copied]. No witnesses. Acknowledged by Hill, in court on 4 February 1815.<sup>158</sup>

COMMENT:

The Settlement Map of Franklin County (snippet below) shows Story Creek branching SW off Black Water, between William Davis (on East), Wade’s Stage Stop (on Blackwater to the West) and John Ferguson (on West just beyond Wade). Luke **Standefur’s Stage Stop** is placed about 4 miles down the creek, just above Thornton Mountain. The beginning of the metes and bounds in this deed suggest that Charles Waid’s residence was also SE of Story Creek, likely between Standefur and William Menefee’s locations on the map.



<sup>157</sup> Franklin Co., Deed Book 7 (1813–1817): 599–601; imaged, *FamilySearch* digital film 7898086, images 316–17.

<sup>158</sup> Franklin Co., Deed Book 7 (1813–1817): 237; imaged, *FamilySearch* digital film 7898086, image 134.

**4 SEPTEMBER 1815**  
**FRANKLIN COUNTY, VA**

Court order

“A Letter of attorney from **William Weaks** & wife to George W. **Ferguson**, produced proved & ordered to be recorded.”<sup>159</sup>

**1 FEBRUARY 1816**  
**FRANKLIN COUNTY, VA**

Land purchase

Owen Ruble to **John Wade** of Franklin County, for \$100 sells 102 acres on **S branch** of **S fork** of **Pigg River** [metes and bounds not copied] adj. Hairston’s line. No witnesses: Acknowledged in court 5 February 1816 by Ruble.<sup>160</sup>

COMMENT:

This John Wade should be the son of John Utly Wade and widow Allie, whose new husband is Owen Ruble.

**2 JULY 1816**  
**FRANKLIN COUNTY, VA**

George W. Ferguson (s) as attorney in fact for **William Weaks & Sarah** his wife of “Montgomery County in the state of Tennessee” to **Robert Waid** of Franklin County, for \$222, sale of “all the claim, right, title, Interest and Estate whatsoever, either in law or equity” to which Weaks and wife may hold in “an undivided tract of Land on Pigg River” in Franklin County “being the place on which the late **Elizabeth Ferguson** resided and which was by the last Will and Testament of John Ferguson deceased devised to the said **Elizabeth Ferguson** for life, remainder to the said **Charles** ... having died intestate and without Issue, whereby the said Land reverted to his heirs general, of whom the said **Sarah Weaks**, wife of William Weaks, and a sister of the said Charles Ferguson is one.” Acknowledged 1 July 1816 in court by George W. Ferguson.<sup>161</sup>

**19 JULY 1816**  
**FRANKLIN COUNTY, VA**

Land sale

**Charles Waid** (s) to Larkin Standley for \$200, sale of 150 acres on waters of **Town Creek** beginning at **Gadd’s** corner, to William Hunters line ... Also tract of 139 acres on **Garners** line. [Metes and bounds not copied.] No wife mentioned for Waid. Acknowledged by Waid 19 July 1816 in court.<sup>162</sup>

COMMENT:

Charles purchased this tract on Town Creek in 1810 from his first cousin Samuel McCarrell.

**1820**  
**FRANKLIN COUNTY, VA**

Census

<b>John Wade</b>	1 male 26–44	2 females 16–25	0 slaves
	3 males 0–10		0 fpc <sup>163</sup>

<sup>159</sup> Franklin Co., VA, Court Order Book, 1811–1817: 295.

<sup>160</sup> Franklin Co., Deed Book 7 (1813–1817): 359–60; imaged, *FamilySearch* digital film 7898086, images 195–96.

<sup>161</sup> Franklin Co., Deed Book 7 (1813–1817): 444–45; imaged, *FamilySearch* digital film 7898086, images 238–39.

<sup>162</sup> Franklin Co., Deed Book 7 (1813–1817): 440–41; imaged, *FamilySearch* digital film 7898086, images 237–37.

<sup>163</sup> 1820 U.S. census, Campbell Co., VA, p. 132 (number at lower right corner), line 9.

COMMENT:

- The census is semi-alphabetized by first letter of surname, making neighbors indeterminable. Charles Waid appears 3 names above John; Bradley Waid (son of John Utly Wade) appears immediately after John. Robert Waid appears on the prior page.
- *No other John Wade/Waid* is enumerated in Franklin County.
- John Utly Wade’s sons John and Anderson are enumerated in Montgomery County.
- The John Wade married to Elizabeth Hobson appears to be enumerated in Campbell County. See below.

**1820**

**CAMPBELL COUNTY, VA**

Census

**John Wade**

	1 female 45+	18 slaves
1 male 26–44	2 females 16–25	2 free col. males under 14
1 males 0–10 <sup>164</sup>	2 females 0–10	11 engaged in commerce

**5 JANUARY 1822**

**FRANKLIN COUNTY, VA**

Land purchase

James C. Early to **John Wade** for \$1908 sells land conveyed to James C. Early by Joab Early, 166.5 acres beginning on **Waggon Road** [no other landmarks named; no neighbors named; metes & bounds not copied]. Witnesses: Joseph Hiatt, Abraham C. Shelton, Wm. Cook. Acknowledged in court 5 February 1822 by Early.<sup>165</sup>

COMMENT:

This is the John Wade married to Elizabeth Hobson. He and Elizabeth sold the land in 1826, by which time there were two John Wades in Franklin with a wife Elizabeth. However, their disposal of the land was part of a series of land transactions executed with John Clay, wherein cited neighbors enable us to clearly identify the John Wade that bought the Waggon Road tract from Early.

**4 JUNE 1822**

**FRANKLIN COUNTY, VA**

Will

**Charles Waid** (s). First, debts to be paid by hiring out his “three negroe Boys ... Stephen, Samuel, and Adkin. The rest of his enslaved people to be kept on the farm until his “two sons Marshall and Edmund Waid shall arrive at the age of twenty one. Etc. Witnesses: Burwell C. Keatts, William Lick. No reference to a wife. **John F. Waid** Executor. Proved 6 March 1823.<sup>166</sup>

COMMENT:

- The 1820 census credits Charles with 2 males under 10, 0 females under 10, a female 26–44, and two males 26–44. John F. Waid was likely the additional male.
- Charles is routinely named as the second son in the documents created by his father Moses and the documents that relate to his mother Fanny’s property. Given the parental marriage in 1779, their first-born Robert likely was born in 1780 and then Charles in 1782.

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<sup>164</sup> 1820 U.S. census, Franklin Co., VA, p. 168 (stamped), line 36.  
<sup>165</sup> Franklin Co., Deed Book 10 (1822–1824): 1–2; imaged, *FamilySearch* digital film 7897649, images 293–94.  
<sup>166</sup> Franklin Co., Will Book 2 with Inventories & Accounts (1812–1825): 531–32; imaged, *FamilySearch* digital film 7644994, images 531–32. Charles’ inventory is at pp. 567–68; image 550.

Charles married Elizabeth Hale in 1814, at which time he would have been about 32—an advanced age for a first marriage.

- These factors suggest Charles *could* have had an earlier marriage.

**31 JULY 1822**

**FRANKLIN COUNTY, VA**

Land purchase

Pleasant Blankenship (x) and wife Roady to **John Wade**, all of Franklin County, for \$210, sale of land on **Chesnut Creek**, 105 acres, beginning at Mary Barrett’s line ... John Woods line ... John Martin’s line ... James Martin’s line [metes & bounds not copied]. No witnesses. Proved in court 31 July 1822 by acknowledgment of Pleasant Blankenship.<sup>167</sup>

COMMENT:

“John Wade and wife Elizabeth” sold this land in 1840. However, this does not appear to be the John who married Elizabeth Hobson. James Martin, above, was a John Utly Wade neighbor.

**2 SEPTEMBER 1822**

**FRANKLIN COUNTY, VA**

Land sale

**John Wade** to Jacob Prillaman, for \$250, sale of 102 acres on branches of the S fork of **Pig River**, along Hairston’s line [no other neighbors named; metes and bounds not copied]. No witnesses. Acknowledged in court 2 September 1822 by John Wade.<sup>168</sup>

COMMENT:

This land was sold to John Wade (son of John Utly Wade) in 1816 by Owen Ruble who married John Utly’s widow.

**3 JUNE 1823**

**FRANKLIN COUNTY, VA**

Performance bond

**John Wade**, Thomas Greer, Moses Greer posted bond payable to Samuel Saunders, president of the Overseers of the Poor of Franklin County. \$2270.44. Condition: John Wade is to “well and truly collect or cause to be collected the sum of [\$135.22] which is levied on the tithes of the County of Franklin for the support of the poor.” Witness: Jesse Prunty. Bond was presented in court on 3 June 1823 and ordered to be recorded.<sup>169</sup>

COMMENT:

The identity of this John Wade is uncertain. He is likely to be the man who was a deputy sheriff in 1824. In that capacity, he would be collecting the special tax imposed in 1823–24 to support the work of the overseers of the poor.

**1 SEPTEMBER 1823**

**FRANKLIN COUNTY, VA**

Civic role

**John Wade** (s) to George Ferguson. Wade has been appointed commissioner to sell a tract of 50

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<sup>167</sup> Franklin Co., Deed Book 10 (1822–1824): 100–1; imaged, *FamilySearch* digital film 7897649, image 343.

<sup>168</sup> Franklin Co., Deed Book 10 (1822–1824): 131–32; imaged, *FamilySearch* digital film 7897649, images 358–59.

<sup>169</sup> Franklin Co., Determined Papers, 1831–1832, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704989, image 683.

acres lying along Patterson's line, to settle a judgment in the suit of George Ferguson vs. Samuel Davis Jr. Land offered at auction, where Ferguson was highest bidder. Filed 1 September 1823.<sup>170</sup>

COMMENT:

This John Wade appears to be the man later called John Wade Sr.—i.e., the husband of Elizabeth Hobson and later father-in-law to four Pattersons.

**13 & 24 AUGUST 1824**  
**FRANKLIN COUNTY, VA**

Warrant

"**John Wade**, DS [Deputy Sheriff] for S. Hill, Sheriff" returns warrant to court stating that he had received the warrant on 13 August 1824 and had "levied 24 August 1824 on one negro man named Squire" in the case of Smith vs. Greer.<sup>171</sup>

COMMENT:

Wade commented on various complications in this case but those observations are not relevant to my project. I made this note only because of its identification of John Wade as Deputy Sheriff.

The identity of this deputy is ambiguous. Factors to consider:

- The John Wade who married Elizabeth Hobson was now 42 or so years old—somewhat past the norm for propertied deputies of his era and even more aberrational for well-to-do men.
- I found no subsequent reference to a John Wade, deputy, during the 1820s— suggesting that this man's tenure was short.
- The 1830 census attributes 33 enslaved people to the John Wade household that included a woman whose age is compatible with his mother-in-law, Mary Ann (Mosby) Hobson; it also identifies John as "sheriff." The process for attaining that post was for the local justices, sitting in session, to recommend to the governor three "worthy men" for the post. The governor then made the decision. Experience as a deputy sheriff was not required.

But then...

- In 1833 (see that year below) the name John Wade again appears as "deputy sheriff" in the Determined Papers.
- The deputy post would not be logical for John in 1833, given his wealth, his growing plantation operation, and his age.

**NOVEMBER 1824**  
**FRANKLIN COUNTY, VA**

Land purchase

Landis P. Stovall and wife Ann M. Stovall of Henry Co. sell to **Robert Wade** of Franklin Co., for \$550, land on one of the branches of **Chesnut Creek** adjoining Thomas Ramsey [no other neighbors named; metes and bounds not copied]. No witnesses: Acknowledged in court 10 November 1825 by Landis P. Stovall.<sup>172</sup>

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<sup>170</sup> Franklin Co., Deed Book 10 (1822–1824): 337; imaged, *FamilySearch* digital film 8797649, image 461.

<sup>171</sup> Franklin Co., Determined Papers, 1831–1832, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704989, image 683.

<sup>172</sup> Franklin Co., Deed Book 11 (1824–1827): 250–51; imaged, *FamilySearch* digital film 8190423, image 156.

**1 FEBRUARY 1825**

**FRANKLIN COUNTY, VA**

Relinquishment of dower.

Roady Blankenship, wife of Pleasant Blankenship, releases her dower to **John Wade** for the property conveyed on 31 July 1822. Certificate by Botetourt justices Lewis Harvey and Thomas Fowler.<sup>173</sup>

**4 AUGUST 1825**

**FRANKLIN COUNTY, VA**

Land sale

**John Ferguson** (s) and wife Elizabeth of **Montgomery County, Tennessee**, to **John Waid** for \$1000, sale of land in Franklin County on waters of **Nicholas's Creek** "being the Land allotted to said John Ferguson by Commissioners appointed by the County Court of Franklin aforesaid to allot and divide the Lands of the late William Ferguson deceased among his lawful heirs and distributees, and which was assigned to said John by said Commissioners and containing by survey" 214 acres ... adjoining Samuel Ferguson, [unnamed] creek. [Metes and bounds not copied. Witnesses: Joseph Hiatt, Charles Ferguson, George Ferguson. Deed acknowledged in court 5 August 1825 by John alone.<sup>174</sup>

COMMENT:

This document implies that the John Wade born of Fanny Ferguson (a cousin to the John Ferguson above) *was* still in Franklin County.

This 214-acre tract appears again in the December 1846 estate inventory of John F. Wade, below—strongly suggesting they were one and the same man.

**9 AUGUST 1825**

**FRANKLIN COUNTY, VA**

Land purchase

John Clay and wife Elizabeth of Franklin County to **John Wade** for \$3000, convey 350 acres being "a part of the tract of land allotted to the said John Clay and Elizabeth his wife on the division of the lands of the late John Dickinson Decd., amongst his legatees of whom the said Elizabeth was one. Lies on **Chesnut Creek** adjoining Hiram Tyree on the S, William Swanson on E, William Hutcherson on N and George Hutcherson. The lands of Hiram Tyree and William Hutcherson were also part of the tract allotted to John Clay and wife Elizabeth, deeded by John Clay to Hiram Tyree and William Parberry. Witnessed: **John H. Wade**, Josiah W. Dickerson. Elizabeth relinquished her dower before justices Robert Woods and Josiah W. Dickenson, 9 August 1825. Acknowledged in court 5 September 1825 by John Clay. Deed delivered to Jno. Wade 1 February 1830.<sup>175</sup>

COMMENT:

On 15 August 1831, William Hutcherson and wife Lucy sold John Wade [Sr.] land on Chesnut Creek adjacent to John Clay. By extension, the above John should be John Wade Sr.

This August 1825 document marks the first proved date on which John H. Wade of Campbell County appears in Franklin County.

**OCTOBER 1825**

**MONTGOMERY COUNTY, TN**

Dower relinquishment

Before justices Stephen Neblett and Edward S. [L?] Walton, Elizabeth Ferguson, wife of John,

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<sup>173</sup> Franklin Co., Deed Book 11 (1824–1827): 117; imaged, *FamilySearch* digital film 8190423, image 90.

<sup>174</sup> Franklin Co., Deed Book 10 (1822–1824): 471–72; imaged, *FamilySearch* digital film 8797649, images 546–57.

<sup>175</sup> Franklin Co., Deed Book 11 (1824–1827): 194–95; imaged, *FamilySearch* digital film 8190423, images 128–29.

relinquished her dower to **John Waid**. Certificate presented in court, Franklin County, 26 December 1825.<sup>176</sup>

**26 AUGUST 1826**

**FRANKLIN COUNTY, VA**

Land purchase

John Arthur Jr. and Charlotte his wife to **John H. Wade**, sale for \$400 cash, 92 acres in Franklin County on the headwaters of **Maggotty Creek & Blackwater**, Beginning at two chestnuts on the S of McDaniel's gap ... [no other neighbors named; metes and bounds not copied]. No witnesses. John M. Holland and M. Greer, justices of Franklin County certify that Charlotte relinquished her rights and that Arthur acknowledged his deed. Presented to court on 4 September 1826.<sup>177</sup>

**7 NOVEMBER 1826**

**FRANKLIN COUNTY, VA**

Land purchase

John Clay and wife Elizabeth to **John Wade**, all of Franklin County, for \$1944, sell 243 acres of Franklin County land on **Chestnut Creek**, adjacent to Andrew Patterson and Jonathan Patterson [metes and bounds not copied]. No witnesses. Acknowledged by Clay in court 7 November 1826.<sup>178</sup>

COMMENT:

This John Wade is the man later called John Wade [Sr.] Four of his daughters by Elizabeth Hobson married Pattersons.

**7 NOVEMBER 1826**

**FRANKLIN COUNTY, VA**

Land sale

**John Wade** of Franklin County for \$2000 sells to John Clay a tract of land in Franklin County "Begining at a red oak on the **Waggon road ...**" [No watercourse named, no neighbors named; metes and bounds not copied]. No witnesses. Signed: **John Wade, Elizabeth Wade**. Acknowledged 7 November 1826 in court by John Wade.<sup>179</sup>

COMMENT:

This, too, would be John Wade Sr. He boought the land from Joab Early in 1822.

**7 NOVEMBER 1826**

**FRANKLIN COUNTY, VA**

Land sale

John Clay and wife Elizabeth to **John Wade** for \$249, sell 83 acres, being the "balance of the said Clay's original tract of Land left on the SW corner of it, after taking off a survey of 200 acres for Hiram Tyree," adjoining Andrew Patterson [metes and bounds not copied; no other neighbors named]. Acknowledged in court 7 November 1826 by Clay.<sup>180</sup>

**12 DECEMBER 1826**

**FRANKLIN COUNTY, VA**

Relinquishment of dower

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<sup>176</sup> Franklin Co., Deed Book 11 (1824–1827): 254–55; imaged, *FamilySearch* digital film 8190423, image 158.

<sup>177</sup> Franklin Co., Deed Book 11 (1824–1827): 404–5; imaged, *FamilySearch* digital film 8190423, image 233.

<sup>178</sup> Franklin Co., Deed Book 11 (1824–1827): 451–52; imaged, *FamilySearch* digital film 8190423, images 256–57.

<sup>179</sup> Franklin Co., Deed Book 11 (1824–1827): 454–55; image, *FamilySearch* digital film 8190423, image 258.

<sup>180</sup> Franklin Co., Deed Book 11 (1824–1827): 455–56; imaged, *FamilySearch* digital film 8190423, images 258–59.

Elizabeth Clay, before justices Edmund Tate and Henry Carper of Franklin County, relinquished her dower to **John Wade**. Certificate of the two justices submitted in court on 12 December 1826.<sup>181</sup>

**2 MARCH 1827**

**FRANKLIN COUNTY, VA**

Land purchase

Matthew Hutcherson (x) to **John Wade**, party of the second part, and Brown & Woodson of the third part—all of Franklin County. Hutcherson is indebted to Brown and Woodson for \$27.15 and gives a deed of trust on 150 acres adjoining Pleasant Dickenson, Henry Frailen “& others,” which trust is to be held by John Wade until paid or defaulted. Witnesses: Burwell Law Jr., James Moorman, John Brown (x). Proved 5 March 1827 by oath of Burwell Law Jr.<sup>182</sup>

COMMENT:

On 8 June 1827 Wade served in the same capacity for a deed of trust executed by Peter H. McCall for his share of the estate of his father William McCall, and household goods.<sup>183</sup> The associations suggest this is John Wade Sr.

**1 DECEMBER 1828**

**FRANKLIN COUNTY, VA**

Land purchase

Moses Greer Junr., attorney for Callaway’s Executors, sell to **John H. Wade** for \$300, a tract of land from Callaway’s large Survey” on Nafe’s and Arthur’s lines “on the ridge between the North and South fork of **Magoty Creek**, then up the ridge to the mountain between **Magotty** and Blackwater, thence along the same to **Wade’s line** to road crossing the mountain from Magotty to Blackwater, thence the same to **Webster’s line**, with it **Mangus’s line**, with it to **Hartzell’s line**, with it to **Bourman’s line**, with it to **Boon’s line**, with it to **Taylor’s line**, with it to **Suttle’s line**, with it to **David Nafe’s line**, with it to the new line made for Jacob Nafe, with that line to the beginning.” Acknowledged 1 December 1828 in court by Moses Greer Jr.<sup>184</sup>

**3 FEBRUARY 1830**

**FRANKLIN COUNTY, VA**

Land purchase

George Hutcherson and wife Clary to **John Wade** for \$980, sell a tract on both sides of **Pigg River**, beginning at the mouth of a branch in **Robert N. Dickenson’s line** ... to said John Wade and Jonathan Patterson’s line ... [metes and bounds not copied]. Acknowledged by Hutcherson before Franklin County JPs George W. Clement and P. Dickinson with relinquishment of wife, both on same day.<sup>185</sup>

COMMENT:

This, too, should be John Wade Sr., husband of Elizabeth Hobson. The land would seem to be the Pigg River site on which he built his mill before 1841.

**JUNE 1830**

**FRANKLIN COUNTY, VA**

Census

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<sup>181</sup> Franklin Co., Deed Book 11 (1824–1827): 480; imaged, *FamilySearch* digital film 8190423, image 271.

<sup>182</sup> Franklin Co., Deed Book 11 (1824–1827): 586–87; imaged, *FamilySearch* digital film 8190423, images 323–24.

<sup>183</sup> Franklin Co., Deed Book 11 (1824–1827): 615–16; imaged, *FamilySearch* digital film 8190423, image 338.

<sup>184</sup> Franklin Co., Deed Book 12 (1827–1830): 329–30; imaged, *FamilySearch* digital film 8190423, image 522.

<sup>185</sup> Franklin Co., Deed Book 12 (1827–1830): 579–80; imaged, *FamilySearch* digital film 8190423, image 648.

<b>John Wade (shff.)</b>		1 female	60–69 [Mary Ann, wid. Benj. Hobson]
1 male	40–49	1 female	30–39
1 male	20–29	2 female	10–14
1 male	15–19	1 female	5–9
2 males	5–9		
1 male	0–5		
1 sl male	55–99	1 sl female	55–99
2 sl males	36–54	2 sl females	36–54
1 sl males	24–35	2 sl females	24–35
7 sl males	10–23	7 sl females	10–23
3 sl males	0–9	7 sl females	0–9 <sup>186</sup>

COMMENT:

- The census is semi-alphabetical by surname, masking the identities of neighbors.
- Three Johns appear on this census: John the sheriff, John F., and John H. That is consistent with the disambiguations made from the legal records.

**28 JULY 1830**

**FRANKLIN COUNTY, VA**

Legal suit

“At a Superior Court of Law for the County of Franklin, held at the Courthouse the 28<sup>th</sup> day of July 1830.

John Doe, Lessee of Bowker Preston	
James Hendrick and Elizabeth	
Jesse Joplin and Susan J. his wife	Pliff.
Edward Clack, Mary Clack, and Charles C. Scott	
Samuel Griffin, John H. Griffin, William S. Griffin, Charlotte Griffin, & Charlotte Mitchell	
<b>Richard Hobson and Louisa his wife</b>	
Richard Davis, John Davis, Jordan A. Davis, Margaret Davis	

*Against*

Richard Roe	Def.
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“In Ejectment for one messuage and tract of land with its appurtenances situated in the County of Franklin on both sides of **Simmon Creek** containing two hundred and Twenty five acres [225 acres] and commonly called **Drake’s place**.

“Joel Chambers and John Oyler on their motion are admitted Defendants in this suit in the room of the said Roe and thereupon by their attorney they come and defend the force & injury when & plead the general issue, confess the lease entry & ouster, in the Declaration supposed, & agree to insist on the title only at trial, which is referred til the next term.

“And on the motion of the Plaintiff by his attorney, It is ordered that the Surveyor of this County go on the land in Controversy on a day before the next term, of which day notice is to be given to the Defendants, and Survey and lay out the same as either party shall require, and return three fair platts & reports thereof to the Court, and that any one of the Justices of said County do then and there meet him and examine & take the Depositions of such Witnesses as shall be produced by any of the parties.”

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<sup>186</sup> 1830 U.S. census, Franklin Co., VA, p. 101 (penned), line 12.

Smithson Davis was also included in the suit although he was not named among the plaintiffs.

11 May 1832. Case dismissed at Plaintiff's costs.<sup>187</sup>

COMMENT:

This case was heard again in October 1839, when a number of new documents were filed:

**10 October 1837 court order:**

- the acreage was said to be 100, rather than 225.
- Smithson Holly was said to be the "tenant in possession of the premises" on whom the warrant was served.

**1 January 1835 Bill of Complaint**

- John Doe vs. Richard Roe, the plaintiffs were all of the above except Richard Hobson is dropped. **Louisa Hobson** is included (image 658), suggesting that Richard has died.

**14 October 1839** Smithson G. Holley said he was acting as agent for Henry Asbury "who resides in the state of Kentucky" **wherein the devisees of John Hook dec'd are plaintiffs** and John Oyler Defendant. "He did believe that the said deed offered as evidence by the defendant purporting to be a deed executed by John Harrington to the said Asbury was a valid deed."<sup>188</sup>

**This Richard Hobson should not be the Richard Hobson, son of Benjamin, who married Harriet Wade.** This younger Richard married Louisa West in Campbell County on 14 December 1818<sup>189</sup> and is enumerated there on the 1820 and 1830 censuses of Campbell.

**9 MARCH 1831**

**FRANKLIN COUNTY, VA**

Land purchase

Robert T. Woods, Charles Lumsden, Joseph Rives, and Griffith D. Neal to **John Wade**. Whereas George Hutcherson by deed in August 1827 conveyed to Woods in trust land on both sides of Pigg River, adjoining the land of said **John Wade**, Henry Frailin, Jonathan Patterson, and others to secure the payment of a debt due to John Dickenson "and whereas the said George Hutcherson hath since sold the above described tract of land to the above named **John Wade** [who] is now in the actual possession of said tract and whereas also the said [trustees] are informed that the whole of debt intended to be secured by the trust deeds have been fully paid off, the trustees sell the land to John Wade. No witnesses named. Acknowledged by Woods and Rives in court 9 March 1831.<sup>190</sup>

**15 AUGUST 1831**

**FRANKLIN COUNTY, VA**

Land purchase

William Hutcherson and wife Lucy to **John Wade**, all of Franklin County, for \$400, sell "the same tract of land which John Clay give to William Parbery lying on the N side of **Chestnut Creek** containing 100 acres [metes and bounds not copied]. Lucinda and William Hutcherson appeared before justices John M. Holland and Moses Greer Jr., 1 June 1833, for her to relinquish her dower

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<sup>187</sup> Franklin Co., Determined Papers, 1831–1832, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704989 > images 711–25.

<sup>188</sup> Franklin Co., Determined Papers, 1838–1839, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704996, images 649–59.

<sup>189</sup> "Virginia, U.S., Select Marriages, 1785–1940," database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/3710457:60214> : 9 October 2021).

<sup>190</sup> Franklin Co., Deed Book 13 (1830–1833): 185–86; imaged, *FamilySearch* digital film 7894518, image 108.

and William to acknowledge the deed as his act. Filed by the JPs on 5 August 1833.<sup>191</sup>

COMMENT:

This should be John Wade Sr., husband of Elizabeth Hobson.

**8 OCTOBER 1831**

**FRANKLIN COUNTY, VA**

John Callaway, executor of James Callaway, Decd., to **John H. Wade**, sells for \$300 “all the Land that belonged to the large Survey lying in the bounds of this Deed, Beginning on Nafe’s and Arthur’s line on the ridge between the north and south fork of **Magoty Creek**, thence up the ridge to the Mountain, between Magoty and Blackwater, thence along the same to **Wade’s line**, with it to road crossing the Mountain from Magoty to Blackwater, thence the same to Webster’s line, with it to Mangers’ line, with it to Hartzel’s lines, with it to Boamons’ line, with it to Boon’s line, with it to Taylor’s line, with it to Suttle’s line, with it to David Nafe’s line, with it to the new line made for Jacob Nafe, and with that line to the beginning. Acknowledged same day before justices John Dillard and Thos. B Dandridge. Filed with the JP certificate on 7 November 1831.<sup>192</sup>

**23 MARCH 1832**

**FRANKLIN COUNTY, VA**

Special bail

**John F. Wade** appeared before Elisha Keen, deputy for Sheriff Patrick Hix “and undertook for **Samuel H. Ferguson** at the suit of Manuel Judah in an action of Debt now depending in the Circuit Superior Court of Law and Chancery of said County.” If Samuel H. Ferguson does not “pay and satisfy the condemnation of the Court, or render his body to prison in execution for the same [then] he the said John F. Wade will do it for him.”<sup>193</sup>

**17 JULY 1832**

**FRANKLIN COUNTY, VA**

Land purchase

William Sittle and wife Polly (signed Mary Y. Sittle) to **John H. Wade**, all of Franklin County, for \$400, 183 acres on both sides of Magoty Creek, adj. Fowler’s line. Acknowledged same day before Moses Greer Jr. and Henry Carper, with relinquishment of dower by wife. 17 July 1832, JP certificate filed on 17 July 1832.<sup>194</sup>

**27 AUGUST 1832**

**FRANKLIN COUNTY, VA**

Land purchase

Robert Hairston, executor of the last will and testament of **Castleton Wade**, Dec’d, to Daniel Briant and Isaac Lemmon Jr., for \$282, sell 166 acres on Pigg River, adjoining Robert Saunders. Acknowledged by Hairston in court, 29 August 1832.<sup>195</sup>

**OCTOBER 1832**

**FRANKLIN COUNTY, VA**

Grand jury

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<sup>191</sup> Franklin Co., Deed Book 13 (1830–1833): 542–43; imaged, *FamilySearch* digital film 7894518, images 286–87.

<sup>192</sup> Franklin Co., Deed Book 13 (1830–1833): 261–62; imaged, *FamilySearch* digital film 7894518, image 146.

<sup>193</sup> Franklin Co., Determined Papers, 1831–1832, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704989, image 624.

<sup>194</sup> Franklin Co., Deed Book 13 (1830–1833): 397–98; imaged, *FamilySearch* digital film 7894518, image 214.

<sup>195</sup> Franklin Co., Deed Book 13 (1830–1833): 375; imaged, *FamilySearch* digital film 7894518, image 203.

**John H. Wade ... Robert Kemp.**<sup>196</sup>

**2 MARCH 1833**  
**FRANKLIN COUNTY, VA**

Bail bond

Christopher Wingfield agreed to be special bail for Austin Wingfield, George Cooper, and John D. Watkins, assignee on a note of **Allen Jarrot**, before **James Patterson**, deputy sheriff for sheriff Henry Carper. Jarratt had executed the note on 21 July 1832.<sup>197</sup>

COMMENT:

- This James Patterson in 1841 was bondsman for Samuel E. Mills and Mary Ann Hobson.
- Allen Jarrot (*var.* Jarrett) was father of Mary and Susan Jarrett who, in 1843 and 1848 married Robert Wiley Mills and Sparrel Mills, brothers of Samuel E.<sup>198</sup>

**2 MARCH 1833**  
**FRANKLIN COUNTY, VA**

Andrew Patterson agreed to be special bail for Jonathan Patterson, before **John Wade**, deputy for Patrick Hix.<sup>199</sup>

COMMENT:

This John Wade who served as a deputy in the 1830s has not yet been identified. He was not likely to be the former sheriff—a wealthy planter. He also was not likely to be the large-scale landowner John H. Wade, who was also a partner in Luke Wade & Co. It was more likely to be John F. Wade or the John Wade who married Elizabeth Ferguson in 1823 (which may or may not be the same man).

**10 OCTOBER 1833**  
**FRANKLIN COUNTY, VA**

Land purchase

Samuel H. Ferguson and wife Mary sell to **John F. Waid** for \$150, 50 acres beginning at a corner of Samuel Saunders and Ira Hurt ... past Wade's own line ... Ira Hurt's line ... Witnesses: George Turner, Elkanah T. Ingram, Alexander Ingram. Mary relinquished her dower rights on 10 October 1833 before Justices Samuel Saunders and George Turner. Ferguson acknowledged the deed in court on 7 November 1833.<sup>200</sup>

**14 FEBRUARY 1834**  
**FRANKLIN COUNTY, VA**

Land sale

**Robert Waid** from James C. Tate. Whereas, on 4 June 1829 by deed recorded in the Clerk's office, James C. Tate put in trust 314 acres in Franklin County purchased from Samuel Boyd, which Boyd had purchase from William Thompson and wife by deed of 5 October 1813 duly recorded. To secure

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<sup>196</sup> Franklin Co., Determined Papers, 1832–1833, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704990, image 250.

<sup>197</sup> Franklin Co., Determined Papers, 1835–1836, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704992, image 654.

<sup>198</sup> Virginia Anderton Dodd, *Henry County Marriage Bonds, 1778–1849* (Richmond: Privately printed, 1953), 36. See also E. S. Mills, "William Mills (b. c1783–88; d. c1863); Spouse Drucilla Kemp: Research Notes," a work-in-progress last updated 27 August 2021, particularly p. 4; archived online at *HistoricPathways.com* under the "Research" tab.

<sup>199</sup> Franklin Co., Determined Papers, 1832–1833, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704990, image 407.

<sup>200</sup> Franklin Co., Deed Book 13 (1830–1833): 572–73; imaged, *FamilySearch* digital film 7894518, images 301–2.

one James Booth for the payment of \$157.60 due 3 June 1824. In compliance, on 2 April 1832, after the property was advertised at the front door of the courthouse, at which time Robert Waid was the highest bidder for \$276. Now, Tate makes the appropriate deed to Waid. Acknowledged by Tate in court on 14 February 1834.<sup>201</sup>

**2 FEBRUARY 1836**  
**FRANKLIN COUNTY, VA**

Land purchase

John Peters (s) and wife Elizabeth (x) of Preble County, Ohio, to **John H. Wade**, sell for \$250 a tract of 150 acres on **Magoty Creek** in **Franklin County** beginning in Cogar's line ... Taylor's line ... Brubaker's line .... Cogar's line. Witnesses: J. Stephens. Acknowledged in Preble County before Levi Gard and Isaac Stephens, Justices of the Peace, 3 February 1836, with Elizabeth relinquishing her dower rights. Presented to Franklin County court 3 March 1836.<sup>202</sup>

**27 NOVEMBER 1837**  
**FRANKLIN COUNTY, VA**

Deed of trust

Andrew Abshire (signed "Andy Abshire") owes Thomas S. Jones, Thomas Moorman, Benjamin Watkins, late merchants and partners in Thomas S. Jones & Co. To secure the debt he signs a deed of trust to his personal belongings, with **John H. Wade** as trustee. Witnesses: E. W. Moorman, Saml. S. P. Thomson, **Zackfield Wade**. Etc.<sup>203</sup>

COMMENT:

On 7 December 1837, John H. Wade also served as trustee to a deed of trust made in favor of Thomas S. Jones & Co. by their debtor Charles Hutson (x). "**Zackfield Wade Jr.**" also served as witness.<sup>204</sup>

**1 JANUARY 1838**  
**FRANKLIN COUNTY, VA**

Legal suit

**Jno. P. Waid** vs. Webb &c. "John P. Wade complains of Theoderick F. Webb & Saml. Greer." Debt of \$65 with interest accruing from 25 December 1836. Wade has lost the bond Webb and Greer signed—i.e., the "instrument of writing." Josiah P. Woods is deputy sheriff; Peter Saunders is sheriff.<sup>205</sup>

**13 JULY 1838**  
**FRANKLIN COUNTY, VA**

Legal suit

Summons issued to Sheriff of Franklin "to take Moses G. Pollard, **John H. Wade** and Lewis B. Taylor if they be found within your bailiwick, and them safely keep, so that you have their bodies at Rules to be held in the Clerks Office of our Circuit Superior Court of Law and Chancery of our County of Franklin on the first Monday in August next, to answer Benjamin Whiteneck of a plea of debt for" \$81.50 with interest thereon from 18 October 1836. Damages of \$20 requested.

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<sup>201</sup> Franklin Co., Deed Book 14 (1833–1836): 54; imaged, *FamilySearch* digital film 7894518, image 363.

<sup>202</sup> Franklin Co., Deed Book 14 (1833–1836): 436–37; imaged, *FamilySearch* digital film 7894518, image 555.

<sup>203</sup> Franklin Co., Deed Book 15 (1836–1839): 194–5; imaged, *FamilySearch* digital film 8190424, image 112.

<sup>204</sup> Franklin Co., Deed Book 15 (1836–1839): 199–200; imaged, *FamilySearch* digital film 8190424, images 114–15.

<sup>205</sup> Franklin Co., Determined Papers, 1838, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704995, images 66–71.

24 July 1838, **Zackfield Wade** agreed to be special bond for **John H.**<sup>206</sup>

**18 AUGUST 1838**

**FRANKLIN COUNTY, VA**

Legal suit

Summons issued to Sheriff of Franklin “to take **John F. Waid** ... to answer Newit Holt who sues for the benefit of Isaac Huff of a plea of debt for” \$60.50, with interest from 25 December 1837. Damage: \$20.<sup>207</sup>

**24 SEPTEMBER 1838**

**FRANKLIN COUNTY, VA**

Power of attorney

George Bishop (x) of Scott County, Virginia, appoints “**Mr. John Wade** of the County and State aforesaid” his attorney to recover and receive money and property from the estate of his cousin William Curtain, decd., late of Franklin County. Witness: H. S. Kane. Certified 24 September 1838 before Henry A. Morrison and Charles Harris, Justices of Scott Co. Produced in Franklin County court 8 October 1838.<sup>208</sup>

**SEPTEMBER 1838**

**FRANKLIN COUNTY, VA**

Legal suit

“**John F. Waid** plff complains of Fleming S. Boon, defendant.” Debt of \$60 from 26 December 1836. **Jno. A. Smith** is special bail for Waid.<sup>209</sup>

**7 MARCH 1839**

**FRANKLIN COUNTY, VA**

Association

“Recd. March 7<sup>th</sup> 1839 of Tayor & Persinger by the hands of **John H. Wade**—a Balance of a Bond on Barnabas Arthur for \$6.96 due 25<sup>th</sup> Oct 1838—which I am to act on according to law—John A. Smith, Ct. Bw. D. [Constable, Blackwater District]”<sup>210</sup>

**13 APRIL 1839**

**FRANKLIN COUNTY, VA**

Promissory note

George F. Wright signed note in favor of **Luke Wade & Co.** for \$31.31, with **Z Wade** as witness. On 28 October 1840, he made a new note (apparently for the original sum, plus interest) for \$32.95, with Shelby Arthur as witness. In 1841, the company’s partners (Luke, John H., and William) sued. &c.<sup>211</sup>

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<sup>206</sup> Franklin Co., Determined Papers, 1838, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704995, images 505–8.

<sup>207</sup> Franklin Co., Determined Papers, 1838–1839, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704996, image 40.

<sup>208</sup> Franklin Co., Deed Book 15 (1836–1839): 345; imaged, *FamilySearch* digital film 8190424, image 204.

<sup>209</sup> Franklin Co., Determined Papers, 1838, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704995, images 473–79.

<sup>210</sup> Franklin Co., Determined Papers, 1847–1848, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706552, image 287.

<sup>211</sup> Franklin Co., Determined Papers, 1840–1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705001, images 94–105.

**27 APRIL 1839**

**FRANKLIN COUNTY, VA**

Promissory note

Daniel Noble, Rachel Bagley, and **John H. Wade** sign a note to Jacob Bowler for \$243.25. Wade apparently acted as surety for the other two because the note is identified on the reverse as “Noble & Mrs. Bagley, note for \$243.25. Bowles assigned the note on 1 June 1837 to John A. Smith and Smith assigned it on 27 July 1837 to Charles Pinckard. In August 1842 the note was filed in the case of Pinckard Assignee vs. Noble &c. On 1 August 1842, George Pearson of Roanoke county appeared before Stephen Turnbull, deputy for Sheriff Saml. Helm, and undertook for “Rachael Bagley & John H. Wade.” Etc.<sup>212</sup>

**20 MAY 1839**

**FRANKLIN COUNTY, VA**

Legal suit

**Anna Wade** [Signed Anna Waid] appeared before Philemon Smith, deputy for Samuel Saunders, Sheriff, agreeing to be special bail for **John P. Wade** in suit against him by John R. Guerrant, assignee of Tazewell Talleferro. Debt 123.52 with damages of \$20 claimed.<sup>213</sup>

COMMENT:

Anna (nee Standifer) and John P. Wade were the widow and son of Robert Wade, son of Moses Wade.

**4 JUNE 1839**

**FRANKLIN COUNTY, VA**

Constable Bond

John A. Smith, **John H. Wade**, and **John Wade** post bond to secure the performance of John A. Smith, a newly appointed constable of the Blackwater District.

On 6 August 1841, a summons was issued for these three men in the suit of “Commonwealth of Virginia, for the benefit of John F. J. White, Powell H. Huff & William G. Peck late merchants and partners trading under the style and firm of White Huff & Co. for a plea of Debt for \$2000, with damages of \$50. Deputy Sheriff Stephen Turnbull executed the summons (for George Turner Sheriff), stating that he had executed on Smith and John H. Wade but “John Wade not found.”

On 4 October 1841, summons were issued to Theodorick Leffew, Sarah Leffew, Fleming Leffew, and Shelby Arthur as witnesses for John A. Smith.<sup>214</sup>

COMMENT:

This John Wade on whom a summons was to be served by the constable of the Blackwater District, but could not be found there, would not be John Wade Sr. of the Southwest District, a well-known planter and former sheriff. He is more likely that the John Wade above, associated with John H., was the John A. Wade to whom John H. sold a small part of his land when he left Franklin for Campbell in 1841.

**29 AUGUST 1839**

**FRANKLIN COUNTY, VA**

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<sup>212</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705002, images 689–98.

<sup>213</sup> Franklin Co., Determined Papers, 1838–1839, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704996, image [number not copied].

<sup>214</sup> Franklin Co., Determined Papers, 1841–1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705001, images 442–53.

Legal suit

John **Nunley** (X Nunnely) appeared before G. H. Powell, deputy for Samuel Saunders, Sheriff, agreeing to be the special bail for **Richard Nunley** in a debt suit filed against him by Thomas S. Jones & Co. \$74.50 due from January 1837. Warrant had been issued on 30 July 1839. Nunely had signed a bond for the amount due on 24 August 1837, with **Zackfield Wade Jr.** as witness.<sup>215</sup>

COMMENT:

Richard Nunley (Nunnely)'s daughter Sarah S., on 27 August 1855 in Montgomery County, Virginia, married Samuel E. Mills's youngest brother Thomas R. Mills.<sup>216</sup> Records found to date for him suggest that he was primarily employed as an overseer.

Apparently, in 9 December 1839, Richard settled the suit with another promissory note which came due in 1841; thus a continuation of this suit appears amid 1841 cases. See 9 December 1839 below.

John Nunley and Washington Nunley appear to have found wives (before 1852) in the Wright family north of the Blackwater: Omev and Rhoda, respectively. See the suit brought by Skelton Wright, Rite Wright, Asa Wright, John Nunley and Omev his wife, Washington Nunley and Rhoda his wife, Elizabeth Wright, Nelson Abshire and Polly his wife, Matthew Wright, John Wright, Pendleton Wright and Nancy his wife, William Wright, James Wright, Lewis Wright, and Otey **Wright** vs. John A. Smith et al. (including William Turnbull and Thomas C. Callaway), being a suit for debt that exceeded \$8,000. Warrants were issued in 1851 and 1852 by **E. B. Wade**, who the 1860 census places in the "Southwest District" of Franklin County. Dozens of documents from the suit are scattered through the last couple of hundred images of *FamilySearch* digital film 8706559, the 200s of 8706560, and 490s of 8706561. For example, see 8706560, image 248.

**19 MARCH 1840**

**FRANKLIN COUNTY, VA**

Sally Marcum is indebted to Pleasant Dickinson and secures the debt with a trust deed to her personal property, to be held by **James Patterson** and **Henry H. Wade**. Etc.<sup>217</sup>

**4 MAY 1840**

**FRANKLIN COUNTY, VA**

Bond

"On demand, we Geo. Wright Sr. and **John H. Wade** do promise to pay or cause to be paid unto John Arthur the sum of Fifty dollars it being for value received of them, as witness our hands and seals this 4<sup>th</sup> day of May 1840. George Wright Sr., John H. Wade, Commissioners."<sup>218</sup>

COMMENT:

- Wade's signature is the same as that appearing on the 1837 bond noted in the 1841 case below.
- On 9 May 1845, in this same suit (John Arthur vs. Wright's administrators), Moses Greer signed an affidavit saying that George Wright Sr. "at the time of the Execution of the

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<sup>215</sup> Franklin Co., Determined Papers, 1839, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704996, images 516–23.

<sup>216</sup> "Virginia Marriages, 1785–1940," database, *FamilySearch* (<https://familysearch.org/ark:/61903/1:1:XRS5-C2L> : 11 February 2018); citing Montgomery, Virginia, reference n 34; FHL microfilm 2,048,462.

<sup>217</sup> Franklin Co., Deed Book 16 (1839–1841): 222; imaged, *FamilySearch* digital film 8190424, image 460.

<sup>218</sup> Franklin Co., Determined Papers, 1849–1850, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706556, image 657.

supposed bond [above] ... had before that time lost his mind and memory so that the could not manage or understand his own business.” (image 660)

**JUNE 1840**

**FRANKLIN COUNTY, VA**

Census

**John Waid**

			1 female	80–89	[ <i>Mary Ann, wid. Hobson</i> ]
1 male	50–59	[ <i>John Wade</i> ]	1 female	40–49	[ <i>Elizabeth née Hobson</i> ]
1 male	15–19	[ <i>John Jr.</i> ]	1 female	15–19	[ <i>Elizabeth Wade Jr.</i> ]
2 males	10–14	[ <i>Benj. Wade &amp; nephew John W. Hobson</i> ]	1 female	10–14	[ <i>neice Mary Ann Hobson</i> ]
1 male	5–9	[ <i>Rich. Hobson, neph</i> ]	2 females	5–9	[ <i>Lucy A. &amp; _____ Wade</i> ]
			2 females	0–5	[ <i>twins Julia &amp; Julina Wade</i> ]
1 sl male	55–99		1 sl female	55–99	
3 sl males	24–35		3 sl females	24–35	
3 sl males	10–23		6 sl females	10–23	
6 sl males	0–10		10 sl females	0–10 <sup>219</sup>	

COMMENT:

- The census is semi-alphabetical by surname, masking the identities of neighbors.
- Four Johns appear on this census: John [Sr., above], John A., John F., and John H.

**29 JULY 1840**

**FRANKLIN COUNTY, VA**

Promissory note

Case: Thomas S. Jones & Co. vs. Nunally & Smith.

**Washington Nunelee** (x) and John A. Smith signed a promissory note to Thos. S. Jones & Co. Both were sued for the debt in July 1841, “Doctor B. F. Rives” [a current deputy sheriff in the county] appeared before another current deputy G. W. Rives (sheriff Geo. Turner), to serve as special bail for Smith. **John H. Wade** appeared before “Doctor B. F. Rives” that same day to serve as special bail for “Nunelle.”<sup>220</sup>

COMMENT:

- Zackfield Wade had earlier served as special bail for Richard “Nunelly”; now, John H. Wade (Zachfield Jr.’s brother) is special bail for Washington “Nunelee.”
- “Doctor” was Rives’ first name, not his occupation. He was, in this period, a deputy sheriff; and his name is often written or signed as “D. B. F. Rives.”

**DECEMBER TERM 1840**

**FRANKLIN COUNTY, VA**

Legal suit

“Luke Wade, **John H. Wade** & William Wade, merchants & partners trading under the firm & style of Luke Wade & c, complain of James Akers & John B. Webster” for a debt of \$110.12 with legal interest from 1 September 1840.” On 22 January 1841 Joshua Angel appeared before Wm. C. Turner, deputy

<sup>219</sup> 1840 U.S. census, Franklin Co., VA, illegible page numbers, first full page of “W” section, line 13.

<sup>220</sup> Franklin Co., Determined Papers, 1840–1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704999, image 336.

for Geo. Turner, Sheriff, agreeing to serve as special bail for James Akers. John Simons appeared same day, before Turner, and “undertook” for John B. Webster. Akers (x) and Webster signed promissory note on 23 December 1840.<sup>221</sup>

COMMENT:

The firm, same partners, in late 1840 and early 1841 also filed similar suits against

- Fleming Boon, with **Zackfield Wade Jr.** as special bail for Boon (images 154–62)
- Cornelius Kinsey, with G. W. Kinsey as special bail (images 164–68)
- Jacovas Wray, with Burd Wray as special bail and W. R. Boon as witness to promissory note (images 169–75)
- John Gearheart, with Alexander Dangerfield as special bail and W. R. Boon and **Zackfield Wade** as witnesses to promissory notes (images 176–88)
- Alexander Dangerfield, with John Gearhart as special bail and W. R. Boon and **Zachariah Wade Jr.** as witnesses to notes (images 189–200)
- Luke Guilliams, with O. T. Kinsey as special bail and W. R. Boon as witness to promissory note (images 201–9)
- George Wright Sr., with J. A. Wright as special bail and W. R. Boon and **Zackfield Wade** as witness to note (images 210–20)

Also

**John H. Wade** and George Wright, Commissioners, vs. “Joab aka Jb Early” and Patrick Hix, with Stephen Turnbull as special bail for Early and “Doctor B. F. Rives” as special bail for Hix, with John Arthur as witness for note by Early & Hix (images 221–31).

**25 DECEMBER 1840**

**FRANKLIN COUNTY, VA**

Land sale

**John Wade (x)** and wife Elizabeth (x) to David Goode Jr., all of Franklin County. Sale for \$250, 105 acres on waters of **Chesnut Creek** beginning at Mary Barrett’s line ... John Woods’s line ... John Martin’s line ... James Martin’s line ... [metes not copied]. Acknowledged, with wife’s relinquishment of dower, 25 December 1840 before Richd. M. Taliaferro and Pleasant Dickinson, JPs.<sup>222</sup>

COMMENT:

This should not be the literate John Sr. and wife Elizabeth Hobson. John F. Wade might be a possibility. However, James Martin was an adjacent landowner to the John Utley Wade clan.

TO DO:

The land and personal property tax rolls of Franklin must be worked to identify each landowning John Wade beyond reasonable doubt.

**2 FEBRUARY 1841**

**FRANKLIN COUNTY, VA**

Legal suit

Thomas S. Jones, Benjamin Watkins and Thomas Moorman “late merchants & partners trading under the firm and style of Thomas S. Jones & Co. vs **John H. Wade** and Nelson Abshire, administration of John Wright Sr., deceased. Debt of \$279.04 with interest from 4 January 1838.

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<sup>221</sup> Franklin Co., Determined Papers, 1840, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705000, images 143–53.

<sup>222</sup> Franklin Co., Deed Book 17 (1841–1842): 18–19; imaged, *FamilySearch* digital film 8572262, image 22.

Summons issued.<sup>223</sup>

**11 FEBRUARY 1841**  
**FRANKLIN COUNTY, VA**

Civic role

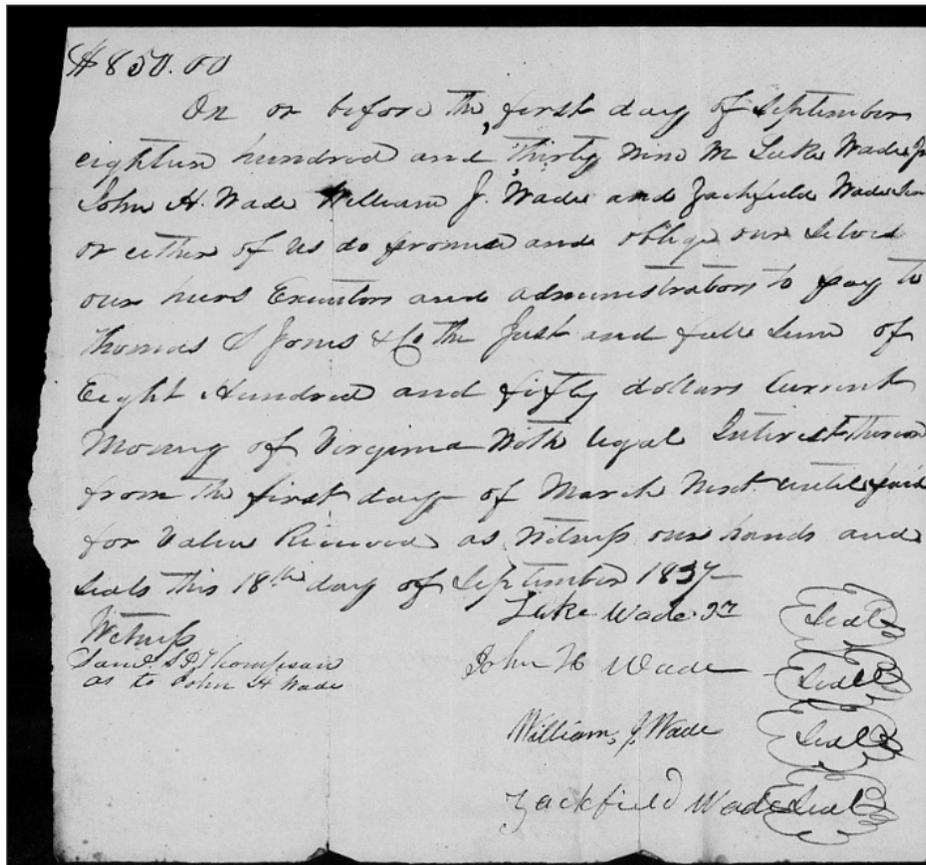
**John H. Waid** and George Wright, commissioners appointed by the County Court of Franklin to sell the Dower Lands of Teaner Abshire Decd. for a division among the legatees of Luke Abshire, Decd.; sell to John H. Ferguson ... lands on N side of **Magoty Creek** adjoining William Abshire. Etc.<sup>224</sup>

**MARCH 1841**  
**FRANKLIN COUNTY, VA**

Legal suit

Jones & Co. vs. Wade & Co.

Summons "executed on **J H Wade** and Ot. Kinsey Bail. Luke & W. J. Wade no Inhabitants." Debt \$66.32 with interest from 13 September 1837. Damage: \$20. **Luke Wade** & Co. note of 13 September 1837 was witnessed by William Teel. **Zackfield Wade**, special bail for John H. Wade. Case dismissed 14 Oct 1841 at request of plaintiff.<sup>225</sup>



<sup>223</sup> Franklin Co., Determined Papers, 1840–1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8704999, image 328.

<sup>224</sup> Franklin Co., Deed Book 17 (1841–1842): 28–29; imaged, *FamilySearch* digital film 8572262, image 27.

<sup>225</sup> Franklin Co., Determined Papers, 1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705000, images 703–21.

**2 APRIL 1841**

**FRANKLIN COUNTY, VA**

Legal suit

"Jones & Co. for &c vs. Wright's admsr.

Undated note: "Ro. Innes – Hugh, James & Harry – **Barold, Margaret who married James Patterson** – Elizabeth Innes – Will made in 1796 & recorded in April 1797 – Robert & Elizabeth yet living – all the balance dead."

Summons to Sheriff of Franklin to "take **John H. Wade** and Nelson Abshire, administrators of John Wright" and have them in court the first Monday in April next, to answer suit of Thomas S. Jones, Benjamin Watkins & Thomas Moorman, late merchants & partners trading under the firm & style of Thomas S. Jones & Co., who sue for the benefit of Thomas S. Jones." Debt, \$279.04 with interest from 4 January 1838 and Damage \$20.<sup>226</sup>

**3 MAY 1841**

**FRANKLIN COUNTY, VA**

Legal suit

**Luke Wade, John H. Wade** and **William J. Wade** signed promissory note in favor of H W & J J Fry & Co. \$758.04, with legal interest on 219.28 from 1 January 1840 and interest on \$528.76 from 1 April 1841. **Zackfield Wade** appeared before D. B. F. Rives, Depty for Sheriff Geo. Turner, to "undertake" for John H. Wade, 31 August 1841. Capias issued for the three Wades in September 1841, at which time Luke Wade & William J. Wade were said not to be inhabitants of Franklin.<sup>227</sup>

\$748.<sup>04/100</sup>

On demand for value received we promise and oblige ourselves our heirs &c to pay H W & J J Fry & Co the sum of Seven Hundred and Forty Eight Dollars & 4 Cents, with legal interest on Two hundred and Nineteen Dollars & 28 Cents, a part thereof from the first day of January 1840 - and with like interest on Five Hundred & Twenty Eight Dollars and Seventy six Cents from the 1<sup>st</sup> day of April 1841 - As witness our hands and seals this 3<sup>o</sup> day of May 1841.

Luke Wade Jr  
John H Wade  
William J Wade

<sup>226</sup> Franklin Co., Determined Papers, 1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705000, images 682–84.

<sup>227</sup> Franklin Co., Determined Papers, 1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705000, images 574–80.

**15 MAY 1841**

**FRANKLIN COUNTY, VA**

Deed of trust

**Isaac Wade** (s) is indebted to **John H. Wade** (s) for \$36.87 by bond dating this date. To secure the debt he gives a trust deed to his personal property consisting of household goods, livestock, etc. [itemized documents not copied here], with trustee to be John A. Smith.<sup>228</sup>

COMMENT:

On 12 March 1850 (see below), one Isaac Wade was named as son of Bradley Wade.

**26 JUNE 1841**

**FRANKLIN COUNTY, VA**

Summons

"To the Sheriff of Franklin County, We command you that William Hutcherson, surveyor of the public road or highway leading from **John Wade's mill** on **Pig River** to the new **meeting house** near **John S. Burwell's** in the county of Franklin, to appear ... on the 1<sup>st</sup> day of October Term next to answer an Indictment filed against him for failing to keep the said road in repair." The road was alleged to be "rough gullied, less than thirty feet wide, obstructed with timber, and without sign boards and indexes at the several forks in his precinct."<sup>229</sup>

COMMENT:

The 1864 will of John Wade Sr., abstracted herein under that date, cites his mill on Pigg River.

**14 JUNE 1841**

**FRANKLIN COUNTY, VA**

Notarization

**John H. Wade, J.P.** attests that J. N. Hollan[d] swore before him the validity of a store account that Holland and Booth planned to submit as evidence in their suit against debtor Phelay J. Meadow.<sup>230</sup>

**JUNE–JULY 1841**

**FRANKLIN COUNTY, VA**

Summons issued to Franklin County Sheriff to "take John A. Smith, **John H. Wade** and Burd Wray and have them in court on the first Monday in September next, to answer suit of John F. J. White, Powel H. Huff & William G. Peck, late merchants and partners trading under the style & firm of White, Huff & Co. Debt of \$2000. \$50 damages claimed.<sup>231</sup>

On 24 July 1841, John H Wade signed a blank bail bond, no surety involved.<sup>232</sup>

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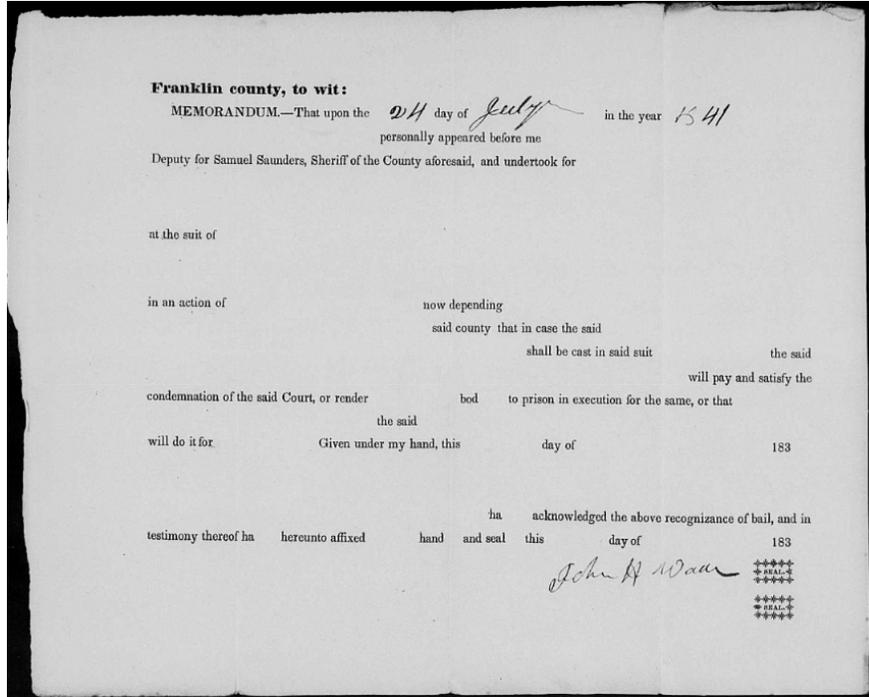
<sup>228</sup> Franklin Co., Deed Book 17 (1841–1842): 70–71; imaged, *FamilySearch* digital film 8572262, image 49.

<sup>229</sup> Franklin Co., Determined Papers, 1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705000, images 505–6.

<sup>230</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705002, images 479–84.

<sup>231</sup> Franklin Co., Determined Papers, 1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705000, images 595–96.

<sup>232</sup> Franklin Co., Determined Papers, 1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705000, image 634.



**20 NOVEMBER 1841  
FRANKLIN COUNTY, VA**

**John Wade Sr. (s)** and **wife Elizabeth** to Robert H. Frailin, all of Franklin County, for \$30, sale of 2 acres "on the turnpike road leading from Franklin Courthouse to Danville near the lower corner of said Wade's fence next to **Elizabeth Muse's** plantation, bounded by the old road and the turnpike, so as make the said Frailin's land run to the turnpike at that point. Witnesses: **J. Wade Jr.**, P. P. Wade [*sic*; should be P. P. Davis]. Proved 2 December 1861 by oaths of J. Wade Jr. & P. P. Davis.<sup>233</sup>

**6 DECEMBER 1841  
FRANKLIN COUNTY, VA**

Court order

"Ordered that **Henry L. Muse, Pleasant Dickenson, John S. Brown, William Hutcherson & Henry Frailin** or any three of them be appointed Commissioners to divide and assign to the legal heirs of **Benjamin Hobson** decd. the **dower slaves** of **Mary Ann Hobson** late widow of said **Benjamin Hobson**, if the same can be divided in kind & if not, that they then appraise the said dower slaves and make report to court."<sup>234</sup>

COMMENT:

- Eleven days after this court order, on 17 December 1841, Samuel E. Mills (son of William and Drucilla) posted bond to marry **Mary Ann Hobson**, with James Patterson as bondsman.<sup>235</sup>
- Note that there is no reference to land in the court order.
- No Hobson appears on the 1840 census of Franklin County.

<sup>233</sup> Franklin Co., Deed Book 27 (1861–1866): 65–66; imaged, *FamilySearch* digital film 8572267, images 48–49.

<sup>234</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 263.

<sup>235</sup> Franklin Co., Marriage Bond no. 2857. In 1834 James Patterson m. Sarah Wade, daughter of John Wade.

- The only Benjamin Hobson who appears in *Ancestry's* index to that 1840 census is in distant Powhatan County—a man 50–59, with a wife 40–49.
- The 1860 census shows that Samuel and Mary Ann gave the name Benjamin to a son born 1855.
- A court order of November 1842 (see below) indicates that the Mary Ann Hobson (above) whose enslaved people were being divided was deceased. Heirs are not named.

Re the commissioners:

- July term 1842 Henry L. Muse was licensed to operate a house of private entertainment at his home, and Pleasant Dickensen, that same term, sued a debtor (image 295).
- July term 1843 John S. Brown is identified as surveyor of the road from “Parsell’s Mill to Wade’s Mill.” (image 342)

#### 17 DECEMBER 1841

##### FRANKLIN COUNTY, VA

Marriage bond

**Samuel E. Mills** posted bond to marry **Mary Ann Hobson**, with **James Patterson** as bondsman.<sup>236</sup>

#### 1841–42

##### FRANKLIN COUNTY, VA

Legal suit

Luke Wade & Co. vs. William Teel. **John H. Wade** is still a partner in company.<sup>237</sup>

#### FEBRUARY 1842

##### FRANKLIN COUNTY, VA

Legal suit

John **Showalter**, adm. for **John Frailin**, dec’d. vs. **John H. Wade**. Debt of \$300 by note of 23 November 1839 which Wade made in favor of Frailin. Summons issued 21 February 1842 for Wade. On 22 February **John A. Smith** appeared before Stephen Turnbull deputy for George Turner, Sheriff, and undertook for Wade.<sup>238</sup>

#### 8 FEBRUARY 1842

##### FRANKLIN COUNTY, VA

Legal suit

Pendleton Wright v. **Richard Nunalle**, debt. Summons issued on 8 February to Richard Nunalle to appear on the first Monday of March, next, to answer Wright’s plea of trespass in the case in assumpsit, damages of \$150.

15 February 1844, summons issued to **John Wade** and Nelson Abshire to testify on behalf of Pendleton Wright. Stephen Turnbull returned the summons in May 1844 saying he had executed on Abshire, but “Waid no inhabiter of my County.” Continued to May 1844.<sup>239</sup>

#### COMMENT:

This appears to be either **John H. Wade**, who had removed to Campbell Co., or **John A.**

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<sup>236</sup> Franklin Co., Marriage Bond no. 2857.

<sup>237</sup> Franklin Co., Determined Papers, 1842–1843, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706541, images 47–57.

<sup>238</sup> Franklin Co., Determined Papers, 1841–1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705001, images 474–82.

<sup>239</sup> Franklin Co., Determined Papers, 1844, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706545, images 774–80.

**Wade**, who (with wife Eliza) sold in 1844 the north-of-Blackwater land he had purchased in 1842 from John H. Wade.

**9 FEBRUARY 1842**

**FRANKLIN COUNTY, VA**

Summons

Sheriff is to summon "**John H. Wade** who signs his name as Admr. of John Wright Decd.," to answer the suit of John D. Booth. Debt for \$60.42, plus damages of \$20. Wade had signed a bond, in that fashion, on 4 February 1841.<sup>240</sup>

**22 FEBRUARY 1842**

**FRANKLIN COUNTY, VA**

Legal suit

Cornelius Kinsey appears before Stephen Turnbull, deputy to sheriff George Turner, to "undertake" for George F. Wright in the suit of "William J. Wade, **John H. Wade** late merchants and partners trading under the firm & stile of Luke Wade &c."<sup>241</sup>

**14 DECEMBER 1842**

**FRANKLIN COUNTY, VA**

Land sale

**John H. Wade** (s) and wife **Sarah W.** (s) of Campbell County, VA, to **John Wade Sr.** of Franklin, for \$1700, sell four tracts of land in Franklin County

- 92 acres bought from John Arthur on headwaters of **Magottee Creek** and **Black Water River** adj. McDaniel's Gap and a branch [metes and bounds not copied; no neighbors named]
- 2000 acres ("supposed") bought from Callaway's agent Moses Greer, beginning on **Arthur's** and **Nafe's** line on a **ridge** as it meanders to the **top of the mountain** running with Arthur's line to a nob called the **Horse Nob** to **Henry Calloway's** line then leaving Arthur's line and with Callaway's line on the ridge dividing the waters of **Magottee Creek** and **Black Water R** until reaching a small Tract of Arthur's Land on the said ridge called **Laysary's place**, with Arthur's line until reaching the ridge again and with same ridge on as it meanders to the first mentioned tract of land ... and with the line of it mentioned until it comes to the road leading from **Magoty Creek** over the mountains through **McDaniel's Gap** to **Black Water** to the lands of **Jesse Webster** Decd and with his line to **David Peter's** line, with his line to **James Akers** line and with his line to **John Webster's** line, and with his line to **Mrs. Hartzell's** line and with her line to **William Aker's** line and with his line to Daniel Bowman's line and with his line to the top of **Cayhey's Nob** line to **John Boon's** line down the ridge to a large rock where **John A. Wade's** line comes up to the top of the ridge and makes a corner on a crooked oak, thence off new lines with the said Wade's line to **Jacob Fowler's** corner chestnut Oak on the same ridge that said John H. [written to look like an "A"] Wade's line comes from the top of the mountains to and with the said **Jacob Fowles'** line ... to a Spanish Oak in **Peters** line and with it to **William Suttel's** line and with his line to **David Nafe's** line and with his line to **Abraham Nafs'** line and with his line to **Isaac N. Nafs'** line and with his line to **Abraham Nafs'** line again on to the beginning.
- 180 acres adjoining the same on both sides of **Magoty Creek** ... **Teal's** line ... to mouth of a branch ... [metes and bounds not copied; no other neighbors named]

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<sup>240</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705003, images 249–53.

<sup>241</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705002, image 12.

- another tract adjoining it “being a part of the Lands bot [sic] of **John Peters** of Ohio” ... beginning on the **Jacob Fowler’s** line ... **Boyd’s** line ... **Taylor’s** line ...

No witnesses. Acknowledged, with wife’s relinquishment, before James Russell and Josiah Shepperson, Justices of Campbell County, 14 December 1842.<sup>242</sup>

**24 DECEMBER 1842**

**FRANKLIN COUNTY, VA**

Land sale

**John H. Wade** (s) and wife **Sarah W. (s) of Campbell County**, to **John A. Wade** of Franklin, sell for \$625 a tract 250 acres on waters of **Magoty Creek** “beginning on a Ridge on **Jacob Fowler’s** line” then SW to a Big Rock ... [no other neighbors named; metes and bounds not copied]. Acknowledged, with wife’s relinquishment, before James Russell and Josiah Shepperson, Justices of Campbell County, 28 December 1842.<sup>243</sup>

**5 MARCH 1842**

**FRANKLIN COUNTY, VA**

Estate settlement

“Andrew S. Brooks Administrator of William Robbins deceased in account Current with the Estate of the said William Robbins Deceased ... 7 August 1837 Amount paid **James Patterson** former shff, as pr List of sundry Tax Accounts \$22.49.” The account’s last entry is dated 5 March 1842 and the account was filed for recording that day in county court.<sup>244</sup>

**MARCH–APRIL 1842**

**FRANKLIN COUNTY, VA**

Legal suit

Bank of Virginia vs. Kinsey & others. The defendants were Jacob Kinsey, Moses Greer, and **John H. Wade**. Debt of \$500 plus interest from 20 June 1840, stemming from a note that Kinsey gave on 18 April 1840 in Danville, payable to Greer within sixty days. Greer endorsed the note to **Wade**. The bank had “called on \_\_\_ Taliaferro, agent for” Wade and demanded payment but did not get it. The bank then sent *a notice to Wade directed to the post office at Boon Mill* in Franklin County. Otey Kinsey on 23 February 1842 undertook for Jacob before Stephen Trumbull, deputy for Sheriff George Turner.<sup>245</sup>

COMMENT:

Boon’s Mill is on Maggidy Creek. It is today about 11 miles NNW of Rocky Mount.

**APRIL 1842**

**FRANKLIN COUNTY, VA**

Legal suit

Luke Wade & Co. vs. O. Kinsey. Offers nothing new on John H. Wade<sup>246</sup>

**APRIL 1842**

**FRANKLIN COUNTY, VA**

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<sup>242</sup> Franklin Co., Deed Book 18 (1842–1844): 72–74; imaged, *FamilySearch* digital film 8572262, images 312–13.

<sup>243</sup> Franklin Co., Deed Book 18 (1842–1844): 79–80; imaged, *FamilySearch* digital film 8572262, images 315–16.

<sup>244</sup> Franklin Co., Will Book 5 With Inventories & Accounts (1837–1845): 384.

<sup>245</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705003, images 307–15.

<sup>246</sup> Franklin Co., Determined Papers, 1842–1843, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706541, images 105 ff.

Legal suit

Pinckard vs. Wade & Co. Sue on the basis of

- a note executed 1 November 1838 by **John H. Wade**, with John Law as surety, for \$837.50, the purchase price of an unnamed “Negroe belonging to the Estate of Elias Pinckard, Decd. and this day sold by Charles Pinckard as Commissioner.” A. S. Brooks, witness. On 1 November 1839 a summons was issued against Wade and law for the sum due, plus interests from 1 November 1839, with a request for damages of \$20. [Apparently part of this was paid, with the rest paid off by the second note, described below.]
- a note executed 27 October 1840 by **John H. Wade** and Nelson Abshire, with Shelby Arthur as witness, for \$535 due to Otey Kinsey. Kinsey assigned the note to Charles Pinckard on 30 October 1840. **John A. Smith** on 27 April 1842 appeared before Stephen Turnbull deputy for Sheriff Saml. Helm, and “undertook” (agreed to serve as special bail or surety) for **John H. Wade**.<sup>247</sup>

COMMENT:

Amid Determined Papers for the May 1842 term (film 8705001, images 284–89) there appears a promissory note signed 20 November 1840 by Washington Nunley (x), **John H. Wade**, and Nelson Abshire for \$100 in favor of John Mangus for ‘a tract of Land Sold same.’ No witness. In this suit of Mangus vs. Nunley et al., **John A. Smith** served as bail for all three men.

Clearly these four men—Wade, Nunnelly, Smith, and Abshire—were close.

**MAY 1842**

**FRANKLIN COUNTY, VA**

Legal suit

Luke Wade, **John H. Wade**, and William Wade [of] Luke Wade & Co. vs. Nelson Abshire. Stephen Turnbull appeared before D. B. F. Rives, deputy for George Turner, Sheriff, to serve as bail for Abshire.<sup>248</sup>

**MAY 1842**

**FRANKLIN COUNTY, VA**

Legal suit

David Goodwin vs. John A. Smith. Summons issued to Smith 16 May 1842. **John H. Wade** of the **County of Cambell**” [sic] appeared 28 May 1842 before Stephen Turnbull, deputy for Sheriff Samuel Helm, to undertake for Smith. Papers filed in October term 1843.<sup>249</sup>

**25 JUNE 1842**

**FRANKLIN COUNTY, VA**

Legal suit

Pinckard vs. Sheriff Showers Price. On 15 April 1847 Pinckard filed notice that he planned to seek a judgment against Sheriff Price in the next term of court. Basis: He had previously sued **John H. Wade** and John A. Smith for \$1709.44, plus \$6.86 costs due **by note of 25 June 1842** “to be discharged by the payment of \$854.72 with legal interest from 25 June 1842 until paid. A writ of *fieri facias* was issued by the court on 1 November 1845 [document torn] first Monday in January 1846. The writ

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<sup>247</sup> Franklin Co., Determined Papers, 1841–42, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705001, images 226–55.

<sup>248</sup> Franklin Co., Determined Papers, 1841–42, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705001, images 106–19.

<sup>249</sup> Franklin Co., Determined Papers, 1843, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706543, images 760–65.

was served by Stephen Turnbull, deputy for Showers Price but no collection has been made by the sheriff.<sup>250</sup>

**1 JULY 1842**

**FRANKLIN COUNTY, VA**

Summons

Issued for "James Callaway Sen<sup>r</sup>, Surveyor of the public road from the **ford of Blackwater** at his plantation to the **ford of Pig river** at the **widow Waid's**."<sup>251</sup>

**4 JULY 1842**

**FRANKLIN COUNTY, VA**

Court order

"Ordered that **Henry L. Muse, Wm. A. Street, Pleasant Dickinson, and William Hutcherson** or any three of them after being sworn for the purpose, do state and settle the account current of **Samuel Patterson**, Exor. of Saml. Patterson decd. and make report to court."<sup>252</sup>

COMMENT:

- Muse, Dickinson, and Hutcherson, in December 1841, were appointed to lay off the dower slaves of Mary Ann Hobson, widow of Benjamin Hobson.
- William Hutcherson in 1841 was an associate of the John Wade who owned a mill on Pigg River.<sup>253</sup>

TO DO:

Study this Patterson estate to see if either Mary Ann Hobson (the decedent of 1841 or the bride of 1841) is mentioned.

**27 SEPTEMBER 1842**

**FRANKLIN COUNTY, VA**

Legal suit

Fry's &c vs. Helm, Sheriff. On 17 May 1842, there had been issued a judgment for H. W. & J. J. Fry & Co. against **John H. Wade** and John A. Smith for \$1658.78. Helm's deputy Stephen Turnbull failed to return an execution of the judgment. Therefore, Fry & Co. are asking the court to fine Helms at its October term.<sup>254</sup>

**7 NOVEMBER 1842**

**FRANKLIN COUNTY, VA**

Court order

"**Wade** & al. agt. **Hobson** & al. In Chy [Chancery]. This day cause came on to be heard by consent of parties, upon the bill answers and exhibits &c and was argued by counsel, and the court being satisfied that a distribution in kind of the slaves of which **Mary Ann Hobson died** possessed, would be impracticable, doth adjudge, order, and decree that **John Wade**, who is hereby appointed a

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<sup>250</sup> Franklin Co., Determined Papers, 1847, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706551, images 744–45.

<sup>251</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705002, image 275.

<sup>252</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 295.

<sup>253</sup> Franklin Co., Determined Papers, 1841, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705000, images 505–6.

<sup>254</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8705002, image 426.

commissioner for that purpose, shall after first advertising the time & place of sale for twenty days, proceed to sell the said slaves in the bill mentioned upon a credit of twelve months, taking bond and good security of the purchasers, and report his proceedings to court, in order to a final decree."<sup>255</sup>

COMMENT:

This John Wade was clearly the John who married Elizabeth Hobson—father-in-law of James Patterson who served as bondsman for Samuel E. Mills to marry the young Mary Ann Hobson in December 1841.

**26 NOVEMBER 1842**  
**FRANKLIN COUNTY, VA**

Association

**Wade** & Abshire, Commrs. vs. Asa Holland & S. H. Holland alias Smithson H. Holland. Suit before the court from June 1840 through October 1844, with judgment for Defendants. On 15 October 1842, in response to a judgment in the Superior Court of Bedford on Samul McConnolay? & John J. Robertson, for \$100, judgment in the name of Holland & Booth, H&B signed over the note to **John H. Wade**, with John Arthur as witness. On 26 November 1842, **John H. Wade** assigned it to Nelson Absher, with **Isaac Wade** and **Richard Nunnely** as witnesses. Etc.<sup>256</sup>

COMMENT:

Wade & Nelson Abshire, commissioners, also sued Asa Wright and George F. Wright in a separate case running concurrently, filmed consecutively with this one for more than a hundred images. Image 323 is his petition against **Hiram Mills** and Abram Teel, administrators with the will annexed of George Wright, decd.

Following the Wright suit, is yet another by Luke Wade & Co. against Clarissa Boon for debt, with summons issued to her on 20 May 1844 (begin image 346). Luke Wade, **John H. Wade**, and William J. Wade are still partners in the firm.

Following the brief Boon issue, there begins a new installment of the Wright vs. Wright case, with **Hiram Mills** as *adm. de bonis non* with Teel for George Wright's estate (image 350 etc.)

Following that is filmed the case of **John F. Waid** vs. Otey Kinsey, new husband of Rhoda Wright. This series of Wade–Wright documents running from 1842 through 1844 ends at image 374.

**NOVEMBER 1842**  
**FRANKLIN COUNTY, VA**

Legal suit

**John H. Wade** vs. George Wright and Peter Abshire. On 19 January 1838 they had made to him an obligatory note for \$550, etc. On 7 November, **Hiram Mills** went before Alexr. Ferguson deputy for Samuel Helm, sheriff, and undertook for Wright and Abshire. Hiram signed.<sup>257</sup>

**NOVEMBER–DECEMBER 1842**  
**FRANKLIN COUNTY, VA**

Legal suit

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<sup>255</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 310.

<sup>256</sup> Franklin Co., Determined Papers, 1844, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8573784, images 264–75.

<sup>257</sup> Franklin Co., Determined Papers, 1842–1843, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706541, images 487–91.

**John H. Wade** vs. George Wright and Peter Absher. Debt \$550 from 19 January 1839, plus interest. Damages: \$20. 7 November 1842, **Hiram Mills** appeared before Alexr. Ferguson, Deputy for Sheriff Samuel Helm, to undertake for Wright and Abshire.<sup>258</sup>

**5 DECEMBER 1842**  
**FRANKLIN COUNTY, VA**

Court order

“Acct. Curr. of **Saml. Patterson’s** exors —The same” [i.e., Returned and recorded]<sup>259</sup>

**DECEMBER 1842–MAY 1843**  
**FRANKLIN COUNTY, VA**

Legal suit

Wm. M. Burwell and Edward D. Steptoe, merchants and partners trading as Wm. M. Burwell & Co. vs. **John A. Wade**. John Arthur Jr., bail for Wade.<sup>260</sup>

**MARCH-APRIL 1843**  
**FRANKLIN COUNTY, VA**

Legal suit

Thos. Hodges for benefit of Greer & Turnbull vs. **Jno. F. Waid**. Debt of \$55.00 with interest from 26 Dec. 1842. James Catlet bail for Waid. Witness to Waid’s note, dated 26 July 1842, was John Ulmon.<sup>261</sup>

**APRIL–MAY 1843**  
**FRANKLIN COUNTY, VA**

Legal suit

Wright’s admrs. vs. Wright’s admrs. **Hiram Mills** and Abram Teel, administrators with the will annexed of George Wright deceased complain of **John H. Wade** and Nelson Abshire, administrators of the personal estate of John Wright deceased. On 14 November 1837 John Wright and John A. **Smith** contracted for a debt of \$80.54 that they did not pay during John Wright’s lifetime, with **Hiram Mills** as witness. All three men signed.<sup>262</sup>

**APRIL–MAY 1843**  
**FRANKLIN COUNTY, VA**

Legal suit

Wright’s admrs. vs. Wright’s admrs. “**Hiram Mills** and Abram Teel, administrators with the will annexed of George Wright, deceased, complain of **John H. Wade** and Nelson Abshire, administrators of the personal estate of John Wright deceased.” Summons issued 13 March 1843 to Wade and Nelson, served by Stephen Turnbull. Debt of \$80.54 owed by note of 14 December 1837 signed by John Wright with **John A. Smith** as surety and **Hiram Mills** as witness.<sup>263</sup>

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<sup>258</sup> Franklin Co., Determined Papers, 1843, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706542, images 744–49.

<sup>259</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 315.

<sup>260</sup> Franklin Co., Determined Papers, 1843–1844, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706544, images 458–60.

<sup>261</sup> Franklin Co., Determined Papers, 1843, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706543, images 565–74.

<sup>262</sup> Franklin Co., Determined Papers, 1842–43, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706541, images 525–34.

<sup>263</sup> Franklin Co., Determined Papers, 1843, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706542, images 782–87.

Mills and Teal then sue Smith. Summons issued 13 March to Smith, served by Turnbull.<sup>264</sup>

**JUNE–SEPTEMBER 1843**

**FRANKLIN COUNTY, VA**

Legal suit

**John H. Wade** and Nelson Abshire, Commissioners vs. Skelton Wright, Jacob Abshire & Asa Wright. \$440, plus interest from 11 November 1842, based on a writing obligatory dated 11 November 1841. **Z Wade Jr.** witnessed the note.<sup>265</sup>

COMMENT:

Goodwin vs. Smith in 1842 referred to “**John H. Wade** of the **County of Campbell.**” The 1843 case, above, has an exceptional number of documents but none mention a residence for him in Campbell County. John H. and wife Sarah do appear on the 1850 census of Campbell.

**14 OCTOBER 1843**

**FRANKLIN COUNTY, VA**

Legal suit

Samuel Patterson, adm. of Samuel Patterson, Decd. vs. **Henry H. Wade** and **James Patterson.** Henry H. Wade on 14 October 1843 signed a promissory note in favor of Samuel Patterson, executor of Samuel Patterson Decd., for \$50 with interest from 1 January 1845 until paid. Suit filed February 1847 with 6 February summons “to be executed on H. H. Wade only.” John Lynch (x) appeared before Fleming R. Pasley, deputy for Sheriff George W. Clement and undertook for Wade. 19 January 1847, summons issued on James Patterson, for whom George W. Taliaferro agreed to be bail.<sup>266</sup>

COMMENT:

See William Pannill vs. Wade’s administrator, October Term 1852, for John **Patterson** as administrator of **Henry H. Wade Decd.** The last charges clearly made by Henry H. Wade himself, at Pannill’s store, were on 31 December 1850. On 7, 9, and 11 January 1851 Pannill entered charges for 2 blankets, 1 vial cologne and 11 slate pencils. On 14 January he entered a long list of charges for “Finest White Cambrick,” Irish linen, Silk Gloves, Black Velvet, 1 or. white hose. etc., suggesting purchases made for Wade’s casket and for laying out the body.<sup>267</sup>

**SEPTEMBER 1843–OCTOBER 1844**

**FRANKLIN COUNTY, VA**

Legal suit

Lemmon for &c vs. **Jno. F. Waid**, admr. Benjamin Lemmon is suing for the use of Charles Pinckard. John F. Waid made note for \$79.33 on 14 August 1838. Capias issued 1 September 1843 and returned “September 1843 Not Found, D. B. F. Rives DS for Sam’l Helm Shff.” James Catlet appeared on 20 September 1843 before Joseph Rives, Deputy, and undertook for Waid. Writ of 25 June 1844

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<sup>264</sup> Franklin Co., Determined Papers, 1843, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706542, images 788–91.

<sup>265</sup> Franklin Co., Determined Papers, 1843–1844, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706544, images 331–62.

<sup>266</sup> Franklin Co., Determined Papers, 1847, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706551, images 710–21.

<sup>267</sup> Franklin Co., Determined Papers, 1852, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706560, images 389ff.

states “before judgment was given or rendered therein the said **John F. Waid died**.”<sup>268</sup>

**SEPTEMBER 1843–OCTOBER 1844**

**FRANKLIN COUNTY, VA**

Legal suit

Samuel Saunders & Fleming Saunders, trading as Samuel Saunders & Co., for the use of Charles Pinckard vs. **Jno. F. Waid**, who owes \$332.76 by a “writing obligatory” in favor of Samuel Saunders & Co. Young (x) as witness. Saml. Saunders assigned the original bond on 3 April 1839 to Peter Hairston. Hairston then assigned it to C. Pinkard. Summons executed on “John Hurt” 1 July 1844. Summons to Waid, executed on in Franklin Co., 21 September 1833, with James Catlet bail.<sup>269</sup>

**4 DECEMBER 1843**

**FRANKLIN COUNTY, VA**

Court order

“**Wade & wife** agt. **Hobson** & al— In chancery. This day this cause came on finally to be heard, by consent of parties upon the bill, answers, exhibits & report of Commissioner **John Wade**, and was argued by Counsel. On consideration whereof the court doth confirm said report and doth further adjudge order & decree that the said John Wade shall after first paying the costs of this suit and the expenses of sale, divide the residue of said money into eight equal parts and retain one eighth part thereof in his own right, one other eighth part as the purchaser of **Watkins Hobson**, one other eighth part as the purchaser of **Richard Hobson**, one other eighth part as the purchaser of **John Terry & Henrietta** his wife, one other eighth part as the purchaser of **William Hobson** and **Benjamin Hobson**, only heirs of **Benjamin Hobson decd.**, one other eighth part as the purchaser of **William Hobson** and **Benjamin Hobson** of the reversion of **Sarah Sweeney’s** interest under the will of **Matthew Hobson decd.** upon condition that the said John Wade pays to the said Sarah Sweeney annually the legal interest on that amount, till her death, and also four sevenths of one eighth part thereof as the purchaser of **James Wall, Charles Wall, Matthew Wall & Elizabeth Brandon** late Elizabeth Wall, being their interest under **Sarah Wall** in said estate and that the said John Wade pay over three sevenths of one eighth part thereof to the three infant children of **Sarah Whitfield**, formerly **Sarah Wall**, and the other eighth part thereof to **Timothy Stamps** on application.”<sup>270</sup>

COMMENT:

If I am interpreting this document correctly, then one \_\_\_\_\_ Hobson died leaving seven or eight children:

**5. Watkins Hobson**

**6. Richard Hobson**

**7. Henrietta Hobson**, wife of John Terry.

**8. Benjamin Hobson**, deceased, whose left “only” two heirs:

- William Hobson
- Benjamin Hobson

**5. Matthew Hobson**, who left a widow **Sarah**, remarried to a **Sweeny**—as a result of which remarriage, part of her inheritance from her husband reverted to his brothers.

**6. Sarah Hobson**, who married **Wall**, by whom she had four now-adult children James,

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<sup>268</sup> Franklin Co., Determined Papers, 1843–1844, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706544, images 808–19.

<sup>269</sup> Franklin Co., Determined Papers, 1844, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8573784, images 98–109.

<sup>270</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > images 363–64.

Charles, Martha & Elizabeth Wall; then married **Whitfield**, by whom she has or had three Whitfield minors.

7. \_\_\_\_\_ **Hobson**, married to a Timothy Stamps
8. **John Wade** who received one eighth part of the estate as either husband of a Hobson female or as administrator and commissioner. Given that the suit was launched by "**Wade & Wife**," he was almost certainly married to a Hobson heir.

If this reconstruction is correct, then

- young Mary Ann Hobson should be a child of either Watkins Hobson, Richard Hobson, or their nephews William or Benjamin Jr. The younger Mary Ann and her husband Samuel Mills gave the name Benjamin to one of their sons.
- James Patterson served as surety for the marriage bond of Samuel Mills to Mary Ann Hobson because his mother-in-law (wife of John Wade) was Mary Ann's aunt.

Beyond reasonable doubt, there should be other probate records in at least one other county where the head of this family resided at the time of his death.

TO DO:

- The life of the one viable father for Mary Ann (Hobson) Mills, Richard Hobson, needs to be reconstructed, with all records located and processed.
- If no document for Richard provides direct evidence for his identity as father of of Mary Ann (Hobson) Mills, then a case needs to be built and tested using atDNA evidence also.

#### 4 DECEMBER 1843

##### FRANKLIN COUNTY, VA

Court order

"Ordered that **James Patterson** be appointed a comr. to state and settle the acct. current of **Moses Greer** admr. of Henry Frailin decd. & report to court."<sup>271</sup>

#### FEBRUARY 1844–MAY 1845

##### FRANKLIN COUNTY, VA

Legal suit

Mitchell for &c vs. **John A. Wade**. 1843: David Mitchell's bill to "Jno. A Wade" for "8 months and 8 days services of my son, Albert Mitchell @ 8p mo.," less cash and goods received. 13 November, David Mitchell assigned his claim on Wade for \$48.33 to Pattison Hannah. Albert Mitchell was at the time under twenty-one years of age and "performed ... in and about the business of the said [Wade]."<sup>272</sup>

#### 15 MAY 1844

##### FRANKLIN COUNTY, VA

Legal suit

**John H. Wade** and Henry Carper are summoned to appear on 6 [sic] May 1844 to testify on behalf of "John Boon for &c" vs. S. T. Webb.<sup>273</sup>

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<sup>271</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 365.

<sup>272</sup> Franklin Co., Determined Papers, 1845, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706547, images 832–40.

<sup>273</sup> Franklin Co., Determined Papers, 1844–1845, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706546, images 153–54.

**17 MAY 1844**

**FRANKLIN COUNTY, VA**

Legal suit

Holland vs. **John H. Wade** and Nelson Abshire, adm. of John Wright's estate. \$669.10. Damages \$1000. Summons dated 17 May 1844 returned by deputy Stephen Turnbull stating: "Executed on Nelson Abshire and **John H. Wade no inhabitant of my county.**" Undated list of "debts paid by Asa Holland at the request of Nelson Abshire and John H. Wade, covering payments made in 1841 and 1842, was submitted by John H. Wade, but the "signature" does not appear to be his. May 1846, the jury ruled in favor of the defendants.<sup>274</sup>

COMMENT:

See the earlier deeds showing John H. Wade and wife Sarah W. as residents of Campbell Co.

**22 MAY 1844**

**FRANKLIN COUNTY, VA**

Land sale

**John A. Wade** and wife **Eliza** to Thomas Oney of Bedford County, VA, sale for \$625, 230 acres on waters of **Magotty Creek** ... beginning on **Jacob Fowler's** line ... [metes and bounds not copied].<sup>275</sup>

COMMENT:

See the December 1842 deed by which John A. purchased this from John H. and wife Sarah W. of Campbell County.

**26 MAY 1844**

**FRANKLIN COUNTY, VA**

Legal suit

**John H. Wade** and Nelson Abshire, Commissioners, sue Skelton Wright. Debt of \$440 with interest from 11 November 1843, together with \$7.80 costs.<sup>276</sup>

**7 OCTOBER 1844**

**FRANKLIN COUNTY, VA**

Court order

"Wade & wife vs. **Hobson** & al. In Chancery. On the petition of **Sarah Sweeney**, and by consent of the parties, it is ordered that the decree pronounced in this cause on the 4<sup>th</sup> day of December last, so far as the interest of the said Sweeney is concerned, be opined? & set aside and thereupon this cause again came on to be heard by consent of the parties on the papers formerly read, and the petition aforesaid of the said Sarah Sweeney, on consideration whereof, and by consent of parties, the court doth adjudge, order and decree, that **John Wade, the receiver** appointed to collect & distribute the proceeds arising from the sale of the slaves in the proceedings mentioned, instead of retaining one eighth part of the proceeds of said sale as the purchaser of the reversionary interest of **William Hobson, Benjamin Hobson**, of said Sarah Sweeney's interest in the estate of **Matthew Hobson decd.** that he pay the said one eighth part of the proceeds of said sale after deducting therefrom the costs of suit and expenses of sale, to the said Sarah Sweeney or her legal representatives and the court doth adjudge & order that the said decree of the 4<sup>th</sup> December last in

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<sup>274</sup> Franklin Co., Determined Papers, 1845–1846, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706548, images 701–14.

<sup>275</sup> Franklin Co., Deed Book 18 (1842–1844): 379; imaged, *FamilySearch* digital film 8572262, image 469.

<sup>276</sup> Franklin Co., Determined Papers, 1844, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706545, image 744.

all other respects stand and be confirmed. But the said Sarah Sweeny is not to have the benefit of this decree, until she shall have executed to the said **John Wade** bond with good security conditioned for the refunding and payment, at her death, of the amount of the sum so decreed to be paid to her.”<sup>277</sup>

COMMENT:

- The “receiver” in this case would be John Wade Sr., married to Elizabeth Hobson.
- No county of residence is stated for Sarah Sweeney.

**7 OCTOBER 1844**

**FRANKLIN COUNTY, VA**

Court order

“On the motion of Samuel A. **Patterson** who made oath and gave bond and security according to law, certificate is granted him for obtaining letters of administration on the estate of **Lydia Patterson** decd. in due form.

“Ordered that David Johnes, H. J? [F?] Terry, John **Patterson** and **John Wade** or any three of them after being sworn for the purpose, do appraise in current money the personal estate of Lydia Patterson decd. and return the appraisement to court.”<sup>278</sup>

**NOVEMBER 1844**

**FRANKLIN COUNTY, VA**

Legal suit

Peter Young vs. Saml. Short. Includes debts from 1841 through 1847, including a November 1844 debt of \$50 “received by you, for me, from **Mrs. Anne Waid** in payment for a grey Mare [I] Sold to Mrs. Waid.”<sup>279</sup>

**NOVEMBER–DECEMBER 1844**

**FRANKLIN COUNTY, VA**

Legal suit

Ira Hurt, administrator of **John F. Waid** vs. Abshire. Includes a note: “I owe **Jn. F. Waid** the Just and full Sum of fifty five dollars good and current money of Va [which I] have rec’d of him. I bind myself my heirs and assigns. Witness my hand and Seal this Jany 1 day 1844. [Signed] **John A. Waid**. [Witness:] Patrick Saunders.”<sup>280</sup>

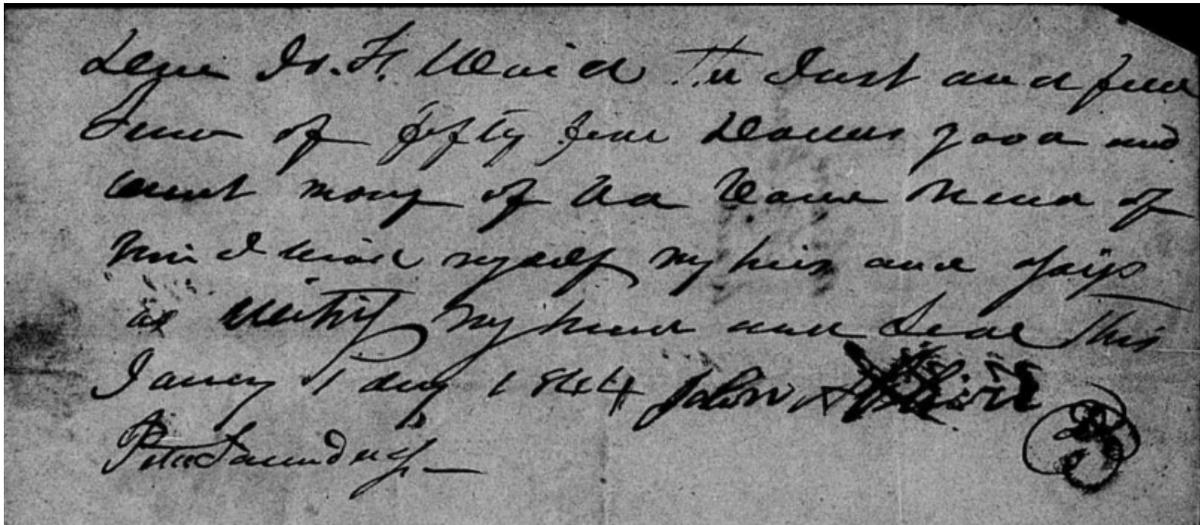
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<sup>277</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 400.

<sup>278</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 400.

<sup>279</sup> Franklin Co., Determined Papers, 1847–1848, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706552, image 319.

<sup>280</sup> Franklin Co., Determined Papers, 1845–1846, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706548, images 170–177; note at 177.



Legal suit  
Ann Wade (var. Waid) vs. \_\_\_\_\_. On 1 January 1845 Wm. Luke, with Saml. J. Hoy as surety, signed a promissory note to "Ann Waid, guardian of Creed Waid," for \$60 "for the hire of negro Boy Daniel to be returned with the usual clothing."<sup>281</sup>

**1 JANUARY 1845**  
**FRANKLIN COUNTY, VA**

Legal suit

**Ann Wade** (var. Waid) vs. \_\_\_\_\_. On 1 January 1845 Wm. Luke, with Saml. J. Hoy as surety, signed a promissory note to "Ann Waid, guardian of Creed Waid," for \$60 "for the hire of negro Boy Daniel to be returned with the usual clothing."<sup>281</sup>

COMMENT:

This Ann Wade was née Standifer, the widow of Robert and sister-in-law of John Sr.

**6 JANUARY 1845**  
**FRANKLIN COUNTY, VA**

Court order

**"Saml. Patterson** agt. **Wm. Mills &c.** D. Bond, notice proved, Defendant called & not appearing. Judgment according to spl. & costs."<sup>282</sup>

COMMENT:

Given the Patterson association, this should be William Mills (i.e., William Mills-Witt), father of Samuel Mills who married Mary Ann Hobson with James Patterson as bondsman.

**6–7 JANUARY 1845**  
**FRANKLIN COUNTY, VA**

Inventory

Estate of **John F. Waid**. Inventory taken 6 January by Benjamin Lemon, George Standley, Catlet James, Obadiah Turner. 4 March 1845: submitted to court and ordered to be recorded. Includes 19 enslaved people (adults: Isaac, Spencer, Barbary, Betsy, Carthy & child, Pinky; "boys" and "girls": Bornet, Charles, Sally, Juliane, Ben, Polly, Gabe, Sophy, Marthy, Henry, Pate, Cary). Notes & bonds

<sup>281</sup> Franklin Co., Determined Papers, 1845–1846, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706548, images 68–73.

<sup>282</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 412.

on George Turner, George Standley, Daniel Prillaman Jr., Bernard M. Price, **Booker Mullins**, Wm. Attick, John Abshire. Also “Wm. Martin receipt as attorney for [no words thereafter].”<sup>283</sup>

7 January 1845. “Hire of Slaves<sub>[,]</sub> Rent of Land<sub>[,]</sub> and sales of property of the estate of John F. Waid Decd.” Slave purchases by Thomas **Dudley**, slave hires by Ira Hunt, James Canaday Jr., Landon Taliaferro, George Turner Jr., Peter Young. Rent of Brammer tract of land by Joel Brammer. Rent of **Ferguson tract** by Ezekiel Jones. Rent of Ray tract by Elkana Ingram. Other purchasers: John Cassell, Isaac Canaday, David Prillaman, George Standley, James D. Saul, S. Barnes, James Ingram, **Mary Waid**, Nicholas Cassell, Samuel Saul, Samuel Thor[n]ton, **Edmund Waid**, Armstead Young.<sup>284</sup>

**28 FEBRUARY 1845**  
**FRANKLIN COUNTY, VA**

Legal suit

Summons issued to Wiley P. Woods, **John Wade Sr.**, and Samuel Hale, to appear on 21 May 1844 to testify for “Robert H. Calhoun for &c” vs. Robert T. Woods. On 2 September a similar summons was issued to **John Wade**, Samuel Hale, and Wiley P. Woods. Executed on “John Wade” by D B. F. Rives for sheriff Saml. Helm. Also on 12 October 1842 an order was issued to **John Wade** to “show cause on the second day of the next Term, why he should not be attached for his contempt in failing to attend at this term as a witness for the plaintiff, after having been duly summoned.”<sup>285</sup>

**4 MARCH 1845**  
**FRANKLIN COUNTY, VA**

Court order

“Thomas Law agt. **Jno. Patterson Nil debit** & general demurrer to declaration & Joinder & issue & contd.”<sup>286</sup>

COMMENT:

- See 5 March 1844 for Thomas Law agt. Samuel Mills.
- *Nil Debit*: a pleading by which the legitimacy of the alleged debt is denied.

**5 MARCH 1845**  
**FRANKLIN COUNTY, VA**

Court order

“**Waid &c vs. Waid & al**—In Chy—On motion it is ordered that this suit be removed to the Circuit Superior Court of Law & Chancery of this County to be there proceeded in and tried.”<sup>287</sup>

**28 MARCH 1845**  
**FRANKLIN COUNTY, VA**

Land sale

**John Wade** (s) and wife **Elizabeth** (s) to **James Patterson** and **John Wade Jr.**, sale for \$300 a tract of 109 acres purchased from John Clay and wife on 7 November 1826 ... beginning at a post oak in

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<sup>283</sup> Franklin Co., Will Book 5 with Inventories & Accounts (1837–1845): 675–76; imaged, *FamilySearch* digital film 7644996, image 371.

<sup>284</sup> Franklin Co., Will Book 5 with Inventories & Accounts (1837–1845): 704–5; imaged, *FamilySearch* digital film 07644996, images 385–86.

<sup>285</sup> Franklin Co., Determined Papers, 1845, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706547, images 354–80.

<sup>286</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 419.

<sup>287</sup> Franklin Co., Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 419.

**Andrew Patterson's** line ... Acknowledged in court 10 April 1845.<sup>288</sup>

**7 APRIL 1845**

**FRANKLIN COUNTY, VA**

Court order

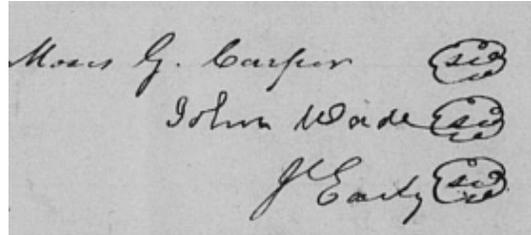
"Ordered that **Wm. Hutcherson, John Wade**, Andrew S. Brooks and **Saml. Mattox**, or any three of them after being sworn for the purpose, do appraise in current money the personal estate of **Elizabeth Frailin Jr.**, decd. & return the appraisement to court."<sup>289</sup>

**12 MAY 1845**

**FRANKLIN COUNTY, VA**

Bond

Moses G. Carper, as newly appointed Clerk of the Circuit Superior court of Law and Chancery for Franklin County, posted bond for \$10,000 with **John Wade** and Joab Early as sureties. J. A. Early and Ro. A. Scott, Witnesses.<sup>290</sup>

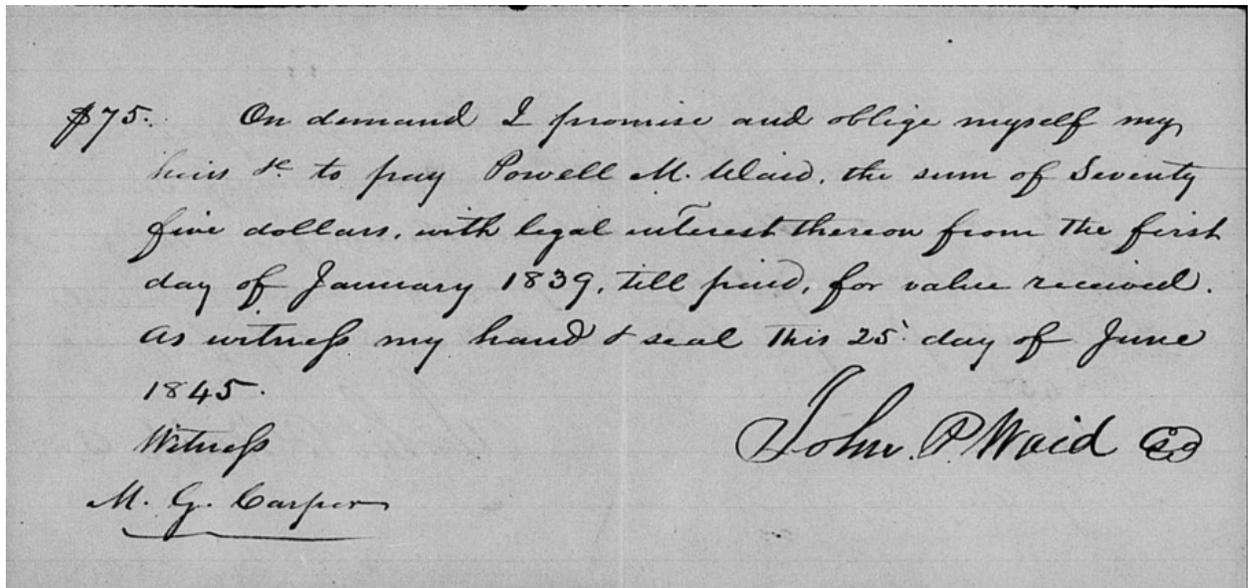


**JULY-SEPTEMBER 1845**

**FRANKLIN COUNTY, VA**

Legal suit

Powell M. Waid vs. **John P. Waid**. Debt \$75 with interest from 1 January 1839. On 2 July Ann Waid appeared before Wm. S. Pinckard, deputy for Sheriff Showers Price, to serve as special bail for John P. On 29 September 1845, Powell M. Waid requested the suit be dismissed.<sup>291</sup>



\$75. On demand I promise and oblige myself my heirs &c to pay Powell M. Waid, the sum of Seventy five dollars, with legal interest thereon from the first day of January 1839, till paid, for value received. as witness my hand & seal this 25<sup>th</sup> day of June 1845.

Witness  
M. G. Carper

John P. Waid @

<sup>288</sup> Franklin Co., Deed Book 19 (1845-1847): 59; imaged, *FamilySearch* digital film 8572263, image 48.

<sup>289</sup> Franklin Co., Order Book 1840-1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 422.

<sup>290</sup> Franklin Co., Determined Papers, 1844-1845, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706546, image 1011.

<sup>291</sup> Franklin Co., Determined Papers, 1845-1848, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706548, images 252-58.

**AUGUST 1845**

**FRANKLIN COUNTY, VA**

Court clerk papers

A list of suits dated "to Augt. 1845" includes:

"Jr. Sally Doughten vs. **Jno. P. Waid**. Debt D+"<sup>292</sup>

COMMENT:

Re D+: This list has a variety of abbreviations/letters in the first and last columns, used as codes. There is nothing to explain the codes.

**1 DECEMBER 1845**

**FRANKLIN COUNTY, VA**

Court order

"Ordered **John Wade** and **James Patterson** after being sworn for the purpose do state and settle the Account Current of Joseph and Pleasant Dickinson, admrs. of Pleasant Dickinson Decd. and make report to court."

"Ordered that **William Hutchinson**, Lankford Brizendine, David Jones & Hezekiah F. Toney or any three of them after being sworn for the purpose do state & settle the account Current of **Samuel Patterson**, Executor of **Samuel Patterson** Dec'd. and make report to Court."<sup>293</sup>

COMMENT:

The Pleasant Dickinson and Samuel Patterson accounts were returned and ordered to be recorded in February term (image 465).

**6 AUGUST 1846**

**FRANKLIN COUNTY, VA**

Legal suit

Summons issued to George Persinger & Lewis B. Taylor to answer a plea of debt against them by **Richard J. Wade**, administrator of **Zackfield Wade Decd.** \$76.80. Damages \$176.<sup>294</sup>

**18 SEPTEMBER 1846**

**FRANKLIN COUNTY, VA**

Legal suit

Benjamin Sermonis appeared before **John Wade J.P.** to attest that he delivered a legal notice to Jacob G. Mackenheimer on 17 September. Suit of John S. Brown and William M. Burwell, trading as John S. Brown & Co. vs. Ashford Keen and Jacob G. Mackenheimer, admrs. of John Glass Decd.<sup>295</sup>

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<sup>292</sup> Franklin Co., Determined Papers, 1847–1848, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706552, image 988.

<sup>293</sup> Franklin Co., Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 461.

<sup>294</sup> Franklin Co., Determined Papers, 1847, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706551, images 316–26.

<sup>295</sup> Franklin Co., Determined Papers, 1847, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706551, images 798–810.

Franklin County to wit  
This day personally appeared  
before me John Wade a Justice of the Peace  
for the County aforesaid Benjamin Sermons of  
lawful age and made oath that he delivered  
to Jacob G. Mackenkeny a true Copy of the  
within written on the 17<sup>th</sup> Inst. Given under  
my hand this 18<sup>th</sup> day of September 1846  
John Wade. J.P.

**4 NOVEMBER 1844**  
**FRANKLIN COUNTY, VA**  
Estate settlement

**John F. Waid** estate, Ira Hurt, administrator. Account settled by Commissioners Josiah Turner, Catlet, James, Benja. Lemon.

- Payments for accounts, judgments, executions, notes to: James Keys Smith, Samuel H. Woods, Samuel H. Ferguson, Charles Pinckard, William Read as assignee of B. Lemon, Mrs. Luke, Thomas Sigmon, Ben Dodds, G. W. Gilmore, James Hiatt, Samuel H. Ferguson on account of Wm. Young, George Turner Sr., Adkins [no first name], Henry Love, John Prillaman, Daniel Prillaman, **Booker Mullins**, John Smith's note, Burnard M. Price, William Attic, John Abshire "note in court," Catlet James, Benjamin Lemmon, Ira Hurt, Booth, Samuel P. Mitchell, Obadiah Turner, George Turner, Robert Maguffin, **James Waid's** acct., **William Waid's** acct., Nicholas Castle
- Other payments: Robert Magee (making coffin), Mrs. Prillaman (waiting on Negro), Cooper (crying sale), **Marshel Waid**, **Edmund Waid**, "cost on the Waid suit in Court," **Mary Waid** for keeping old Negroes, George Standley (for crying sale)
- Income from sale, receipts from O. Kinney, John Young, Thomas Helm, M. Griffith, Moses G. Carper, Henry S. Woody, George C. Turner, Mitchel Woody, **Marshel Waid**, **Edmund Waid**, George Turner Sr., George Standley, **John Smith**, **Daniel Prillaman Jr.**, **Burnard M. Price**, **Booker Mullins**, Wm. Attic, John Abshire, "Martin's receipt for ... amount of the Kensey debt.
- Total: \$6260.00.<sup>296</sup>

COMMENT:

- See below for division of land and enslaved people.
- Note that only the widow Mary and one male heir (William) participated in a division of the land.
- William, son of John F., should be the "William O. Wade" whose widow Elizabeth is below at 28 January 1869.

**7 DECEMBER 1846**  
**FRANKLIN COUNTY, VA**  
Court order

<sup>296</sup> Franklin Co., Will Book 6 with Inventories & Accounts (1845–1849): 164–66; imaged, *FamilySearch* digital film 007644996, images 513–14.

“Ordered that **James Patterson** and **John Wade** or either of them after being sworn for the Purpose do state and settle the account current of Joseph Dickenson admr. of **Pleasant Dickinson** Decd. and make report to court.”<sup>297</sup>

COMMENT:

This John Wade should be John Sr., father-in-law of James Patterson.

**19 DECEMBER 1846**

**FRANKLIN COUNTY, VA**

Estate settlement

Estate of **John F. Waid**. “Persuant to an order of the County Court of Franklin on the 7<sup>th</sup> day of December, to us directed we the Commissioners have proceeded to Davide and allot the slaves belonging to the Estate of John F. Waid Decd between **Mary Waid** the widow of said John F. Waid and **William Waid** son of the said John F. Waid Decd. Filed 1 February 1847.

Also included: Division of Land, plat showing adjacent neighbors (**Jno. Ferguson** at N, Wm. Luke at W, Brammer?, Wright, Wm. Mavity, Nicholas Creek at SE, Daniel’s Run through middle—including **juncture of Nicholas Creek & Daniel’s Run**) and the following lots:

- Dower Lot No. 1: Home house, 214 acres
- Dower Lot No. 2: Brammer’s place, 150 acres (at NE)
- Lot No. 3: William Waid, Brick Yard tract, 427 acres
- Lot No. 4: William Waid, “George Ferguson, 231 acres”
- Lot No. 5: William Waid, “S. H. Ferguson[’s tract],” 53.29 acres <sup>298</sup>

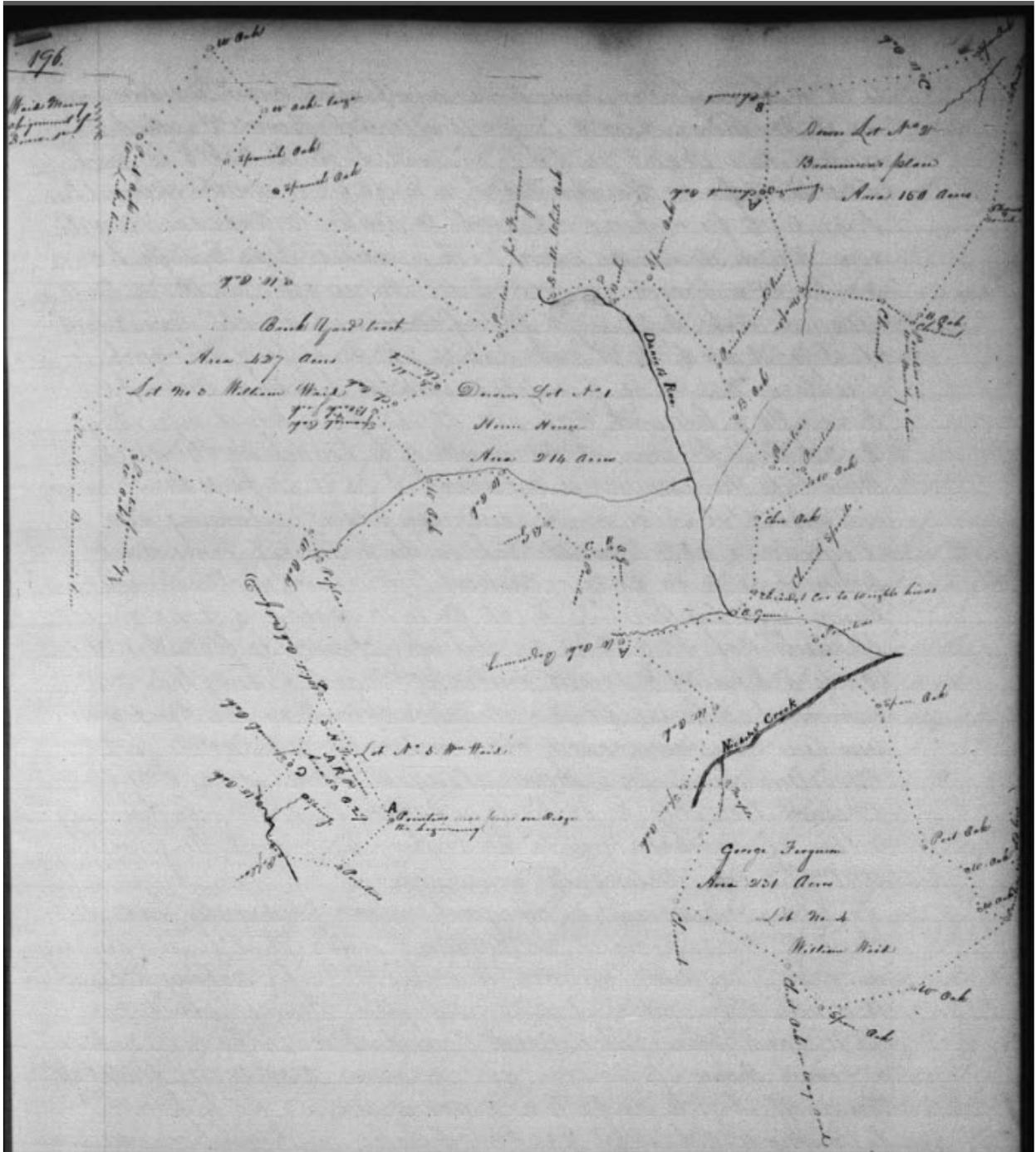
COMMENT:

- In the survey notes, the “Waid” surname is written as “Wade.”
- John F. Waid’s neighborhood appears to be the area in which William Mills/Whitt made his first appearance on the tax roll of 1806.

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<sup>297</sup> Franklin Co., Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 494.

<sup>298</sup> Franklin Co., Will Book 6 with Inventories & Accounts (1845–1849): 195–99; imaged, *FamilySearch* digital film 007644996, images 529–32.



**8 JUNE 1847**

**FRANKLIN COUNTY, VA**

Land purchase

Caleb Tate to **Edmund Waid**, both of Franklin County, sells for \$612, 306 acres on waters of **Pig River** "adjoining the lands of Claiborne Moore, Doss, and the said Edmund Waid, being the same tract of land which formerly belonged to William Luke & Sophia his wife ...." Acknowledged in court 8 June 1847 by Caleb Tate.<sup>299</sup>

<sup>299</sup> Franklin Co., Deed Book 20 (1849–1851): 45–46; imaged, *FamilySearch* digital film 8572263, image 315.

**21 FEBRUARY 1848**  
**FRANKLIN COUNTY, VA**

Summons

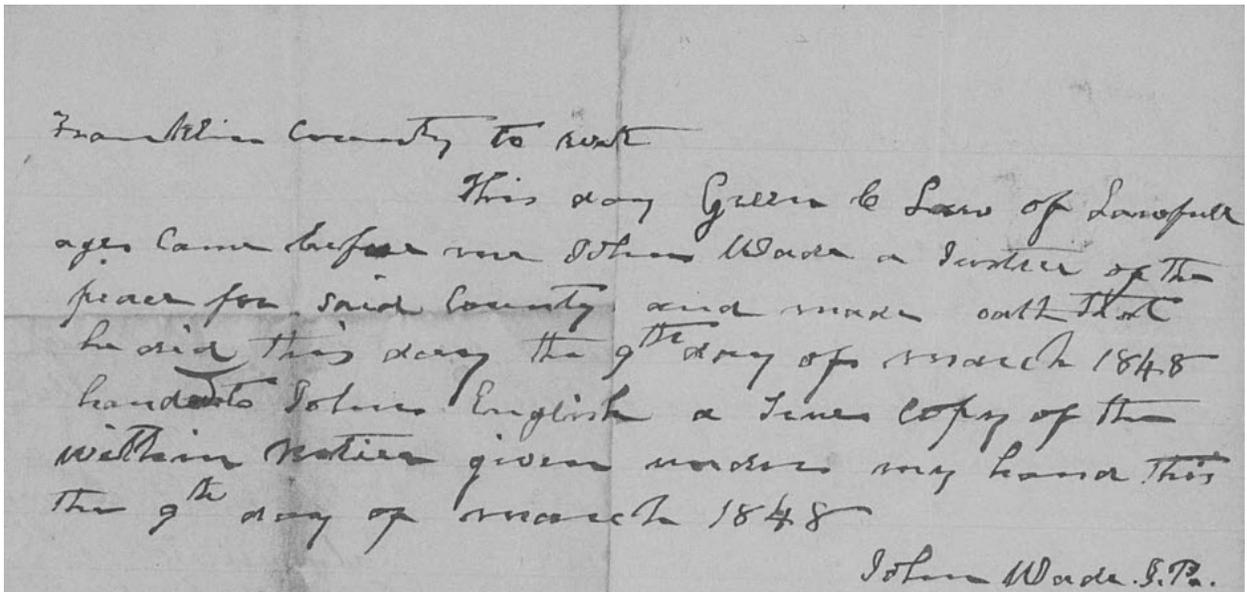
Nelson Abshire is to appear in court on 1 May next to testify in the case Commonwealth vs. **John H. Wade**. May 1848 the jury found Wade guilty<sup>300</sup>

**9 MARCH 1848**  
**FRANKLIN COUNTY, VA**

Affidavit of **John Wade J.P.**, attesting that Green C. Law came before him that day and handed to John English a true copy of "the within notice."<sup>301</sup>

COMMENT:

The papers filmed immediately before and after this one do not represent a notice issued by Green C. Law. The case at hand was Administrators of Betsey Beazely vs. John England. Note on the copy below that the signature of Wade is extremely shaky, suggesting that he is advanced in years.



Franklin County to wit  
This day Green C Law of Louisa  
ages came before me John Wade a Justice of the  
peace for said County and made oath that  
he said this day the 9<sup>th</sup> day of March 1848  
handed to John English a true copy of the  
within notice given under my hand this  
the 9<sup>th</sup> day of March 1848  
John Wade J.P.

**11 MARCH 1848**  
**FRANKLIN COUNTY, VA**

Deposition

"The deposition of Hezekiah F. Terry Taken agreeable to notice at **John Wade's Mill** in Franklin County ... [suit of] Samuel Helm late Sheriff & as such administrator of Elizabeth Beasley Decd., Thomas Beasley & Henry Law as Plaintiffs & John English Defendant." Terry had purchased "negro Bob" from William **Dudley** who said he had bought it from John English. He had also sold his land to George W. English and William Dudley. Yes, he had "heard from others ... that the sales and conveyances of John English has been for the purpose of not paying that debt [to Elizabeth

<sup>300</sup> Franklin Co., Determined Papers, 1848, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706553, images 591, 594.

<sup>301</sup> Franklin Co., Determined Papers, 1850-51, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706558, image 305.

Beasley's heirs]." Attested: **John Wade J.P.**<sup>302</sup>

COMMENT:

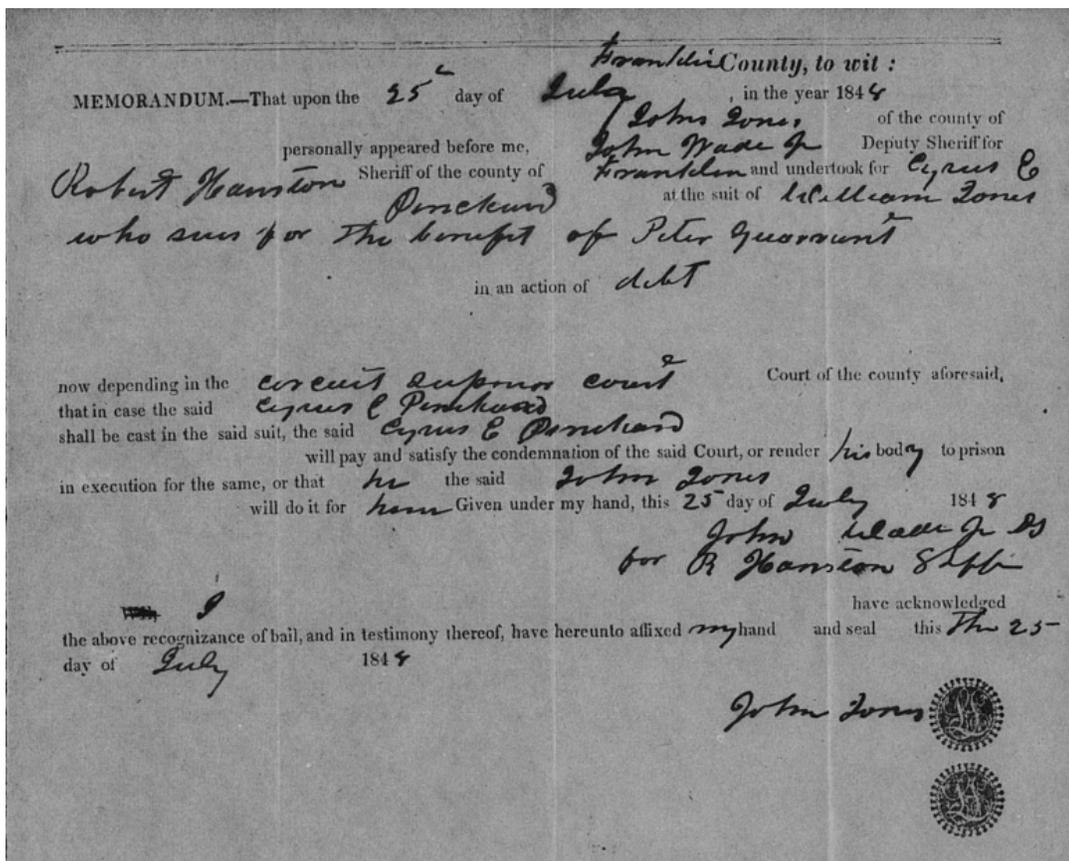
The heart of the suit was a contention that Elizabeth Beasley was "deranged" from the time of her father's death in the late 18-teens. Several men deposed that she was deranged; several women deposed that she was not. An 1821 court order filed and discussed amid the papers in this case found her deranged and she ordered her to be sent to the state mental hospital at Williamsburg, at which time someone local agreed to look after her.

25 JULY 1848

FRANKLIN COUNTY, VA

Memorandum

**John Wade Jr.** created memo to say that John Jones appeared before him, as Deputy Sheriff, to undertake for Cyrus E. Pinckard who was suing for the benefit of Peter Guerrant.<sup>303</sup>



COMMENT:

Note that the signature above for "John Wade Jr" does not match that below for "Jno. Wade Jr." below. The signature above appears to be the legitimate one, given that John Wade Jr., in his office as deputy sheriff, penned the entire document.

<sup>302</sup> Franklin Co., Determined Papers, 1850–51, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706558, images 318–19.

<sup>303</sup> Franklin Co., Determined Papers, 1842, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706554, image 23.

**12 AUGUST 1848**

**FRANKLIN COUNTY, VA**

Land sale

**Edmund Waid** (s) and wife **Sophia** (s), and **Marshall Waid** (s) and wife **America** (s), sell to Ira Hurt for \$500 16 acres on **Story Creek**, beginning at Standifer's line. ... [metes and bounds not copied; no identification of other neighbors]. Said land was conveyed by Thomas Hill to "**Charles Waid, the father of the said Edmund and Marshall Waid.**" Charles died in possession of the land. They also convey 102 acres on **Story Creek** [no neighbors named aside from Thomas Hill; metes and bounds not copied], conveyed by **Luke Standifer** and wife to Charles Waid on 4 February 1815. Acknowledgment and relinquish of wives' dower on 12 August 1848 before John S. Burwell and Samuel H. Woods, Justices. Presented to court for filing 2 October 1848.<sup>304</sup>

**26 AUGUST 1848**

**FRANKLIN COUNTY, VA**

Association

**Jno. Wade Jr.** witnessed a bond by William Standley (x) to Ezekiel Jones for \$110.00.<sup>305</sup>

12 \$110- Twelve months after date I promise and oblige myself, heirs, Executors or assigns to pay unto Ezekiel Jones his heirs Executors or assigns the just and full sum of one hundred and ten dollars for value received of him given under my hand and seal this 12th day of August 1848  
Jno Wade Jr  
William Standley  
mark

**11 OCTOBER 1848**

**FRANKLIN COUNTY, VA**

Association

**Jas. Patterson** witnessed a promissory note by James Meredith to John C. Hutcherson.<sup>306</sup>

<sup>304</sup> Franklin Co., Deed Book 20 (1849–1851): 413–14; imaged, *FamilySearch* digital film 8572263, images 518–19.

<sup>305</sup> Franklin Co., Determined Papers, 1850–1851, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706557, image 67.

<sup>306</sup> Franklin Co., Determined Papers, 1848, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706553, image 1058.

**1 NOVEMBER 1848**  
**FRANKLIN COUNTY, VA**

Deed

**John Wade Sr.** (s) and wife Elizabeth (s) to **Zackfield Wade** and **Benjamin H. Wade**, all of Franklin County, “in compliance with a title Bond executed by the said John Wade Sr. and possession given according to the bond to the said Zackfield and Benjamin H. Wade” on 25 December 1846, conveys for \$400, 200 acres on **Magodee Creek** containing 200 acres adjoining Jacob Naff, Abraham Naff, and the said John Wade Sr. Acknowledged in court 6 November 1848 by John only.<sup>307</sup>

COMMENT:

This land is taken from the 2,000-acre Callaway tract that John Wade Sr. bought from John H. Wade, when John H. left the county in 1842.

**NOVEMBER 1848**  
**FRANKLIN COUNTY, VA**

Occupation

**Jno. Wade Jr.**, as deputy sheriff, returned a summons to court saying that the subject of the summons, James Ferguson was not an inhabitant of his bailiwick.<sup>308</sup>

**10 APRIL 1849**  
**FRANKLIN COUNTY, VA**

Bond

**Mary Waid** signed a bond, “for value received,” promising to pay to Booth & Fontaine \$70.98 with interest from 1 January 1849. Witness: John Cassell. The suit of Booth & Fontaine vs. Waid (plaintiffs being Moses G. Booth and John R. Fontaine, merchants) was launched in February 1850, with summons being issued by **John Wade Jr.**, Deputy Sheriff. Nicholas Cassell agreed to serve as her special bail.<sup>309</sup>

COMMENT:

Mary Waid was the widow of John F. Waid.

**4 JUNE 1849**  
**FRANKLIN COUNTY, VA**

Court order

“Ordered that **James Patterson** be appointed a commissioner to state and settle the account current of Joseph Dickinson admr. of Ransom Sutherland decd. and make report to court.”<sup>310</sup>

**2 JULY 1849**  
**FRANKLIN COUNTY, VA**

Court order

“This day **James Patterson** produced an account of his services as a Commissioner of the Revenue and the court have considered that 75 days were required for the said Commissioner to perform the

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<sup>307</sup> Franklin Co., Deed Book 20 (1849–1851): 436–37; imaged, *FamilySearch* digital film 8572263, image 530.

<sup>308</sup> Franklin Co., Determined Papers, 1848, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706553, image 1063.

<sup>309</sup> Franklin Co., Determined Papers, 1840–1851, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706557, images 301–6.

<sup>310</sup> Franklin Co., Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 601.

services aforesaid.”<sup>311</sup>

**3 SEPTEMBER 1849**  
**FRANKLIN COUNTY, VA**

Court order

“Ordered that **James Patterson** and **Peter Saunders** after being sworn for the purpose do state and settle the account current of John Patterson and James P. Hutto, Executors of John Law Decd. and make report to Court and also to state and settle the account current of James P. Hutto, Administrator of Mary Law Decd & make report to court.”<sup>312</sup>

**6 NOVEMBER 1849**  
**FRANKLIN COUNTY, VA**

Court order

“Davis &c agt. **Hobson &c—In Chy.**

“Ro. A. Scott” is appointed “Guardian ad litem to the infant Defendants to defend them in this suit.” [infants not named]. “The Court doth adjudge, order and decree that the tract of Land in the Bill mentioned (after the same shall have been first advertised in some newspaper published in the town of Lynchburg and at the most public places in the neighbourhood of said Lands for at least three weekes be sold on the premises to the highest bidder at public auction on a credit of one, two & three years for equal installments (except as to a sum sufficient to defray the expenses of sale and the rest of this suit for \_\_\_\_ cash is to be required) ...”<sup>313</sup>

TO DO:

Locate and read the Lynchburg newspapers for this period for additional information on parties and location of land.

**8 MARCH 1850**  
**FRANKLIN COUNTY, VA**

Summons

Moses G. Carper, Clerk of Court, issued summons to Sheriff of Franklin to bring in Charles J. Pinckard and **James Patterson** to answer charges by Isaiah B. White, Deputy Sheriff for Robert Hairston, Sheriff, in the chancery cause of Morgan, Smith & Co. vs. “Pinckard’s administrators and others.” Charge of debt, \$335 with interest from 2 January 1840, and damages of \$50. Other documents in the file include:

- 2 July 1849 Pinckard & Patterson’s bond (signed as “Jas. Patterson”
- 1 April 1850. William Cooper undertook for Pinckard and Patterson.<sup>314</sup>

COMMENT:

I am not continuing to gather notes on James Patterson unless I encounter something that speaks directly to Mills and Hobson. The notes gathered up to this point sufficiently establish his position in Franklin’s social and political structure, identifies his core network of associates, and places him in the Wade-Hobson family.

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<sup>311</sup> Franklin Co., Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 609.

<sup>312</sup> Franklin Co., Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 617.

<sup>313</sup> Franklin Co., Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 626.

<sup>314</sup> Franklin Co., Determined Papers, 1850–1851, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706557, images 781–86.

**12 MARCH 1850**  
**FRANKLIN COUNTY, VA**

Donation

“I, **Bradley Wade [x]** ... for ... the natural love and affection which I bear to my children namely **Isaac Wade, Robert Wade, Alby Cassell** and **Mary Cassell**,” all of Franklin County, for \$1, conveys to them land on the waters of **Turners Creek**, to be divided among them as followeth: to Isaac Wade, I give the tract of land he now lives on with all the appertences thereunto belonging, to be separate from the land of Mary Cassell by the line I have marked [which] William Cassell now occupys, with all appertences.” Robert Wade and Alby Cassell’s tracts are marked with a line between them; Alby is to get the land “on which Nicholas Cassell formerly lived and has now in his possession, with all the appurtenances, to be divided from Mary Cassell’s land by a line that I have marked Between them.” Etc. Witnesses: George W. Kelly, Samuel F. Hale, Lewis Hale. Proved in the clerk’s office on 3 May 1850 by oaths of Samuel F. Hale and George W. Kelly.<sup>315</sup>

**1850**  
**FRANKLIN COUNTY, VA**

Census

<b>John Wade</b>	68, male, farmer, \$12,000, b. VA
Elizabeth	65, female, b. VA
Elizabeth	27, female, b. VA
Benjamin	21, male, b. VA
John	26, male, b. VA
Lucy A.	16, female, b. VA
Julia F.	14 female, b. VA
Julina T.	14, female, b. VA
Richard <b>Hopson</b>	18, male, b. VA
Willis Jenkins	21, male, laborer, b. VA <sup>316</sup>

COMMENT:

- The enumerator wrote the birthplace “Virginia” on the first line of each page and used it for a default for the rest of the page, unless an individual’s birth was said to be elsewhere.
- Re Jenkins: One Robert Jenkins, a propertyless carpenter, aged 47 with a presumed wife, eight children aged 21 to 3, and an 80-year-old female appear three households away. What appears to be Robert Jenkins Jr., aged 23, is a “laborer” tacked on to the end of the Josiah Frailin household, between Wade and Jenkins.

**OCTOBER 1850**  
**FRANKLIN COUNTY, VA**

Legal suit

Commonwealth vs. Scott, E. **Jno. Wade Jr.** is still deputy sheriff.<sup>317</sup>

**8 MARCH 1851**  
**FRANKLIN COUNTY, VA**

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<sup>315</sup> Franklin Co., Deed Book 21 (1849–1851): 266–67; imaged, *FamilySearch* digital film 8572264, image 152.

<sup>316</sup> 1850 U.S. census, Franklin Co., VA, pop. sch., p. 71 (stamped), dwelling/family 173/173.

<sup>317</sup> Franklin Co., Determined Papers, 1850–1851, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706557, image 958.

Summons

George W. Clement, Stephen Preston, Levi Dudley, **John Wade Sr.**, Thomas Dudley, Charles Powell and William Crump are to appear “on the first Monday in April next to answer the Commonwealth of Virginia, which sues for the benefit of William H. Powell of a plea of debt for Thirty thousand dollars, damage \$300.” Said to be “an action of debt on bond with collateral condition.”<sup>318</sup>

COMMENT:

Clement was in 1850 the sheriff of Franklin County. Preston, the Dudleys, Wade, Powell, and Crump would have been sureties on his performance bond.

**FEBRUARY & OCTOBER 1851**

**FRANKLIN COUNTY, VA**

Summons

Hale’s Exor &c vs. Wade.

- 25 February 1851, summons issued for **John H. Wade** to testify on behalf of John Enders, executor of Giles W. B. Hale and John S. Hale, in suit against **John Wade, James Patterson, and Elizabeth Taylor**; executed on **John H. Wade**, 16 April 1851 at which time he signed an acknowledgment.
- 25 February 1851, summons issued to Francis Tyree, Allen D. Huddleston, H. M. Dickinson, and John J. Coleman to testify in same case on behalf of **John Wade Sr.**
- 10 April 1851, summons issued to James Garland of Lynchburg, to appear on 4<sup>th</sup> day of May term 1851 to testify on behalf of **John Wade Sr.** in a suit between Giles W. B. Hales, Executor, and John S. Hale, Plaintiff against **John Wade Sr.**, defendant.
- 15 August 1851, summons again issued to Garland to appear, this time on 3<sup>rd</sup> day of October Term 1851.
- 15 August 1851 to **John H. Wade** to testify on behalf of **John Wade** on 3<sup>rd</sup> day of October Term 1851, in same case. 21 September 1851, **John H. Wade** signed acknowledgment that he had received the summons.
- 8 September 1851, summons issued for Lewis Wysong Sr., Thos. S. Keen, Christopher Taylor & John D. Taylor, to testify on behalf of Enders.; executed by L. S. Turner, D.S.
- 10 September, summons issued for Francis Tyree, Allen D. Huddleston, H. M. Dickerson, John J. Coleman, to testify on behalf of **John Wade Sr.** on “5<sup>th</sup> day of October term next.”
- [October 1851] Summons issued [no date] for **John Wade, James Patterson, and Elizabeth Taylor** to answer the suit; executed October 1851 by R. H. Campbell, D.S.<sup>319</sup>

**22 AUGUST 1851**

**FRANKLIN COUNTY, VIRGINIA**

Sale of land

**Magdaline Wade (x)** to **Robert Wade**, for \$40, sells “3 certain lots of land known as the yard lot, garden lot, and orchard lot being the same land heretofore deeded and willed to the said Magdalin Wade by **Bradley Wade**. Acknowledged by Magdalin before Robert Hairston, J.P. 22 August 1851. Filed for recording 1 December 1851.<sup>320</sup>

COMMENT:

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<sup>318</sup> Franklin Co., Determined Papers, 1850–1851, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706558, images 203–6.

<sup>319</sup> Franklin Co., Determined Papers, 1850–1852, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706559, images 356–76.

<sup>320</sup> Franklin Co., Deed Book 22 (1851–1853): 60; imaged, *FamilySearch* digital film 8572264, image 329.

By bond of 4 March 1850, Bradley Wade married Magdalen Gibson.<sup>321</sup> The Robert Wade of this document is her son by Bradley. See Bradley's donation under 12 March 1850.

**26 AUGUST 1851—15 FEBRUARY 1853**

**FRANKLIN COUNTY, VA**

Summons

M. G. Carper, Clerk of Court, issues summons to Sheriff to have John C. Hutcherson and **John Wade Sr.** appear before the court on 4<sup>th</sup> day of October Term 1851 to testify on behalf of **James Patterson**, Executor of Lankford Brizentine, decd., in suit of William Brizentine's administrator vs. James Patterson, Exr. 15 February 1853, new summons issued to the pair to appear on the 3<sup>rd</sup> day of June Term 1853.<sup>322</sup>

26 August 1851, summons to John C. Hutcherson, **John Wade Sr.**, **Samuel G. Mattox**, Benjamin Semonis, David Frailin, Andrew S. Brooks, John S. Brown, William M. Featherston, and **Wily W. Matthews** to appear on 4<sup>th</sup> day of October Term 1851 to testify on behalf of "James Patterson, Executor of Lankford Brizindine Decd." in suit against him by William Hutcherson's administrator." The suit dates back to a 15 January 1827 promissory note by Lankford Brizentine to William Hutcherson, with Adam Law as witness. Administrators for Hutcherson were Mitchell M. Woody and Lucinda Hutcherson.<sup>323</sup>

26 February 1852, summons issued to John C. Hutcherson, **John Wade Sr.**, **Samuel G. Mattox**, Benjamin Semonas, David Frailin, Andrew S. Brooks, John S. Brown, William M. Featherstone, Wiley W. Matthews, James Bottom, and William B. Clay, to appear on the 4<sup>th</sup> day of May Term 1852 to testify on behalf of **James Patterson**, Executor of Lankford Brizentine Decd., in suit by "William Hutcherson's administrators" against said Patterson as aforesaid."<sup>324</sup>

16 August 1852, summons to same, to testify for same on 3d day of October Term 1852.<sup>325</sup>

12 October 1852, summons to **Wiley W. Matthews** to appear on 3d [sic] day of October Term 1852 to testify on behalf of "Lankford Brizentine's Exor."<sup>326</sup>

COMMENT:

On 19 October 1847, Samuel E. Mills's brother William B. Mills married Mary M. **Matthews**, whose parents appear to still be unidentified by descendants. William B. and Mary named their first son John William Mills and their second son James **Wiley** Mills.

**13 OCTOBER 1851**

**FRANKLIN COUNTY, VA**

Affidavit

**John Wade Jr.**, late Deputy for Stephen Wood, late Sheriff of Franklin County, personally appeared before me the undersigned, a justice of the peace in and for said county and made oath that the

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<sup>321</sup> "Franklin County, Virginia, Marriage Bond Index, 1786–1858," database, *Ancestry* (<https://www.ancestry.com/search/collections/4004/> : 4 August 2021).

<sup>322</sup> Franklin Co., Determined Papers, 1852–1853, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706561, images 437–50, particularly 442, 446.

<sup>323</sup> Franklin Co., Determined Papers, 1852–1853, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706561, images 723, 729, 744.

<sup>324</sup> Franklin Co., Determined Papers, 1852–1853, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706561, image 713.

<sup>325</sup> Franklin Co., Determined Papers, 1852–1853, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706561, image 715.

<sup>326</sup> Franklin Co., Determined Papers, 1852–1853, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706561, image 717.

above account is correct.” Signed: Peter Saunders, J.P.<sup>327</sup>

COMMENT:

The referenced account was a list of fees due to Stephen Wood for conveying Robert Goodson, charged with felony, from Franklin Courthouse to Floyd Courthouse jail at a distance of 28 miles @ 5¢ per mile,” for a total of \$2.80 round trip, plus other charges.

**15 SEPTEMBER 1852**

**FRANKLIN COUNTY, VA**

Land sale

**James S. Waid** (s) and wife Eliza A. (x), **William Waid** (x) and wife Elizabeth, **Powell M. Waid** (s) and wife Susan (s), William Minefee (s) and wife **Naomi J.** (x, Jane Menefee), **Edmund Waid** (s) and wife Sophronia (s), **Elizabeth Hiett** (x) and **John Waid** all convey to **Creed W. Waid** for \$1050, 190 acres in Franklin County on **Pigg River** containing 190 acres beginning at the mouth of **Coles Branch** of Pigg River ... Fall Branch “the said tract or parcel of land being now in the possession of **Anna Waid** and held by her as her dower in the lands of her deceased husband **Robert Waid**.

“This Deed from James S. Waid & Eliza his wife, William Waid and Elizabeth his wife, Powell M. Waid and Susan his wife, William Minefee & Naomi J. his wife, Edmund Waid and Sophronia his wife, Elizabeth Hiett and John P. Waid to Creed W. Waid was acknowledged in the said office by ‘the said James S. Waid, Powell M. Waid, William Menefee and Elizabeth Hiett—and the said Eliza A. the wife of the same James S. Waid and the said Susan, the wife of the said Powell M. Waid being examined by me privily and apart from their said husbands” have relinquished their dower rights ... 7 February 1853 ... And in the said office this 14<sup>th</sup> day of September 1853 ... by the said John P. Waid.”<sup>328</sup>

COMMENT:

Re Sophronia, wife of Edmund Waid: The marriage bond posted by Edmund on 18 December 1838 identified the bride-to-be as “Sophronia Waid.”<sup>329</sup>

**19 MARCH 1853**

**FRANKLIN COUNTY, VA**

Summons

**E. B. Wade**, Deputy Sheriff for Jno. A. Smith, Sheriff, returned a summons saying that he had executed on William P. Thompson on 19 March 1853.

COMMENT:

There are many such documents for “E. B. Wade” in this period. The census of 1860 cites E. B. Wade as age 38, farmer worth \$2500/\$6665 (with Sarah E., 21, Wm. T. 12, James T., 10, America? 3, Jno. W. 4/12).<sup>330</sup> The 1850 census does not enumerate any such person or any one with a name beginning in “E” of appropriate age and economics.

**28 MAY 1853**

**FRANKLIN COUNTY, VA**

Donation

**Anny Waid** (s) to **Creed W. Waid**, both of Franklin County, for \$1 conveys “all the following property

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<sup>327</sup> Franklin Co., Determined Papers, 1850–1852, unnumbered, unalphabetized; imaged, *FamilySearch* digital film 8706559, image 510.

<sup>328</sup> Franklin Co., Deed Book 22 (1851–1853): 252–53; imaged, *FamilySearch* digital film 8572264, image 427.

<sup>329</sup> “Franklin County, Virginia, Marriage Bond Index, 1786–1858,” database, *Ancestry* (<https://www.ancestry.com/search/collections/4004/> : 4 August 2021).

<sup>330</sup> 1860 U.S. census, Franklin Co., VA, pop. sch., **Southwestern District**, p. 188 (penned), dwell. 1355, fam. 1356.

to wit: One Buggy and Harness, one Spooke, mare and colts, one wagon and harness, Two beds & bedsteads and furniture, one side board, one candle stand, one wash stand and Bowles, all the kitchen furniture, all my plantation utensils, all the stock of sheep, for cows and calves, twenty head of hogs, the average hogs?, two wheels and large one, the stock of Bees, all the Boards and table furniture, shovel Tongs and all the Candle Stands belonging to house, all the articles belonging to the smoke house, stone jars & all the crop now making upon the plantation, the bonds that are due me for negro hire for the year 1853, one bond on C. Winfree of Lynchburg one on Reubin Price, one on John Oyler of Lynchburg, one yoke of oxen. Witnesses: Peter Saunders Sr., Robert H. Saunders. Proved in the Clerk's office on 4 July 1853 by oath of Peter Saunders Sr. and on 5 July 1850 by oath of Robert H. Saunders.<sup>331</sup>

COMMENT:

At this point, for want of time in the project, I quit reading the individual indexes within each deed book and relied solely on the master index.

**OCTOBER TERM 1853  
FRANKLIN COUNTY**

COMMENT:

This is the point at which I stopped reading the Determined Papers. Samuel E. Mills and wife Mary Ann Hobson are already in Georgia, while James Patterson and his father-in-law, John Wade, are already adequately identified for my needs.

The pattern of these suits make clear that any of them could appear in documents filed in cases as much as twenty to thirty years thereafter. However, the law of returns suggests that it is not feasible to read another 50,000 or so imaged documents on that chance.

**23 SEPTEMBER 1854  
FRANKLIN COUNTY, VA**

Donation

**Miriam Hill** (x) to "**John Wade** and **Palmyra E.** his wife" for natural love and affection and one dollar conveys 154.5 acres on S side of Pig River Beginning at corner of Saunders & Co. line ... [metes and bounds not copied; no other neighbors named]. Witnesses: John A. Lavinder, Robert L. Dent. Proved in the Clerk's office 14 October 1852 by the oaths of the two witnesses.<sup>332</sup>

COMMENT:

- John Wade married Palmyra E. Ashinghurst, 21 October 1850 in Rockingham Co., NC.<sup>333</sup>

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<sup>331</sup> Franklin Co., Deed Book 22 (1851–1853): 417; imaged, *FamilySearch* digital film 8572264, image 509.

<sup>332</sup> Franklin Co., Deed Book 22 (1851–1853): 260–61; imaged, *FamilySearch* digital film 8572264, image 431.

<sup>333</sup> "North Carolina, U.S., Marriage Records, 1741–2011," database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/6444597:60548> : 15 August 2021). Earlier Wade marriages in Rockingham included:

- 25 December 1815, John Wade to Sally Griffin
- 24 May 1834, John D. Wade & Martha M. Martin
- 12 December 1836, Henry Wade & Delila C. Loving
- 4? 14? December 1837, William B. Wade and Elizabeth Smith
- 8 June 1839, John D. Wade & Mary Ring
- 15 April 1841, John Wade & Leanah Jones
- 12 December 1845, William H. Wade and Sarah Jenning

For these Wade marriages, see "North Carolina, U.S., Marriage Index, 1741–2004, database with images, *Ancestry* (<https://www.ancestry.com/search/collections/8909/> : accessed 15 August 2021) < images 76–81. The index is a manuscript book but not an original register. The entries are semialphabetical by first letter of *male* surname, but random thereafter; the order is neither chronological nor alphabetical and the entries provide no book or page number.

- The 1860 census presents only one candidate for this John: John Wade Jr.

**20 JUNE 1860**

**FRANKLIN COUNTY, VA**

Census

<b>John Wade</b>	77, male, farmer, \$30,000 / \$27,000, b. VA
Elizabeth “	65, female, b. VA
Peter P. Davis	40, male, merchant, \$300/\$10,000, b. VA
John P. “	8, male, b. VA <sup>334</sup>

**21 JANUARY 1864**

**FRANKLIN COUNTY, VA**

Will

“I, **John Wade Sr.** of Franklin County, VA ... my daughters **Sarah M. Patterson**, wife of James Patterson; **Elizabeth M. Patterson**, wife of John P. Patterson; **Emily Davis** (now deceased) who was wife of Peter P. Davis; and **Lucy A. Patterson**, wife of William Patterson ... **wife Elizabeth Wade** ... my mansion house ... purchased from George Hutcherson, including my mill on Pig River and my tract ... known as the Smith tract ...; my daughter **Julia F. Patterson** ... my grandsons **Andrew P. Wade** and **Zachary T. Wade** ...; granddaughter **Elizabeth M. Wade** ... ; my sons **John Wade Jr.**, **Zackfield Wade**, **Benjamin H. Wade**; ... my daughters **Drusilla Whitehead** and **Julia F. Patterson** ... if “my said son Benjamin H. Wade is now alive and lives to return to this county ...; my grandson **John Lewis Wade** [now] under the age of twenty one ...; son Zackfield Wade ... to have my tract of land situated in Franklin County on which he now lives Known as the Naff dower land ...; daughter Drusilla H. Whitehead ... to have my tract of land situated in said County known as the Poteet tract, etc. Witnesses: Abram B. Hancock, Hugh Nelson. Filed 3 April 1865, suit filed by John Patterson; various proceedings through March 1866, at which time court ruled that he was in sound mind when he executed the will, etc.<sup>335</sup>

COMMENT:

The 1850 census shows the two grandsons, Andrew P. and Zachary T. as sons of Henry Wade, age 35, and Julia, aged 32. **Henry H. Wade** married Julia E. Patterson by bond of 27 November 1834.<sup>336</sup>

**27 NOVEMBER 1866**

**FRANKLIN COUNTY, VA**

Land partition

Heirs of **John Wade Sr.**, being **Drucilla H. Whitehead**, Jno. Wade, Zackfield Wade, Julia F. **Patterson**, who acknowledged the division of the lands of “our father” according to his will. Partition made by Silas G. Bernard, William H. Dent, Peter Saunders Sr., Jacob Naff. Plat reproduced in this record book.<sup>337</sup>

COMMENT:

Wingfield marriage bond index:

- does not show a Wade-Whitehead marriage.

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<sup>334</sup> 1860 U.S. census, Franklin Co., pop. sch., p. 197 (Glade Hill Post Office, p. 7), dwell./family 42/42.

<sup>335</sup> Franklin Co., Circuit Court Will Book 2 (1804–1901): 152–54; imaged, *FamilySearch* digital film 7645001, images 94–95.

<sup>336</sup> “Franklin County, Virginia, Marriage Bond Index, 1786–1858,” database, *Ancestry* (<https://www.ancestry.com/search/collections/4004/>: accessed 27 August 2021).

<sup>337</sup> Franklin Co., Will Book 15 (1866–1871): 380–82; imaged, *FamilySearch* digital film 7541299, images 226–27.

- does not show any Whitehead marriage.
- shows Madeline G. D. Wade m. Thos. Reynolds, by bond of 4 Dec. 1844; but the 1870 census still identifies her as Madline Reynolds.

**25 FEBRUARY 1867**

**FRANKLIN COUNTY, VA**

Estate inventory

"Inventory of the appraisement this day made of the estate of **Elizabeth Wade** Deceased.

• 70 barrels Corn @ \$3.50 for 1 Barrell	\$245.50
• 14 Bushels Rye @ \$1.00 for 1 Bushel	14.00
[Total]	\$259.00

Signed: A. B. Hancock, Christopher Arrington, Wm. Pannill. Filed for recording 4 March 1867.<sup>338</sup>

**28 JANUARY 1869**

**FRANKLIN COUNTY, VA**

Deed

**Elizabeth Waid (x), John Robert Waid** (signed John R. Waid) and Mildred his wife, and **Wingfield S. Waid** (s) and Arian A.(s) his wife sell to **Marshall Waid** for \$437, all their "right, title & interest in and to all the lands Now held by the said Elizabeth Waid under a Deed of settlement entered into Between the said Elizabeth Waid and her late husband **William O. Waid** Decd. [*sic*], which deed bears date the 16<sup>th</sup> of August 1862 and is recorded in the Clerk's Office of Franklin County. Also all interest in the lands owned by the said Elizabeth Waid which descended to her from **her father John Ferguson's** estate. And also all interest in the lands which descended [*sic*] to the said Elizabeth Waid from her Daughter **Elizabeth Willis dec'd**. No witnesses. Acknowledged 28 January 1869 by Elizabeth Waid, John Robert Waid and Wingfield S. Waid before Courtland Cabaniss J.P. Relinquishment of dower right by wives same day, same J.P. Filed 11 February 1869 for recording.<sup>339</sup>

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<sup>338</sup> Franklin Co., Will Book 14 with Inventories & Accounts (1864–1866): 401; imaged, *FamilySearch* digital film 7645000, image 410.

<sup>339</sup> Franklin Co., Deed Book 29 (1868–1871): 34–35; imaged, *FamilySearch* digital film 8579326, image 527.

## **CHECKLIST**

### **Sources Used & Future Work**

#### **Court Records**

##### **Previously read for Hobson; not yet used for Wade**

- County Court Order Books 1786–1850. FS digital film 7898091, 7897650, 7898090, 7898092, 8141192, 8190425
- Order Book, October 1811–1817. Library of Virginia (LoV), Franklin Co. microfilm reel 29

##### **Read for Hobson and Wade**

- Determined Papers, 1789–1791. FS digital film 8705554
- Determined Papers, 1789–1792. FS digital film 8705555
- Determined Papers, 1790–1793. FS digital film 8705556
- Determined Papers, 1792–1794. FS digital film 8705557
- Determined Papers, 1781–1794. FS digital film 8705558
- Determined Papers, 1793–1795. FS digital film 8705559
- Determined Papers, 1794–1796. FS digital film 8705560
- Determined Papers, 1795–1798. FS digital film 8705561
- Determined Papers, 1796–1797. FS digital film 8573782
- Determined Papers, 1796–1798. FS digital film 8705562
- Determined Papers, 1797–1799. FS digital film 8705563
- Determined Papers, 1799–1800. FS digital film 8705564
- Determined Papers, 1800–1801. FS digital film 8705565
- Determined Papers, 1801–1802. FS digital film 8705566
- Determined Papers, 1801–1802. FS digital film 8705567
- Determined Papers, 1802–1803. FS digital film 8705568
- Determined Papers, 1803–1804. FS digital film 8705569
- Determined Papers, 1804. FS digital film 8705570
- Determined Papers, 1804–1806. FS digital film 8705571
- Determined Papers, 1804–1806. FS digital film 8705572
- Determined Papers, 1805–1806. FS digital film 8705573
- Determined Papers, 1806–1807. FS digital film 8705574
- Determined Papers, 1807–1808. FS digital film 8573783
- Determined Papers, 1808. FS digital film 8706537
- Determined Papers, 1806–1808. FS digital film 8706538
- Determined Papers, 1808–1811. FS digital film 8706539

##### **Previously read for Hobson; not yet used for Wade**

- Determined Papers, 1811–1820. Library of Virginia (LoV), Franklin Co. microfilm reels 120–123
- **Determined Papers, 1821–1825. Missing at FamilySearch**
- **Determined Papers, 1825–1826. FS digital film 8704985**
- **Determined Papers, 1827–1828. FS digital film 8704986**
- Determined Papers, 1828–1829. FS digital film 8704987

- Determined Papers, 1829–1830. FS digital film 8704988
- Determined Papers, 1831–1832. FS digital film 8704989
- Determined Papers, 1832–1833. FS digital film 8704990
- Determined Papers, 1833–1834. FS digital film 8704991
- Determined Papers, 1834–1836. FS digital film 8704992

**(Read for Hobson *and* John Wade)**

- Determined Papers, 1836–1837. FS digital film 8573775
  - Determined Papers, 1837–1838. FS digital film 8704993
  - Determined Papers, 1838. FS digital film 8704994
  - Determined Papers, 1838. FS digital film 8704995
  - Determined Papers, 1838–1839. FS digital film 8704996
  - Determined Papers, 1839. FS digital film 8704997
  - Determined Papers, 1840. FS digital film 8704998
  - Determined Papers, 1840–1841. FS digital film 8704999
  - Determined Papers, 1841. FS digital film 8705000
  - Determined Papers, 1841–1842. FS digital film 8705001
  - Determined Papers, 1842. FS digital film 8705002
  - Determined Papers, 1842. FS digital film 8705003
  - Determined Papers, 1842–1843. FS digital film 8706541
  - Determined Papers, 1843. FS digital film 8706542
  - Determined Papers, 1843. FS digital film 8706543
  - Determined Papers, 1843–44. FS digital film 8706544
  - Determined Papers, 1844. FS digital film 8573784
  - Determined Papers, 1844. FS digital film 8706545
  - Determined Papers, 1844–1845. FS digital film 8706546
  - Determined Papers, 1845. FS digital film 8706547
  - Determined Papers, 1845–1846. FS digital film 8706548
  - Determined Papers, 1846. FS digital film 8706549
  - Determined Papers, 1846–1847. FS digital film 8706550
  - Determined Papers, 1847. FS digital film 8706551
  - Determined Papers, 1847–48. FS digital film 8706552
  - Determined Papers, 1848. FS digital film 8706553
  - Determined Papers, 1848–1849. FS digital film 8706554
  - Determined Papers, 1849. FS digital film 8706555
  - Determined Papers, 1849–1850. FS digital film 8706556
  - Determined Papers, 1850–1851. FS digital film 8706557
  - Determined Papers, 1850–1851. FS digital film 8706558
  - Determined Papers, 1850–1852. FS digital film 8706559
  - Determined Papers, 1852. FS digital film 8706560
  - Determined Papers, 1852–1853. FS digital film 8706561
- [stopped reading this series at this point]**
- Determined Papers, 1841–1898 [*sic*]. FS digital film 8705518  
[The papers are heavily in the 1870s–1890s, but the first case goes back to a will of the 1790s and the latest I spotted were 1900.]

### **Deeds: County Clerk**

**Used via the clerk's index, but I have not read page-by-page:**

- Deed Records, Books 1–22 (1786–1853). Library of Virginia and *FamilySearch*

### **Deeds: District Court**

**Previously read for Hobson; now relied upon index for Wade:**

- General Index to Deeds, Grantor, 1786–1897. FS digital film 007898083
- General Index to Deeds, Grantee, 1786–1897. FS digital film 007897648
- Deeds, vols. 1–27 (1785–1867)
- Bonds, Deeds, Book No. 2 (1802–1814)
- “Index to Land Suits, District Court, 1805–1818.” LoV, Franklin Co. reel 40. Library of Virginia

### **Fiduciary Records**

**Previously read for Hobson; not yet used for Wade**

- Guardians' Accounts, 1805–1833, 1833–1855, 1852–1864. LoV Franklin Co. reels 493, 282–2833, 284–285

### **Marriage Records**

**Previously read for Hopson; not yet used for Wade:**

- “Marriage Bonds, 1813 (I)–1818.” Loose papers chronologically arranged. LoV Franklin Co. reel 47

**Previously read for Mills; not yet used for Hobson or Wade:**

- Marriage Returns, 1786-1858. LoV Franklin Co. reels 92–93

### **Probate Records**

**Previously read for Hobson; now relied upon index for Wade:**

- General Index to Wills, A–K and L–Z, 1796–1948. FS digital film 007644993
- Will Book 1 with Inventories & Accounts, 1786–1812. FS digital film 7644994
- Will Book 2 with Inventories & Accounts, 1812–1825. FS digital film 7644994
- Will Book 3 with Inventories & Accounts, 1825–1833. FS digital film 7644995
- Will Book 4 with Inventories & Accounts, 1829–1837. FS digital film 7644995
- Will Book 5 with Inventories & Accounts, 1837–1845. FS digital film 7644996
- Will Book 6 with Inventories & Accounts, 1845–1849. FS digital film 7644996
- Will Book 7 with Inventories & Accounts, 1849–1852. FS digital film 7644997
- Will Book 8 with Inventories & Accounts, 1852–1854. FS digital film 7644997
- Will Book 9 with Inventories & Accounts, 1854–1859. FS digital film 7644998
- Will Book 10 with Inventories & Accounts, 1856–1859. FS digital film 7644998
- Will Book 11 with Inventories & Accounts, 1859–1861. FS digital film 7644999
- Will Book 12 with Inventories & Accounts, 1861–1863. FS digital film 7644999

- Will Book 13 with Inventories & Accounts, 1863–1864. FS digital film 7645000
- Will Book 14 with Inventories & Accounts, 1864–1866. FS digital film 7645000
- Will Book 15 (1866–1871). FS digital film 7541299

### Surveyor's Office

#### Previously read for Hobson; have not yet used for Wade:

- Plat Book 1, 1792–1811; LoV Franklin Co. microfilm reel 40

#### Have not yet used:

- Plat books, 1811–1891; FS digital film 8141191

### Tax Records

#### Previously read for Hobson; have not yet used for Wade:

- Land Tax Records, 1786–1895. **LoV**, Franklin Co., land tax microfilm
- Personal Property Tax Records, 1786–1850. **LoV**, Franklin Co., personal tax microfilm

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#### Online:

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<http://www.genfiles.com/articles/tithables>. 2018.

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**Note:** Although the title does not say so, this is only an index—a database print-out showing defendant, plaintiff, date, and page number.

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### How to Cite

Elizabeth Shown Mills, "Hobsons/Hopsons & John Wades of Franklin County, Virginia (1786–c1850), Including Ferguson, Mills, Patterson & Other Associated Families," report, 21 November 2021, [specific page number]; archived at Elizabeth Shown Mills, *Historic Pathways* (<https://www.historicpathways.com> : [access date])