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- DATE:** 27 January 2016 (updated 21 May 2022)
- REPORT TO:** File
- SUBJECT** Mills & Associates: Albemarle County, VA: Court Orders, Deeds & Probate, 1745–1767; Including Lavender, Learwood, Mattox, Mosby, Napier, Ripley, Tilman, Wade, Walton, Watts, and Witt
- OBJECTIVE:** This project begins the effort to identify and extract all available court orders, deeds, and probate records for the families of
- William Mills (c1695–c1755) and wife Mary (c1705–1776)¹
 - Edward Watts (c1700–aft1763)²
 - William Witt (c1680–1754)³
- This project will minimally treat two families for whom prior work shows no connection to the above Millses and Wattses:
- The David Mills family of Mechum’s River in Upper Albemarle
 - The Jacob Watts family of Moore’s Creek along the Albemarle-Orange County line
- RESOURCES:** The unindexed Order Book 1 will be read page by page.
Land grants will be gathered via the Library of Virginia’s online database.
Land surveys will be gleaned from the published abstracts of Eric Grundset. For key documents, the originals (which are not imaged online) will then be examined at the Library of Virginia on my next research trip to that facility.
Deeds and probates for the studied period have been mostly transcribed by the Sparacios and will be used as a beginning point to gather abstracts.⁴ Documents found therein that relate to key individuals in this project will be verified against the surviving original record books imaged online by *FamilySearch*.

¹ For all proved information on William Mills and analyses of how that information advances research into his origin, see E. S. Mills, “William Mills (c1695–c1755) of Goochland, Albemarle & Amherst Counties, Virginia; Spouse Mary [—?—]: Research Notes,” 104 pp., a work-in-progress last updated 23 February 2022; archived at Mills, *HistoricPathways.com* under the “Research” tab.

² For transcripts, abstracts, and/or images of records on Edward and his several sons, see E. S. Mills, “Thomas Watts (b. ca.1725; d. ca.1796–1800); Spouse Sarah Mills: Research Notes,” 45 pp., a work in progress last updated 15 June 2016; archived online at Mills, *HistoricPathways.com* under the “Research” tab.

³ For sparse background on this branch of the Witts, see David F. Whitt, *Ancestors and Descendants of William Whitt: 1775–1850* (Bowie, MD: Heritage Books, 2004), 54–55.

⁴ In general, the valuable Sparacio series gleans details from each and every document, with much of each document transcribed. However, information such as the metes of deeds that make platting possible, as well as some actions in the record-creation process that flesh out each person’s timeline, have been silently omitted. Occasional misreadings exist, as with every derivative work.

Maps

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Summary of Findings

All the major families within this project, except Tilman and Learwood, appear to have resided on the Albemarle frontier of Goochland at the time Albemarle was created. To begin the task of extending their lines backward, research should move into Goochland.

GEOGRAPHIC LOCATIONS OF EACH FAMILY

Albemarle County in the 1745–65 period covered all of five present counties and part of a sixth: Albemarle, Amherst, Appomattox (partially), Buckingham, Fluvanna, and Nelson. **See Map 1.**

The initial settlements for each key family, as documented by the “Research Notes” section of this report, places them as follows:

Present Amherst:

- *Mills*: William Mills settled his family on Pedlar River and its waters: Buck Branch and Dancing Creek
- *Watts*: Edward Watts and sons settled adjacent to Mills on Pedlar River and its waters—mainly Buck Branch, Dancing Creek, and Clark’s Creek; all left the region by early 1750s
- *Witt*: William, John, and Abner settled at Rockfish along the Rivanna

Present Buckingham:

- *Ripley*, *Tilman*, and *Walton* clustered at Ripley Creek and Walton Fork
- *Witt*: Benjamin settled at Hunt’s Creek, south side of Rivanna

Present Fluvanna:

- *Napier*: Tye River

Present Nelson:

- *Lavender*: Tye River
- *Mills*: Jesse on Tye River from 1766
- *Wade*: Davis, Hat, and Thresher Creeks
- *Walton*: Tye River before 1761

THE PEOPLE

The Millises

This research block turned up nothing new on William Mills and wife Mary, who have already been extensively researched.

Charles Lavender

The current set of research notes offer no clue to the origin of Charles Lavender, whose son William married William and Mary's daughter Milly Mills before 1770. The notes show that he was a landowner or claimant (or lessee of an absentee landowner) by June 1745. One land grant was issued to him for land on Tye River in January 1746. These Albemarle records also provide no further clue to the maiden identity of his wife who appears in Amherst records, just once (1785), as "Elizabeth Lavender."⁵ The known ages of his children suggest that he married about the time of his arrival on the Albemarle frontier. His documented associations, as gleaned from road orders and his land grant, are limited to just four neighbors: Jh. Harris, John Isham, Samuel Burks, and John Peartree Burks. No individuals cosigned bonds or other debts with him. Prior work in Amherst shows that he left *sons William, Charles Jr., and Allen.*⁶

John Ripley

John Ripley first appears in these notes in 1747, with a survey of land granted to him in 1749. The attached notes suggest that he was a widower by 1752, when he began to divide his land among his offspring. Deeds identify three children: **Richard**, to whom John gave land in 1752; **Juliet** who was to be Richard's heir in the event Richard died without legal offspring; and **Sarah**, to whom John gave all his remaining land and personal property in June 1759. This last act by John was a parental act that usually represented a child's promise to care for the parent in his or her declining years. Richard is a documented resident of Albemarle through May 1763.

From concurrent work in Amherst County, we know that John Ripley married again by 8 September 1767,⁷ to William Mills's widowed daughter Elizabeth Learwood, and moved with her to Edgefield District, SC. Whether John remarried because Sarah had died and he needed another caretaker or whether he moved off with Elizabeth and left Sarah in possession of the land is not evident from the court, land, and probate records abstracted in this report. Prior work on Elizabeth and John does reveal that they had funds to buy land in SC after their relocation.⁸

The Tilmans

Prior work on the Tilmans established that they (like William Mills and Edward Watts) came out of Goochland. This set of research notes suggest that Thomas Tilman Sr., the father-in-law of Jesse Mills and William Walton Jr., did not move to Albemarle > Amherst until the summer of 1761. On 7 August of that year, he bought Tye River land from his Walton son-in-law. He would expand his holdings, and his

⁵ Amherst Co., Court Order Book 1784–1787, p. 385.

⁶ E. S. Mills, "Mills & Associates: Amherst County, Virginia, Court Orders—Including References to Bias/Byass, Byers, Hobson, Lavender, Learwood, Napier, Tilman, Toney, Wade, Walton, and White (Also Pre-1800 Overseer of the Poor Records for Amherst in General to Learn Community Patterns," esp. pp. 3–5, report to file 28 October 2019 (updated 25 April 2022), 112 pp.; archived online at *HistoricPathways.com* under the "Research" tab.

⁷ Amherst Co., Court Order Book, 2 June 1766–1769, p. 212; imaged, *Family Search* digital film 8151599 > image 121.

⁸ For a synopsis of prior work on John and Elizabeth in Edgefield, see the previously cited "William Mills (c1695–c1755) of Goochland Albemarle & Amherst Counties, Virginia; Spouse Mary [—?—]: Research Notes," pp. 4–8.

son Daniel would join him, but the roughly two decades they spent in Amherst (before moving to Fluvanna) were troubled ones. By 1765, when Thomas Sr.'s daughter Lucy married Jesse Mills, Thomas was heavily in debt and continued to mortgage his property through the 1770s.

Thomas Watts

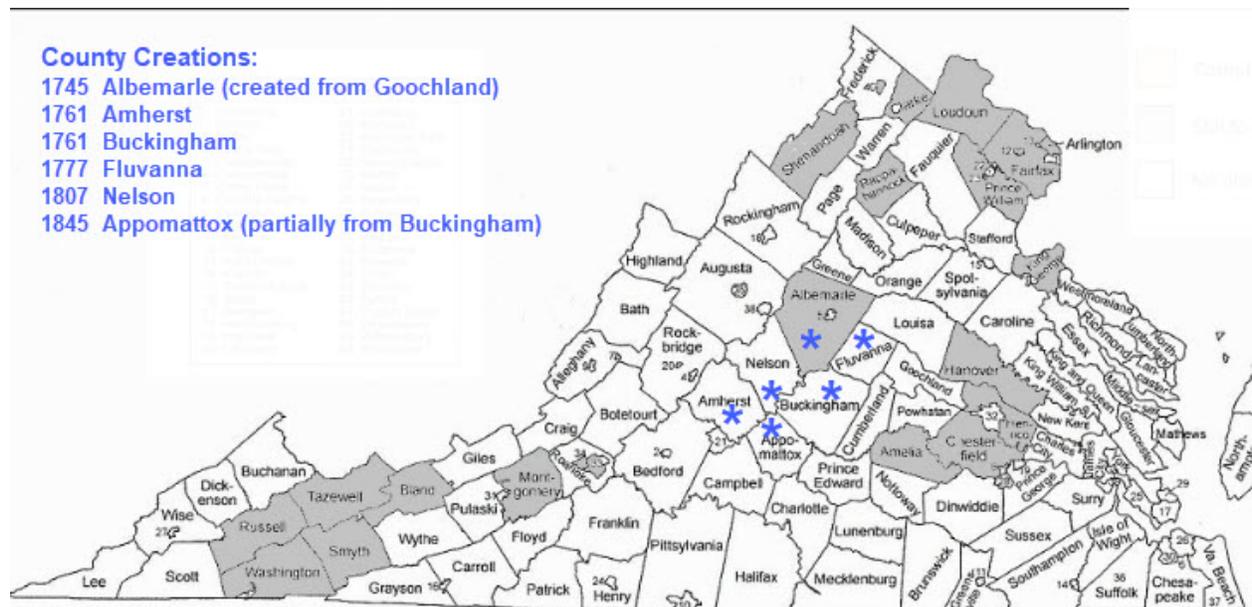
The attached notes suggest that Thomas Watts (who married William Mills's daughter Sarah c1748) was two or more years older than previously known. Prior research placed his first adult action in December 1746, suggesting a birth no later than December 1725. As seen in this current report, Thomas launched a civil suit in March 1744 against another Albemarle resident—a suit launched in his own name, not via a parent or “best friend.” We may conclude that he was of legal age at that time—i.e., **born before March 1724**.

The Witts

William Witt, son of the immigrant John Witt, first appears in Albemarle records in July 1747. No land grant has been found for him. His son John, already an adult, previously appeared on record in Albemarle in August 1745. No land grants, surveys, or deeds have been found for either of them until 1757, although John clearly owned Albemarle land; the three acres he acquired in 1757 was said to adjoin his own land.

This block of research does not identify *all* of William's children. His will of 1754 names four: **Benjamin Witt, Sarah Cannady, Agness Key, and John Witt**. However, he twice referenced a division of property ‘among my Children except Benjamin, Sarah, and Agness,’ clearly indicating that he had other unnamed children aside from the non-excluded son John. The word “among” suggests there were at least three other than the excluded Benjamin, Sarah, and Agness. One daughter is frequently said by other researchers to be “Middy” (Mildred?) wife of William's executor Peter Chastain; the claim appears based on the fact that her husband was appointed executor to serve with William's son John.

Map 1
Albemarle & Counties Cut from It



Research Notes

16 JUNE 1744

GOOCHLAND > ALBEMARLE CO. VA

Patent

Benjamin Witt, grantee, for 20 shillings, 200 acres, both sides of **Hunts Creek**, a branch of **Slate River**, described as

Beginning at a pine the lower side of Hunts Creek, and running thence new lines N 85° W 140p, crossing the creek to pointers, thence N 5° E 222p to pointers in **Peter Chastains** Line, thence on Chastain's line S 68° E 158p crossing the creek to pointers, thence N 53° E 60p to pointers, and thence new lines S 20° W 223p to the first station.

The grantee is required to pay a fee rent of 1 shilling per 50 acres, due yearly on the Feast of Saint Michael the Archangel, and the patent is conditional upon cultivating and improving 3 acres for every 50 acres within three years.⁹

COMMENT:

Slate River now falls within Buckingham County.

28 MARCH 1745

Court orders

“Upon the Petition of **Pearce Wade** against Richard Jones for Thirty Shillings Current Money due by note under the Defendants hand, the said Pearce Wade Plantif as well as Richard Jones Defendant being called and not Appearing Ordered that the said Petition be Dismissed.”¹⁰

COMMENT:

I am noting Wade's earliest presence in the county, but will not have time in this project to consistently gather all records created by and about him.

“**Thomas Watts** against Thomas Fletcher, Trespass Asst. [Assault] & Battery. The Sheriff having returned the Defendant no Inhabitant of this Colony Ordered that the said Suit be Dismissed.”¹¹

COMMENT:

Since Thomas Watts was suing in his own name (as opposed to a parent suing for him), we may deduce that he was at least 21—i.e., born before March 1724. This record backdates his birth period by two or more years.

Re “Trespass Asst. & Battery”:

“**TRESPASS** torts. An unlawful act committed with violence, *ti et armis*, to the person, property or relative rights of another. Every felony includes a trespass.”¹²

1 APRIL 1745

ALBEMARLE > BUCKINGHAM

⁹ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants> : downloaded 12 May 2022), “Witt, Benjamin”; citing “Land Office Patents No.22, 1743–1745, p. 111 (Reel 20).”

¹⁰ Albemarle Co., Order Book 1744–1748, unnumbered page; imaged, *FamilySearch* digital film 7893705 > image 13.

¹¹ Albemarle Co., Order Book 1744–1748, unnumbered page; imaged, *FamilySearch* digital film 7893705 > image 14.

¹² John Bouvier, *A Law Dictionary; Adapted to the Constitution and laws of the united States of America ...*, rev. 6th ed. (1856); HTML edition, *The Constitution Society* (f1-Constitution/bouv/bouvier_t.htm : accessed 12 May 2022).

Land survey

“Thomas and Charles Paterson; 1570 ac; on branches of **Walton’s fork** of **Slate River**; being 370 acres surveyed by Joshua Fry April 1, 1745, added to 1200 acres formerly surveyed by the Surveyor of Goochland for Thomas Paterson and his son Charles Paterson agreeable to an order of Council bearing date June 10th 1742 for an inclusive patent. Richard Taylor and Arthur McDaniel sworn chain carriers; adjoining **William Walton**; by Joshua Fry.”¹³

COMMENT:

The plat, reproduced by Grundset on his p. 2, shows William Walton adjoining the surveyed land on the west.

Walton Fork, Slate River, and the North Fork of Slate River all fell into **Buckingham County** when Buckingham was created in 1761 (same year that Amherst was created). According to HomeTownLocator.com, Walton’s Fork lies just W of the community of Eldridge Mill in Buckingham and a few miles due S (and across the James) from Scottsville in Albemarle County.

This William Walton, formerly of Goochland, was the father of

- Robert and Joseph Walton (who settled Buckingham); and
- William Walton Jr. who married Elizabeth Tilman of Goochland, and settled amid the Mills-Lavender family on Tye River.¹⁴ Elizabeth (Tilman) Walton’s younger sister Lucy in 1765 Amherst, married Jesse Mills, son of William and Mary of the Pedlar.

2, 4 APRIL 1745

ALBEMARLE > BUCKINGHAM

Land survey

“Thomas Paterson; 400 ac; on **Ripley’s Creek** being an entry of Richard Taylor’s transferred to Mr. Thomas Paterson and surveyed for him April 2, 1745; by Joshua Fry; Richard Taylor and Arthur McDaniel sworn chain carriers; adjoining Thomas Paterson’s land. ... Arthur McDaniel; 400 ac.; branches of **Ripley’s Creek** joining his former survey; April 4, 1745; William Perkins and William Flowers sworn chain carries; by Joshua Fry.”¹⁵

COMMENT:

Ripley Creek flows off of Walton Fork of Slate River, as seen in Map 2, below.

6 APRIL 1745

ALBEMARLE > BUCKINGHAM

Land survey

“William Noland; 400 ac; on Arthur’s Creek of Slate River; April 6, 1745; Richard Tullos and **Richd Ripley**, sworn chain carriers; shows creek; by Joshua Fry.”¹⁶

¹³ Eric G. Grundset, *“Land Lying in the County of Albemarle”*: *Albemarle County, Virginia Surveyors’ Plat Books, Volume 1, Parts 1 and 2, and Volume 2, 1744–1853 [and 1891]* (Fairfax, VA: Privately printed, 1998), 1; citing Bk 1, pt 1, p. 3.

¹⁴ As an introduction to this family, see Wilmer L. Kerns, *Waltons of Old Virginia and Sketches of Families in Central Virginia* (Bowie, MD: Heritage Books, 2009), particularly pp. 11–60.

¹⁵ Grundset, *“Land Lying in the County of Albemarle”*... *Surveyors’ Plat Books*, 1; citing Bk 1, pt 1, p. 4.

¹⁶ Grundset, *“Land Lying in the County of Albemarle”*... *Surveyors’ Plat Books*, 1; citing Bk 1, pt 1, p. 5.

Map 2
Ripley Creek and Walton Fork of Slate River: Albemarle > Buckingham County, Virginia
(Inset shows approximate position in Buckingham County)



23 MAY 1745

Court orders

“On the Motion of John Harvie, leave is granted him to Clear a road from the Mouth of **Tye River** to the Branches of **Harris’s Creek**.”¹⁷

27 JUNE 1745

Court orders

“William Cabell, Gent. is Appointed Surveyor of the High Way from the fford of Tye River to the Court House. The Male Tithables betwixt the said road and the River, and also the male Tithables Convenient to the said Road belonging to the Revd. Mr. Stith, Mr. Jh. Harris, **Charles Lavender**, John Isham, and Samuel Burks are ordered to Assist the said Cabell in Clearing the same.”¹⁸

COMMENT:

Two sons of Charles Lavender married offspring of William and Mary Mills of the Pedlar.

¹⁷ Albemarle Co., Order Book 1744–1748, unnumbered page; imaged, *FamilySearch* digital film 7893705 > image 17.

¹⁸ Albemarle Co., Order Book 1744–1748, unnumbered page; imaged, *FamilySearch* digital film 7893705 > image 22.

1. The older son William Lavender married William and Mary's daughter Mildred "Milly" Mills. (As a widow, Milly would marry the previously discussed William Walton Jr., widower of Elizabeth Tilman.)
2. The younger son Allen Lavender married William and Mary's granddaughter, Agatha Witt—daughter of Elizabeth Mills who married Benjamin Witt's son Lewis and settled in Bedford.¹⁹

"**Thomas Bellew** Gent. is Appointed Surveyor of the High Way to be laid off by the said Bellew from the Court House to the Road formerly Cleared by Allen Howard Gent. and from thence to be Carried by the said Bellew the best way to Slate River And all the Male tithables betwixt the said Road and the Fluvanna River are Ordered to Assist the said Bellew in Clearing the same."

COMMENT:

Thomas Ballew/Ballow, a "gentleman justice" of this era, was the grandfather of Lucy Ballew who, in 1785 Amherst, married Charles Lavender Jr., son of William and Milly (Mills) Lavender.²⁰

"John Cannon is Appointed Surveyor ... from the place **Capt. Bellews Road** comes in to Slate River ..."

"Ordered that **Thomas Bellew Gent.** and Richard Tayler do Mark Out a Road from the Court House, to Meriday Mannings foard on Slate River, And that William Allen Gent. do Carry on the said Road the nearest and best way to Horn Quarter."

"**John Key** is Appointed Surveyor of the High Way, from the End of A Road which is Cleared, to John Key's Mills, the nearest and best way to the Late Secretarys ffoard, and the Male Tithables of William Womac, Daniel Holladay, Robert Daulton, William Hind, John Key, and Larkin Smith are Ordered to Assist the said Key in Clearing the same."²¹

COMMENT:

John Key was the husband of Agnes Witt, daughter of William and sister of Benjamin and John Witt, as proved by William Witt's will transcribed into this set of notes. Thus, John Key was by marriage the uncle of Lewis Witt who married William and Mary Mills' daughter Anne.

Keys would be associates of the Millses for more than a century past this point. The following associations are relevant:²²

- In 1815, **William Mills-Witt** the proposed natural son of **Sarah³ Mills** of Amherst (Jesse², William and Mary¹) married in Franklin Co., VA, to Drucilla Kemp, granddaughter of John

¹⁹ For the evidence proving parentage of the often misidentified Allen Lavender, see E. S. Mills, "Mills & Associates: Amherst County, Virginia, Court Orders ...," report to file, 110 pp., 28 October 2019 (updated 25 April 2022), particularly pp. 3–5; archived online at *HistoricPathways.com* under the "Research" tab.

²⁰ Charles Lavender (Pvt., Col. Merriwether & Samuel Cabell Regt., VA Continental Line), Widow Lucy, no. W8025, in "Revolutionary War Pensions," *Fold3* (<https://www.fold3.com/image/25254588> and 109 subsequent images : accessed 17 May 2016). With Lucy's parents, Thomas Ballew Jr. and Elizabeth, Charles left Amherst for Edgefield District, SC before 1790—roughly the same time frame in which Charles's aunt Elizabeth (Mills) Learwood Ripley migrated to Edgefield with her husband John Ripley.

²¹ Albemarle Co., Order Book 1744–1748, unnumbered page; imaged, *FamilySearch* digital film 7893705 > image 23.

²² For the younger William Mills of Franklin County, whose Y-DNA is that of the Witts, see E. S. Mills, "William Mills (b. c1784–88; d. c1863); Spouse Drucilla Kemp: Research Notes, 98 pp., a work-in-progress last updated 1 November 2021), especially pp. 5, 12, 18, 17, 73, 75, 86; archived online at *HistoricPathways.com* under the "Research" tab.

For additional Mills-Kemp-Craighead-Key documents for Franklin Co., see these two additional reports I have also archived at *Historic Pathways.com* under the "Research" tab.

- "Mills & Associates: Franklin County, Virginia, Extended Survey," 112 pp., 21 November 2021.
- "Mills & Associates: Franklin & Floyd Counties, Virginia: Initial Survey," 102 pp., 28 November 2018.

Kemp and Mary Craighead of Goochland > Franklin. Mary (Craighead) Kemp was the sister of **Rev. John Craighead** of Albemarle > Amherst.

- The bondsman for the Mills-Kemp marriage, Stephen Standifer was also bondsman six months earlier for the marriage of Drucilla's first cousin Walter Kemp to **Jerusha Key**. Jerusha's father **George Key** had been born c1753 in Albemarle to **John and Agness (Witt) Key**. George Key was first cousin to the sons of John Witt, one of whom apparently fathered William Mills-Witt.
- **George Key's** wife, whom he married by Bedford Co. bond of 22 August 1785, was **Susannah Craghead**, daughter of **Rev. John Craighead and wife Leodicea Maxey** of Albemarle > Amherst.
- Between 1800-1801 tax rolls, **George and Susannah (Craghead) Key** had settled in Franklin where George and Drucilla Kemp's uncle Thomas Kemp (husband of Esther Maxey) submitted their tax lists the same day, every year through at least 1807. William Mills-Witt was first taxed in 1806 in the same tax district, with no known kin.
- George and Susannah (Craghead) Key were also the parents of Arphaxed Key who married 1815 in Giles Co., VA, Elizabeth Snider. Among other children, they were the parents of George (b. 1814, Giles) and **William H. Key** (b. 1827 Giles), who shared a home in Floyd Co. in the summer of 1850.
- In December 1850, in Floyd Co., **William H. Key** married **Sarah Mills**, daughter of William Mills-Witt and Drucilla Kemp.

I am noting this first reference to John Key, but will not have time in this project to gather all the many records created by and about him.

Gideon Marr is an Albemarle attorney in suit of **Caleb Baker** vs. James Johnson.²³

COMMENT:

Baker is the **only man of the name Caleb** whom I have seen mentioned in these records. As such, he may point to the birth family of the mother of Caleb Watts.²⁴

"**Leonard Ballow Junr.**, John Childers & Wilmington Harris, or Any two of them being first Sworn by some Justice of this County are Order'd to Appraise in Currant money the (Slaves if any) and Personall Estate of the said Thomas Upton Decd. within this County and returned their Appraisment to the next Court."

"William Cabell Joseph Thompson Charles Lynch **Thomas Ballow** and David Lewis Gentⁿ Having Produced Commissions from the Honbl. the Lieutent. Governour as Captains, took the Usual Oaths to the Government and Subscribed the Test."²⁵

10 JULY 1745

GOOCHLAND > ALBEMARLE > BUCKINGHAM CO. VA

²³ Albemarle Co., Order Book 1744–1748, unnumbered page; imaged, *FamilySearch* digital film 7893705 > image 25.

²⁴ For the still-parentless Caleb Watts, who settled the Little Pedlar (aka Clark's Creek) in 1772, next door to a tract credited to one William Watts in Albemarle records of the 1750s, see E. S. Mills, "Watts & (Some) Dillards of Albemarle & Amherst Counties, VA: Preliminary Survey of Published Sources, 1782–1807 Personal Tax Rolls, 1782–1800 Land Tax Rolls, and 1765–1792 Court Order Books," report to file, 130 pp., 3 December 2019 (updated 29 April 2022); archived online at *HistoricPathways.com* under the "Research" tab.

²⁵ Albemarle Co., Order Book 1744–1748, unnumbered page; imaged, *FamilySearch* digital film 7893705 > image 27.

Patent

Joseph Walton, grant, for 40 shillings, 400 acres in Goochland on both sides of Little Brimmer Creek, beginning at Benjamin Woodson’s corner pine [metes and bounds not copied].²⁶

COMMENT:

This “Brimmer” Creek land lies in Fluvanna County, across the James from Walton’s Fork of present Buckingham Co.

25 JULY 1745

Court orders

William Walton [Sr.] serves as foreman of first jury.²⁷

22 AUGUST 1745

Court orders

“A Deed with Livery Seisen and Receipt was presented in Court by John Barnett and by him Acknowledged to **John Witt** and on the motion of the said Witt was Ordered to be Recorded.”²⁸

COMMENT:

This John Witt’s will was proved in Amherst on 4 March 1782.²⁹

“*Livery of seisin* means simply ‘transfer of possession’.”³⁰

23 AUGUST 1745

Court orders

“Ordered that the Sheriff of this County do Summon John Hodnett to Appear before the Justices of this County at the Court House on the fourth Thursday in September next to Answer the Complaint of Gideon Marr Exhibited against him for Misuing an Orphan Girl under his Care and John Rider be likewise Summoned as an Evidence.”³¹

COMMENT:

In January 1746 the court ruled “against John Hodnett for Misuing **Ann Gregg** an Orphan Child under his care.” Gregg was to be delivered to the Church Wardens to be “take care of” by them until the next term of court.³² On 27 March, the charges against Hodnett were dismissed.³³ The

²⁶ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants> : downloaded 12 May 2022), “Walton, Joseph”; citing “Land Office Patents No.22, 1743–1745, p. 283 (Reel 20).”

²⁷ Albemarle Co., Order Book 1744–1748, unnumbered page; imaged, *FamilySearch* digital film 7893705 > image 28.

²⁸ Albemarle Co., Order Book 1744–1748, p. 45; imaged, *FamilySearch* digital film 7893705 > image 33. Abstracted in Bailey Fulton Davis, *The Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)* (Greenville, SC: Southern Historical Press, 1979), 7; citing Albemarle Co., “Order Book 1744–1748,” p. 45. As Davis notes at p. 1, Albemarle’s first deed and will book has been lost; the court orders help to fill gaps, although they provide few details.

Benjamin B. Weisiger III’s *Albemarle County, Virginia, Court Papers, 1744–1783* (Richmond: Privately printed, 1987) does not contain Witt or Whitt entries.

²⁹ Amherst Co., Order Book, 1773–1782, p. 469; imaged *Family Search* digital film 7856348 > image 124. For the context to identify this John properly, see the records transcribed and/or abstracted in E. S. Mills, “Witt & Associates: Albemarle & Amherst Counties, VA, Court Orders, 1766–1800,” report to file, 10 May 2022; archived online at *HistoricPathways.com* under the “Research” tab.

³⁰ Farlex, *The Free Dictionary: Legal Dictionary* (<https://legal-dictionary.thefreedictionary.com/Livery+of+Seisin>), “Livery of Seisin.”

³¹ Albemarle Co., Order Book 1744–1748, p. 50; imaged, *FamilySearch* digital film 7893705 > image 36.

³² Albemarle Co., Order Book 1744–1748, p. 90; imaged, *FamilySearch* digital film 7893705 > image 56.

³³ Albemarle Co., Order Book 1744–1748, p. 74; imaged, *FamilySearch* digital film 7893705 > image 48.

next day, Gideon Marr (who was prosecuting the charge against Hodnett), appealed the ruling at his own costs.³⁴

“**Edward Watts** against John Peartree Burks. Tresp^s. Asst. & Batt^y. The Parties Appear by their Attorneys, the Defendant by Edmond Gray his Attorney prays and hath leave to *Imparle* till next Court and then to Plead and in the mean time to have Oyer of the Proceedings herein had to which time is given the Parties here.”

COMMENT:

Asking *leave to imparle* was a request for time to answer the pleading of the opponent. Having *oyer of the proceedings* was a request to have those proceedings read to him.

Edward Watts against Burks for “Tres Slander.” Same attorney for defendant. Same actions.

Edward Watts against Robert Davis for Tres^s Slander. Ditto.

“John Pleasant against **John Ripley**. In Case. The Sheriff having returned the writ Copy Left on the Motion of the Plaintiff by his Attorney, an Alias Capias is Awarded him.”³⁵

COMMENT:

An *alias capias* is a writ issued when a prior summons had been issued and the summoned person did not appear.

“Samuel Jordan against **Edward Watts**. In Case. The Defendant not Appearing, on the motion of the Plaintiff by Gideon Marr his Attorney, an Attachment is Awarded against the Estate of the said Defendant for Ten Pounds five Shillings and a penny returnable here the next Court and for the Costs of this Suit. &c.”

“Benjamin Harris against **John Ripley**. In Case. The Sheriff having made his returne on the Writ Copy Left on the motion of the Plaintiff by his Attorney, an Alias Capias is awarded him.”³⁶

27 SEPTEMBER 1745

Court orders

“Ordered that John Graves be Overseer of the road from the mouth of **Tye River** to the Branches of Harris’s Creek and that all the Male Tithables between **Buffalo River** and the **Fluvanna (Charles Lavender** only Excepted) do assist the said Graves in Clearing the same.”³⁷

COMMENT:

Neither this entry nor others in this court term suggest a reason why Charles Lavender was excepted.

“**Edward Watts** against Jno. Peartree Burks. Tres^s Ass^t &c. And now at this day to Wit the XXVII day of September &c that ___ wich day the aforesaid John Peartree Burks had leave to *Imparle* &c and then to Answer &c, the Aforesaid **Edward Watts** Comes by Jas. Meredith his Attorney and prays the aforesaid Burks may Answer to the Deed Aforesaid and the same Burks Alltho Solemnly Required does not Come nor says any thing in Bar or Preclusion of the Action Aforesaid, by which the said Watts remains Thereof against him undefended for Which the said Watts ought to recover his Damages Aforesaid against the said Burks Sustained on Creation of the Trespass & Assault Aforesaid.”

³⁴ Albemarle Co., Order Book 1744–1748, p. 111; imaged, *FamilySearch* digital film 7893705 > image 66.

³⁵ Albemarle Co., Order Book 1744–1748, p. 53; imaged, *FamilySearch* digital film 7893705 > image 37.

³⁶ Albemarle Co., Order Book 1744–1748, p. 50; imaged, *FamilySearch* digital film 7893705 > image 39.

³⁷ Albemarle Co., Order Book 1744–1748, p. 54; imaged, *FamilySearch* digital film 7893705 > image 43.

Ditto for **Edward Watts** against John Peartree Burks. Tres Sland^r.

Ditto for **Edward Watts** against Robert Davis. Tres Sland^r.³⁸

“John Plesant against **John Ripley**. In Case. The Defendant not Appearing the Plaintiff by Gideon Marr his Attorney makes a motion for an Attachment which is awarded against the Estate of the said Defendant for Twenty Pounds and Costs Returnable here the next Court.”³⁹

“Samuel Jordan against **Edward Watts**. In Case. [Debt] The Defendant being Called and not Appearing, on the Motion of the Plaintiff by Williams Battersby his Attorney, Ordered that Judgment be Entered for the said Samuel Jordan against the said Edward Watts According to an Account Proved by the said Jordan for Ten Pounds, five Shillings and one penny, Together with fifteen Shillings for a Lawyers fee, and One Hundred and one pound of neet Tobacco for his Costs; and that the Sheriff sell the Goods Attached in Order to Discharge the said Debt & Costs, and report the same to next Court, And the said Defendant in Mercy. Goods sold for Twelve pence &c.”⁴⁰

28 NOVEMBER 1745

Court orders

“On the Petition of Henry Terrell and **Mathew Mills** to have the Improvements of Twenty four Hundred Acres of Land (belonging to the said Terrell and Mills in this County) Vallued, Ordered that David Lewis, David Ries, Danl. Holladay and John Key or any three of them being first Sworn &c do Appraise in Currant money the Improvement &c on the said Land and that they make their report ... to next Court.”

COMMENT:

Mathew Mills was from the David Mills family of Upper Albemarle, Hardware and Meecham's Rivers. Descending from the well-researched Nicholas Mills family, they are no known connection to William and Mary Mills of the Pedlar.⁴¹ See Map 3, below.

“Ordered that **Tho^s Joplin**, W^m Harris, Lenard Ballow and John Childers of any three of them being first Sworn &c do Appraise the Slaves (if any) and personall Estate of the sd. Stepn. Johnson Decd. and return the Appl. to next Court.”⁴²

“John Bellamy against **William Witt** [West?]. In Assy. & Baty. The Parties appear who Inform the Court they have mutually agreed all matters in difference between them. Therefore by Consent of Parties and with the Assent of the Court, This Suit is Ordered to be Dismist.”

“Patrick Cambhill against **Thomas Watts**. In Case. The Parties Appear by their Attorneys and the Deft. by Wm. Battersby his Attorney prays and hath leave to Imparle till next Court and then to plead and in the meantime to have Oyer of the proceedings herein had to Which day is given the parties Afd. here &c.”⁴³

³⁸ Albemarle Co., Order Book 1744–1748, pp. 70–71; imaged, *FamilySearch* digital film 7893705 > image 46.

³⁹ Albemarle Co., Order Book 1744–1748, p. 71; imaged, *FamilySearch* digital film 7893705 > image 46.

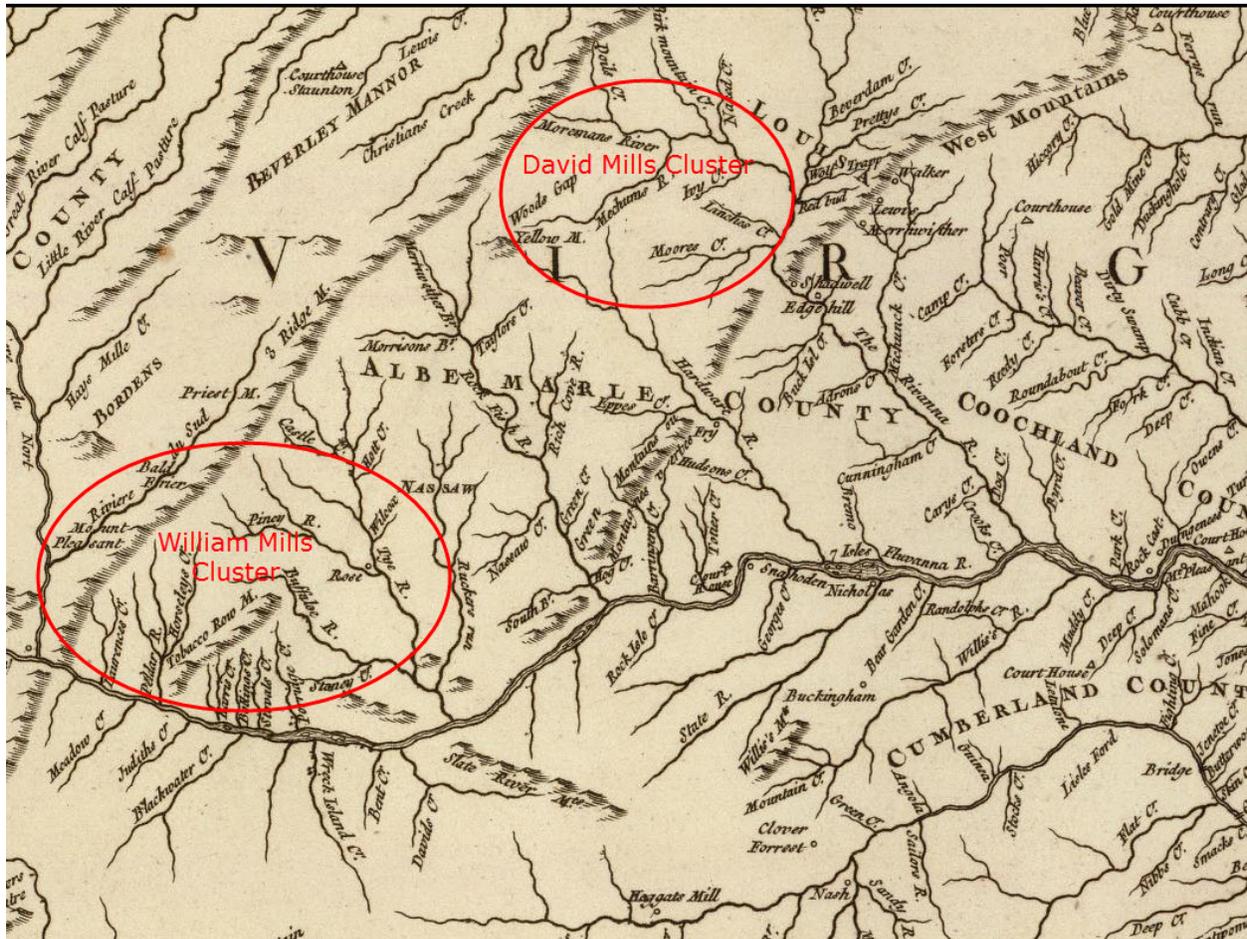
⁴⁰ Albemarle Co., Order Book 1744–1748, p. 74; imaged, *FamilySearch* digital film 7893705 > image 48.

⁴¹ For the Nicholas Mills family, see Mrs. P. W. Hiden, “Nicholas Mills of Hanover County,” *Tyler's Quarterly Historical and Genealogical Magazine* 14 (1933): 237–42; 15 (1933): 38–64; reprinted as *Genealogies of Virginia Families; From Tyler's Quarterly Historical and Genealogical Magazine*, Gary Parks, ed., 4 vols. (Baltimore: Genealogical Publishing Co., 1981), 2: 657–701.

⁴² Albemarle Co., Order Book 1744–1748, pp. 80–83; imaged, *FamilySearch* digital film 7893705 > images 51–52.

⁴³ Albemarle Co., Order Book 1744–1748, p. 85; imaged, *FamilySearch* digital film 7893705 > image 54.

Map 3
Two Mills Clusters in Albemarle County, Virginia
(William Mills in Modern Amherst; David Mills in Modern Albemarle)⁴⁴



12 JANUARY 1746
ALBEMARLE > AMHERST > NELSON
Patent

“Know ye that for divers good Causes and Considerations but more especially for and in Consideration of the Sum of Twenty Shillings of good and lawful money for our net? paid to our Receiver General or our Revenue in this our Colony and dominion of Virginia, We have given, granted, and confirmed and by these presents for us our Heirs and Successors do give grant and confirm unto **Charles Lavender** one certain Tract or Parcel of Land containing two hundred [200] Acres lying and being in the County of Albemarle on the Branches of Tye River and bounded as followeth to wit:”

⁴⁴ Snipped from *Lloyd's Official Map of the State of Virginia* (New York: J. T. Lloyd, 1862); imaged at *David Rumsey Map Collection* (<https://www.davidrumsey.com/luna/servlet/detail/RUMSEY~8~1~3695~350006:Lloyd-s-official-map-of-the-State-o/>; 15 November 2019).

Beginning at a hickory saplin, running thence S 70° W 142 poles to pointers, S 45° W 94p to a white oak in **John Peartree Burks** line, thence on the same S 33° W 5p to his corner forked red oak, thence continue the course 41p to a hickory saplin, S 30° E at 40 a branch at 68 another in all 80 p to pointers N 63° E 270p to an alder bush by a branch between pointers and N 30° W 116p to the beginning

“Yielding and paying unto us our Heirs and Successors for every fifty acres of land and so proportionably for a lesser or greater quantity than fifty acres the fee Rent of one Shilling yearly to be paid upon the feast of Saint Michael the Archangel and also cultivating and improving three acres part of every fifty of the tract abovementioned within three years after the date of these presents” or else the grant is forfeited &c.⁴⁵

23 JANUARY 1745/6

Court orders

“The Appraisement of Henry Terrell and **Mathew Mills** was this day returned and Order’d to be Recorded.”

“The Petition of John Coles & Comth against **Edward Watts** is Continued for Service till next Court.”⁴⁶

24 JANUARY 1745/6

Court orders

List of expenditures charged to the county:

- **William Watts**, for one Ditto [Wolfs heads] 140 lbs. of tobacco
- **Edward Watts Junr.** for one Young Do. 70⁴⁷

COMMENT:

Conflicting conclusions could exist here; **I need to investigate further:**

- In most matters, young men could be paid in their own right after they reached 21. Before then, their earnings belonged to their parent, guardian, or master (the traditional practice);
- Possibly, with regard to these bounties, young men might be paid after reaching tithable age.

If the conventional practice holds, then William and Edward Watts Jr. were both born by 1725. Considering that they were still in the parental household at the time of the 1752 tax roll, a birth before 1726 appears unlikely.

6 FEBRUARY 1746

ALBEMARLE > AMHERST

Land survey

“**Jno. Wade**; 128 ac; Feb. 6, 1746; North fork **Davis’s Creek**; by William Cabell.”⁴⁸

COMMENT:

The Wade and Hobson families of Amherst appear to be the root of the Wade-Hobson clan of Franklin County from which William and Drucilla (Kemp) Mills’s son Samuel E. Mills took a wife.

⁴⁵ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants> : downloaded 12 May 2022), “Lavender, Charles, grantee,” citing “Land Office Patents No. 25, 1745–1747, p. 300 (Reel 23).”

⁴⁶ Albemarle Co., Order Book 1744–1748, p. 90; imaged, *FamilySearch* digital film 7893705 > image 56.

⁴⁷ Albemarle Co., Order Book 1744–1748, part 2, p. i; imaged, *FamilySearch* digital film 7893705 > image 221.

⁴⁸ Grundset, “*Land Lying in the County of Albemarle*”... *Surveyors’ Plat Books*, 10; citing Bk 1, pt 1, p. 35.

24 FEBRUARY 1745/6

Court orders

“**Edward Watts** against John Peartree Burks. For Asst. & Battery. The Defendant by Edmond Gray his Attorney comes and prays time till next Court & then to plead to which day is given the Parties Aforesaid here & c.”

“**Edward Watts** against John Peartree Burks. Tr. Sland^r. And the said John Peartree Burks by Edmond Gray his Attorney comes and says he is not Guilty of the Premises above laid to his Charge, in manner and form as the said Edward Watts above Complains against him and of this he puts himself upon the Country.”

Edward Watts against Robert Davis. Tr. Sland^r. same attorney, same response.

“John Pleasants against **John Ripley**. In Case. An Attachment obtained last Court by Jno. Pleasants against John Ripley is on the motion of the said Pleasants by his Attorney Continued for further Service.”

“Benjamin Harris against **John Ripley**. In case. By Consent of the Parties and with the Assent of the Court this Suit is Ordered to be Dismist.”⁴⁹

“Hugh Moor against **John Ripley**. Attachment. The Defendant being Called and failing to Appear the Plaintiff makes Oath to an Account of Two Pounds fourteen Shillings and Six Pence for which Sum Judgment is Ordered to be Entered Against the said John Ripley, together with fifteen Shillings (or one Hundred and fifty Pounds of Tobacco) for a Lawyers fee, and One Hundred and Seven Pounds of neet Tobacco for his Costs in this Behalf Expended. Ordered the Sheriff do sell the goods Attached to satisfi the said Judgment and that he make report thereof to next Court.”⁵⁰

“Patrick Cambhill against **Thomas Watts**. In Case. By Consent of the Parties and with the Assent of the Court this Suit is Ordered to be Continued till next Court.”⁵¹

28 MARCH 1746

Court orders

“Ordered that **Bennet Ballow** be Constable and that he be served with a Copy of this Order.”⁵²

“Upon the Petition of John Coles & Co. against **Edward Watts** for Two Pounds four Shillings and a penny Supposed to be due by Account, this day came the Plaintiff by their Attorney, the Defendant having been duly Summoned and Served with a Copy of the Plaintifs Petition and Account was Called and not appearing, the Plaintiff proved their Demand to be just by their own Oath. Therefore it is Considered that they recover the same against the said Defendant together with Seven Shillings and Six pence for a Lawyers fee and fifty Two Pounds of neet Tobacco for their Costs by them in this Behalf Expended.”⁵³

“**Edward Watts** against John Peartree Burks. Trea^s & Assault. And the said John Peartree Burks by Edmond Gray his Attorney comes and says he is not Guilty of the Premises above laid to his Charge in Manner and form as the said Edward Watts above Complains against him and of this he puts himself upon the Country, and the said Edward Watts doth so likewise, Therefore let a Jury come here & on the Fourth Thursday in April next who neither &c. To Recognize &c. because as well &c the same day is given the Parties Aforesaid here &c.”

Edward Watts against John Peartree Burks. Slander &c. Same denial, same plea, same decision.

⁴⁹ Albemarle Co., Order Book 1744–1748, pp. 94–95; imaged, *FamilySearch* digital film 7893705 > image 58.

⁵⁰ Albemarle Co., Order Book 1744–1748, p. 97; imaged, *FamilySearch* digital film 7893705 > image 59.

⁵¹ Albemarle Co., Order Book 1744–1748, p. 100; imaged, *FamilySearch* digital film 7893705 > image 61.

⁵² Albemarle Co., Order Book 1744–1748, p. 107; imaged, *FamilySearch* digital film 7893705 > image 64.

⁵³ Albemarle Co., Order Book 1744–1748, p. 110; imaged, *FamilySearch* digital film 7893705 > image 66.

Edward Watts against Robert Davis. Slander &c. Ditto.

“John Pleasants against **John Ripley**. In Case. On the Motion of the Plaintiff by Gideon Marr his Attorney, It is Ordered this Suit by Continued till next court.”

“Hugh Moor against **John Ripley**. Attachment. The Sheriff having failed to return the Sale of the Goods &c According to an Order of Last Court, Ordered it be Continued till next Court for the said return.”⁵⁴

“Patrick Cambhill against **Thomas Watts**. In case. The Parties Appear by their Attorneys and the Defendant by William Battersby his Attorney prays and hath leave to Imparle till next Court and then to Plead, and the same day is given the Parties Aforesaid &c.”⁵⁵

12 JUNE 1746

Court orders

“A Deed with Livery Seisin and receipt from **John Wade** to Andrew Hersten was presented in Court and Acknowledged by the said Wead [sic] to the said Hersten on whose motion it was Ordered to be Recorded; **Elizabeth**, wife of the said **John Wade** was Privately Examined who relinquished her right of Dower.”⁵⁶

“Allen Howard Gent. against **Thomas Watts**, Attachment. On the Motion of the Plaintiff the Defendant failing to Appear, It is Ordered this Attachment be Continued till next Court for further Service.”⁵⁷

“Allen Howard and James Daniel Gentⁿ are Appointed to take the Lists of Tiths for the Ensueing Year on the South Side the Fluvanna and Charles Lynch, William Cabell, Edwin Hickman, and **Thomas Ballow** Gentn. on the North side of the said river.”⁵⁸

13 JUNE 1746

Court orders

“Hugh Moor against **John Ripley**. Attachment. The Sheriff not having yet returned the sale of the Goods, it is Ordered this Attachment be further Contd. til next Court for the said Returne.”

“Patrick Cambhill against **Thomas Watts**. In Case. On the motion of the Plaintiff by his Attorney, it is Ordered this suit be Continued till next Court, the said Plaintiff paying Costs.”⁵⁹

“John Pleasants against **John Ripley**. In Case. On the motion of the Plaintiff by Gideon Marr his Attorney, this Suit is Ordered to be further Continued till next Court.”

“**Edward Watts** against John Peartree Burks. Tres^s Assault.” Jury decreed that Burks did, on the day specified, make an assault “upon the aforesaid Edward Watts ... and him did Beat wound and Evilly treat in manner and form as the said Edward Watts hath within declared.” Damages of 15 shillings to be paid to Watts by Burks, over and above the costs of prosecution that Watts incurred.

“**Edward Watts** against John Peartree Burks. Tres Slander.” Continued.

“**Edward Watts** against Robert Davis. Tres Slandr. Continued.”⁶⁰

“William Ward against John Peartree Burks. Tr. Vi et armis.” Case continued.⁶¹

⁵⁴ Albemarle Co., Order Book 1744–1748, pp. 111–13; imaged, *FamilySearch* digital film 7893705 > images 66–67.

⁵⁵ Albemarle Co., Order Book 1744–1748, p. 114; imaged, *FamilySearch* digital film 7893705 > image 68.

⁵⁶ Albemarle Co., Order Book 1744–1748, p. 121; imaged, *FamilySearch* digital film 7893705 > image 72.

⁵⁷ Albemarle Co., Order Book 1744–1748, p. 127; imaged, *FamilySearch* digital film 7893705 > image 75.

⁵⁸ Albemarle Co., Order Book 1744–1748, p. 130; imaged, *FamilySearch* digital film 7893705 > image 76.

⁵⁹ Albemarle Co., Order Book 1744–1748, pp. 131–32; imaged, *FamilySearch* digital film 7893705 > image 77.

⁶⁰ Albemarle Co., Order Book 1744–1748, pp. 133–34; imaged, *FamilySearch* digital film 7893705 > image 78.

⁶¹ Albemarle Co., Order Book 1744–1748, p. 137; imaged, *FamilySearch* digital film 7893705 > image 80.

COMMENT:

Trespass “vi et armis” meant “trespass with force and arms resulting in injury to another’s person and property.” Usually intentional and violent.⁶²

I’ve seen no indication that Burks’ alleged assault of Ward was associated with Burks’ assault on Watts.

JUNE 1746–JUNE 1747

Survey

“**Booth Napier** 400 acres”

“**Patrick Napier** 180, 228, 400”

“Joseph Walton [acreage] not clear”

“Thomas Walton 9”⁶³

10 JULY 1746

Court orders

James Nivels, **William Wit**, Joseph Smith, John Peartree Burks and John Hanson were summoned to next Court “to Shew cause why they did not Appear to give in their verdict” in the Trespass case of Isaac Bates, Gent., against John Gannaway.

John Pleasants against **Joseph Walton**. In Case. Both parties agreed to dismiss.⁶⁴

14 AUGUST 1746

Court orders

“Allen Howard Gent. against **Thomas Watts** Attachment. On the Plaintifs Motion this Attachment’s Ordered to be Dismist.”⁶⁵

16 AUGUST 1746

Court orders

“Hugh Moor against **John Ripley**, Attachmt. The Sheriff having failed to return the sale of Goods, it is Ordered this Attachment be further Continued till next Court for the sd. return.

“Patrick Cambhill against **Edward Watts**. In Case. By Consent of Parties and with the Assent of the Court, this suit is Ordered to be Continued till next Court.”

COMMENT:

Cambhill had been previously prosecuting a suit against **Thomas Watts** [Edward’s son]. In the June court, that suit was ordered to be Continued. Cambhill appears to be suing both father & son, in separate cases.

“John Pleasants against **John Ripley**. In Case. By Consent of Parties and with the Assent of the Court this Suit is Ordered to be Continued till next Court.”

“**Edward Watts** against John Peartree Burks. Tres^s Slander.” Ditto.

⁶² *USLegal* (<https://definitions.uslegal.com/t/trespass-vi-et-armis/> : accessed 6 May 2022).

⁶³ Bailey Fulton Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)* (Greenville, SC: Southern Historical Press, 1979), 2; citing Order Book 1744–48, p. 290.

⁶⁴ Albemarle Co., Order Book 1744–1748, pp. 143–44; imaged, *FamilySearch* digital film 7893705 > image 83.

⁶⁵ Albemarle Co., Order Book 1744–1748, p. 156; imaged, *FamilySearch* digital film 7893705 > image 89.

“**Edward Watts** against Robert Davis. Tres^s Slander.” Ditto.”⁶⁶

11 SEPTEMBER 1746

Court orders

“On the motion of **William Walton** the Clerk is Ordered to list Seven Tiths for him, which were omitted (as he informs the Court) through Mistake.”⁶⁷

COMMENT:

A tithe, in this era, was a white male aged 16 or over.

12 SEPTEMBER 1746

Court orders

“James Nevels, **William Wit**, Joseph Smith, John Peartree Burks, John Hayson [*sic*], and **John Key** having been Severally Summoned to Shew cause why they did no[t] Appear and Deliver in theyr Verdict as Jury men &c this day Appeared and having Severally made their Excuses It is Ordered the said Summons be Dismsd.”⁶⁸

13 SEPTEMBER 1746

Court orders

Patrick Camphill against **Thomas Watts**. In Case. By Consent of Parties and with the Assent of the Court, the Suit is further Ordered to be Continued till next Court.

“**Edward Watts** against John Peartree Burks. Tres^s Slander. On the motion of the Plaintiff (his Witnesses failing to Appear) this Suit is Ordered to be Continued till next Court, Plaintiff paying Costs of this Continuance.”

“John Pleasant against **John Ripley**. In Case. The Parties having agreed this Suit between themselves Desire the Suit may be Dismist And it is Ordered to be Dismist Accordingly.”

“**Edward Watts** against Robert Davis. Tres^s Slander. The Parties having mutually agreed this Suit between Themselves de____, the same may be Dismist and It is Ordered to be Dismist Accordingly.”⁶⁹

COMMENT:

William Mills of the Pedlar (next door neighbor of Edward Watts), in March 1746/7 prosecuted a case against Robert Davis, charges unspecified. When William Mills made his will in 1755, Robert Davis was a witness and Davis’s father-in-law, Thomas Jopling, was named coexecutor with Mills’ widow Mary.

“**Benjamin Mosby** Exr. of **Richard Mosby** Dec’d against Charles Ballow. In Debt. The Sheriff having returned the Defendant not found, on the motion of the Defendant by his Attorney an Alias Capias is granted.”

“Upon the Petition of **Benjamin Mosby**, Executor of **Richard Mosby** Dec’d against **Joseph Ballow** for Thirty five Shillings due by Note Under the Defendants hand, the parties being heard It is Considered by the Court that Judgment be Entered for the same together with Seven Shillings & Six pence for a Lawyers fee and Seventy Eight pounds of neet Tob. and for his Costs in this Behalf Expended.”⁷⁰

⁶⁶ Albemarle Co., Order Book 1744–1748, pp. 159–60; imaged, *FamilySearch* digital film 7893705 > image 91.

⁶⁷ Albemarle Co., Order Book 1744–1748, p. 166; imaged, *FamilySearch* digital film 7893705 > image 94.

⁶⁸ Albemarle Co., Order Book 1744–1748, p. 176; imaged, *FamilySearch* digital film 7893705 > image 99.

⁶⁹ Albemarle Co., Order Book 1744–1748, pp. 182–83; imaged, *FamilySearch* digital film 7893705 > images 102–3.

⁷⁰ Albemarle Co., Order Book 1744–1748, p. 186; imaged, *FamilySearch* digital film 7893705 > image 104.

COMMENT:

On 10 February 1725, Richard Mosby had been granted 300 acres in Henrico County, no waterway cited.⁷¹ On 28 September 1728, he was granted another 400 acres in Henrico on Deep Creek, S side of James River.⁷² Goochland Co. (the parent of Albemarle) was created 1728 from Henrico.

“Hugh Moor against **John Ripley**. Attachment. On the motion of the Defendant by his Attorney to Stay Execution in this Cause who files his reasons for the same, It is Ordered that no Execution be Served on the Defendant till further Order be given herein &c.”⁷³

28 OCTOBER 1746

ALBEMARLE > AMHERST

Land survey

“**Thomas Joplin**; 400 ac; Oct 28, 1746; North side Rockfish river {on an unnamed creek}; by William Cabell, a.s.”⁷⁴

13 NOVEMBER 1746

Court orders

John Witt served on jury.⁷⁵

14 NOVEMBER 1746

Court orders

List of expenditures to be paid by the county:

- **Joseph Walton** for one old Wolf’s head 140 lb. tobacco

“By 1479 Tithables at 21 p Pole is 31059 [income received].

“N.B. After the Orders were Signed the following Certificates for Wolves heads were Delivered and Ordered to be Recorded (Via)

- To **Thomas Mills** for one Wolf’s Head 140
- To **William Mills** for Two Do. 280

“Thomas Philpot for taking up Ben, a runaway Slave belonging to **Nicholas Davis** of **Goochland County** [no amount stated].⁷⁶

15 NOVEMBER 1746

Court orders

“Andrew Barclay against **Edward Watts**. In Case. The Sheriff having returned, the Defendant not found, on the Motion of the Plaintiff by his Attorney an Alias Capias is Granted him.”⁷⁷

COMMENT:

⁷¹ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants>): downloaded 12 May 2022), “Mosby, Richard,” citing “Land Office Patents No. 12, 1724–26, p. 339 (Reel 11).”

⁷² “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants>): downloaded 12 May 2022), “Mosby, Richard,” citing “Land Office Patents No. 14, 1728–1732, p. 7 (Reel 11).”

⁷³ Albemarle Co., Order Book 1744–1748, p. 189; imaged, *FamilySearch* digital film 7893705 > image 106.

⁷⁴ Grundset, “*Land Lying in the County of Albemarle*”... *Surveyors’ Plat Books*, 10; citing Bk 1, pt 1, p. 34.

⁷⁵ Albemarle Co., Order Book 1744–1748, p. 202; imaged, *FamilySearch* digital film 7893705 > image 112.

⁷⁶ Albemarle Co., Order Book 1744–1748, part 2, pp. v–vii; imaged, *FamilySearch* digital film 7893705 > images 223–24.

⁷⁷ Albemarle Co., Order Book 1744–1748, p. 204; imaged, *FamilySearch* digital film 7893705 > image 113.

Andrew Barclay sued several others in this term. No cause was specified in any of them. He would appear to be a merchant.

“William Cabell Gent. against **Charles Lavender**. In Case. This Suit is Ordered to be Continued for Sheriff’s Service & Return.”⁷⁸

“Patrick Camphill against **Thomas Watts**. In Case. On the motion of the Plaintiff by his Attorney, This Suit is Ordered to be Continued till next Court, the said Plaintiff paying Costs of this Court.”

“**Edward Watts** against John Peartree Burks. Tres^s Sland^r. By Consent of Parties and with the Assent of the Court, the Suit is further Continued till next Court.”⁷⁹

“**Benjamin Mosby** Execr &c of **Richard Mosby** Decd. against Charles Ballow. In Debt. “The Defendant was this day Called and failing to Appear, on the motion of the Plaintiff by his Attorney, an Attachment is Awarded against the said Defendant’s Estate for Twenty Pounds & Costs returnable here the next Court &c.”⁸⁰

19 NOVEMBER 1746

Land survey

“**Bishop Toney**; 99 ac; Nov. 19, 1746; Grassey Patch Creek South side Fluvanna; by William Cabell.”⁸¹

COMMENT:

I have not yet located Grassey Patch Creek.

13 FEBRUARY 1746/7

Court orders

“Ordered Arthur McDaniel be Overseer in the Room of William Cabell from the head of **Sycamore Island creek** to Glovers Road, and that the hands of William Nowland, Mrs. Patteson, **John Ripley**, James Gates, Thomas Turpin, Abraham Smith, Anthony Behnis?, John Gordon, Sackville Whitebread, Samuel Baily, & Robertson Bailey’s hands do the same.”⁸²

14 FEBRUARY 1746/7

Court orders

“Andrew Barclay against **Edward Watts**. In Case. The Defendant failing to Appear, on the Motion of the Plaintiff by James Meredith his Attorney, an Attachment is Awarded him against the said Defendants Estate for Twenty Pounds & Costs returnable here at next Court.”

“William Cabell Gent against **Charles Lavender**. In Case. This Suit Abates, the Sheriff having made no Return.”⁸³

COMMENT:

Cabell prosecuted seven other cases on this day, all of whom had the same outcome. No cause was stated for any of them.

12 MARCH 1746/7

Court orders

⁷⁸ Albemarle Co., Order Book 1744–1748, p. 205; imaged, *FamilySearch* digital film 7893705 > image 114.

⁷⁹ Albemarle Co., Order Book 1744–1748, p. 208; imaged, *FamilySearch* digital film 7893705 > image 115.

⁸⁰ Albemarle Co., Order Book 1744–1748, p. 211; imaged, *FamilySearch* digital film 7893705 > image 117.

⁸¹ Grundset, “*Land Lying in the County of Albemarle*”... *Surveyors’ Plat Books*, 10; citing Bk 1, pt 1, p. 34.

⁸² Albemarle Co., Order Book 1744–1748, p. 219; imaged, *FamilySearch* digital film 7893705 > image 121.

⁸³ Albemarle Co., Order Book 1744–1748, p. 229; imaged, *FamilySearch* digital film 7893705 > image 126.

“A Deed with Livery Seisin and Receipt was presented in Court by **Joseph Walton** and by him Acknowl’d to George Slaughter on whose motion it was Ordered to be Recorded.”⁸⁴

COMMENT:

Note that no wife’s relinquishment is mentioned, suggesting that this Joseph is either a bachelor or a widower. Kerns states that Joseph was born 10 February 1722 and “married a woman named Mary” but states no marriage date.⁸⁵

“**William Mills** against Robert Davis. In Case. The Parties Appear and Inform the Court they have Mutually Agreed this Suit between themselves and it is there upon Ordered to be Dismissed.”⁸⁶

COMMENT:

Given that Mills and Davis were adjacent landowners, it is likely that the suit involved the boundary of their lands.

“**William Cabell Gent.** against **Charles Lavender**. In Case. The Defendant failing to Appear on the Motion of the Plaintiff by his Attorney, an Attachment is Awarded him against the said Defendants Estate for Twenty Pounds and Costs returnable here at next Court.”⁸⁷

13 MARCH 1746/7

Court orders

“**Patrick Campbell** against **Thomas Watts**. In Case. And the Aforesaid Thomas Watts by William Battersby his Attorney comes and Defends the force and Injury Where &c and for Plea saith Nil Debt Per Llegem [inserted here are four and a half lines of ~~//~~ symbols] which said Plea the Plaintiff by Gideon Marr his Attorney prays & has time till next Court to Consider, to Which day is given the parties aforesaid Here &c.”

COMMENT:

“*Nil debet per legem*” was a denial that an asserted debt was due under the law.

“**Edward Watts** against John Peartree Burks. Tr. Slander. And now come the Parties Aforesaid by their Attorneys Aforesaid and thereupon came a Jury (To Wit) ... do say the Aforesaid John Peartree Burks is Not Guilty of the Premises within Written in Maner and form as the aforesaid Edward Watts by his Declaration hath within alleged. Therefore it is Considered that the aforesaid **Edward Watts** take nothing by his Bill against the Aforesaid John Peartree Burks but that he and his Pledges of Prosecuting, to Wit, **John Doe and Richard Roe** be in Mercy &c And the Aforesaid John Peartree Burks may go thereof without a Day &c And it is further Considered that the Aforesaid John Peartree Burks do consider against the Aforesaid Edward Watts fifteen Shillings or One Hundred and fifty Pounds of Tobacco for a Lawyer’s fee and Sixteen pounds of neet Tobacco for his Costs and Charges by him about his Defense in this behalf Sustained. And the Aforesaid John Peartree Burks may have Execution.”⁸⁸

COMMENT:

The reference to Doe vs. Roe suggests that the underlying dispute involved land possession; this pair of fictive names was commonly used for litigants in such disputes.

“**William Mills** makes Oath he hath Attended this Court Ten days as Evidence for **Edward Watts** against John Peartree Burks. Ordered that said Watts do pay the said Mills Two Hundred and fifty Pounds of

⁸⁴ Albemarle Co., Order Book 1744–1748, p. 236; imaged, *FamilySearch* digital film 7893705 > image 129.

⁸⁵ Kerns, *Waltons of Old Virginia and Sketches of Families in Central Virginia*, 12.

⁸⁶ Albemarle Co., Order Book 1744–1748, p. 239; imaged, *FamilySearch* digital film 7893705 > image 131.

⁸⁷ Albemarle Co., Order Book 1744–1748, p. 243; imaged, *FamilySearch* digital film 7893705 > image 133.

⁸⁸ Albemarle Co., Order Book 1744–1748, pp. 248–49; imaged, *FamilySearch* digital film 7893705 > images 135–36.

Tobacco for his said Attendance.

“Ordered **Ambrose Mills** be Summoned to next Court to Shew cause (if any he have) why he did not Appear at this Court as an Evidence for **Edward Watts** against John Peartree Burks According to summons.”⁸⁹

COMMENT:

This Ambrose was William’s eldest son.

14 MARCH 1746/7

Court orders

“**John Ripley** against Hugh Moor. In Case. The Issue Aforesaid in this Cause formerly joined is by Consent of Parties and with the Assent of the Court Continued till next Court.”⁹⁰

“Andrew Barclay against **Edward Watts**. In Case. The Defendant says nothing in Barr or Preclusion of the said Plaintifs Action by which the plaintiff remains there of against him Undefended. It is Therefore Ordered that Judgment be Entered for the Plaintiff against the said Defendant for which Damages it shall Appear the said Plaintiff hat ascertained upon an Enquiry thereof by a Jury.”⁹¹

MARCH 1747

Land sale

“Jos. Walton to Geo. Slaughter p. 236” [no further details]

“Robt. Walton to Drury Tucker p. 306” [no further details]⁹²

9 APRIL 1747

Court orders

Ambrose Mills having been Sumoned to this Court to shew Cause why he did not Appear as An Evidence According to a former Summons for **Edward Watts** &c was this day Called & the Summons Ordered to be Dismissed.”⁹³

15 MAY 1747

Court orders

William Wade makes oath he hath Attended this Court Two days as an Evidence for Grace Laffoon against William Pryor and is Allowed for Coming and returning **Seventy Miles**. Ordered the said Grace Laffoon do pay the said Wade Two Hundred and Sixty pounds of Tobacco for his said Attendance.”⁹⁴

COMMENT:

This order places Wade’s residence thirty miles from the courthouse.

“Patrick Camphill against **Thomas Watts**. In Case. The Parties Appear by their Attorneys and the Defendant by Willm. Battersby his Attorney prays and hath Leave to Imparle till next court & then to Plead and the same day is given the Parties here &c.”

“**John Ripley** against Hugh Moor. In Case. The Issue aforesaid in this Cause formerly joined is by Consent

⁸⁹ Albemarle Co., Order Book 1744–1748, p. 251; imaged, *FamilySearch* digital film 7893705 > image 137.

⁹⁰ Albemarle Co., Order Book 1744–1748, p. 255; imaged, *FamilySearch* digital film 7893705 > image 139.

⁹¹ Albemarle Co., Order Book 1744–1748, p. 264; imaged, *FamilySearch* digital film 7893705 > image 143.

⁹² Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 9; a deed index arranged by seller, apparently taken from Order Book 1744–48, p. 290.

⁹³ Albemarle Co., Order Book 1744–1748, p. 266; imaged, *FamilySearch* digital film 7893705 > image 144.

⁹⁴ Albemarle Co., Order Book 1744–1748, p. 279; imaged, *FamilySearch* digital film 7893705 > image 151.

of parties and with the Assent of the Court Continued till next Court &c.”⁹⁵

“Andrew Barclay against **Edward Watts**. In Case. The Defendant says nothing in Barr or Preclusion of the Plaintifs Action by which the said Plaintiff remains there of against him undefended. It is Therefore Ordered the Judgment of last Court against the said Edward Watts be Confirmed and that Judgment be Entered for what Damages it shall appear the said Andrew Barclay hath sustained upon Enquiry there of by a Jury. Therefore let a Jury come here on the second Thursday in June next Diligently upon their Oaths to Enquire what damages the said Andrew Barclay hath sustained &c.”⁹⁶

MAY 1747

Court orders

Proving of deed from Martin King to **Jno. Witt** and court order to record. Martin King Jr. in June 1746 and November 1747 also sold land to Jno. Anthony and Henry Martin.⁹⁷

JUNE 1747–JUNE 1748

Survey

William Mills 54

William Walton 400⁹⁸

COMMENT:

I have not been able to locate any grant of 54 acres for William Mills. It likely was subsumed into a larger, later grant to him.

9 JULY 1747

Court orders

“Joshua Fry Gent Surveyor of this County presents the following List of Land survey by him made from June MDCCXXVI to June MDCCXXVII, which are ordered to be Recorded. ... 1747 ...

- ...
- for Joseph Walton: 400 acres
- for Thomas Walton: 9 acres
- for Henry Trent: 175 acres
- for Samuel Short: 394 acres
- for Joseph Walton: 192 acres
- for George Hilton: 200 acres
- ...
- for Capn. Thomas Ballow: 395 acres
- for Thomas Ballow junr: 145 acres
- ...
- for Thomas Joplin: 400 acres
- for Bishop Tony: 99 acres
- for Mr. James Nevels: 400 acres
- for Philip Morris: 400 acres

⁹⁵ Albemarle Co., Order Book 1744–1748, pp. 283–84; imaged, *FamilySearch* digital film 7893705 > image 153.

⁹⁶ Albemarle Co., Order Book 1744–1748, p. 289; imaged, *FamilySearch* digital film 7893705 > image 156.

⁹⁷ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 9; citing Albemarle Co., “Order Book 1744–1748,” pp. 271, also 121 and 320 for Martin King.

⁹⁸ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 3; citing Order Book 1744–48, citing p. 364 for both entries.

- for Leonard Ballow: 400 acres
- ...
- for Ralph Joplin: 400 acres
- ...
- for John Wade: 128 acres
- for Bishop Tony: 150 acres⁹⁹

“**John Ripley** against Hugh Moor. In Case. And now come the Parties aforesaid by their Attorneys Aforesaid and then upon came Allso a Jury, to Wit, **John Witt ...Wm Witt** ... do say ... that the aforesaid Hugh Moor is not there of Guilty in Manner and form as the Aforesaid John Ripley hath Alleged. ... Therefore it is Considerd that the Aforesaid John Ripley take nothing by his Bill against the aforesaid Hugh Moor but that he and his Pledges of Prosecuting to Wit **John Doe & Richard Roe** be in Mercy &c and the Aforesaid Hugh Moor may go Thereof without a Day &c. And it is further Considered that the aforesaid Hugh Moor Recover against the aforesaid John Ripley fifteen Shillings (or one Hundred and fifty pounds of Tobacco) for a Lawyers fee and one Hundred and Seventy Nine pounds of Neet Tobacco for his Costs and Charges by him about his Defence Sustained in this behalf and the aforesaid Hugh Moor may have Execution therein &c.”

John Gooding to be paid 74 pounds of tobacco by Moor for his appearance three days in Moor’s defence against Ripley; ditto James Watkins, one day. **John Ladd and William Flowers** to be each paid 100 pounds tobacco for their appearance **on behalf of Ripley** against Moor, four days. **Joseph Norman** to be paid by Ripley 25 pounds of tobacco for his appearance one day on Ripley’s behalf.¹⁰⁰

10 JULY 1747

Court orders

“**William Witt** makes Oath to Two days Attendance as an Evidence for William Barnett at the suit of John Biby. Ordered the said Barnett do pay the said Witt fifty Pounds of Tobacco for his said attendance &c.” Ditto **John Witt**, Edward Barnett, David Barnett, and John Martin, two days each.¹⁰¹

13 AUGUST 1747

Court orders

“A Deed with Livery seisin and Receipt from **Robert Walton** to Drury Tucker was presented in Court and Acknowledged by the said Walton and on the motion of the said Tucker was Ordered to be Record.”

“Patrick Camphill against **Thomas Watts**. In Case. And the Defendant by William Battersby his Attorney Defends the force & Injury when &c and Saith Nil Debit per Legem and the plaintiff prays and hath time till next court to Consider his Said Plea &c.”¹⁰²

Thomas Jopling serves on jury, this term.¹⁰³

16 OCTOBER 1747

ALBEMARLE > BUCKINGHAM

Land survey

⁹⁹ Albemarle Co., Order Book 1744–1748, pp. 290–92; imaged, *FamilySearch* digital film 7893705 > images 156–57.

¹⁰⁰ Albemarle Co., Order Book 1744–1748, pp. 293–95; imaged, *FamilySearch* digital film 7893705 > images 158–59.

¹⁰¹ Albemarle Co., Order Book 1744–1748, p. 298; imaged, *FamilySearch* digital film 7893705 > image 160.

¹⁰² Albemarle Co., Order Book 1744–1748, p. 306; imaged, *FamilySearch* digital film 7893705 > image 164.

¹⁰³ Albemarle Co., Order Book 1744–1748, p. 309; imaged, *FamilySearch* digital film 7893705 > image 166.

“**Wm Walton** and Saml Glover; 1,020 ac; Oct 16, 1747; on both sides **Slate River**, 220 of which was survd and pattend to ye sd Walton formerly also 400 of the sd land was survd for and Pattented to Saml Glover and the residue survd for Wm. Walton; by Thomas Turpin; **Walton’s fork** shown.”¹⁰⁴

17 OCTOBER 1747

ALBEMARLE > BUCKINGHAM

Land survey

“**John Ripley**; 195 ac; October 17, 1747; on both sides **Waltons fork of Slate River**; by Thomas Turpin; **adjoining Jno. Ripley**.”¹⁰⁵

COMMENT:

This tract of 195 acres was not patented until 12 July 1750. In the meanwhile, on 20 May 1749 there was patented a tract of 500 acres said to be on “Ripley’s Creek.”

Walton’s Fork of Slate River, after 1761, fell into Buckingham County.

10 NOVEMBER 1747

Court orders

Charges authorized against the county treasury:

- To **Thomas Mills** for one Do. [old wolfs head] 140 lbs. tobacco
- To **William Mills** for Two Do. 280 lbs.

12 NOVEMBER 1747

Court orders

“A Deed With Livery and Seisin from William Phelps to **Edmond Tony** was presented in Court proved by the Oaths of the witnesses there to and Ordered to be Recorded.”¹⁰⁶

COMMENT:

Sparacio does not show that this deed was ever recorded, so that details of its location might be gathered. Sparacio does abstract a deed from Phelps to “my loving Brother in Law, William Baber” for 200 acres on **Nell Moores Creek of Slate River**, adjoining John Sharp.”¹⁰⁷ The Sparacio volumes provide no other document for Edmond Toney; but they place one Charles Toney with Robert Baber at the estate sale of Wentworth Webb.¹⁰⁸

13 NOVEMBER 1747

Court orders

George Quinn makes Oath to Eight Days Attend. as an Evidence for Andrew Barclay against **Edward Watts** & is Allowed for three times coming & return Seventy five miles. Ordered the said Barclay pay 875 pds. Tobacco.”

“Andrew Barclay against **Edward Watts**. In Case. And now came the aforesaid Andrew Barclay by his Attorney aforesaid and there upon came allso a Jury ... [who] do say ... that the aforesaid **Edward Watts** Did Assume in Manner and form as the Aforesaid Andrew Barclay” alleges.” 10f 18s 5p. Also 15s (or 150

¹⁰⁴ Grundset, “Land Lying in the County of Albemarle:”... *Virginia Surveyors’ Plat Books*, 18; citing Bk 1, pt 1, p. 64.

¹⁰⁵ Grundset, “Land Lying in the County of Albemarle”... *Surveyors’ Plat Books*, 12; citing Bk 1, pt 1, p. 44.

¹⁰⁶ Albemarle Co., Order Book 1744–1748, p. 313; imaged, *FamilySearch* digital film 7893705 > image 168.

¹⁰⁷ Ruth and Sam Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752* (N.P., Antient Press, 1990), 1; citing *Wills & Deeds* 1: 1.

¹⁰⁸ Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 22–23; citing *Wills & Deeds* 1: 42–43.

pds. Tobacco) for lawyers fee and 1135 pds neet Tobacco for costs.”¹⁰⁹

15 NOVEMBER 1747

Associates

John Tuley’s last will & testament. Wife: Sarah. Sons: **James, John, Arthur, Charles Tuley**. Daughters Mary Tuley, Ann **White**, Heorsly **Isham**. Witnesses: Elizabeth Lewis, John Lewis, Edwd. Lambt. Parsons. X’d by Tuley and Elizabeth Lewis. Proved 8 May 1750.¹¹⁰

COMMENT:

The Tuleys were adjacent landowners to William and Mary Mills and Edward Watts. Charles Tuley witnessed the will of William Mills in September 1755.

I’ve noted the presence of this Ann White because of a concurrent interest. In 1792, in Montgomery County, Va., a yet-unidentified Frances “Frankey” Mills, a single mother of two proved children, married a widower John White. John’s son by a prior marriage, in 1789, had we Nancy Goodwin in Amherst—a fact suggesting that he may have been rooted in Amherst.¹¹¹ Early in the Revolution, one John White served in the Amherst company of Capt. James Franklin (later Clough Shelton) that was commissioned on 19 November 1776.¹¹²

11 DECEMBER 1747

Court orders

“**Thomas Walton** against **Joseph Walton**. In Debt. The Defendant being ruled to give Special Bail time is given till next Court for him to procure the same.”

The Petition of **Thomas Walton** against **Joseph Walton** is Ordered to be Continued.”¹¹³

COMMENT:

Kerns, p. 15, presents Thomas Walton as a younger brother of Joseph Walton’s father Robert.

10 MARCH 1747/8

Court orders

Wm. Mills is Appointed Surveyor of the road in the room of **Robert Davis**.”

COMMENT:

The term “surveyor” has two different meanings in this set of court orders. There were land surveyors such as William Cabell and Thomas Turpin, members of a skilled profession, who were responsible for measuring and marking land tracts before they were granted. The second usage, “road surveyor,” identified landowners who were appointed to oversee the maintenance of roads.

“On the motion of **Charles Mills** it is Ordered the Improvements of his Land be valued and that William Lewis Mathew Mullin, Gabriel Mompain, and Abraham Shatteen, or any three of them, do Value the

¹⁰⁹ Albemarle Co., Order Book 1744–1748, p. 320; imaged, *FamilySearch* digital film 7893705 > image 171.

¹¹⁰ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752, 7*; citing *Wills & Deeds No. 1*, pp. 14–15.

¹¹¹ See E. S. Mills, “John White Sr. (c1740–1821); Spouses: 1. Unidentified & w. Frances “Frankey” Mills: Research Notes,” a work-in-progress last updated 6 September 2021, 153 pp.; archived online at Mills, *HistoricPathways.com* under the “Research” tab.

¹¹² Lenora Higginbotham Sweeny, *Amherst County, Virginia, in the Revolution: Including Extracts from the ‘Lost Order Book’ 1773–1782* (1951; reprint, Greenville, SC: Southern Historical Press, n.d.), 25.

¹¹³ Albemarle Co., Order Book 1744–1748, p. 340; imaged, *FamilySearch* digital film 7893705 > image 181.

same and make report.”

COMMENT:

Charles Mills was part of the previously discussed David Mills family (descendants of Nicolas) who settled the Hardware and Mechum’s River in upper Albemarle. I am not pursuing this set of Mills, which has been well researched.

“Patrick Camphill against **Thomas Watts**. In Case. The Parties Appear by their Attorneys and the Defendant prays and hath leave to Imparle till next Court and then to plead And the same day is given the Parties here.”¹¹⁴

18 MARCH 1748

ALBEMARLE > BUCKINGHAM

Land survey

“**Robt Walton**; 500 ac; Mar 18, 1748; near **Slate River Mountain**, 400 of which land was formerly surveyed for Robt Walton and Pattered & the residue by Order of Council; by Thomas Turpin.”¹¹⁵

28 MARCH 1748

ALBEMARLE > AMHERST

Neighbor

“**Thos Stone**; 200 ac; Mar 28, 1748; joyning South side **Pedlar River**; joining **Geo. Watts**, Horslys Creek, Thos. Stone.”¹¹⁶

COMMENT:

Edward Watts had a son George, charged to him as a tithe in 1752. I have not proved whether the George of this grant is one and the same man. His location places him into the family of Edward, but the 1748 date appears to be early for Edward’s George. I have not eliminated the possibility that Edward may have arrived on the Pedlar with brothers William and George.

29 MARCH 1748

ALBEMARLE > AMHERST

Neighbor

“Arthur Tuley; 400 ac; Mar 29, 1748; on Maple Creek of **Pedlar**; by Thomas Turpin; joining Robt Davis, **Ed. Watts**.”¹¹⁷

30 MARCH 1748

ALBEMARLE > AMHERST

Land survey

“**Thos Watts**; 335 ac; Mar 30, 1748 [*sic*]; branches of **Pedlar River**; by Thomas Turpin; joining Robt Davis, **Edwd Watts**.”¹¹⁸

COMMENT:

Thomas Watts, son of Edward, married Sarah Mills, daughter of William and Mary Mills of the Pedlar.

¹¹⁴ Albemarle Co., Order Book 1744–1748, pp. 345–46; imaged, *FamilySearch* digital film 7893705 > image 185.

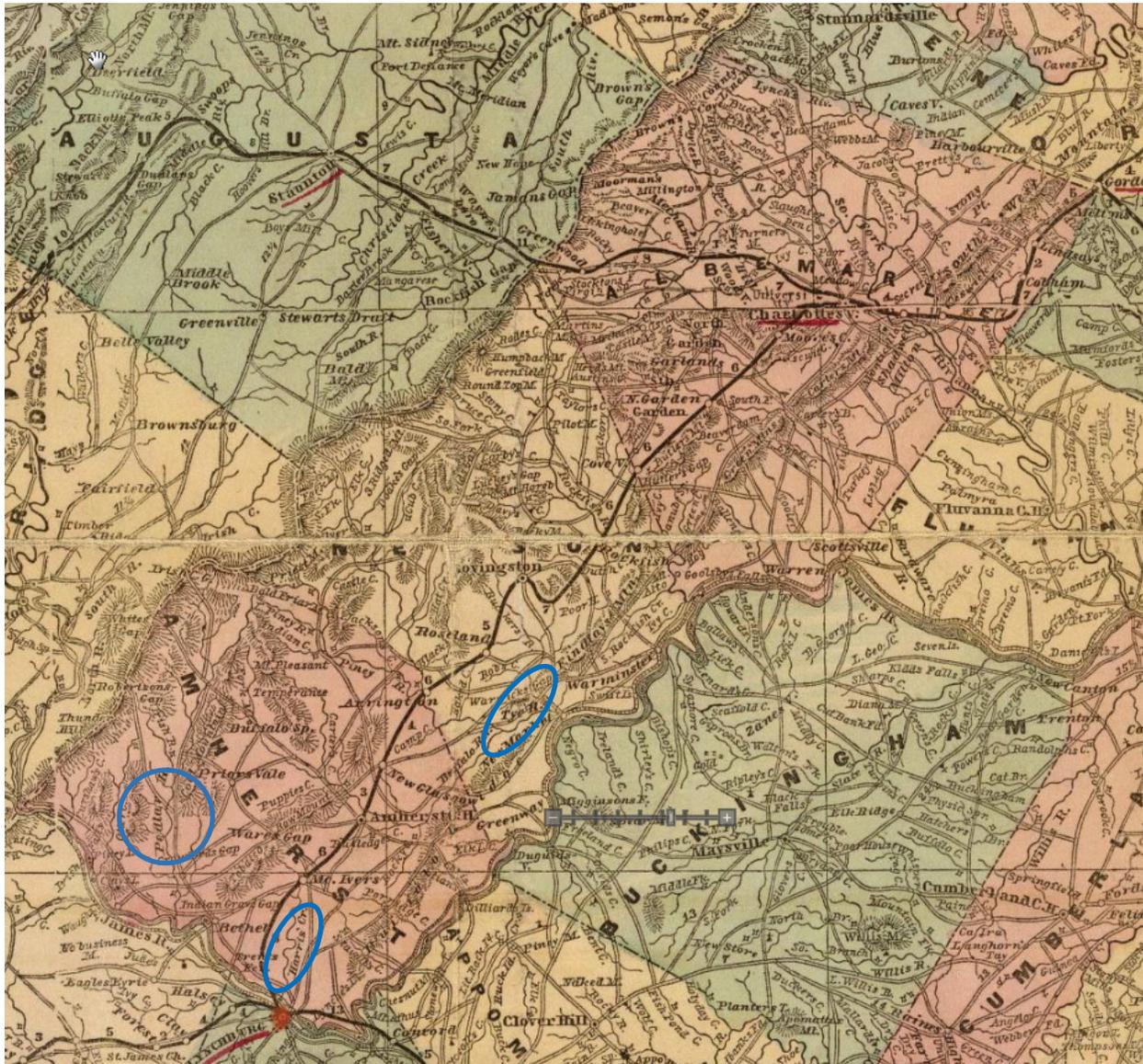
¹¹⁵ Grundset, “*Land Lying in the County of Albemarle*.” ... *Virginia Surveyors’ Plat Books*, 23; citing Bk 1, pt 1, p. 90.

¹¹⁶ Grundset, “*Land Lying in the County of Albemarle*.” ... *Virginia Surveyors’ Plat Books*, 18; citing Bk 1, pt 1, p. 64.

¹¹⁷ Grundset, “*Land Lying in the County of Albemarle*.” ... *Surveyors’ Plat Books*, 18; citing Bk 1, pt 1, p. 68.

¹¹⁸ Grundset, “*Land Lying in the County of Albemarle*.” ... *Surveyors’ Plat Books*, 18; citing Bk 1, pt 1, p. 68.

Map 4
Three Watts Clusters in Old Albemarle County: Now Amherst & Nelson¹¹⁹



MAY 1748
ALBEMARLE > BUCKINGHAM
Land purchase
“Rich. & Eliz. Kerby to **Patrick Napier**.”¹²⁰

COMMENT:

¹¹⁹ Snipped from *Lloyd’s Official Map of the State of Virginia* (New York: J. T. Lloyd, 1862); imaged at David Rumsey Map Collection ([https://www.davidrumsey.com/luna/servlet/detail/RUMSEY~8~1~3695~350006:Lloyd-s-official-map-of-the-State-o/](https://www.davidrumsey.com/luna/servlet/detail/RUMSEY~8~1~3695~350006:Lloyd-s-official-map-of-the-State-o/:15); 15 November 2019).

¹²⁰ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 9; citing Alb Order Book 1744–48, p. 362.

Richard Kerby a decade earlier, was an associate of William and Mary Mills in Goochland.¹²¹ The Sparacios do not show that this deed was ever recorded, to provide details of its location.

8 SEPTEMBER 1748

ALBEMARLE > BUCKINGHAM

“Wm. Noland & wife Jane to Thos. Blakey of Goochland for £50, 200 acres **Arthur’s Creek of Slate River**. Pat. to Wm. Noland 20 Aug 1747, and where he dwelleth. Wit: Isaac Bates, Jno. Watkins, **Patrick Napier**.”¹²²

COMMENT:

The Sparacios do not show that this deed was ever recorded. Note, below under 8 March 1749, that William Noland was an adjacent landowner to Isiah Burton, on Walton’s Fork of Slate River, adjoining William Mills’s in-laws, Jno. Ripley and William Walton.

16 OCTOBER 1747

ALBEMARLE > BUCKINGHAM

Land survey

“**Robt Walton**; 500 ac; Mar 18, 1748; near **Slate River Mountain**, 400 of which land was formerly surveyed for Robt Walton and Pattented & the residue by Order of Council; by Thomas Turpin.”¹²³

25 MARCH 1748

ALBEMARLE > BUCKINGHAM

Land survey

“**Wm. Walton** and Saml Glover; 1,020 ac; Oct 16, 1747; on both sides **Slate River**, 220 of which was survd and pattend to ye sd Walton formerly also 400 of the sd land was survd and Pattented to Saml Glover and the residue survd for **Wm Walton** by Thomas Turpin; **Walton’s fork** shown.”¹²⁴

COMMENT:

This William Walton was William Sr., brother of Robert and father of William Walton Jr. who settled the Tye River and wed, successively, Elizabeth Tilman and Milly (Mills) Lavender.

28–31 MARCH 1748

ALBEMARLE > AMHERST

Land survey

“**Thos Stone**: 200 ac; Mar. 28, 1748; joyning South side **Pedlar River**; joining **Geo. Watts, Horslys creek**, Thos Stone.

“Arthur Tuley; 400 ac; Mar 29, 1748p; on Maple Creek of Pedlar; by Thomas Turpin; joining **Robt Davis, Ed. Watts**.”

“**Marvil Stone**; 390 ac; March 31, 1748; on West side **Pedlar River**; by Thomas Turpin; Davis’s Road shown.”

COMMENT:

Ambrose Mills, son of William and Mary of the Pedlar, married c1748 Mourning Stone, parents

¹²¹ See the previously cited Mills, “William Mills (c1695–c1755) of Goochland, Albemarle & Amherst Counties, Virginia; Spouse Mary [—?—]: Research Notes.”

¹²² Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 13; citing Alb DB 1: 131.

¹²³ Grundset, “*Land Lying in the County of Albemarle*”... *Surveyors’ Plat Books*, 23; citing Bk 1, pt 1, p. 90.

¹²⁴ Grundset, “*Land Lying in the County of Albemarle*”... *Surveyors’ Plat Books*, 18; citing Bk 1, pt 1, p. 64.

unproved.¹²⁵ Their first son William (and Mourning's only child not killed with her in an Indian massacre) named a son Marvil Mills.¹²⁶

“Thos Watts; 335 ac; Mar 30, 1478 [1748]; branches of Pedlar River; by Thomas Turpin, joining Robt. Davis, **Edward Watts.**”

“Thos Stone 230 ac; March 31, 1748; on upper side of and joyning Pedlar River {and Cedar Creek}; by Thomas Turpin.”¹²⁷

30 MARCH 1748

Land survey

“Pierce Wade: 390 acres; March 30, 1748; North fork Thresher's Creek; by William Cabell.”¹²⁸

MARCH 1748 – 9 JUNE 1748

ALBEMARLE > AMHERST

Land Land survey

“Joshua Fry, Gent. Surveyor presents the following lists of Land surveys made by him from June 1747 to June 1748. ... Peter Soblet, **John Ri{pley?}** 199, ... William Phelps 200, **Marvel Stone** 390, George Taylor 200 ... **William Mills** 54, David Wills 125, Francis Baker 230, Arthur Tuley 400, Peter Currey 195, **Thomas Watts** 335, Capt. Lynch 400, Harding Burnley.” [end of list].¹²⁹

COMMENT:

This is the first acreage I have found for William Mills in Albemarle. However, he should already own a tract—at least 100 unimproved acres or at least 25 acres under cultivation with a residence thereon—given his service on the grand jury in March. A grand juror in this era had to be a freeholder—i.e., a white male over aged 21 who owned at least 100 acres of unimproved land or at least 25 improved acres with a house thereon.¹³⁰

The Stone and Watts Land survey were actually made in March 1748 according to the survey notes abstracted herein from Grundset.

¹²⁵ J. M. Edney's 1846 biography of his grandfather William Mills, published some time in 1846 in the Asheville, NC, *Highland Messenger*; for an image copy, see “Major William Mills (10 November 1746–1834 (LCD4-4NH),” *FamilySearch FamilyTree* (<https://www.familysearch.org/tree/person/memories/LCD4-4NH>), “Memories” tab.

¹²⁶ Obituary of Mr. Marvel Mills, “Marriage and Death Notices from the *Greenville Mountaineer*,” *South Carolina Magazine of Ancestral Research (SCMAR)* 7 (Winter 1979): page number not given, citing issue of 10 August 1749; accessed as *South Carolina Records and Reference*, CD-ROM (Orem, UT: Ancestry.com, 1998). See also E. S. Mills, “William Mills, Maj. (1746–1834); Spouse Eleanor Morris: Research Notes,” 43 pp., a work-in-progress last updated 2 November 2020; archived online at *Historic Pathways.com* under the “Research” tab.

¹²⁷ Grundset, “*Land Lying in the County of Albemarle*”... *Surveyors' Plat Books*, 18; citing Bk 1, pt 1, pp. 64–68.

¹²⁸ Grundset, “*Land Lying in the County of Albemarle*”... *Surveyors' Plat Books*, 16; citing Bk 1, pt 1, p. 48.

¹²⁹ Joanne Lovelace Nance, “Albemarle County, Virginia, Court Orders, ... March Term 1747/48–June Term 1748,” *Magazine of Virginia Genealogy* 29 (May 1991): 112–24, specifically 123–24, citing pp. 374–75.

¹³⁰ “The Grand Jury for the General Court was empannelled by the sheriff. ... it was required that they be freeholders and ‘of the most capable persons.’” Hugh F. Rankin, “The General Court of Colonial Virginia” (MS, Colonial Williamsburg Foundation Library, 1990), p. 9; html edition, *Colonial Williamsburg Digital Library* (<http://research.history.org/DigitalLibrary/View/index.cfm?doc=ResearchReports%5CCR0088.xml>): accessed 20 July 2018).

“**Freeholder** – The Colony of Virginia voting law of 1736 defined a Freeholder as a white male 21 years of age who owns at least 100 acres of unimproved land or 25 improved acres with a house and a ‘plantation.’ Any qualified Freeholder who failed to vote was subject to a fine of 200 pounds of tobacco. Any non-Freeholder who attempted to vote was subject to a fine of 500 pounds of tobacco.” Quoted from William F. Milam, “Glossary of Colonial Terms,” *Milam in Virginia* (<http://www.milaminvirginia.com/glossary.html>): accessed 20 July 2018).

Using the various online land grant images and databases, I have not been able to find a 54-acre grant for William Mills under any conceivable variant spelling or misreading.¹³¹ Nor does it appear in the Albemarle survey book of this period that has been transcribed by Grundset. Odds are, the land was consolidated into the larger tract patented in 1750.

5 APRIL 1748

ALBEMARLE > AMHERST

Land grant

Thomas Watts, for 40 shillings, 400 acres on branches of **Pedlar River**, described as

Beginning at a hickory saplin running thence S 20o W 22p to a white oak in a **valley** , S 20° E 90p to pointers, S 10?° W 73p to a hickory saplin, S 35o W 136p to a pine, S 66p to four dogwood saplins, S 55° W 255p to pointers, N 436p to pointers, and N 65° W 140p to the first station.¹³²

MAY 1748

ALBEMARLE > BUCKINGHAM

Land purchase

“Rich. & Eliz. Kerby to **Patrick Napier**.”¹³³

COMMENT:

Richard Kerby a decade earlier, was an associate of William and Mary Mills in Goochland. The Sparacios do not show that this deed was ever recorded, to provide details of its location.

12 MAY 1748

Court orders

“Ordered the Church Wardens of Saint Ann’s Parish do Bind out **Ann Greggs** Alias **Sanders** (now in the Possession of John Hodnett) to some other person According to Law.”¹³⁴

Grand jurors include **Benjamin Witt**. Petit jurors include **William Mills**, Patrick Napier, Leonard Ballow [Jr.].¹³⁵

“Robert Willis and **William Wade** having been Duly Summoned as Witnesses in this Cause [Grace Latoon against William Pryor] and failing to Appear, they are Severally Ordered to be fined According to Law except they Appear at Next Court and She Cause for their said failure &c.”¹³⁶

9 JUNE 1748

Court orders

“The Improvements of **Charles Mills’s** Land were this day returned, **David Mill[s]** making Oath the same had never been before Appraised, they are Ordered to be Recorded.”¹³⁷

¹³¹ Library of Virginia, “Land Office Grants,” database with images, *Virginia Memory* (<http://image.lva.virginia.gov> : accessed 20 May 2018); and “Index of Pool,” *Direct Line Software* (www.directlinesoftware.com/Pool/bedford.txt : accessed 20 May 2018).

¹³² “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants> : downloaded 12 May 2022), “Watts, Thomas”; citing “Land Office Patents No. 26, 1747–1748, p. 276 (Reel 24).”

¹³³ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 9; citing Alb Order Book 1744–48, p. 362.

¹³⁴ Albemarle Co., Order Book 1744–1748, p. 360; imaged, *FamilySearch* digital film 7893705 > image 192.

¹³⁵ Albemarle Co., Order Book 1744–1748, pp. 361, 363; imaged, *FamilySearch* digital film 7893705 > images 193–94.

¹³⁶ Albemarle Co., Order Book 1744–1748, p. 367; imaged, *FamilySearch* digital film 7893705 > image 196.

¹³⁷ Albemarle Co., Order Book 1744–1748, p. 371; imaged, *FamilySearch* digital film 7893705 > image 198.

10 JUNE 1748

Court orders

“John Pleasants against **Joseph Walton**. In Debt. The Defendant failing to Appear, It is Ordered Judgment be Entered for the Plaintiff against the Defendant and Charles Bond his Security for Twenty Pounds and Costs but to be Discharged by payment of Ten pounds with Interest there on at the rate of five per Cent per Annum to be Computed from the xth day of March MDCCXLVI [10 March 1747/8] till the time of payment & Costs &c.”¹³⁸

“The Petition of Andrew Barclay against **William Mills** [Miller?] is Ordered to be Continued till next Court.”

“**Thomas Walton** against **Joseph Walton**. In Debt. The Defendant not Appearing, It is Ordered that Judgment be Entered for the said Thomas Walton against him the said Joseph Walton, and Mathew Tucker and John Hunter his Securitys for Thirty Pounds with Intrest for the same at the rate of five per cent per Annum, to be Computed from the first day of July [1757] till the time of Payment & Costs, but that Judgment is to be discharged by the payment of £15 with Intrest thereon & Costs &c.”

“The petition of **Thomas Walton** against **Joseph Walton** is on the Plaintiffs motion (who Informs the Court his Witnesses are not here) Continued till next Court, the said Plaintiff paying Costs &c.”¹³⁹

[JULY] 1748

Court papers

“1748 Folder ... William Hopkins shows that **Ambrose Mills** is indebted to him 1 Pound, 13 shillings, 9 pence, due by account. Account for above (2 items).¹⁴⁰

16 JULY 1748

Court orders

“The Petition of William Hopkins against **Ambrose Mills** the Defendant being returned **no Inhabitant** is Ordered to be Dismist.”¹⁴¹

COMMENT:

Tax rolls place Ambrose Mills in Lunenburg in 1750.

12 AUGUST 1748

Court orders

“John Buchannon Assignee &c against **Thomas Wattson** alias **Watts**. In Debt. The Defendant failing to Appear on the motion of the Plaintiff by his Attorney an Attachment is Awarded him against the said Defendant’s Estate for £5.2.0 and Costs returnable here at Court &c.”¹⁴²

COMMENT:

I have seen, in these court orders, several prior references to “Thomas Watson” but none in a context that suggested he might be Thomas Watts.

¹³⁸ Albemarle Co., Order Book 1744–1748, p. 378; imaged, *FamilySearch* digital film 7893705 > image 201.

¹³⁹ Albemarle Co., Order Book 1744–1748, p. 383; imaged, *FamilySearch* digital film 7893705 > image 204.

¹⁴⁰ Weisiger, *Albemarle County, Virginia, Court Papers, 1744–1783*, 3, 6.

¹⁴¹ Albemarle Co., Order Book 1744–1748, p. 394; imaged, *FamilySearch* digital film 7893705 > image 209.

¹⁴² Albemarle Co., Order Book 1744–1748, p. 402; imaged, *FamilySearch* digital film 7893705 > image 213.

The next surviving court-order book for Albemarle is that of 1783–1785.

8 SEPTEMBER 1748

ALBEMARLE > BUCKINGHAM

Land sale

“Wm. Noland & wife Jane to Thos. Blakey of Goochland for £50, 200 acres **Arthur’s Creek of Slate River**. Pat. to Wm. Noland 20 Aug 1747, and where he dwelleth. Wit: Isaac Bates, Jno. Watkins, **Patrick Napier**.”¹⁴³

COMMENT:

The Sparacios do not show that this deed was recorded. Note, below under 8 March 1749, that William Noland was an adjacent landowner to Isiah Burton, on Walton’s Fork of Slate River, adjoining William Mills’s future sons-in-laws, Jno. Ripley and William Walton.

1749

Court papers

“1749 Folder ... Promissory note of **Ambrose Mills** of Albemarle Co. to William Hopkins 24 Sept. 1748. Wit: **R. Walton**, H. Wood.”¹⁴⁴

COMMENT:

This marks the earliest known interaction between the Mills and Walton families. No interaction has been found, thus far, in Goochland where both families previously lived.

2–5 FEBRUARY 1749

ALBEMARLE

Land survey

“William Willis; 300 ac; Feb 2, 1749; branches **Meecham River**; by William Cabell; joining Jno. Lawson, **David Mills**.”

“James Little; 129 ac; Feb 5, 1749; on South branch **Meecham River**; by William Cabell; joining Saml Black, Toms (?) Reid, Wm Little, Jno Woods, **Matthew Mills**.”¹⁴⁵

MARCH 1749

ALBEMARLE > BUCKINGHAM

Land survey

“**Benja Witt**; 190 ac; Mar 2, 1749; on head branches Hunts Creek; by Thomas Turpin; joining Peter **Chastain**, **Ben Witt**, Wm Salley. Shows a road.”

“Isaiah **Burton** junr; 400 ac; Mar 8, 1749; on both sides **Waltons fork** & Arthurs Creeks of **Slate River**; by Thomas Turpin; joining **Jno. Ripley**, **Wm. Waltn**, Wm. Noland.”

“**Jno Ripley**; 115 ac; Mar 9, 1749; on both sides **Ripley’s Creek of Slate River**; by Thomas Turpin; joining Jos Bundurant; Thos Patteson, **Jno. Ripley**.”

“Mary Patteson; 400 ac; Mar 10, 1749; on both side **Waltons fork of Slate River**; by Thomas Turpin;

¹⁴³ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 13; citing Alb DB 1: 131.

¹⁴⁴ Weisiger, *Albemarle County, Virginia, Court Papers, 1744–1783*, 3, 6.

¹⁴⁵ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 31; citing Bk 1, pt 1, pp. 128–29.

joining Thos Patteson, **Jno Ripley**.

“Joseph Bondurant; 320 ac; Mar 5, 1749; among North branches of **Slate River**; by Thomas Turpin; joining Thos **Ballow, Wm. Walton**.”¹⁴⁶

3 MARCH 1749

Association

Drury Tucker sold **Abraham Childers** 200 acres on Rockfish Creek, adj. Ezekiah Davidson & Abraham Childers, being part of land purchased by Tucker from **Robert Walton**, granted to Walton by Patent [no date]. Witnesses: Matthew Tucker, Lucreasha Tucker Ezekiah Davison.”¹⁴⁷

3 MARCH 1749

Mention

“Drury Tucker to Ezekiah Dawson for £2000 tobacco, 200 acres adj. Thos. Tindall, part of tract bought from **Ro. Walton**. Wit: Matt. & Lucretia Tucker, Abraham Childers, Jno. Nicholas, Clk.”¹⁴⁸

5 MARCH 1749

ALBEMARLE > BUCKINGHAM

Neighbor

“Jos Bondurant; 400 ac; Mar 5, 1749; among North branches **Slate River**; by Thomas Turpin; joining **Wm Walton, T. Ballow**, John Bondurant, Ant Benoin.”¹⁴⁹

COMMENT:

“T. Ballow” was Thomas Ballow/Ballew Sr., a county justice, whose granddaughter Lucy married William Mills’s grandson Charles Lavender.

This William Walton land, above and below, would have to reference William Sr. (d. 1747); his son William Jr. (b. 1735/6) was still a child.

8 MARCH 1749

ALBEMARLE > BUCKINGHAM

Land survey

“Isiah Burton Junr; 400 ac; Mar 8, 1749; on both sides **Walton’s fork** & Arthurs Creeks of **Slate River**; by Thomas Turpin; joining **Jno. Ripley, Wm. Walton, Wm Noland**.”

“**Jno. Ripley**; 115 ac; Mar 9, 1749; on both sides **Ripley’s Creek of Slate River**; by Thomas Turpin; joining Jos. Bondurant; Thos Patteson, **Jno. Ripley**.”¹⁵⁰

1 APRIL 1749

ALBEMARLE > AMHERST

Land grant

On payment of 40 shillings, grant made and confirmed unto **William Mills**. 400 acres in Goochland County “on both sides of **Pedlar River and Dancing Creek**” bounded as follows:

Beginning at two Spanish oaks on N Side the said River[,] running thence down the same and across

¹⁴⁶ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 33; citing Bk 1, pt 1, pp. 136–40.

¹⁴⁷ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 72; citing Wills & Deeds No. 1, p. 205.

¹⁴⁸ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 17; citing Alb DB 1: 205.

¹⁴⁹ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 33; citing Bk 1, pt 1, p. 138.

¹⁵⁰ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 33; citing Bk 1, pt 1, p. 140.

making in a right line 220 Poles to a willow on the S side [of] the river[,] Thence into the woods N 25° W at 170 a branch[,] in all 230 poles to a red oak near a branch[,] N 250 poles crossing two branches and **Dancing Creek** to two dogwoods and a gum[,] S 76° E at 76 [poles to] Pedlar River[,] in all 216 poles to pointers on the side of valley[,] and S 20° W 220 poles to beginning.¹⁵¹

COMMENT:

Note that the patent places Pedlar River in *Goochland County*. The patent would be issued according to the details on the survey submitted. By implication, the survey was made while Pedlar River was still part of Goochland—i.e., 1744 or earlier.

4 APRIL 1749

ALBEMARLE > AMHERST > NELSON

Land survey

“**Jno Wade**; 175 ac; Ap 4, 1749; on head of **Hat Creek**; by William Cabell; joining Colo. Randolph.”¹⁵²

COMMENT:

Hat Creek now lies in Nelson Co., just west of Roseland.

8 MAY 1749

Association

“We **Bengeman Witt**, Edmund Wood & **Peter Chastain** in Obedience to an Order of Albemarle Court being first sworn before Samuell Jordan one of the Justices of said County have appraised the Estate of Abraham Bigaim or so much as was brought before us: Wone Bead, Three yaurds of Casey Cloth and Boohair, small sundre goods, five ells garlick, five ells Ozenbrigs, eleven pound coten, too thousand Nails, 1 pair Shues, 1 bagg, Won horse, 1 sword Total 14...13...0. [Signed] Benjamin Witt, Edmund Wood, Peter Chastain. Albemarle August Court 1749. This Appraisement of Estate of Abraham Bigum was presented in Court by John Allen, Administrator, and ordered to be recorded.”¹⁵³

20 MAY 1749

GOOCHLAND > ALBEMARLE > BUCKINGHAM

Land grant

John Ripley, for 25 shillings, 250 acres, both sides of N branch of Walton’s Fork, Slate River, described as

Beginning at a large Spanish oak in the lowgrounds and running thence new lines N 5° W 58 poles to a pine, N 60° W 294p crossing the N branch to a pine S 30° W 84p to pointers, S 44° E 284p crossing **Ripley’s Creek** to pointers N 55° E 126p crossing the N branch of **Walton’s Fork** to the first station.¹⁵⁴

COMMENT:

The fact that the new survey is said to cross Ripley’s Creek suggests that Ripley is well-settled in that area on other land, hence the public attribution of his name to the creek.

¹⁵¹ Library of Virginia, “Land Office Grants,” database with images, *Virginia Memory* (http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=539&last=&g_p=P28&collection=LO_Patent : downloaded 20 May 2016), “Mills, William, grantee ... Albemarle County ... 400 acres on both sides of Pedlar River and on Dancing Creek”; citing “Land Office Patents No. 28, 1746–1749 (v. 1 & w p.1-730), p. 539 (Reel 26).”

¹⁵² Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 22; citing Bk 1, pt 1, p. 84.

¹⁵³ Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 4; citing “Wills & Deeds No. 1, p. 9.

¹⁵⁴ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants> : downloaded 12 May 2022), “Ripley, John,” citing “Land Office Patents No. 27, 1748–1749, p. 156 (Reel 25).” **NOTE: The document is actually on pp. 159–60.**

9 AUGUST 1749

ALBEMARLE > AMHERST

Land sale

“This indenture made the ninth day of August in year of our Lord Christ One thousand seven hundred and Forty nine Between **Thomas Watts** and **Sarah** his Wife of Albemarle County of one part and Peter Bays of County aforesaid of other part Witnesseth that **Thomas Watts** and **Sarah** his Wife for sum of Thirty five pounds current money hath sold unto *Peter Bays* his heirs one parcell of land lying in Albemarle County on **North side of Pedlar River** containing Four hundred acres

Begining at a hicory saplin runing from thence by marked trees to a white oake in a valey from thence to a hicory saplin, from thence to a pine, from thence to four dogwood saplins and thence along a line of pointers and thence along a line to place began

to have and to hold the said parcel of land with their appurtenances unto Peter Bays his heirs and assigns forever In Witness whereof **Thomas Watts & Sarah** his Wife have set their hands and Seals in presence of us *Edmond Manion, Richard Cowell, Thomas Smith*. [Signed] Thomas VV T Watts [his mark].

Albemarle August Court 1749

Thomas Watts presented in Court and acknowledged within Deed to Peter Bays on whose motion the same is ordered to be recorded.”¹⁵⁵

COMMENT:

Pedlar River was a short branch of the Fluvanna/James, lying in the western “butt” of Albemarle. To the south of the Fluvanna/James was Lunenburg. In 1754, Prince Edward County—where Sarah’s sister Elizabeth (Mills) Learwood lived—would be created from Amelia (formerly Brunswick) and included the part of Lunenburg that lay along the south side of the James (aka Fluvanna).

Re Thomas and Sarah:

- Neither has been found after this in Albemarle records.
- Sarah did not sign or make her mark. The evidence does not show she was actually present. In most other deeds in this record set, the wife *did* sign/mark or acknowledge the sale.
- Skimming this “Will & Deed” book, reveals that most men who appear in these records (i.e., yeoman class and above) could sign their names. Most women could not.
- Thomas Smith, one of the witnesses above, in 1759 sold land adjoining William Mills and Edward Watts. (See abstract under that date.)

On 15 April 1740, Peter “Bayse,” son of Peter Bayse, was an orphan over age 14 in Goochland County, where he chose David Walker as his guardian with Benjamin Cocke as Walker’s surety.¹⁵⁶ On 14 June 1759, Peter “Bayse” and his wife Sarah of **Halifax County** sold this Watts tract to William Gilliam for £70.¹⁵⁷ They would subsequently live on Goblingtown Creek of **Henry**

¹⁵⁵ Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 43, citing Wills & Deeds No. 1, pp. 96–97. On 13 December 1760 William Gilliam sold it to Nicholas Davis of Cumberland Co., saying that Thomas Watts had received patent for the 400 acres “on branches of Pedlar River” on 5 April 1748. No neighbors were named. See Sparacio, *Albemarle County, Virginia, Deed Abstract, 1761–1764* (N.P.: Antient Press, 1988), 4. Nicholas Davis is widely said to be the father of Robert Davis who witnessed William Mills’s 1755 will.

¹⁵⁶ Ann K. Blomquist, *Goochland County, Virginia, Court Order Book 4, 1735–1741* (Westminster, MD: Heritage Books, 2010), 481.

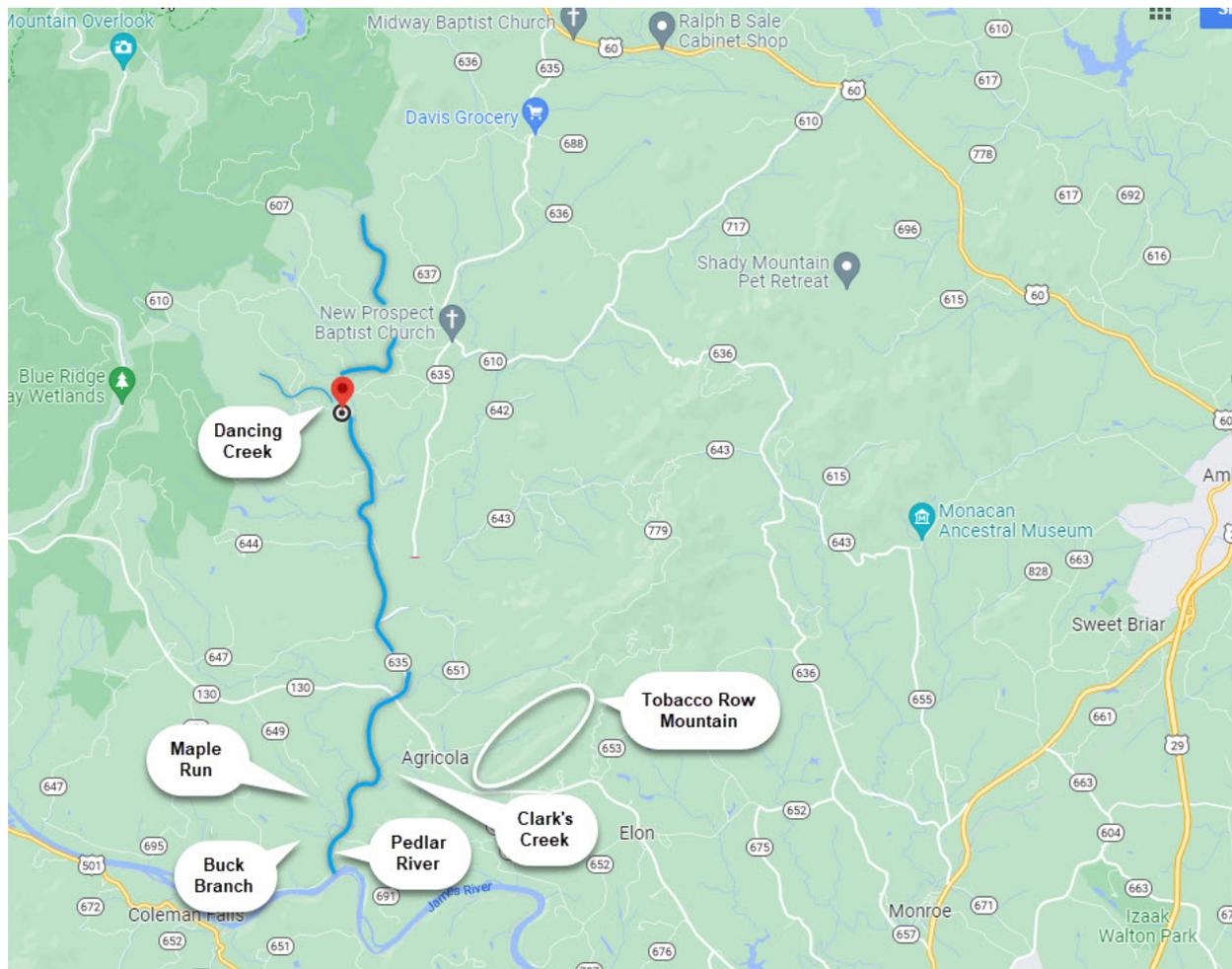
¹⁵⁷ Amherst Co., VA, Deed Book 2: 128.

Co., after Halifax was split to form **Pittsylvania** Co. and Pittsylvania was split to form Henry.¹⁵⁸

*Note the manner in which Thomas Watts made his T mark. Thomas Jopling, who Watts' father-in-law William Mills named as coexecutor of his will in 1755, made his mark with a T formed the same way.*¹⁵⁹

Map 5 provides a topographical map of the Albemarle region in which the Millses settled.

Map 5
Dancing Creek, Buck Branch, Maple Run & Clark's Creek & Pedlar River: Now Amherst
Now Amherst County, Virginia



¹⁵⁸ Library of Virginia, “Land Office Grants,” database with images, *Virginia Memory* (http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=120&last=&g_p=P33&collection=LO Grant : downloaded 20 May 2016), Bays, Peter, 50 acres on Goblingtown Creek adjoining Jeremiah Claunch’s land, Pittsylvania; citing “Land Office Grants C, 1780–1781, p. 120 (Reel 44).” Also Henry Co. Deed Book 2: 309 (James & Martha Ingrum sell to Wiliam Walden Jr., land adj. William Martin, Henry Sumpter, and Haley; witnessed by Peter Bays, Nathan & Joseph Walden, 27 Mar. 1783). [This Walden family is frequently confused with the Waltons by researchers who have not carefully reconstructed the lives of each individual.] Also Deed Book 2: 378–79 (James & Martha Ingrum to William Martin, 75 acres on Goblingtown Creek adj. Roland Horslee Birks, Rowland Chiles, David Haley; witnessed by Peter Bays, Nathaniel & Joseph Walden, 15 Feb. 1783.)

¹⁵⁹ Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 79, citing Wills & Deeds No. 1, pp. 225–27.

22 SEPTEMBER 1749

Association

Marvel Stone witnessed deed from Anthony Hoggatt of Albemarle to John Bostick of Cumberland Co., 743 acres where Hoggatt now lives; no watercourse named. Proved by Stone and other witnesses, Nathaniel Christian, Nathel. Hoggatt, and Josel Walker, in court on 13 February 1749[50].¹⁶⁰

OCTOBER–NOVEMBER 1749

ALBEMARLE > BUCKINGHAM

Land survey

“Isaiah Burton; 1,200 ac; on North branches **Slate River**; by Thomas Turpin; joining **William Walton**, James Gates, Wm. Maxey.”¹⁶¹

COMMENT:

Grundset’s abstract does not cite a date. The preceding two entries were on 31 October 1749. The two subsequent entries were dated 30 November and 5 December.

The William Walton reference is to the land of William Sr., deceased in 1747.

15 NOVEMBER 1749

ALBEMARLE > FLUVANNA

Land purchase

“Henry Martin & Pouncey Anderson, exors. of Michl. Holland, dec’d, to **Patrick Napier** for £54 – 6, 400 acres S side North fork, **James [River]**. Adj. **Cunningham Creek**. Pat. 28 Sept 1730.”¹⁶²

COMMENT:

Cunningham Creek lies today in Fluvanna County, near the town of Palmyra. Fluvanna was cut from Albermarle in 1777. Patrick Napier, under 19 May 1761 below, also owned land on Carys Creek, same locale.

29 NOVEMBER 1749

Association

“Geo. Brock Sr. to wife Katherine – love – to support her, all estate. Wit: **Patrick Napier**, Jno. Rogers, Wm. Grymes.”¹⁶³

15 DECEMBER 1749

ALBEMARLE > BUCKINGHAM

Land grant

Benjamin Mosby, for 40 shillings, 385 acres, “on a N fork of Slate River called and known by the name of **Ripleys Creek**,” described as

Beginning at a pine on the S side of the said creek, thence N 10° W 156p crossing the creek several times to pointers S 60° W 280p crossing the said creek to pointers, thence S 40° W 124p to pointers, S 10° E 125p crossing a fork of the said to pointers N 82o E 20p to **Arthur McDaniel**’s

¹⁶⁰ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 58; citing Wills & Deeds No. 1, pp. 153–55.

¹⁶¹ Grundset, “*Land Lying in the County of Albemarle*.” ... *Surveyors’ Plat Books*, 26; citing Bk 1, pt 1, p. 106.

¹⁶² Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 18; citing Alb DB 1: 227.

¹⁶³ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 15; citing Alb DB 1: 164.

corner, thence on him the said course continued 60 in all 80 p to pointers, then a new line N 51° E 318p to the beginning.¹⁶⁴

COMMENT:

On 10 January 1748, Benjamin Mosby had been granted 337 acres on White Oak creek in Lunenburg County, adjoining Nowell Burton (a Goochland associate of Ambrose Mills).¹⁶⁵

13 FEBRUARY 1750

Associates

Renne Chastain is sworn in as guardian for James Soblet, orphan, estate of John Gorden.¹⁶⁶

MARCH 1750

ALBEMARLE > FLUVANNA

Land surveys

“Ben **Mattox**; 81 ac; 1 March 1750; on both sides **Cunningham Creek** of the South side **Rivanna River**; by Thomas Jefferson; joining Edwd Moody, new lines, **Pat Napier**, new lines.”

“**Benjn Mattox**; 400 ac; 4 Mar 1750; on North branches of North fork of **Cunningham Creek**; by Thomas Jeffeson; joining new lines, Thos George Yarbrough, Doct Hopkins, Capt Arthr Hopkins, a new line.”¹⁶⁷

COMMENT:

Cunningham Creek now falls into Fluvanna County, near the town of Palmyra.

27 MARCH 1750

ALBEMARLE > AMHERST

Neighbor

“William Horseley; 400 ac; Mar 27, 1750; on branches **Pedlar River**; by William Cabell; joining **Edward Watts**.”¹⁶⁸

APRIL 1750

ALBEMARLE > AMHERST

Land survey

“John Taliaferro; 400 ac; Ap 3, 1750; on branches Franklins and Mills Creek, by William Cabell; joining James Smith, Howard Cash, **James Wade**.”

“Thos Smith; 350 ac; Ap 14, 1750; on **Pedlar River**; by William Cabell; joining **Wm Mills, Edward Watts, John Stones**.”

“John Partree Burk; 145 ac; Ap 16, 1750; on **Dancing Creek** of **Pedlar River**; by William Cabell.”¹⁶⁹

COMMENT:

For the location of Dancing Creek, see Map 5. The reference to “Mills Creek” should be “Mill Creek.”

¹⁶⁴ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants>): downloaded 12 May 2022), “Mosby, Benjamin,” citing “Land Office Patents No. 29, 1749–1751, p. 9 (Reel 27).”

¹⁶⁵ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants>): downloaded 12 May 2022), “Mosby, Benjamin,” citing “Land Office Patents No. 28, 1746–1749, p. 524 (Reel 26).”

¹⁶⁶ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 9; citing *Wills & Deeds No. 1*, pp. 18–19.

¹⁶⁷ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 39–40; citing Bk 1, pt 1, p. 168, 170.

¹⁶⁸ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 34; citing Bk 1, pt 1, p. 143.

¹⁶⁹ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 31; citing Bk 1, pt 1, pp. 124, 127.

12–13 APRIL 1750

ALBEMARLE > AMHERST

Land survey

“**William Mills**; 330 ac; Ap 13, 1750; on branches **Buck branch** by William Cabell; joining **Thos Mills**, John Davis, Isham Davis.”

“**Wm. Mills**; 350 ac; Ap 11, 1740; on branches Buck Creek; by William Cabell, joining **Edward Watts Jr.** [*sic*].”¹⁷⁰

COMMENT:

The original should be consulted on my next trip to the Library of Virginia, to confirm or correct Grundset’s rendition of Watts as “Edward Jr.”

14 APRIL 1750

ALBEMARLE > AMHERST

Neighbor

“Thos Smith; 350 ac; Ap 14, 1750; on **Pedlar River**; by William Cabell; joining **Wm Mills**, **Edward Watts**, John Stones.”¹⁷¹

COMMENT:

- Thomas Smith was cited in March 1748 (above) as adjacent neighbor to the land that Thomas Watts, son of Edward and son-in-law of William Mills, sold to Peter Mays.
- On 16 April, Cabell surveyed John Partree Burk’s 145 acres on Dancing Creek of Pedlar (same page).

17 MAY 1750

ALBEMARLE COUNTY, VA

Association

“James Cocke, Gent.. of Henrico to Benj. Woodson, for £40, 400 acres NE side Hardware adj. Rich. Damarel. Wit: Bouth Woodson, **Bouth Napier Jr.**, Jo. Fitzpatrick, **Bouth Napier**, Benj. Woodson, Jr.”¹⁷²

20–21 MAY 1749

Association

David Wade witnessed deed of lease and release from Francis Baker and wife Mary of Albemarle to William Shelton of King William Co.; 360 acres adj. Abraham Venable, Ebenezer Adams, land granted to James Nowling of Goochland Co. on 1 June 1736. No watercourse named.¹⁷³

1 JUNE 1750

ALBEMARLE > AMHERST

Land grant

John Wade, for 15 shillings, 128 acres, N fork of **Davis’s Creek** “near the head thereof,” described as

Beginning at a white oak and running thence new lines N 47° W 174p to a locust and beech, S 47° W 178p to a hicory, S 75° E 120p to a poplar, N 51° E 34p to a white oak, N 74° E 54p to a

¹⁷⁰ Grundset, “*Land Lying in the County of Albemarle*...” *Surveyors’ Plat Books*, 32; citing Bk 1, pt 1, p. 133.

¹⁷¹ Grundset, “*Land Lying in the County of Albemarle*...” *Surveyors’ Plat Books*, 31; citing Bk 1, pt 1, p. 127.

¹⁷² Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 18; citing Alb DB 1: 227.

¹⁷³ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 52–53; citing Wills & Deeds No. 1, pp. 131–33.

hickory, S 13° W 50p to a poplar, N 70° E 88p to a chesnut, and N 37° W 24p crossing the creek to the beginning.¹⁷⁴

1 JUNE 1750

ALBEMARLE > AMHERST

Land grant

Pearce Wade, for 40 shillings, 390 acres, **Threshers Creek**, described as

Beginning at pointers and running thence on new lines N 6° E 54p to a forked dogwood, N 20° W 52p to a white oak, N 10° W 284p to a chesnut oak, S 76° E crossing Thresher's Creek to pointers, S 10° E 383p to a white oak, and N 76° W crossing Thresher's Creek 191p to the beginning.¹⁷⁵

12 JULY 1750

ALBEMARLE > BUCKINGHAM

Land grant

John Ripley, for 20 shillings, 195 acres, both sides of Walton's Fork, Slate River, described as

Beginning at a large Spanish oak on the N side of the creek in the lowground, running thence on **Ripley's** line, N 5° W 58p to a pine, thence new lines N 60° E 120p to pointers, S 30° E 200p crossing the said creek to pointers S 60° W 189p to pointers, thence N 13° W 154p crossing the said creek to the first station.¹⁷⁶

12 JULY 1750

ALBEMARLE > BUCKINGHAM

Land grant

Benjamin Mosby, for 15 shillings, 120 acres, S side of **Ripleys Creek** of **Slate River** described as

Beginning at pointers in **Arthur McDaniels** line, running thence on the said McDaniel's line N 20 E 165p to a pine [at] the said Mosby's corner of a former survey, thence on the said Mosby's line S 51° W 318p to pointers in McDaniels line, and on the same N 82° E 240p to the first station.¹⁷⁷

COMMENT:

On 10 April 1758, "Benjamin Mosby" would be granted 1,150 acres in Bedford Co., on both sides of Whipping Creek.¹⁷⁸

14 AUGUST 1750

ALBEMARLE > AMHERST

Land sale

William Floyd of Parish of St. Ann's, Albemarle, to **Samuel Burks Junr.** of same, sale for 100£ current

¹⁷⁴ "Virginia Land Patents and Grants," database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants>): downloaded 12 May 2022), "Wade, John"; citing "Land Office Patents No. 30, 1750–1752, p. 95 (Reel 28)."

¹⁷⁵ "Virginia Land Patents and Grants," database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants>): downloaded 12 May 2022), "Wade, Pearce"; citing "Land Office Patents No. 30, 1750–1752, p. 123 (Reel 28)."

¹⁷⁶ "Virginia Land Patents and Grants," database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants>): downloaded 12 May 2022), "Ripley, John"; citing "Land Office Patents No. 29, 1749–1751, p. 282 (Reel 27)."

¹⁷⁷ "Virginia Land Patents and Grants," database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants>): downloaded 12 May 2022), "Mosby, Benjamin"; citing "Land Office Patents No. 29, 1750–1752, p. 204 (Reel 28)."

¹⁷⁸ "Virginia Land Patents and Grants," database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants>): downloaded 12 May 2022), "Mosby, Benjamin"; citing "Land Office Patents No. 33, 1756–1761, p. 430 (Reel 31–32)."

money, 400 acres now in possession of said Burks, lying on “**upper side of Pedlars Branch**,” described as

“Beginning at pointers on the river runing thence down the same by the meanders making in a right line to a hiccory at the mouth of a branch, thence into the woods N to a small white oak, NW to a hiccory saplin near a branch, W to a maple & N to pointers on side of a hill, N to a hiccory saplin & thence E to the first station.

Witnesses: Wm. Cabell, Matthew Jordan, Wm. Matthews. Proved same day in court.¹⁷⁹

COMMENT:

This is the first reference (in any capacity) that Will/Deed Book 1 offers for William Floyd who, in 1755, would witness William Mills’s will.

On 25 September 1746 Floyd was granted 400 acres on S side of Pedlar River and “the mouth of a branch.” As with William Mills’s grant, it was said to lie in Goochland. No neighbors are named.¹⁸⁰

27 AUGUST 1750

Association

John Staples witnessed the deed of Noble Ladd of Albemarle Co. to Peter Jefferson of Goochland, land on S side James River adj. John Lead/Ledd, Colo. John Boling. On 13 Nov. Staples and other witnesses (Thomas Turpin Junr., John Scott, John Lead, William Roach) proved the deed in court.¹⁸¹

COMMENT:

John Staples, who witnessed the will of William Mills in 1755, was a land surveyor that year but not in 1750, above, when he witnessed the Ladd-Jefferson deed. Thomas Turpin (either Sr. or Jr.) was an active land surveyor in Albemarle; but the recorded surveys of this era do not show him conducting any surveys during June–September 1750. In short: Staples, the Mills associate, appears to have had a personal rather than professional association with Ladd.

24 OCTOBER 1750

ALBEMARLE > AMHERST

Land survey

“Colo Joshua Fry and Capt Charles Lynch, Church Wardens of St. Ann’s Parish & their successors for ever; 68 ac; Oct 24, 175; on North side **Rivanna River**; by William Cabell; joining Samuel **Burk**, **William Witt**, William Moore.”¹⁸²

NOVEMBER 1750

Land survey

“William Salle; 1,978 ac; 10 Nov 1750; surveyed by order of Council at several times; on **Joshua’s Creek** [shown] and **Turpin’s Road** [shown]; joining Wm Allen, a new line, **Ben Wit**.”

“Abraham Childres; 800 ac; Nov 16, 1750; branches Bremore & Rockfish Creek [shown]; by Thomas Turpin; joining Jno. Douglas, **Robt Walton**, a new line, **Thomas Napier**. Secretarys Rolling Road runs

¹⁷⁹ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 76–77; citing Wills & Deeds No. 1, p. 219.

¹⁸⁰ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants> : downloaded 12 May 2022), “Floyd, William”; citing “Land Office Patents No. 24, 1745–1746, p. 503 (Reel 22).”

¹⁸¹ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 80–81; citing Wills & Deeds No. 1, pp. 231–33.

¹⁸² Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 35; citing Bk 1, pt 1, p. 146.

through middle of this tract.”¹⁸³

COMMENT:

Note under 14 December 1751 that Abraham Childres also joined John Melton who joined **Joseph Walton**.

14 NOVEMBER 1750

Association

“Wm. Battersby of Cumberland Co. to Jno. Walker for £65, 50 acres **S side Fluvanna**, pat. to Wm. Cabell 25 Sept. 1746. Adj. Jno. Ladd. Wit: **Bouth Napier**, Thos. Phelps.”¹⁸⁴

15 NOVEMBER 1750

ALBEMARLE > AMHERST

Land sale

“Stephen Hughes & **Bouth Napier** to James Meredith of Cumberland Co. for £52-10, 400 acres **N. side Pedlar, Horsley Ck.** Pat. to both, 20 Sept 1748.”¹⁸⁵

COMMENT:

William Mills’s land was also on Pedlar near Horsley’s Creek. This establishes the first physical connection between the Napiers and the Millses.

16 NOVEMBER 1750

ALBEMARLE > FLUVANNA

Land survey

“Abraham Childres; 800 ac; Nov 16, 1750; branches **Bremore & Rockfish Creek** [shown]; by Thomas Turpin; joining Jno Douglas, **Robt Walton**, a new line, **Thos. Napier**. Secretarys Rolling Road runs through middle of this tract.”¹⁸⁶

COMMENT:

Bremo Creek subsequently fell into Fluvanna Co. It lies near Rockfish, across the Fluvanna from Walton land in Buckingham.

I am reading all Napier documents from this volume but will not do a thorough extraction from this point forward. If other locales are identified, I’ll note them here. If future research suggests the need for a full extraction of all Napier records in Albemarle, I will reopen this report and add the others.

29 MARCH 1751

ALBEMARLE > AMHERST

Land survey

“**John Wade**; 359 ac; 29 March 1751; North branches **Buffalo River**; by Thomas Jefferson; joining Braxton & Compy, new lines, Secretary’s, James Williamson, Ambs Porter.”¹⁸⁷

¹⁸³ Grundset, “Land Lying in the County of Albemarle”: *Surveyors’ Plat Books*, 37; citing Bk 1, pt 1, p. 152.

¹⁸⁴ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 19; citing Alb DB 1: 242.

¹⁸⁵ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 19; citing Alb DB 1: 243.

¹⁸⁶ Grundset, “Land Lying in the County of Albemarle”: ... *Surveyors’ Plat Books*, 37; citing Bk 1, pt 1, p. 152.

¹⁸⁷ Grundset, “Land Lying in the County of Albemarle”: *Surveyors’ Plat Books*, 39; citing Bk 1, pt 1, p. 168.

30 MARCH 1751

Land survey

“Honble Willm Dawson Esq., Colo Joshua Fry, Colo Peter Jefferson, Capt Charles Lynch, Capt THos Ballow, Thos Turpin; 11,770 ac; on **Blackwater** of **Fluvanna**; surveyed by Order of Council; by Thomas Turpin. This is a large, complex survey showing the following: Judith’s Creek, Chees Creek, a ridge, Judith Mountain, Flemmings Mountains, high spur of a mo{untain}, the main ridge, **Ivy Creek** of **Blackwater**, Mill Stone Creek. Joining N. Davies, **G. Walton**, the Revd Mr. Stith. The survey is divided among the principles thus: No. ‘A.’ Nicholas Davies, 1,755 ac; No. 1: Saml. Cobbs, Junr., 2,040 ac; No. 2, Thos Meriwether, 1,860 ac; No. 3 **Thos Ballow**, 1,850 ac.; No. 4: Pet Jefferson, 2,000 ac; No. 5: Thos Turpin, 2,240 ac; No. 6 John Dawson, 1,780 ac. There is a “table of courses {sic}.”¹⁸⁸

OCTOBER–NOVEMBER 1751

ALBEMARLE

Land survey

“James Whary; 325 ac; 26 Oct 1751; on both sides Spring Creek of **Moremans River**; by Thomas Jefferson; joining new Lines, **David Mills**, Daniel Maupin.”

“David Lockhart; 100 ac; 3 Novr 1751; South branches of North fork **Mechum River**; by Thomas Jefferson, joining John Lockhart, **Matthew Mills** and a new line.”

“David Lockhart; 306 ac; 7 Nov 1751; South branches of North fork **Mechums** River; by Thomas Jefferson; joining Geo Davisson, new lines, Jno Lockhart, **Matthew Mills**.”

“**Matthew Mills**; 125 ac; 8 Nov 1751; on both sides **Bounding Branch** of **Mechums** River; by Thomas Jefferson; joining Wm Little, new lines; **Mattw Mills**, new lines; Thos S{blurred}.”

“Andrew Greenhorn; 134 ac; 9 Nov 1751; on South branches North fork Mechums River; by Thomas Jefferson; joining **Matthew Mills** and new lines.”¹⁸⁹

DECEMBER 1751

Land survey

“**Joseph Walton**: 200 ac; 1 Decr 1751; on both sides **Bremore Creek** in fork of **James River**; by Thomas Jefferson; joining John Payne, new lines, Jos. Goode.”

“John Melton; 400 ac; 14 Decr 1751; in **Fork of James River** lying on branches of Bremore Creek; by Thomas Jefferson; joining **Joseph Walton**, new lines, **Abraham Childres**, new lines, **John Payne**.”¹⁹⁰

COMMENT:

- Note above under 16 November 1750 that **Robert Walton** owned land adj. Abraham Childres.
- Re John Payne: In 1750–52, **Ambrose Mills** was taxed in Lunenburg (south side of James River, as overseer for John Payne).¹⁹¹

“Francis Kirby; 350 ac; 18 Decr 1751; in **Fork of James River** and adjoining to the East side Bremore Creek {and on Long Branch}; by Thomas Jefferson; joining new Lines, **John Payne**, Jos Goode.

“Francis Kirby; 228 ac; 19 Decr 1751; in **fork James River** lying on East branches of **Bremore Creek**; by

¹⁸⁸ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 42; citing Bk 1, pt 1, p. 181.

¹⁸⁹ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 45; citing Bk 1, pt 1, pp. 192–93.

¹⁹⁰ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 46; citing Bk 1, pt 1, p. 198.

¹⁹¹ Landon C. Bell, *Sunlight on the Southside: List of Tithes, Lunenburg County, Virginia; 1748–1783* (Baltimore: Genealogical Publishing Co., 1974), 144–47, particularly p. 145 (1750); also 202–8 (1752); no source cited.

MILLS: Mills & Associates: Albemarle Court, Deed & Probate 1745–1767 21 May 2022

Thomas Jeffersons; joining new lines, **John Payne**, Paynes & **Waltons**.”¹⁹²

COMMENT:

On March 1733/4, Francis Kirby bought from **William Mills** & wife **Mary** (father of Ambrose), 100 acres of a tract Mills owned on “the westernmost” branch of Lickinghole Creek in Goochland.¹⁹³

19 DECEMBER 1751

Land survey

“**Francis Kirby**; 228 ac; 19 Decr 1751; in fork James River lying on East branches of **Bremore Creek**; by Thomas Jefferson; joining new lines, **John Payne**, Paynes & **Waltons**.”¹⁹⁴

11 FEBRUARY 1752

ALBEMARLE > BUCKINGHAM

Land sale

John Ripley to son **Richard Ripley** for 40£ and “Love good will & Effecton) 195 acres at **Walton’s Fork**, a branch of Slate River, granted to John on 12 July 1750, and another tract on Walton’s fork, where John lives, that after Richard’s death shall go to “his Daughter **Judith Ripley**.” Witnesses: James Goss Meredith Maning (mark), Saml. Jordan. Acknowledged same day in court by John.¹⁹⁵

COMMENT:

On 9 June 1759, John Ripley gave another 100 acres to his daughter Sarah Ripley, identifying it as the land on which he then lived; included in the sale was all his household goods.¹⁹⁶ Less than four months later (see 1 October 1759 below), Sarah Ripley 150 acres to John Ballew, describing it as part of her father’s patent, except 100 acres which ‘was gave to Judith Ripley (Ripply), daughter of Rich. Ripley – brother of Sarah Ripley.¹⁹⁷

11 FEBRUARY 1752

ALBEMARLE > AMHERST

Land purchase

“Geo. Dameril & wife Ann Thany, to **Thos. Tilman** of Goochland Co. for £100, 400 acres both sides **Hardware** adj. Benj. Woodson. Wit: Matt Jordan, Alex. McCaul, Thos. Thornell.”¹⁹⁸

COMMENT:

Thomas Tilman’s daughter Lucy married Jesse Mills in 1765, Amherst Co. Tilman’s older daughter Elizabeth previously wed in Goochland, William Walton Jr.; Walton, as Elizabeth’s widower, would marry Jesse Mills’s sister Milly, the widow of William Lavender Sr.

MARCH 1752

Land survey

“**William Burton**; 400 ac; 13 March 1752; in **fork James River**; by Thomas Jefferson; joining Ben and

¹⁹² Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 46; citing Bk 1, pt 1, p. 198.

¹⁹³ Benjamin B. Weisiger III, *Goochland County, Virginia, Wills and Deeds, 1728–1736* (N.P.: P.p. 1983), 49; citing DB 1: 487.

¹⁹⁴ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 46; citing Bk 1, pt 1, p. 198.

¹⁹⁵ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 129; citing *Wills & Deeds No. 1*, pp. 417–19.

¹⁹⁶ Ruth and Sam Sparacio, *Deed Book, Albemarle County, Virginia, 1758–1761* (N.P.: Antient Press, 1988), 43; citing pp. 147–48.

¹⁹⁷ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 40; citing Alb DB 2: 192.

¹⁹⁸ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 26; citing Alb DB 1: 416.

Rich'd Cooke, **John Cobbs**, a new line, Edw'd Pye Chamberlain, a new line.”

“Abraham Smith; 400 ac; Mar 14, 1752; on both sides **Walton's fork**; by Thomas Turpin; joining Thos Dabbs.”

“Rich'd Taylor; 750 ac; Mar 14, 1752; branches **Waltons fork**; by Thomas Turpin; joining Thomas **Patteson**.”¹⁹⁹

2 APRIL 1752

ALBEMARLE > AMHERST

Land sale

Jeremiah Wade to **David Wade**, for 35£, 180 acres on **Threshers Creek**, adj. **Pearse Wade**, a creek, John Biswell, Pearce Wade, and Thresher's Creek. Track granted to Howard Cash on 12 July 1750. Witnesses: James George, Chisely Daniel, Pearce Wade. Acknowledged 13 August 1752 by Jeremiah Wade in court.²⁰⁰

10 APRIL 1752

Land survey

“**Thos Napier**; 400 ac; Apr 10 1752, branches Rockfish Creek; by Thomas Turpin; joining Wm Matlock, Thos Lawhorn, Abrm Childres, **Patrick Napier**, a new line; a road and a creek shown.”²⁰¹

9 JUNE 1752

ALBEMARLE > AMHERST > NELSON

Land sale

John Wade (±) to John Green, both of Albemarle, sale for 8, 128 acres on branches of **Hat Creek** near the Blue Mountains. Witnesses: Duncon Cameran, Thos. Reid, John Reid. Acknowledged by Wade, with relinquishment by wife Mary, in court on 11 June 1752.²⁰²

13 AUGUST 1752

ALBEMARLE > AMHERST

Land sale

William Mills of Albemarle County to *Martha Massie* of New Kent County, sale of 400 acres in Albemarle Co. on **Pedlar River** described as:

Beginning at two Spanish oaks on the N side of the said river, running thence down the same and across making in a right line 220 poles to a willow tree on the S side of the river, thence into the woods N 25° W 170 [to] a branch, in all 230p to a red oak near a branch, N 260p crossing two branches & **Dancing Creek** & two dogwoods & gum S 26° E 76, Pedlar River, in all 216p to pointers on the side of a **vallee** & S 20° W 220p to the beginning.”

Sealed & Delivered in the presence of } [no witnesses named]

“Memorandum That on this xiiiith day of August 1752 Quiet & peaceable Possession & Seisin of the within Land & premises was had & taken by the within mentioned William Mills & by him Delivered to the within mentioned Martha Massie according to the form & effect of the within written Deed in due form of Law. [Signed] William Mills.

¹⁹⁹ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors' Plat Books*, 47, 49; citing Bk 1, pt 1, pp. 204, 211.

²⁰⁰ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Deed & Will Abstracts, 1748–1752*, 144; citing Wills & Deeds No. 1, pp. 478–80.

²⁰¹ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors' Plat Books*, 37; citing Bk 1, pt 1, pp. 152–53.

²⁰² Albemarle Wills & Deeds No. 1: 475–76; imaged, *FamilySearch* > digital film > 7644233 > images 292–93.

“Recd Augt 13th 1752 of Martha Massie the Sum of two hundred Pounds being the Consideration within expressed I say by me. [Signed] William Mills.

“At a Court held for Albemarle County the 13th Day of August 1762, This Indenture memorandum of Livery of Seisin & Receipt thereof endorsed were acknowledged by William Mills one of the parties thereto and Ordered to be recorded. Mary the wife of the said William personally appeared in Court & being first privately examined as the Law Directs voluntarily relinquished her right of Dower to the Estate conveyed by the said Indenture. Test [signed] John Nicholas, Clk.”²⁰³

COMMENT:

Deeds proved that same day:

- John Moore & wife Mary, drafted 13 August 1752, in favor of Arthur Hopkins, had three witnesses but was acknowledged in court by Moore and wife (pp. 470-72)
- Alexander Henderson of Augusta County to John McWhorter, drafted in July, proved in court by witnesses George Powell, William Simson & Samuel Man (pp. 472–74)
- Thomas his T Mark Wright to Alexander Murray drafted in July, was proved on the same day and processed the same as the above, except that it did have witnesses. The preceding deed from July was proved 13 August 1752 by oaths of John McCord, Peter Hairston, and William Terrell (pp. 474–75)

With regard to the land and its sale:

- This was William’s first grant in Albemarle, entered and surveyed while he was still in Goochland and patented in 1749 on “**Pedlar River and Dancing Creek.**”
- The purchaser of this land was the widow of the Burgess William Massie; she is said to be née Martha Macon, daughter of Col. Thomas Macon, all of New Kent, although William and his brother Thomas also owned land in Goochland.²⁰⁴
- Why would a young widow woman with two small boys—from some 200 miles away—be here in Albemarle? Her husband’s will named no daughters²⁰⁵ (potentially married) with whom she might be living.
- Why would a widow choose this land? It’s rural, not a town lot where she would have close neighbors. It was not undeveloped land that could be bought cheaply as a speculative investment. It had a home that was likely of some size, given the size of William’s family and the fact that he died owning slaves.
- **Typically, Mills would be part of Martha’s support network.** However, I have not yet found a connection between them.

After selling this first Pedlar grant to Martha, William’s principal plantation would have been the 350 acres he had surveyed in 1750 on Buck Creek of the Pedlar.

Martha not only retained this land, but expanded upon it. Four years later, 16 June 1756, she received a treasury-warrant patent to 400 acres in Albemarle described as follows:

*Beginning at the said Martha Massie’s corner, pointers and running thence new lines S 62° E 238p to a white oak in **Colonel Lunsford Lomax’s** line, thence on his line S 10° W 105 to pointers, thence new lines N 43½° E 348p to a white oak in the river side, thence up the river*

²⁰³ Albemarle Co. Wills & Deeds, Book 1: 475–76.

²⁰⁴ “Massie Family,” Lyon Gardiner Tyler, ed., *William & Mary College Quarterly* 13 (1890): 196–203.

²⁰⁵ “Massie Family,” Lyon Gardiner Tyler, ed., *William & Mary College Quarterly* 13 (1890): 201–2.

as it meanders which on a strait course is 233p to a red oak, thence S 4° E 208p to pointers, thence S 19° E 76p to the first station.²⁰⁶

The reference to “beginning at ... Martha Massie’s corner” tells us she already held surveyed land. That should be one of the corners of the 400 acres she bought “on both sides of Pedlar River,” from William Mills.

Accounts of the Massie family frequently (**but dubiously**) assert that Martha subsequently married Col. Theoderick Bland. They typically attribute this to a note made in the *William & Mary College Quarterly*, by its editor Lyon Gardiner Tyler, in 1890. That note is as follows:

“It is said that after the death of William Massie ... his widow Martha married Theodrick Bland.*

*Among the Massie papers in the Virginia Historical Society is a survey of 87 acres on Black Creek by John Street, surveyor of New Kent county, made as stated in the paper, according to an order of the General Court, May 5, 1759, in a suit entitled “Massie by Colon^l Theoderick Bland in trespass vs. George Wilkinson, Jr.”²⁰⁷

However, the fact that Col. Bland sued Wilkinson on behalf of the Widow Massie does *not* mean that he married the widow. He may simply have been acting as her representative in New Kent, given that women did not personally conduct legal suits in this era. Typically a “best friend” (a legal term for a woman’s male representative) pursued court suits for women when they had legal issues to resolve. As a seeming resident of Pedlar River, the widow would have needed a legal representative in New Kent to handle any legal affairs that arose there.

Earlier historians report a second marriage for Col. Bland, who was a county clerk and Burgess in Prince George County, but identify that wife as **Elizabeth Randolph**, daughter of Edward Randolph and widow of Rev. William Yates, the fifth president of the College of William and Mary. In July 1901, the editor of the *Virginia Magazine of History and Biography* reported:

There is also in Amelia [County] a deed dated May 8, 1784, from Theoderick Bland, Sr., to Wm. Yates, both of Amelia, reciting the fact that the said Theoderick Bland by his marriage with Elizabeth Yates, widow, mother of the said Wm. Yates, became entitled to several slaves, &c. The will of Theoderick Bland, dated July 16, 1783, was proved in Amelia; legatees: son Theoderic, **wife**, daughter Frances Tucker, grandsons John Banister and Theoderick Bland Ruffin. Son-in-law {step-son}, William Yates and son-in-law St. George Tucker, &c, executors.”²⁰⁸

In short, there is no credible evidence that the widowed Martha (Macon) Massie married Col. Theoderick Bland.

²⁰⁶ Library of Virginia, “Land Office Grants,” database with images, *Virginia Memory* (http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=14&last=&g_p=P33&collection=LO_Patent : downloaded 20 May 2016), “Massie, Martha, grantee ... Albemarle County ... 400 acres on north side of Pedlar River”; citing “Land Office Patents No. 338, 1756–61 (v. 1, 2, 3, & 4 p. 1–1095), p. 14 (Reel 32–32).”

²⁰⁷ “The Massies,” Lyon Gardiner Tyler, ed., *William & Mary College Quarterly* 13 (1890): 196–203, and 15 (1892): 125.

²⁰⁸ Theoderick Bland, *The Bland Papers: Being a Selection from the Manuscripts of Colonel Theodorick Bland, Jr.* 2 vols. (Petersburg, VA: E. & J. C. Ruffin, 1840), 2: xv. Also Charles Campbell, *History of the Colony and Ancient Dominion of Virginia* (N.Y.: J. B. Lippincott and Co., 1860), 672. Also William G. Stanard, ed., “Genealogy,” *Virginia Magazine of History and Biography* 7 (January 1900): 331–32, 436. Also Stanard, ed., “Selections from the Campbell Papers,” *Virginia Magazine of History and Biography* 9 (June 1902): 59–77, transcribing a series of Bland family letters in the Campbell Papers of the Virginia Historical Society; particularly see editorial notes on p. 66.

TO DO:

Pursue Martha Massie's life, birth family, in-laws, and all identifiable from her widowhood to her grave!

13 AUGUST 1752

Association

Will of Thomas Ballow, gives to wife Jane, with full authority to sell, 300 acres "on **Slate River** between the lands of **William Walton** and Anthony Benning." Son Thomas. Daughters Dorothea, Micha, Jane.²⁰⁹

12 MARCH 1753

ALBEMARLE > BUCKINGHAM

Land survey

"Joseph Bondurant; 1,400 ac; March 12, 1753; amongst branches of **Ripleys Creek** 'survey'd at sundry times, by order of Council;' by Thomas Turpin; joining **Wm Walton, John Ripley**, Thos Patterson, Thomas & Dabbs, Anthony Dibrel, Jno. Bondurant, Ant. Benning. **Thomas Ballow.**"²¹⁰

COMMENT:

This William Walton reference would be to the lands of William Sr., who died in 1747.

12 JUNE 1753

ALBEMARLE > AMHERST

Land grant

Edward Watts Junior, for 40 shillings, 499 acres, S side **Maple Run**, described as

Beginning at two maples on the said run, running thence S 85° W 250p to pointers, N 196; to pointers, N 70° E 75p to pointers, S 85° E 126p to pointers, N 50° E 20p to a chesnut saplin, E 100p to pointers, and N 12p to **William Floyeds** corner pointers saplins, thence on his line E 16p to a maple saplin on **Maple Run**, thence down the same by the water courses making in a right line 228p to the beginning.²¹¹

OCTOBER 1753

ALBEMARLE > AMHERST

Land surveys

"Micajah Clark; 437 ac; October 4, 1753; branches Stovalls Creek; by William Cabell; joining Thos Jefferson, Charles Lynch."

"Micajah Clarke; 400 ac; October 11, 1753; North fork of **Maple Creek**; by William Cabell; joining **Marvel Stone, Margaret Stone.**"

"George Cox; 140 ac; October 8, 1753; North side **Pedlar River**; by William Cabell; joining **Peter Bays.**

"John Partree Burk; 420 ac; October 12, 1753; North branch **Maple Creek**; by William Cabell; joining **Micajah Clarke.**"

"Joel Watkins; 130 ac; October 15, 1753; on **Cedar Creek**; by William Cabell; joining Joel Watkins, a new line, **Marvel Stone, Micajah Clarke.**"

²⁰⁹ Abstracted from the transcription by Ruth and Sam Sparacio, *Albemarle County, Virginia, Wills, 1752–1764* (N.P.: Antient Press, n.d.), 1–2; citing Will Book 2, pp. 3–4.

²¹⁰ Grundset, "Land Lying in the County of Albemarle": *Surveyors' Plat Books*, 55; citing Bk 1, pt 1, p. 240.

²¹¹ "Virginia Land Patents and Grants," database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants> : downloaded 12 May 2022), "Watts, Edward"; citing "Land Office Patents No. 32, 1752–1756, p. 136 (Reel 30)."

“Joel Watkins; 350 ac; October 15, 1753; on Cedar Creek; by William Cabell.”

“Rob’t Davis Junr; 69 ac; Octob’r 16 1753; branches **Maple Creek**; by William Cabell; joining **Micajah Clarke, Marvel Stone**, Saml Burk, Arthur **Tuly**, a new line.”

“Arthur **Tuly**; 250 ac; October 17, 1753; on the **three forks of Pedlar River**; by William Cabell.”

“Micajah Clarke; 250 ac; October 19, 1753; on branches Pedlar River on West side of the **Tobacco Row Mountains**; by William Cabell.”

“Micajah Clarke; 350 ac; October 10 [19] 1753; branches **Pedlar River** on West side of the **Tobacco Row Mountains**; by William Cabell; joining **Peter Bays** [formerly **Thomas Watts**], **William Watts**.”²¹²

“Alex’r Smith; 400 ac; October 20, 1753; **Waltons fork** and **Ripley’s Creek**; by Thomas Turpin; joining new lines.”²¹³

COMMENT:

For the locations of Maple Creek of the Pedlar, Clark’s Creek (aka Little Pedlar), and Tobacco Row Mountain, see Map 5.

10 OCTOBER 1753

ALBEMARLE > AMHERST

Neighbor

“Micajah Clarke; 350 ac; October 10, 1753; branches **Pedlar River** on West side of the **Tobacco Row Mountains** by William Cabell; joining **Peter Bays, William Watts**.”²¹⁴

COMMENT:

The Peter Bays land is the Thomas Watts grant that Bays purchased in 1749. Thomas did have a brother William Watts who migrated with him to the Wateree of SC and petitioned for a grant there adjacent to his brothers Thomas and Edward Jr. The fact that the William Watts’ land above is adjacent to the Thomas Watts grant suggests that this William was also Thomas’s brother of that name.

In 1772, two more Wattses emerged in Amherst—apparent brothers, whose parents are unidentified. In 1766, the older of the pair, **Thomas Watts**, bought land on Harris Creek; he sold that land in 1772, shortly after **Caleb Watts** bought land on Clarke’s Creek adjacent to the William Watts/Peter Bays tract above. Thomas then moved to Clarke’s Creek and spent the next 25 years on what appears to be half of Caleb’s 1772 purchase.²¹⁵

The fact that Caleb Watts chose land adjacent to the old tract of William Watts does suggest kinship. That remains to be proved or disproved. Neither a grant to William nor a subsequent sale of William’s land has been found in Albemarle > Amherst records. Nonetheless, the tract is mentioned as an adjacent tract in several Albemarle > Amherst deeds such as the one above.

20 OCTOBER 1753

ALBEMARLE > BUCKINGHAM

Neighbor

²¹² Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 55–56; citing Bk 1, pt 1, pp. 241–44.

²¹³ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 57; citing Bk 1, pt 1, p. 252.

²¹⁴ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 56; citing Bk 1, pt 1, p. 244.

²¹⁵ For abstracts, transcriptions, and or images of all known records created om Amherst by this younger Thomas and Caleb, see E. S. Mills, “Watts & (Some) Dillards of Albemarle & Amherst Counties, VA,” 130 pp., report to file, 3 December 2019 (updated 29 April 2022); archived at *Historic Pathways* under the “Research” tab.

MILLS: Mills & Associates: Albemarle Court, Deed & Probate 1745–1767 21 May 2022

“Alex’r Smith; 400 ac; October 20, 1753; **Waltons fork** and **Ripleys Creek**; by Thomas Turpin; joining new lines.”²¹⁶

27 OCTOBER 1753

ALBEMARLE > BUCKINGHAM

Neighbor

“Peter Bondurant; 400 ac; Octob’r 17, 1753; joyning **Slate River**; by Thomas Turpin; joining John Bondurant, Jno. Labarier, Jas Gates, **W. Walton**, Ant. Benning.”²¹⁷

12–14 JANUARY 1754

ALBEMARLE > BUCKINGHAM

Neighbor

“Wm Salley: 400 ac; no date [recorded with those of 12–14 January; among branches of Hunts Creek [and on an unnamed road]; by Thomas Turpin; joining Ant. Levillain, Geo Allen, **B. Witt**, M. Ayres.”²¹⁸

FEBRUARY 1754

Association

The estate of Bennett Ballow, “in Account with William Cabell Jr.” in 1771 submitted an account of expenditures. Included were these entries:

14 June 1754 Cash paid **Richard Ripley** for breaking a mare

2 January 1755 Cash to **Richard Ripley** for rent

15 May 1755 cash paid for Thomas Joplin for Smith’s work [i.e. blacksmith work]²¹⁹

30 MARCH 1754

ALBEMARLE > AMHERST > NELSON

Land survey

“**John Wade**, 46 ac; March 30, 1754; on branches **Davis’s Creek**; by William Cabell Jun; joining Wm. Wright.”²²⁰

COMMENT:

Davis’s Creek, a branch of the South Fork of Rockfish, lies near Woods’ Mills in present Nelson.

APRIL 1754

Land surveys

“**Nicholas Davis** Gent, 25,000 ac; April 12, 1754; on both sides **Fluvanna River** [south branch of the James]; 3,450 acres part thereof was formerly granted 21,550 acres New Land included by Order of Council and survey’d by William Cabell; joining Colo Fry & Company, N. Davis, Jno. Anthony, Rev’d Wm Stith, Rich’d Burk Braton & Co., Carrington & Mayo, **Wm Mills**, Jno. Davis, Rob’t Davis, Cornelius Nevil (400 ac), Nich. Davis. Shows the following watercourses: Hunting Creek, Tuckahoe Creek, Cabbin Creek, Indian Camp Creek, Vineyard Creek, Tumblin Creek, Cold Camp Creek, Wide Mouth Creek, Salt Creek, and **Pedlar River** along with numerous islands in the river.”²²¹

²¹⁶ Grundset, “Land Lying in the County of Albemarle:” ... *Surveyors’ Plat Books*, 57; citing Bk 1, pt 1, p. 252.

²¹⁷ Grundset, “Land Lying in the County of Albemarle:” ... *Surveyors’ Plat Books*, 57; citing Bk 1, pt 1, p. 252.

²¹⁸ Grundset, “Land Lying in the County of Albemarle:” ... *Surveyors’ Plat Books*, 56; citing Bk 1, pt 1, p. 246.

²¹⁹ Lydia (Sparacio) Bontempo, *Will Book, Albemarle County, Virginia, 1764–1775* (N.P.: Antient Press, 2000), 74; citing Will Book 2, pp. 273–74.

²²⁰ Grundset, “Land Lying in the County of Albemarle:” ... *Surveyors’ Plat Books*, 59; citing Bk 1, pt 1, p. 260.

²²¹ Grundset, “Land Lying in the County of Albemarle:” ... *Surveyors’ Plat Books*, 63; citing Bk 1, pt 1, p. 277.

COMMENT:

This would seem *not* to be one continuous tract, given the range of waterways. The Pedlar land clearly lay in western Albemarle, while Tuckahoe Creek was the eastern bound of Goochland County.

APRIL 1754

ALBEMARLE > AMHERST

Land surveys

“**Jeremiah Wade**; 400 ac; April 17, 1754; branches of the **Stone house Creek**; by William Cabell Jun; joining **Pearce Wade**, Rich’d Powell.”

COMMENT:

According to HomeTownLocator.com, Stonehouse Creek presently lies in eastern Amherst, a branch of the Buffalo River, a bit SE of Fancy Hill and a bit further E from Sandidges.

“**Pearce and David Wade**; 400 ac; April 20, 1754; on **Thresher’s Creek**; by William Cabell Jun; joining Pearce Wade.

COMMENT:

Thresher’s Creek also flows N from the Buffalo, just E of Sandidges.

“**Pearce Wade**; 170 ac; April 24, 1754; branches south fork Threshers Creek; by William Cabell Jun; joining Zachariah Taliaferro and his own lines.”

“**Pearce Wade**; 170 ac; April 24, 1754; in Branches Stone House Creek; by William Cabell Jun; joining John Truman.”²²²

APRIL 1754

ALBEMARLE > BUCKINGHAM

Land surveys

“Littleberry Mosby; 2,505 ac; April 25, 1754; on both sides **Ripleys Creek**, 505 acres part of the same were surv’d for **Benja Mosby** and by him convey’d to Littleberry Mosby and the residue is survey’d. NB: The foregoing surveys was {sic} made in the time Colo Joshua Fry was Surveyor in Albemarle County. Surveyed by Thomas Turpin, joining Wm. Davidson, **Wm. Walton**, James gates (400 acre survey enclosed), Thos & Dabbs.”²²³

25 APRIL 1754

ALBEMARLE > BUCKINGHAM

Land surveys

“**Littleberry Mosby**; 2,505 ac; April 25, 1754; on both sides **Ripleys Creek**, 505 acres part of the same were surv’d for **Benja Mosby** and by him convey’d to Littleberry Mosby and the residue is survey’d. NB: The foregoing surveys was {sic} made in the time Colo Joshua Fry was Surveyor in Albemarle County. Surveyed by Thomas Turpin; joining Wm Davidson, **Wm Walton**, James Gates (400 acre survey enclosed), Thos & Dabbs.”²²⁴

COMMENT:

This William Walton reference would be to the lands of William Sr., who died in 1747.

²²² Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 59–60; citing Bk 1, pt 1, pp. 261, 267.

²²³ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 64; citing Bk 1, pt 1, p. 286.

²²⁴ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 64; citing Bk 1, pt 1, p. 286.

25 APRIL 1754

Will

“In the name of God, Amen. I **William Witt** of the Parish of Saint Anne and County of Albemarle being in perfect health and sound memory thanks be to Almighty God for the same, I do think fit to constitute and appoint this my Last Will and testament in manner and form as followeth, viz. First, I commit my Spirit into the hands of Almighty God that first gave it; Secondly my body to the earth to be buried in a decent and Christianly manner;

“Imprimis. I give and bequeath unto my beloved son **Benjamin Witt**, a gray mare, a great Bible, one pewter bason, one plate and half of my wearing cloathes.

“I give and bequeath to my Daughter, **Sarah Canidey** one feather bed and furniture and all the meat and corn on my plantation for the use of her and her Children this ensuing year. Likewise I lend to my said Daughter my **Negro, Tom**, till such time her Husband **John Cannady**, comes in and takes care of her and her Children as a Husband ought to do. In case the said Cannady should not return[,] the said Negro to remain in her possession during her natural life and after to be divided among my Children, except my Son, **Benjamin Witt, Sarah Cannady** and **Agnes Key**;

“Item. I give and bequeath to my Daughter **Agnes Key**, my Negro Fellow, **Ned**, all the rest of my Estate household furniture cattle horses hoggs &c. I desire it may be equally divided among my Children **except Benjamin Witt, Sarah Cannady** and **Agness Key**. I do appoint **my son John Witt** and Peter Chateau [Chastain], Executors of this my Last Will and testament revoking all former Wills by me made as witness whereof I have hereunto set my hand and seal this 25th day of April 1754. [Signed] William Witt. Witnesses: Henry Martin, Samuel Hopkins, John Barnet.

“At a Court held for Albemarle County the [13 June 1754] This Last Will and testament of William Witt, deceased, was presented in Court and proved by the Oaths of Henry Martin and John Barnet, two of the witnesses thereto;

“And at a Court held for Albemarle County the [13 December 1754] on the motion of **John Witt** who made Oath according to Law, Certificate for obtaining a Probat thereof in due form giving security was granted him on which with Richard Gwinn and Guy Smith, his Securities, entered into and acknowledged their Bond for the due and faithfull performance of the said Will. Test John Ware, D.C. A. Court.”²²⁵

COMMENT:

William named four children in his will: Benjamin, Sarah, Agness, and John. Twice he referenced a division of property “among my Children except” Benjamin, Sarah, and Agness. Clearly he had other unnamed children aside from the named son John.

15 NOVEMBER 1754

Inventory

“A True and perfect Inventory of the Goods, chattles, rights & credits of **William Witt**, deceased as far as we **John Witt** and Peter Chastain are able to discover:

- a parcel of lumber 5.0.0
- a parcel of leather 0.15.0
- 1 Book 0.2.6
- 1 candle stick 0.0.6
- 1 pot and pot hooks 0.4.0
- 1 ship saw and file 0.7.6

²²⁵ Sparacio, *Albemarle County, Virginia, Wills, 1752–1764*, 15–16; citing Will Book 2, pp. 20–21.

- 1 pair of pistols holsters & sword 0.11.0
- a parcel of wearing clothe 4.4.7 ½
- 1 pot and hooks 0.3.0
- 1 hand saw and file 0.1.3
- 1 stack of oats 0.12.6
- 1 chest 0.2.6
- 1 spinning wheel 0.7.6
- cloth and trimmings 1.11.4
- 1 Dozen of Mettle Muttons 0.0.9
- 1 ditto 7.10.6
- 6 Tobacco hhds 0.10.3
- mare and colt 1.10.0
- 8 bushels of Wheat 1.0.0
- Tobacco 4.16.4 ¾
- a parcel of old iron 0.13.2
- a parcel of puter 0.19.0
- a set of shoe tools 0.7.6
- 1 table & table linning 0.3.0
- 1 Violin 0.10.0
- 1 gun 0.6.0
- 1 chest 0.4.0
- 1 slay and harness 0.5.0
- 1 bed and furniture 3.0.0
- 1 saddle and bridle 0.8.0
- 1 bed and bolster 1.1.0.0
- Linning and thread 0.13.0
- 1 horse 7.0.0
- 8 head of cattle 5.10.0
- 21 hogs 4.12.3
- 1 bed and furnitur 3.4.0
- 13 barrills of corn 3.5.0
- 1 Negro man **Ned** 20.0.0
- 1 ditto **Tom** 30.0.0
- Cash found 0.12.7 1/2

[Signed] John Witt

At a Court held for Albemarle county [12 December 1754] This Inventory and appraisement was returned to Court and ordered to be recorded. Test John Nicholas, Clk.²²⁶

22 JANUARY 1755

Land survey

“**Thomas Smith**; 170 ac; January 22, 11755; on North side the **Rivanna River** and on its branches; by

²²⁶ Lydia (Sparacio) Bontempo, *Will Book, Albemarle County, Virginia, 1752–1756; 1775–1783* (N.P.: Antient Press, 2022), 121; citing “p. 1.”

John Smith Jr, joining **William Barnett, John Witt.**²²⁷

MARCH– APRIL 1755

ALBEMARLE > AMHERST

Land surveys

“**Jeremiah Wade**, 31 March 1755; no location; by John Staples; joining Joseph Ballenger, William Cabell.”

“Patrick Saunders; 213 ac; 8 April 1755; on North side **Pedlar River**; by John Staples; joining **Watts, John Stone.**”

“John Strange; 347 ac; 10 April 1755; on Branches **Pedlar River**; by John Staples [surveyor]; joining Colo. Lunsford Lomax, **Martha Massie**, John Barton.”

“**Martha Massie**; 400 ac; April 10, 1755; on South side Pedlar River; by John Staples; joining John Strange.”

“**Pearce Wade**; 100 ac; 14 April 1755; on a branch **Stone house Creek**; by John Staples; joining **Jeremiah Wade**, Howard Cash, Richard Powell.”

“**Jeremiah Wade**; 378 ac; 14 April 17{55}; head of **Franklins Creek & Threshers Creek** in the **Cove** of a **Mountain**; by John Staples.”²²⁸

26 SEPTEMBER 1755

Will

“In the Name of God Amen. I **William Mills** of Albemarle County, being weak in Body, although I bless God of a perfect sence & Memory, but calling to mind the uncertainty of this Transitory World, and that all flesh must Yield when it pleases God to call, therefore I do Constitute this to be my Last Will and Testatment and desire it may be received by all persons as such.

“First, I commit my body to the Earth to be decently buried by my Executors hereafter named and Secondly I submit my soul to almighty God who gave it to me in full & sure hopes of a Resurrection at the last day; and as Touching my worldly Estate, and what it has pleased God to bless me with, I give and dispose of it as followeth (To Wit).

“Imprimis, I give & bequeath all my personal estate that I am possest with as long as she lives, to my dearly beloved **Wife Mary Mills**.

“Item, I give and bequeath to my **son Ambrose Mills** a proportionable part of all my estate excepting my Lands, [at] the death of his mother (my wife).

“Item, I give & bequeath to my **Daughter Sarah Watts** a proportionable part of all my Estate Excepting my Lands—

“Item I give & bequeath to my **Son William Mills** a proportionable part of all my moveable Estate, and the Three Hundred & thirty acres of Land that’s unsettled, to have & hold forever.

“Item, I give & bequeath to my **daughter Elizabeth Learwood** a proportionable part of all my Estate excepting my lands to have & to hold forever—

“Item, I give & bequeath to my **daughter Anna Mills** a proportionable part of all my Estate excepting my land to have & to hold forever.

“Item, I give & bequeath to my **son Jesse Mills** a proportionable part of all my Estate besides my Lands &

²²⁷ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 70; citing Bk 1, pt 1, pp. 316.

²²⁸ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 72–74; citing Bk 1, pt 1, pp. 325–26, 337 (Wade), 328 (Watts, Stone) 336–37 (Massie).

the Tract of Land I now live on, to have & to hold forever—

“Item, I give & bequeath to my **Daughter Milley Mills** a proportionable part of all my Estate Excepting my lands to have & to hold forever.

“Item, I give & bequeath to my son **Thomas Mills’s children (Viz^t) Ambrose Mills Jun^r & Elizabeth Mills** (the son & daughter of the Decd. Thomas Mills) a proportionable part of all my Estate Excepting my lands, to be Equally Devided Between them to have & to hold forever, to be paid to them after my dearly beloved Wife Mary Mills’s Death or if it should please the Almighty God that I should die first & [if] my wife should think proper to alter her Station of Life as to Marriage, upon the day of the Marriage all the aforesaid Legacies to fall to Each of the Legatees as afore mentioned, and my will & desire is that my dearly beloved Wife **Mary Mills & Thomas Joblin** should be **Executrix & Executor** of this my Last Will & Testament.

“I[n] witness whereof I hereunto set my hand & seal this Twenty Sixth day of September one thousand Seven hundred & fifty five. **William Mills {Seal}**.

“Test. [Witnesses] **John Staples, Isham Davis, William Floyed, Charles Tuley, Robert Davis.**²²⁹

COMMENT:

This is the last document created by or about William Mills as a living person, suggesting that he died soon after the will was written.

The land on which William lived—the land left to his widow and youngest son Jesse—was the 350-acre tract that was surveyed in 1750 but not patented to his name until 1756.

The 330 acres “unsettled,” should be the 330 acres that were surveyed in 1750 and finally patented to the name “William Mills” in July 1766, shortly before his will was submitted for probate. In 1770 the heir to these 330 acres, William Jr., sold the tract saying he was a resident of NC. (See abstract under 1770 below.)

The wording of William’s bequest to Ambrose raises issues of interpretation. On the surface it seems simple: “his mother (my wife).” However,

- The double identification is unusual within wills. Why did William Mills, after saying that Ambrose would inherit the land after his mother’s death, then feel the need to amplify that identity by adding that he meant “(my wife)”?
- This question raises the possibility that Ambrose may have been born of an earlier wife and that William’s reference to “his mother” was a slip of the tongue based upon the fact that Mary as a second wife had “mothered” (i.e., reared) all his children—and that, after having written “his mother” with reference to Ambrose, William felt the need to clarify exactly who he was referencing.
- Notice also that in the last Item, where William names his son Thomas’s children as residual heirs after the death of Mary, he doesn’t say “after the death of their grandmother.” Rather, he says “after my dearly beloved Wife Mary Mills’s Death.”

TO DO:

- **Study all the witnesses;** use them as pointers to pre-Albemarle origins for William and Mary. All of these witnesses were neighbors on Pedlar River. William Floyd bought his land from

²²⁹ Amherst Co., VA, Will Book 1: 73–76 for will and executrix’s bond.

Robert Davis, whose alleged father Nicholas Davis/Davies lived in the part of Goochland that was cut off into Cumberland.²³⁰

- **Investigate why Thomas Joplin [“Joblin”] was chosen executor.** Because no other Mills was named to that post, the implication is that William had no Mills kin in the area other than his heirs, or else he was estranged from them. Was Joplin an in-law? Did they share a place of origin?

Staples

John Staples was an assistant surveyor. From land surveys, we can track his location/activities in September 1756. As detailed below, they place him near the Albemarle-Orange Co. line in the first week in September; but he had no further surveys that month. Commonly, he would have returned home, which suggests that his home was in the Pedlar River-Buck Creek area.

- 3 September: survey for John Hargis, N side S branch of Moore’s Creek called Edge’s Creek; adj. Michael Jones.
- 4 September: survey for William Farrel in South Garden at Walnut branch, joining Wm. Sudeth and Thomas Martin
- 4 September: survey for Henry Tilley, both sides Edge’s Creek, a S branch of Moore’s Creek on a mountain; adj. Jno. Evans, Benj. Wheeler, John Hargis.
- 6 September: survey for Elisabeth Evans, N branches of Be{ver?} Creek, joining James Freeland.²³¹

Jopling

At least one online tree identifies Thomas as the son of Ralph Joplin(g), born 10 February 1674 in Wolsingham, Durham. It places Ralph’s immigration at pre-1714 (citing Nugent’s *Cavaliers & Pioneers*), and places his death at 1720 in Henrico, the parent county of Goochland. Thomas himself is said to have been born 1708 in Henrico and to have married 3 October 1735 to Hannah Freeman.²³²

Joplin—who declined to serve as executor when William Mills’ probate was finally opened in 1766—appears in Albemarle/Amherst surveys and deeds as early as 1746, amid the Roses and Davises in an area that became Nelson County. In 1782, Joplin posted bond as administrator of the estate of his son-in-law Robert Davis of the Pedlar, his fellow witness to the Mills will.²³³ (Davis died leaving land also in Montgomery County.)²³⁴

8 APRIL 1755

ALBEMARLE > AMHERST

Neighbor

“Patrick Saunders; 213 ac; 8 April 1755; on North side **Pedlar River**; by John Staples; joining **Watts**, John

²³⁰ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), abstracts numerous deeds for all these men that need to be studied more closely.

²³¹ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 81; citing Bk 1, pt 1, pt. 2, pp. 18–19.

²³² Ralph Mitchell Thomas, “Thomas Family Tree,” *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/60647195/person/40442210492/facts> : accessed 29 January 2019), facts page for Ralph Joplin. Ibid. (<https://www.ancestry.com/family-tree/person/tree/60647195/person/40427235079/facts>) facts page for Thomas Joplin.

²³³ Bailey Fulton Davis, *The Wills of Amherst County, Virginia, 1761–1865* (1985; reprint, Greenville, SC: Southern Historical Press, 1998), 101; citing Amherst Will Book 2: 33.

²³⁴ Ibid., 229; citing Amherst Deed Book R: 223.

Stone.”²³⁵

COMMENT:

The “Watts” of this document should be Edward Watts. John Staples was also an adjacent neighbor to Edward’s neighbor William Mills.

10 MARCH 1756

ALBEMARLE > AMHERST

Land grant

In consideration of 35 shillings paid to the Receiver General of Revenues for the colony, a grant is hereby made and confirmed unto **Thomas Mills**. 335 acres in Albemarle County “on the **Branches of Pedlar River** bounded as follows:”

Beginning at a small white oak in **Robert Davis’s** line, running thence new line N 80° E 106? poles to pointers_[,] S 35° E 19p to **Arthur Tuley’s** Corner, then on Tuley’s Line S 75° E 100p to pointers in **Edward Watts’s** line_[,] and on the same S 166p to pointers thence new lines S 1½° E 54p crossing a **Branch** to pointers_[,] S 63° W 115p to Robert Davis’s corner at pointers_[,] thence on Davis’s line N 74° W 45p to pointers N 47?° W 45p to pointers_[,] N 15 to pointers_[,] thence N 15° E 48p to a white oak Saplin_[,] N 9 ... [the rest of the document seems to be missing from the record book].²³⁶

COMMENT:

Thomas Mills is said to be dead in the 1755 will of his father. After the patent was received, his land would not be sold for twenty-two years. In 1777, about the time that his estate would have been settled—assuming that his two children Ambrose and Elizabeth were infants at his death—his full 335 acres were sold by a John Turner and wife Elizabeth. No deed of purchase has been found by which the couple obtained it.

19 SEPTEMBER 1777

CHARLESTON, SC

“**Jno. Turner & wife Eliz, Charles Town, S.C.** to Ashcraft Roach, AC, for £150, 335 acres on branch of Bader (sic) [Pedlar] River. Lines: Ro. Davis, Atthus Tuley, **Edwd. Watts**. Pat. to Thos. Mills 20 Mar 1756. Wit: Gabl. Penn, Thos. Lumpkin, Wm. Vannerson.”²³⁷

If Elizabeth Turner was Elizabeth Mills, daughter of Thomas, then this eliminates Elizabeth-of-Thomas from further consideration as a mother of William Mills (with a Witt Y) who was born c1783–88.²³⁸

13 MARCH 1756

ALBEMARLE > AMHERST

Land grant

²³⁵ Grundset, “*Land Lying in the County of Albemarle:*” ... *Surveyors’ Plat Book*, 72; citing Bk 1, pt 1, p. 328.

²³⁶ Library of Virginia, “Land Office Grants,” database with images, *Virginia Memory* (http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=40&last=&g_p=P34&collection=LO_Patent : downloaded 20 May 2016), “Mills, Thomas, grantee ... Albemarle County ... 335 acres on the branches of Pedlar River”; citing “Land Office Patents No. 34, 1756–1765, p. 40 (Reel 33-34).”

²³⁷ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 179; citing Amherst Deed Book E: 91.

²³⁸ See E. S. Mills, “William Mills (b. c1783–88; d. c1863) & Spouse Drucilla Kemp: Research Notes,” a work-in-progress last updated 28 August 2018; archived online at *Historic Pathways* under the “Research” tab.

In consideration of 35 shillings paid to the Receiver General of Revenues for the colony, a grant is hereby made and confirmed unto **William Mills** 350 acres in Albemarle County “on the **Branches of Buck Creek of Pedlar River** bounded as follows:

Beginning at a poplar and running thence W 35° E a leight [along?] **Peter Buck branch** 212 poles to pointers on **Maple Creek**, N 60° W at 10p a branch at 86p crossed it again to **Edward Watts Junr.** his corner maple, and with his Line S 84° W 220p to pointers a new line, S 40° W 48p to pointers in **Thomas Mills’s** line and with it S 16p [to] other pointers, the same course continued on a new line, in all 192ps to pointers, and N 83° E 268p to the beginning.²³⁹

COMMENT:

This should be the tract of land surveyed for William Sr. in 1750 and the home plantation referenced in William’s 1755 will. It was sold 1 September 1766 (just after his probate was opened) by his son Jesse, who appears to be the only son remaining in Virginia.

APRIL 1756

Land survey

“**John Wade**; 150 ac; 5 April 1756; on both sides **Cox’s Creek**. ‘The said Wade being returned insolvent Henry Stratton had the Certificate for the fee, 9 March 1762. Transferred to Nicholas Moran per order; by Jno. Staples.’”

“**Jeremiah Wade**; 200 ac; 7 April 1756; on South side Thorofare branch; by Jno Staples; joining Jno Damron, Jno Ballenger, Lee?, Ambros Porter.”²⁴⁰

16 AUGUST 1756

ALBEMARLE > BUCKINGHAM

Land grant

Richr Ripley, for 40 shillings, 400 acres, both sides of Walton’s Fork, Slate River, described as

Beginning at **Thomas Patterson’s** corner white oak standing on the E side of the said creek in low grounds and running thence the said Patterson’s lines W 114 poles; crossing the said creek to a pine, S 59° W 53p to a pine, S 15° E 187p to pointers, N 67° E 220p to pointers, then on **John Ripley’s** lines, N 44° W 38p to pointers, N 29° E 90p to a pine, S 60° E 104p crossing **Walton’s fork** to pointers, thence new line N 180p W 100p to pointers, thence S 110p to the first station.²⁴¹

8 SEPTEMBER 1756

LUNENBURG COUNTY, VA

Court order.

“**Jas Mills** on attachment agst Jeremiah Moray dfndt in debt; dfndt’s debt not fully recovered by public sale attachment, further execution ordered.”²⁴²

²³⁹ Library of Virginia, “Land Office Grants,” database with images, *Virginia Memory* (http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=696&last=&g_p=P32&collection=LO_Patent : downloaded 20 May 2016), “Mills, William, grantee ... Albemarle County ... 350 acres on the branches of Buck Creek of Pedlar River”; citing “Land Office Patents No. 32, 1752–1756 (v.1 & 2 p.1-715), p. 696 (Reel 30).”

²⁴⁰ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors’ Plat Books*, 79–80; citing Bk 1, pt. 2, pp. 11, 15.

²⁴¹ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants> : downloaded 12 May 2022), “Ripley, Richard,” citing “Land Office Patents No. 33, 1756–61, p. 217 (Reel 31–32).”

²⁴² June Banks Evans, *Lunenburg County, Virginia: Order Book 24, 1755–57* (New Orleans, LA: Bryn Ffylliaiad Publication, 1998), 38; citing Order Book 4: 198

COMMENT:

James Mills is not named in the 1755 will of William Mills, Sr. No evidence suggests a relationship.

This does not seem to be the James Mills who emerged as a non-landowner on the 1782 tax roll of Bedford County. Although online trees allege that James was born in Ireland in 1730 (and that he married “Octavia Breckenridge”), his children appear to have been born in the 1770s and 1780s, he did not own land until 1789 after his Maggoty Creek area of Bedford was cut away into Franklin, and no known record connects him to the Breckenridges of Augusta, Botetourt, and Montgomery Counties. James died in Franklin County, VA, 24 April 1824—according to countless online trees that provide no evidence for these specifics.²⁴³ The period alleged for his date is reasonable, when correlated with other known evidence for him and his offspring.

26 DECEMBER 1757

Land survey

“**John Witt**; 3 ac. 128 square poles; 26 December 1757. This is an **island** in the **Rivanna River** ... adjacent the lands of Colo Arthur Hopkins on the South side and **John Witt** on the North side. Surveyed by John Staples.”²⁴⁴

24 JANUARY 1758

The estate of Samuel Burks reported a list of payments, without amounts: “To **John Witt** per Account.”²⁴⁵

COMMENT:

There is no indication of why Witt was holding an “account” on Burks. By implication, he was a tradesperson or craftsman of some sort.²⁴⁶

8 FEBRUARY 1758

Association

“Wm. Hammack to Danl. Hammack; no sum; 100 acres N side **Little Mt.** Wit: Jno. Henslee, **David Watts**, Jno. Hammack.”²⁴⁷

COMMENT:

This David Watts is from the Jacob Watts cluster along the Orange County—Upper Albemarle line. I have proved no relationship yet between them and the Wattses of Southern Albermarle who ended up in Amherst.

11 MAY 1758

Neighbor

“Rich. Perkins, Cumberland Co., to Wm. Bradshaw for £20, 200 acres both sides **Cunningham Creek** adj. **Patrick Napier**. Wit: Wm. Oglesby, Harden Perkins, Jno. Peter. Susannah, wife of Perkins.”²⁴⁸

²⁴³ See E. S. Mills, “James Mills (bef. 1750–1823-24) & Wife [?Octavia Breckinridge?]: Research Notes,” a work-in-progress last updated 28 August 2018; archived at *Historic Pathways* under the “Research” tab.

²⁴⁴ Grundset, “*Land Lying in the County of Albemarle*”: ... *Surveyors’ Plat Books*, 85; citing Bk 1, pt. 2, p. 34.

²⁴⁵ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Wills, 1752–1764*, 86; citing pp. 125–27.

²⁴⁶ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Wills, 1752–1764*, 86; citing pp. 125–27.

²⁴⁷ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 31; citing Alb DB 2: 1.

²⁴⁸ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 33; citing Alb DB 2: 45.

8 JUNE 1758

Land sale

“**Bishop Toney** to Jos. Cabell, for £45, 99 acres **S side Fluvanna** pat. 1 Apr 1754 adj. Benj. Mims, Grassey Patch Creek.

“**Bishop Toney** to Francis Baker for 5 sh., 150 acres **S side James [River]. Sarah, wife** of Toney signed. Wit: Danl. Jones, Mary F. Jones Eliz. Ray, Nathl. Gilbert (Gilbatt?). 1 yr. lease.

“**Bishop Toney** & wife Sarah to Francis Baker – ref. to lease above - £40. Wit: As above.”²⁴⁹

COMMENT:

I have not yet located Grassey Patch Creek.

9 JUNE 1759

ALBEMARLE > BUCKINGHAM

Land sale

“This Indenture made the ninth day of June in the year of our Lord one thousand seven hundred fifty nine between **John Ripley** of the county of Albemarle of one part and **Sarah Ripley** of ye abovesaid County on the other part Witnesseth that **John Ripley** in consideration of five shillings to him paid by these presents and divers other good causes and considerations him thereunto moveing he the said John Ripley (Father of ye said Sarah) hath given unto Sarah Ripley her heirs a tract of land that the said Ripley **now lives on** containing **one hundred acres** more or less and laying both sides of **Waltons Fork** a branch of **Slate River** n Albemarle [described as]

Beginning at a large spanish oak on the N side of the Creek in the lowly grounds running thence on **Ripleys line** N & W to a pine, thence new lines N & E to pointers, S & W to pointers, thence N & W crossing the creek to the first station

“Said land was granted by Patent to the said John Ripley [12 July 1750] & also all other land by Estimation belonging to the said John Ripley in the said County together with their & every of their appurtenances Belonging likewise all the stock of horses Hogs with Feather beds & their furniture with all other chattels whatsoever and all rights Estate Interest Benefit Claim and Demands whatsoever of him the said John Ripley of in & to the said lands & chattels. [Signed] John Ripley. Presence Richard Taylor, Anthony Debell, John Percy. At Court held for Albemarle County [12 July 1759] This Indenture & Receipt thereon endorsed were acknowledged by John Ripley party thereto & ordered to be recorded.”²⁵⁰

8 AUGUST 1759

Land purchase

“Wm. Webb to **Chas. Toney** for £20, 200 acres **Randolph Creek** branches and **Bargain Creek**. Adj. Jas Moss, Geo. Carrington, Jno. Stephenson. Part of pat. of Wentworth Webb, dec’d., 12 Jan 1746. Part belonging to Abraham Webb, dec’d. Wit: Chas. May, Wm. Oglesby.”²⁵¹

27 JULY 1759

Neighbor

“Jno. Wingfield & wife Mary, Nichl. Johnston & wife Eliz.; **Ro. Walton & wife Rebecca**; Rich. Holland &

²⁴⁹ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 34; citing Alb DB 2: 52–54.

²⁵⁰ Sparacio, *Deed Book, Albemarle County, Virginia, 1758–1761*, 43; citing pp. 147–48.

²⁵¹ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 40; citing Alb DB 2: 191.

wife Sarah, Joseph Lewis & wife Anne, and Christopher Hudson to **Jno. Hudson**, 7 slaves of estate of **Chas. Hudson**, dec'd., Hanover Co. – Assigned by Chas. Hudson to be given to Jno. Hudson, but by some oversight left out of will and Wm. Hudson, eldest son, claimed them. Lawsuit pending for sometime in General court and finally WM, gave up his pretensions to Jno. Jno. now has them, but this deed to prevent any controversies – brotherly love for Jno. – said slaves. Wit: Jno. Gillum, Peter Gillum, Orlander Jones. (Wm. seems to have felt that he did enough [sic] when he surrendered the slaves for he does not sign.)”²⁵²

COMMENT:

This document strongly implies that Robert Walton married Rebecca Hudson, daughter of Charles.

Kerns’s genealogy of the Waltons does not include a Robert Walton with a wife Rebecca. He assigns a son Robert to every branch of the Waltons up to this point and through the next generation—with the exception of William Walton Sr. and wife Susannah Cobb. According to Kerns, William Walton Sr. and wife Susanna had 7 children born 1732–40 [sic]: Susannah, Louisa, William Jr., Mary Ann, Anne, Frances, and Jesse. Their births fall into the time period in which Robert would have been born.

Kerns also states that William Sr.’s brother Robert (b. c1694) married one Frances Sherwood, by whom his first daughter Rebecca was born 20 April 1720 “according to parish records at St. Peter’s Church.” This Rebecca is said to have married Charles Pearson, but no evidence is cited for the marriage.²⁵³

Were Robert and Rebecca parents of the Rebecca who married William Mills Jr. and moved to North Carolina?

9 AUGUST 1759

Association

David Woodroff Junr., **Pearce Wade** and Joseph Ballenger, appraisers of the estate of “James Hunt {or James Kent, the last name is faded}” return inventory to court L 19...7...0.²⁵⁴

27 AUGUST 1759

Association

John Wingfield & wife Mary, Nicholas Johnston & wife Elizabeth, **Robert Walton** & wife **Rebeckah**, Richard Holland & wife Sarah, Joseph Lewis and wife Ann, **Christopher Hudson**, and John Hudson, settlement between themselves regarding several enslaved people bequeathed in the will of **John Hudson**.²⁵⁵

1 OCTOBER 1759

ALBEMARLE > BUCKINGHAM

Land sale

“**Sarah Ripley** to Jno. Ballow for £10-10, 150 acres adj. **Ripley’s Creek**, N branch **Walton’s fork**, except

²⁵² Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 46; citing Alb DB 2: 343.

²⁵³ Kerns, *Waltons of Old Virginia; and Sketches of Families in Central Virginia ...*, 12–14.

²⁵⁴ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Wills, 1752–1764*, 1–2; citing Will Book 2, p. 64.

²⁵⁵ Extracted from the transcription by Sparacio, *Deed Book, Albemarle County, Virginia, 1758–1761*, 95–96; citing pp. 343–44.

100 acres which 'was gave to **Judith Ripley** (Ripply), daughter of **Rich. Ripley** – brother of Sarah Ripley. Lines of 100 acres, mouth of a branch into N side Walton's fork, upper part of pat. to Jno. Ripley, father of Sarah, 20 May 1749 and by him 'gave to daughter, Judith.' Wit: Jno. Thomas (2), Jno. Goodwin."²⁵⁶

8 OCTOBER 1759

Association

John Wade*, Joseph Barnet, and James Morrison returned their appraisal of the estate of Thomas Man.²⁵⁷

COMMENT:

In this instance, Wade's signature differed from the earlier one. Instead of \pm , his mark was a somewhat wobbly vertical line surrounded by a wiggly circle.

13 DECEMBER 1759

Neighbors

"This indenture ... Between Thomas Smith of the **Parish of St. Anns** in County of Albemarle of one part and John **Tooley [Tuley]** of the same County & Parish Witnesseth that Thomas Smith for sum of ten pounds Curr. money of Virginia to him paid doth sell John Tooley & to his heirs one certain parcell of land containing three hundred & fifty acres (be the same more or less) which sd parcell of land was granted to the sd Thomas Smith by Patent at Williamsburg bearing date the twentieth day of March one thousand seven hundred & fifty nine lying in the County of Albemarle on **Pedlar River** and bounded [as follows:]

Beginning at pointers in **William Mills's** line & with his lines N & E to pointers_[,] & N & W crossing **Maple Creek** to **Edward Watts's Junr.** his corner maple on the same_[,] thence up the creek with his line according to its meanders to **Stone's** line & with the same S & E cross **Pedlar River** to pointers by the river_[,] thence down the same according to its meanders to other pointers_[,] thence S & W to a sorrell tree S & W crossing Pedlar River to pointers_[,] N & W to Maple Creek 104 poles to pointers_[,] & N 23° W 92 poles to the beginning [Signed] **Thomas + Smith.**

At a Court held for Albemarle County the thirteenth day of December 1759

This Indenture Memorandum & Receipt was acknowledged by Thos. Smith party thereto & ordered to be recorded. **Sarah Wife of the said Thomas** personally appeared in Court & being first privately examined as the Law directs Voluntarily relinquished her right of Dower to the Estate conveyed in the said Indenture."²⁵⁸

COMMENT:

Thomas Smith witnessed the land sale of Thomas & Sarah (Watts) Mills in 1749. In the actual deed (the recorded version of which I've also checked) three different samples of Smith's mark places it in a circle; the published abstract, above, does not include the circle.

TO DO:

Investigate Thomas Smith as potential kin of William or Mary.

²⁵⁶ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 40; citing Alb DB 2: 192.

²⁵⁷ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Wills, 1752–1764*, 44–45; citing Will Book 2, p. 63.

²⁵⁸ Sparacio, *Albemarle County, Virginia, Deed Book, 1758–1761*, 59; citing Deed Book 2: 205–6. I've also viewed the recorded deed to verify the details.

9 FEBRUARY 1760

Association

John Witt, James Addams, and William Payne submitted to court their inventory of the estate of deceased William Allen.²⁵⁹

20 APRIL 1760

ALBEMARLE > AMHERST

Land purchase

Mathew Tucker to **Jeremiah Wade**, both of Albemarle, sells for 35£ 328 acres on branches of Hardway [**Hardware**] River, granted to Tucker by patent, described as

Beginning at Tuckers Corner white oak by a small branch of **Hardway**, runing thence on his old line S & E to pointers, thence a new line N & E to a white oak, thence on William Matlocks line N & W to a white oak, thence on James Shepperds lines S & W to a white oak saplin N & W crossing the Courthouse Road to pointers, thence on Charles Bonds line S & W to pointers S & W crossing the aforesaid Road & a small branch to a pine, thence a new line S & E to a pine S & E to pointers, thence on the aforesaid Tuckers line N & E to a black oak & thence N 39° E 52 p crossing a small branch to the first station.

Witnesses: Cornelius Thomas, William Goldsmith, **Pearce Wade**. Acknowledged same day in court by Tucker.²⁶⁰

27 APRIL 1760

ALBEMARLE > AMHERST > NELSON

Land survey

John Wade; 214 ac; 27 September 1760; on **Davis's Creek** {and in the mountains}; by John Staples; joining James Alex'r and his own lines.²⁶¹

2 JUNE 1760

Association

“Thos. Grigs Yarbrough, Goochland, to Geo. Thompson, Louisa, son of Jos. Thompson dec'd, late of Albemarle for £45, 400 acres N form **Cunningham Creek** adj. Martin Duncan, Horse Penn Branch. Wit: **Pat. Napier**, Jas. Thompson, **Ashford Napier**, **Thos. Napier**, Rene & Pat. Woodson.²⁶²

12 JUNE 1760

ALBEMARLE > BUCKINGHAM

Land sale

William Walton acknowledged in court his sale of 1760 (day and month not stated) to Charles Cobbs for 20 shillings , 400 acres on the branches of **Slate River**.”

William Walton acknowledged in court his deed of 1760 (day and month not stated) to Absalom Jordan, for 20 shillings, 220 acres on **Slate River**.²⁶³

²⁵⁹ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Wills, 1752–1764*, 47; citing Will Book 2, pp. 66–67.

²⁶⁰ Sparacio, *Deed Book, Albemarle County, Virginia, 1758–1761*, 95; citing pp. 342–43.

²⁶¹ Grundset, “*Land Lying in the County of Albemarle*”: *Surveyors' Plat Books*, 89; citing Bk 1, pt 1, pt. 2, p. 51.

²⁶² Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 44; citing Alb DB 2: 275.

²⁶³ Abstracted from the transcription by Sparacio, *Deed Book, Albemarle County, Virginia, 1758–1761*, 78; citing pp. 272–75.

COMMENT:

Kerns asserts that William Walton Jr.—the oldest son of William Sr.—was born in January 1734/5 and that his youngest sibling Jesse Walton was born “1740.” It would appear that Jesse reached adulthood by June 1760 (i.e., born 1739) and that William Jr., as eldest son and administrator of the parental estate, has now begun to sell the parental land to settle the estate.

10 AUGUST 1760

Association

“Benj. Woodson to Benj. Woodson Jr., Goochland, for £20, 200 acres, fork of James – known as **Raccoon** – pat. of 400 acres adj. Woodson, Little Raccoon, Wm. Creasy, Geo. Hilton. Wit: Rene, Pat. & Tra Woodson, **Ro. Napier**, Jas. Baughon.”

“Benj. Woodson to Rene Woodson for £20, 400 acres, fork of James, **Cary & Little Breamor** Creeks. Wit: Benj. Woodson Jr., Pat. Woodson, Tra Woodson, **Ro. Napier**, Jas. Baughon.”²⁶⁴

11 AUGUST 1760

Association

Will of Thomas **Cobbs**. Wife Sarah. Sons Charles, Thomas. Daughters Mary Carmill. Executors: Charles and Thomas, and Charles Rice. On 11 June 1761, **William Walton**, Peter Field Trent served as security for executor Charles Cobb.²⁶⁵

15 AUGUST 1760

ALBEMARLE

Neighbor

“West Lankford; 175 ac; 15 August 1760; at head of **Moore's Creek**; by John Staples; joining John Landford Sr, P. Hariston, **Jacob Watts**, Sam Arnold.”²⁶⁶

COMMENT:

This Moore’s Creek lay in upper Albemarle along the Orange County line, suggesting that Jacob came from the Orange County Wattses.

20 AUGUST 1760

Patent

John Witt, grantee, for 5 shillings, 3 acres & 123 poles in Albemarle County described as an island in the Rivanna River, opposite the land of the said John Witt on the N and the land of Arthur Hopkins on the S [no metes and bounds].²⁶⁷

1 SEPTEMBER 1760

ALBEMARLE > BUCKINGHAM

Neighbor

“Jos. Cabell to Thos. Patteson, Planter, for £100, 450 acres Head branches **David’s Creek** near **Slate river**

²⁶⁴ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 45; citing Alb DB 2: 311–13.

²⁶⁵ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Wills, 1752–1764*, 72–73; citing Will Book 2, pp. 104–5.

²⁶⁶ Grundset, “*Land Lying in the County of Albemarle: ... Surveyors’ Plat Books*,” 90; citing Bk 1, Pt 2, p. 64.

²⁶⁷ “Virginia Land Patents and Grants,” database with images, *Library of Virginia* (<https://lva-virginia.libguides.com/land-grants> : downloaded 12 May 2022), “Witt, John”; citing “Land Office Patents No. 33, 1756–1761 ...,” p. 844 (Reel 31–32).”

MILLS: Mills & Associates: Albemarle Court, Deed & Probate 1745–1767 21 May 2022

Mt. ... Part of 900 acres pat. 20 Sep 1759, adj. grantor, Megginson's road, **Ro. Walton**, Jas. Meredith."²⁶⁸

11 SEPTEMBER 1760

Land purchase

"Orlando Hughes, Cub. Co., to **Geo. Walton**, Cumb. Co., for £60, 400 acres, part of 8 acres (sic) pat. 1757, adj. Jno. Palmer, grantor, Tonkhart Pullen, Alex. Trent, Drury Scruggs. Wit: Benj. Wilson, Thos. Tabb, Robt. Brown, Jacob Winfrey Jr."²⁶⁹

9 OCTOBER 1760

ALBEMARLE > AMHERST

Land sale

Pearse Wade to John Parks Sr., both of St. Ann's parish, Albemarle, sale for 110£ 390 acres granted to Wade on 1 June 1750 on **Thresher's Creek**. No witnesses. Acknowledgement by Pearce and dower relinquishment by Pearce's **wife Mary** on 13 November 1760.²⁷⁰

12 NOVEMBER 1760

ALBEMARLE > AMHERST

Land sale

David Wade (s) and wife **Elizabeth** (x) to William Parker, both of St. Ann's Parish, Albemarle, for 75£, sale of 180 acres granted to Howard Cash by patent on 12 July 1750, lying on **Threshers Creek**, adjoining **Pearce Wade** and John Biswell. Acknowledged by David and relinquished by Elizabeth in court on 12 March 1761.²⁷¹

13 NOVEMBER 1760

Mention

"Jno. Douglas & wife Mary to Jno. Ladd, planter, for £100, 400 acres both sides Rockfish, adj. Wm. Matlock, **Ro. Walton**, Abraham Childers."²⁷²

13 DECEMBER 1760

ALBEMARLE > AMHERST

Mention

"Wm. Gillium to Nichl. Davis for £80, 400 acres **Pedlar**, pat. to **Thos. Watts** 5 Apr 1748. Wit: Matt. Whiting, Bathurst Sheton, Charles Barker, Alex. Mullis(?), Margaret Bernard, Mary, wife of Gillium)."²⁷³

COMMENT:

This is the tract that Thomas and Sarah (Mills) Watts sold to Peter Bays. In 1759, "Bayse" and wife Sarah sold the land to "William Gilliam," proving the deed in court on 14 June 1759.²⁷⁴

12 MARCH 1761

ALBEMARLE > BUCKINGHAM

"Theodorick Webb to Anthony Dibrell for £60, 400 acres **Walton Fork** adj. Walton, **Wm. Walton**."²⁷⁵

²⁶⁸ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 45; citing Alb DB 2: 319.

²⁶⁹ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 46; citing Alb DB 2: 324.

²⁷⁰ Abstracted from the transcription by Sparacio, *Deed Book, Albemarle County, Virginia, 1758–1761*, 65; citing pp. 224–25.

²⁷¹ Abstracted from the transcription by Sparacio, *Deed Book, Albemarle County, Virginia, 1761–1764*, 11; citing pp. 34–36.

²⁷² Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 46; citing Alb DB 2: 339.

²⁷³ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 48; citing Alb DB 3: 11.

²⁷⁴ Albemarle Co., Deed Book 2: 128–29; imaged, *FamilySearch* digital film 7893699 > image 73.

²⁷⁵ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 49; citing Alb DB 3:33.

9 APRIL 1761

Land sale

John Wade (mark of a backward **C** with sort of a tail) and wife Elizabeth (mark **A**) to William Trotter, sale for 10£, 200 acres, Davies Creek. Acknowledged, relinquished by John & Elizabeth in court same day.²⁷⁶

19 MAY 1761

ALBEMARLE > FLUVANNA

Land sale

Patrick Napier to Jacob Williamson for £50, 382 acres **fork of James** and N branches **Cary Creek** adj. Benj. Woodson, where Jacob Williamson lives. Wit: **Thos. Napier, Ashford Napier, Rene Woodson.**²⁷⁷

COMMENT:

HomeTownLocator places “Carys” Creek in Fluvanna Co., a few miles SSE of Palmyra. Patrick Napier, under 15 November 1749 above, also owned land on Carys Creek, same locale.

11 JUNE 1761

ALBEMARLE > FLUVANNA

Association

“Benj. Maddox to Wm. Pearce for £63, 131 acres both sides of **Cunningham Creek** adj. Edwd. Moody, **Pat. Napier**, Jos. Thomson, Giles Letcher. 50 acres part of pat. of 250 acres of Edwd. Moody. Wit: Jno. Key, Jno. **Witt, Robt. Napier**. Mary, wife of Maddox.”²⁷⁸

COMMENT:

The Maddox family would intermarry with the Kemps, the Franklin Co. family into which William Mills-Witt married in 1815.

25 JUNE 1761

ALBEMARLE COUNTY, VA

Association

“Robt Duncanson, Fredericksburg mct. [merchant] to Wm. Brockman, Orange Co., planter, for £80, 400 acres; bought from Rich. Durrett & wife Sarah, Louisa Co. Deed, 22 July 1750; adj. Wm. Craddock. Wit: **David Watts**, Ro. Martin Jr., Rich. Wilson, Jno. Hammack, Thos. Stapp, Thos. Eastin.”²⁷⁹

8 OCTOBER 1761

ALBEMARLE > FLUVANNA

Association

“Thos. Cauthorn to Wm. Bugg for £28, 350 acres W branches **Bremo Creek**, fork of James, adj. Jno. Payne, **Jos. Walton**, Jos. Good, Saml. Short. Susannah, wife of Cauthorn.”²⁸⁰

20 OCTOBER 1761

ALBEMARLE > FLUVANNA

Association

“Jno. Creasy to Wm. Creasy for £10, 100 acres S fork **Racoon**, bought from WM. Wit: **Pat., Thos., & Rich.**

²⁷⁶ Abstracted from the transcription by Sparacio, *Deed Book, Albemarle County, Virginia, 1761–1764*, 15; citing pp. 51–52.

²⁷⁷ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 51; citing Alb DB 3: 99.

²⁷⁸ Bailey Fulton Davis, *The Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)* (Greenville, SC: Southern Historical Press, 1979), 50; citing Alb DB 3: 67.

²⁷⁹ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 52; citing Alb DB 3: 128.

²⁸⁰ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 52; citing Alb DB 3: 103.

Napier.”

“Thos. Creasy to Wm. Creasey for £10, 100 acres S fork **Racoon**, bought from WM. Wit: **Thos. & Pat. Napier**, Jno. Creasey.”²⁸¹

8 DECEMBER 1761

AMHERST > FLUVANNA

Neighbor

“Jno. Brock to Geo. Brock for £20, 95 acres both sides **Great Bremo** adj. Jno. Paine, **Jos. Walton**. Wit: Caleb Stone, Geo. Brock, Jemmima Lawhorne, Juda, wife of John Brock.”²⁸²

3 MARCH 1762

GOOCHLAND > FLUVANNA

Association

“Rich. Adams, Henrico merchant, to Ro. Lewis, the Younger, Goochland, for £250, 800 acres **Byrd Creek**; pat. of 15 May 1755. Wit: Thos. Adams, Phil Watson, Jno. Woodson, Alex McCaul, Jas. Vaughan, Ro. Lewis, M (sic); Ro. Smith, **Wm. Walton**, Wm. Hudness, Simon W. Wood.”²⁸³

COMMENT:

Byrd Creek lay in Goochland, earlier landholding of William Walton Sr. (Little Byrd Creek extends into modern Fluvanna Co.)

30 JUNE 1762

ALBEMARLE > BUCKINGHAM

Land purchase

Thomas Tilman purchased from John Web for 20£, 84 acres on N side of Fluvanna on E side of Bremer Creek “together with one acre which was formerly granted John Crain for the benefit of setting a Mill thereon”; the 80 acres adj. Richard Koke and **Francis Kerby**; land granted William Crain on 28 September 1758. Witnesses: Creed Childers, Abraham Childers. Acknowledge and relinquished 8 July 1762 by John Web and wife Martha.²⁸⁴

COMMENT:

Francis Kerby (*var.* Kirby), in March 1733/4 Goochland Co., bought from William Mills and wife Mary 100 acres of William’s 400-acre patent on Lickinghole Creek.²⁸⁵

²⁸¹ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 54–55; citing Alb DB 3: 150–151.

²⁸² Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 53; citing Alb DB 3: 130.

²⁸³ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 56; citing Alb DB 3: 202.

²⁸⁴ Abstracted from Sparacio, *Deed Book, Albemarle County, Virginia, 1761–1764*, 47; citing pp. 183–84

²⁸⁵ Goochland Co., VA, Deed Book 1: 487.

Map 6
Breemo Creek of Fluvanna County & Hunt's Creek of Buckingham County



17 JULY 1762

ALBEMARLE

Mention

Debts due to David Lewis of St. Anns Parish, Albemarle, for which he gives power of attorney to Alexander Baine of Henrico to settle the debts ... “**Jacob Watts**, Albemarle, Five pound eighteen shillings” ...²⁸⁶

13 AUGUST 1762

ALBEMARLE

Association

David Watts, Daniel Fargason, and John Foster returned to court that inventory of the estate of William Maib, Sr.²⁸⁷

11 NOVEMBER 1762

ALBEMARLE

Land sale

“**Jacob Watts & wife Eliz.** to Thos. Bond for £30, 135 acres **Ivy Creek.**”²⁸⁸

“Jacob Watts and Elizabeth his Wife of the Parish of St. Anne and County of Albemarle,” sale for £30, 135 acres of land on **Ivy Creek** in Parish of St. Anne, metes and bounds given, but no neighbors. Signed: Jacob Watts; Betty Watts.²⁸⁹

²⁸⁶ Abstracted from Sparacio, *Albemarle County, Virginia, Deed Abstracts, 1761–1764*, 57; citing DB 3: 218–22.

²⁸⁷ Abstracted from the transcription by Sparacio, *Albemarle County, Virginia, Wills, 1752–1764*, 93; citing Will Book 2, pp. 134–35.

²⁸⁸ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 57; citing Alb DB 3:253.

²⁸⁹ Abstracted from Sparacio, *Albemarle County, Virginia, Deed Abstracts, 1761–1764*, 67; citing DB 3: 253–55.

COMMENT:

This land should be NW of Charlottesville near Mechum’s River.

26 NOVEMBER 1762

ALBEMARLE > FLUVANNA

Land purchase

“Thos. Pleasants, Goochland, to **Thos. Napier** for £70 200 acres **Rivanna River** adj. **Pat. Napier, Ashford Napier** – formerly Wm. Creasey Sr. Wit: David Pollock, Richard Moore, Jno. Woodall, Stephen, Jno. & **Rene Napier.**”²⁹⁰

20 DECEMBER 1762

ALBEMARLE COUNTY, VA

Mortgage

“**Ashford Napier** to Archibald Ingram & George Kipper, Glasgow merchants, for £100-6-8, 200 acres, upper side **Rivanna** where Napier lives, adn [sic] given to him by his **father Ro. Napier**, Dec’d – slave in hands of Col. Jno. Cobbs, stock, deed of trust to be paid by 1764. Wit: **Ro. Napier**, Jno. Robinson, Margaret Smith, Saml. Jordan.”²⁹¹

24 DECEMBER 1762

ALBEMARLE COUNTY, VA

Association

Jacob Watts and Bartholomew Ramsey witness the sale by Vincent Tullock, “Joyner of Saint Anns Parish in County of Albemarle” to James Karr “of Fredrixville and in the County of Albemarle.”²⁹²

9 MAY 1763

ALBEMARLE > FLUVANNA

Association

“Wm. Creasey to Benj. Woodson Jr., Goochland, for £6, 400 acres or 40 acres in one place adj. Derick’s branch, **Raccoon Creek**. Wit: Roger Thompson, Rene Woodson, **Pat. Napier**, ---Woodson, Geo. Anderson, **Ash Napier, Ro. & Jno. Napier.**”²⁹³

COMMENT:

Raccoon Creek lay in northeastern Albemarle and remained in Albemarle after Amherst was created. In 1777 it fell into the new county of Fluvanna.

27 JUNE 1763

Mention

“Jno. McCauley Jr. to Thos. Meriwether & Jno. Lewis for £15-1-6, 100 acres adj. Jos. Graves, Wm. Cranshaw, Thoas. McCauley, Pat. Fisher, Jno. Cave, Wm. Grantham, Jas. Coleman. Bought from **David Watts** who conveyed to JM – seemingly Coleman bought tract. Wit: Nichl. Lewis, Thos. Madison, Nichl. Meriwether.”²⁹⁴

²⁹⁰ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 58; citing Alb DB 3: 274.

²⁹¹ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 60; citing Alb DB 3: 306.

²⁹² Ruth and Sam Sparacio, *Albemarle County, Virginia, Deed Abstracts, 1761–1764* (N.p.: Antient Press, n.d), 62; citing DB 3: 234–35.

²⁹³ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 61; citing Alb DB 3:336.

²⁹⁴ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 62; citing Alb DB 3: 394.

14 DECEMBER 1763

ALBEMARLE > FLUVANNA

Land sale

“Pat. Napier & wife Martha, to David Staples for £35, 106 acres both sides **Cunningham Creek** adj. Wm. Peace. Wit: **Ashford & Thos. Napier**, Wm. Peace.”²⁹⁵

COMMENT:

Cunningham Creek, like nearby Raccoon Creek, lay in northeastern Albemarle and remained in Albemarle after Amherst was created. In 1777 it fell into the new county of Fluvanna.

15 JANUARY 1767–13 MAY 1768

Association

Thomas Tilman (same mark), **Daniel Tilman**, and seven others witnessed the sale deed by Creed Childress of Albemarle to John Ware of same, land on “West side of a run William Cannon’s corner.” Thomas and Daniel proved the deed in court on 13 May 1768.²⁹⁶

8 APRIL 1767

Association

Sarah Tilman witnessed deed between George Hilton Sr. and James Hilton of Albemarle, land on Indian Camp Branch, Wm. Amos’s line, George Hilton Jr. April Court 1767, she and Arthur Cooper and William Amoss proved the will in court.²⁹⁷

COMMENT:

I have not yet identified Sarah.

²⁹⁵ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 66; citing Alb DB 3: 488.

²⁹⁶ Abstracted from the transcription in Sparacio, *Deed Book, Albemarle County, Virginia, 1763–1768*, 123; citing pp. 523–24.

²⁹⁷ Abstracted from the transcription in Sparacio, *Deed Book, Albemarle County, Virginia, 1763–1768*, 80; citing p. 365.