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REPORT TO: File

SUBJECT Mills & Associates: Franklin County, Virginia, Extended Survey

BACKGROUND: **William Mills** (b. c1784–85 or 1787–88; d. c1863, apparently in Pulaski County, VA (cut 1839 from Montgomery and Wythe). He married 1815, in Franklin County, VA, Drucilla Kemp, daughter of Robert Kemp and Milly Emundson, daughter of Richard) who wed 1786 in Franklin. Drucilla's stepmother was Sarah Mattox (daughter of Nathan), who married Robert Kemp in 1802. Bondsman for William's marriage to Drucilla was Stephen Standifer.¹

William Mills and Drucilla Kemp were the parents of nine children:

1. **JAMES H. MILLS**, b. c1816; first appeared on Franklin Co. tax rolls, adjacent to William, in 1837. He has not been found after the Franklin roll of 1844.
2. **SAMUEL E(DMUNDSON?) MILLS**, b. 26 February 1818; died 31 July 1894, Talbot Co., GA; married (1) **Mary Ann Hobson**, 17 December 1841, Franklin Co., VA, with James Patterson as bondsman; (2) **Rebecca Amy Collier**, 19 March 1868, Upson Co., GA.
3. **WILLIAM B(RECKENRIDGE?) MILLS**, b. c1820, makes his first appearance in Franklin on the 1841 tax roll. On 19 October 1847, in Franklin Co., he married **Mary M. Matthews**. He died of gunshot wound, 30 April 1865, on his way home from war.
4. **SPARREL MILLS**, b. c1824, Franklin Co.; first appears on the Franklin Co. tax roll of 1845; married **Martha Susan Jarrett**, daughter of Allen Jarrett, 1848, in Henry Co., VA. In 1850, he and his in-laws and parents were all in Floyd Co. In 1852–54 he was taxed in Montgomery Co. The 1860 census of Montgomery cites him as a laborer, living among other laboring families, apparently on the substantial farm of Andrew J. Lucas. Postwar, he remained in Montgomery, and died after 3 May 1900, when he filed an application for a Confederate pension as a resident of Radford.
5. **ROBERT WILEY MILLS**, b. c1826; died 31 May 1862, Battle of Seven Pines near Richmond. He married 18 December 1843, Henry Co., VA, **Mary Jarrett**, daughter of Allen Jarrett. In 1850, as "Wiley Mills," he is enumerated as a farmer in Floyd Co. He enlisted at the Floyd Co. courthouse on 14 March 1862 (age 36) in Co. A, 24th VA Infantry, under Lt. G. M. Helms.
6. **CHARLES T. MILLS**, b. c1828, or 1833, Franklin Co.; married **Sarah E. Fleeman**, daughter of Elias and Patsy Fleeman," 22 December 1857, Montgomery Co., where they were enumerated in 1860. By 1870, they had moved to Claiborne Co., TN, by 1870. Both died after the 1880 census of Claiborne.
7. **SARAH "SALLIE" ANN MILLS**, b. ca. 1830, m. in Floyd Co., c16 December 1850, **William H. Key**, (parents unidentified). The 1850 census of Floyd places William, 23, "born in Giles Co.," in the home of George Key, 36, and wife Hannah Kester, adjacent to Sparrel Mills and his Jarrett in-laws. In 1860, the Keys lived in the Mills-Jarrett family cluster in Pulaski County's Western District. On 6 April 1864, as "Sarah A. Key," age 35, daughter of "William Mills" and "Drucella Mills," she m. a widower from Lovely Mount (now Radford) in Montgomery Co., **George Bradbury** (*var.* Bradberry), son of Mark. Sarah d. 1 July 1889, Summers Co., WV.

¹ For documentation of all details for William, Drucilla, and their children, see Elizabeth Shown Mills, "William Mills (b. c1783–88; d. c1863); Spouse Drucilla Kemp: Research Notes," a work-in-progress last updated 27 August 2021; archived at E. S. Mills, *Historic Pathways* (<https://www.historicpathways.com>), under the "Research" tab. Other relevant research reports at *Historic Pathways* are cited throughout this set of notes.

8. **MILLY FRANCES MILLS**, b. April 1832 (variously 1830, 1832, 1833) in Franklin Co.; died after the 6 June 1900 census visitation in Montgomery Co. and, apparently, before the April 1904 death of her husband whose obituary cites children but not a wife. On 27 July 1854 (by license of 22 July) in Floyd Co., Milly married **John B. Lawrence**, who had been born in Bedford Co., VA, as son of William and Agnes Lawrence.
9. **THOMAS R[ICHARD?] MILLS**, b. 11 March 1833, according to his death certificate; married *ca.* 27 August 1855, in Montgomery Co., **Sarah S. Nunnally [var. Nunley]**, daughter of Richard and “B” Nunnally. The couple are cited on the 1860 census, Pulaski Co., VA, next door to both sets of parents. In 1880, they resided in Montgomery Co.; but by 1900 they were back in Pulaski Co. where he was employed as a “river ferryman.”² Thomas died 5 April 1915 of “chronic Bright’s disease.”

See prior report of 28 August 2018, “Mills & Associates: Franklin & Floyd Counties, Virginia, Initial Survey. The present report will build upon those findings.

KEY ISSUES: William’s birth family is unknown; but his Y-line is that of descendants of the Virginia immigrant John Witt/Whitt. **For the purpose of identification in this project—one that involves many William Millses—I am calling him William Mills-Whitt.**

- The area that became Franklin County in 1785 was cut from Henry and Bedford Counties. The region north of Blackwater River was cut from Bedford. The region south of Blackwater River was cut from Henry (formerly Pittsylvania and Halifax).
- Prior to 1785, families surnamed Edmundson, Kemp, Maddox, Mills, and Standifer, lived and interacted in both Henry and Bedford, as well as Bedford’s predecessor Lunenburg.
- Only one Mills family has been placed in the Franklin County area at the time William was supposedly born there: a family headed by one **James Mills** who lived in the part of Bedford that was cut off to create Franklin. I have not yet associated him with Henry County. This James Mills had a son William (m. Elizabeth Abshire, 1796, in Franklin) who can be disambiguated from William Mills-Whitt.

Witts/Whitts have been found in both Bedford and Henry, offshoots of the same family.³ If the change of the Mills surname to the Witt Y occurred with the conception of William, rather than before him, then I should especially watch for a Witt/Whitt male in proximity to a Mills female in the place and time of that conception.⁴

RESIDENCES:	1806–10	Franklin County
	1811	<i>Missing</i>
	1812–20	Franklin County
	1821–29	<i>Nothing found</i>
	1830–47	Franklin County
	1848	Moved to Floyd but not taxed there; typically a one-year lapse at move
	1849–50	Floyd County (Franklin land taxed to him in Floyd; on Floyd 1850 census and 1849–51 tax rolls)

² 1900 U.S. census, Pulaski Co., VA, Dublin Magisterial dist., ED 43, sheet 17-B. 1910 U.S. census, Pulaski Co., VA, Dublin Magisterial Dist., stamped p. 27, ED 44, Sheet 1A, dwell./fam. 3.

³ See E. S. Mills, “Mills: Bedford County, Virginia: Extended Survey of Resources,” report to file dated 28 August 2018. Also E. S. Mills, “Mills: Henry and Pittsylvania Counties, Virginia: Initial Survey,” report to file dated 28 August 2018. Both are archived at *Historic Pathways* under the “Research” tab.

⁴ DNA evidence has established that William himself carried the Witt/Whitt Y. Male-line descendants of two different sons of William and Drucilla all carry the Witt/Whitt Y, with no genetic distance on 111-marker tests. The earliest tester for each son’s line was Clay Mills (a descendant of Samuel E. Mills, b. 1818) and Edward E. Mills (a descendant of Robert Wiley Mills, b. c.1824).

1851–52	<i>Nothing found</i>
1853	Montgomery tax roll along with Sparrel and “William Jr.”
1854–59	<i>Nothing found</i>
1860	Pulaski County census with grown children
1861–63?	Pulaski County apparent death place; death records missing
1867	Montgomery County (widow Drucilla died while living with offspring)

ASSOCIATES: At William Mills-Whitt’s first appearance on record in Franklin, 1806, he was entered onto the tax roll between **Samuel McCarrell** (aka Carrell) and **Booker Mullins**. He remained between them until 1811, at which time William was dropped but Mullins and McCarrell continued to be taxed in the same position on the list.

The 1810 federal census of Franklin includes Mullins, but not Mills or McCarrell. One Samuel **Carrell** appears on the census of adjacent Montgomery county that year, as does one **Thomas Musgrove**. However, the age data for that Samuel Carrell and his household seems incompatible with known data for Samuel McCarrell.

In 1812, William reappears on the Franklin tax roll, positioned between **Thomas Mullins** and **Thomas Musgrove**. The 1820 census (semi-alphabetized) places him between “**Bowker**” and **Jacob Mullins**, his in-law Gabriel Mattox, and the Mattox in-law, John **Manning**.

Concurrent Mills research in Montgomery and Giles counties—originally adjacent to Franklin—suggests the possibility of a relationship with two other families that settled near the mountain gaps that linked these counties:

Napiers: a family that came to Franklin and Montgomery from Fluvanna (formerly Albemarle). In Fluvanna, they were associates of the Thomas Tilman family, whose daughter Lucy married Jesse Mills of Amherst. One daughter of Lucy and Jesse, Sarah “Sally” Mills, appeared in Montgomery as a single mother in 1791, at which time she married Elijah Sartain of Stony Creek of New River. **Sarah Mills is one of the two likely candidates for the mother of William Mills-Whitt, b. 1783–88.**⁵

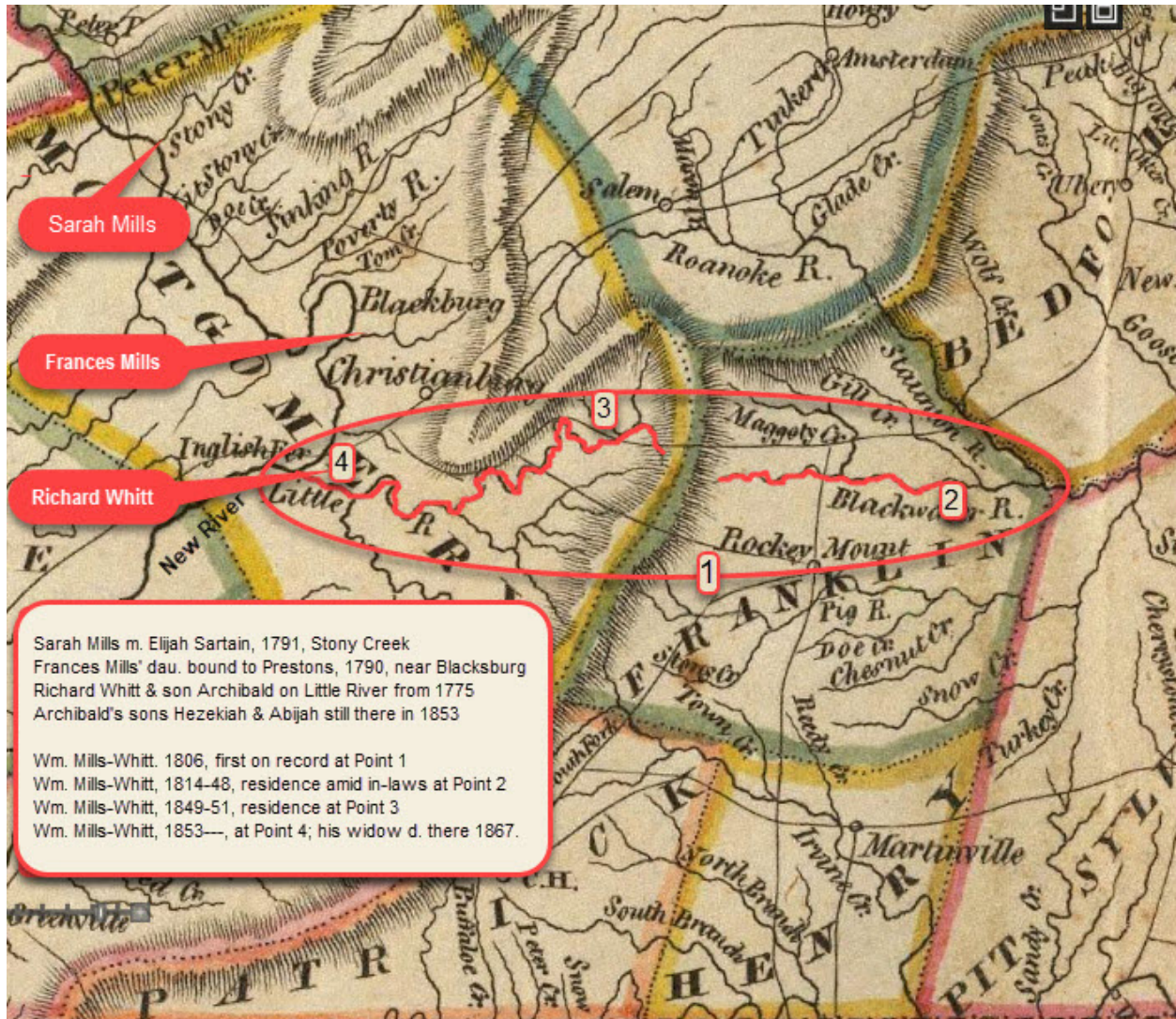
Toney: William Toney, also formerly of Fluvanna, settled on the north side of the Blackwater at the head of Calas Mountain about the time Franklin was created. His son John Toney settled across the mountain at The Narrows of New River in current Giles where he operated a tavern and mills and owned extensive lands on East River. There, in 1816, “William Mills” witnessed two documents for him—by which Toney leased two tracts of land to a John Conner and Zachariah Crawford. A page-by-page reading of all surviving courthouse records for Giles has yielded no other trace of a contemporary

⁵ For all the evidence presently known for Sarah, see the following reports at *Historic Pathways* under the “Research” tab:

- “Jesse Mills Sr. (c1740–aft 1811) of Albemarle & Amherst Counties, Virginia; Spouse, Lucy Tilman: Research Notes,” a work in progress last updated 8 April 2021.
- “Gallia County, OH: Preliminary Research on Elijah Sartain, Wife Sarah Mills, and Related Families from Montgomery and Giles Counties, VA—Particularly Brumfield, Chapman, Napier, and Williams, report to file, 1 September 2021.
- “Mills & Associates, Giles County, Virginia: Principally Whites, with Selective Records for Byas, Brumfield, Chapman, Dingess, Napier, Sartain & Toney,” report to file, 8 February 2020 (updated 10 January 2021).
- “Mills & Associates: Montgomery County, VA, Extended Research (Bias, Sartain, Toney, White, Whitt/Witt,” report to file dated 20 September 2020.
- E. S. Mills, “Mills-White-Witt: Montgomery County, Virginia, Tax Roll Data 1782–1807,” report to file, 15 February 2020.

William Mills in that county.⁶ Toney was a close associate of one Benjamin White of Albemarle and Giles, whose middle-aged father John White took a new wife in August 1792, Montgomery Co. **That wife, Frances Mills of unknown origin, is the second prospect for William Mills' mother, if his birth did occur in 1784.** Prior to marriage, in 1786 and 1788, she bore a son and daughter. Descendants of her son Samuel Mills carry the Y-DNA signature of the Adkins-Mullins family of Montgomery and Franklin.⁷

Map 1
The Mills-Whitt World: From New River to the Blackwater via Little River & Dog Spur Gap



⁶ See the previously cited "Mills & Associates, Giles County, Virginia: Principally Whites, with Selective Records for ... Toney." For the two leases, see Giles Co., VA, Deed Book B: 84-85; imaged as *FamilySearch* digital film 007894524.

⁷ For all that is known for Frances "Frankey" Mills, see these reports at *Historic Pathways* under the "Research" tab:

- E. S. Mills, "John White Sr. (c1740-1821); Spouses 1. Unidentified & 2. Frances "Frankey" Mills: Research Notes," a work-in-progress last updated 18 January 2021;
- The previously cited Montgomery and Giles Co. reports; and
- E. S. Mills, "Mills & Associates: Montgomery & Fincastle Counties, Virginia: Preliminary Survey," report to file dated 28 August 2018 (updated 10 September 2020).

Executive Summary

Disambiguation between Multiple Williams:

This set of notes defines five different William Millses in Franklin County contemporaneously. By order of age or first appearance on record, they are

1. **William Mills “Sr.”**, as later records call him. This man, of Maggoty and Elliott Creeks, was the son of the original settler James Mills and was married to Elizabeth Abshire. He died in 1841 leaving a will that named Elizabeth, their three sons Hiram, George, and Burrell (unmarried, later called William A. B.) and four daughters: Leona Mills, Betsy Mills, Katharine Rucker, and Patsey Mills (the latter coupled with “James Otey Mills ... my grandson”)
2. **William Mills “Jr.”**, as he is called from 1833 to 1837, married at the time to Mary “Polly” Showalter/Shewalter. Also a resident of the Maggoty and Elliott Creek area, he appears to be the son of one of William Sr.’s brothers—possibly the still-living Arthur or possibly James Mills Jr., whose widow Nancy remained in that region.
3. **William Mills** of the Blackwater, married to Drucilla Kemp.
4. **William A. Burrell Mills**, son of William Mills Sr. and Elizabeth Abshire, who was still unmarried in 1841 when William Sr. died. On 4 January 1847, he married Mary Abshire, with Anderson Starkey as his bondsman. On 4 October 1847, as “William A. B. Mills,” he, his wife “Mary E.,” and his mother Elizabeth sold William Sr.’s land to Anderson Starkey. William A. B. Mills left Franklin before 1850.
5. **William B. Mills**, born about 1820 to William and Drucilla. On 19 October 1847, he married Mary M. Matthews, with William C. Barber as surety. He and wife Mary, are enumerated in Franklin in 1850 and 1860.

Disposition of William and Drucilla’s land:

William and Drucilla Mills moved across the county line into Floyd County in 1848. However, they did not dispose of the land that Drucilla had inherited from her father. Those 151 acres continued to be taxed to “William Mills (Floyd Co.)” until 1861. Absentee ownership of this type usually occurred when the owner rented out the land or—as apparent in this case—turned over the land to a family member to farm. That family member, in this case, was the only son who remained in the county: William B. Mills.

In 1861 and 1862, the tax entries for Drucilla’s inherited land shifted to “William Mills, Franklin County.” Between the tax rolls of 1863 and 1865, three major changes occurred in the ownership or management of this land.

- William Sr. appears to have died in 1863, at which time the land passed to the possession of the son William B.
- Between 1863 and 1865, the tract of land was reduced from 151 acres to 126 acres. No deed documents a transfer of title for the missing 25 acres. However, a new survey of the land was made in 1863 amid a challenge to William B.’s land title.
- William B. died in 1865, killed by gunshot on his way home from war.

An explanation for the missing land is found in a request that William B. Mills, as private in the Confederacy, made in 1863 to his commanding officers—asking permission to return home to attend to a business problem which, if unaddressed, would result in the loss of land and a means of support for his family in his absence. That request coincides with the death period previously determined for William

Mills-Whitt.⁸

No tax roll exists for Franklin County in 1864. In 1865, the remaining 126 acres continued to be taxed to “William Mills” until 1895, with alterations as follows:

- 1872–1883. A notation beside the tax entry for “William Mills” states that the tax was to be paid by Wilson Cundiff.
- 1884. The notation was changed to “J. W. Hutt and Rhoda Cundiff pays.”
- 1885–86. The Mills tax assessment in 1886 was again reduced by 66 acres. Meanwhile, 1885 transactions in the settlement of the Cundiff estate conveyed two tracts of land—including one tract of 66 acres—to J. W. “Hutts.” The 66-acre tract was said to adjoin “Hutts Mill” (on Standifer Creek) and the east corner of “William’s line” [i.e., William Mills’ line].
- 1890. A commissioner was appointed to sell the interest that Rhoda Cundiff, deceased widow of Wilson, held in the estate of her husband. The remaining Mills acreage was purchased by James A. Cundiff at a sale conducted by Commissioner Jno. P. Lee—but continued to be taxed to “William Mills.”
- 1893–94. The case J. W. Cundiff et al. vs. Cundiff et al. charged that Commissioner Lee still had not made the title to James A. Cundiff. That was done in February 1894, at which time the title included “60 acres ... a portion of a tract purchased by the said Wilson Cundiff in his lifetime from William Mills.” At that point, William Mills’s name is dropped from the land tax roll.

The 1894 deed’s recital of events attributed to the “lifetime” of William Mills—events that would have occurred three decades earlier—is clearly flawed. Cundiff did not begin to pay taxes on the land until 1872—nine years after the death of William Mills-Whitt and seven years after the death of his son William B. Mills. At that time, the widow of William B. may have made an agreement to sell the land to Cundiff at some future point; but the actual sale clearly occurred in two different stages: first the sale of 66 acres, then the sale of the final 60.

Evidence found to date does not enable us to determine whether Cundiff was involved in the 1863 threat to William B.’s ownership of the land—a threat that resulted in the loss of 25 acres. Considering that Cundiff’s involvement in the land is not documented until 1872, it is possible that the 1863 issue resulted from the death of William B.’s father and the need to stabilize his possession of the land that he had been occupying without a recorded title.

Research Notes

DECEMBER 1804
FRANKLIN COUNTY, VA
Court Order

“The Last Will and Testament of **William Toney** dec’d was prov^d by the oaths of two of the subscribing witnesses & O[rdered] R[ecorde]^d on the motion of James Toney and **John Toney** tst. Exrs therein named who qualified according to Law and together with William Greer & Luke Standifer their Securities have posted bond in this behalf ...”⁹

⁸ This item was found on a research trip to the Library of Virginia in May 2021, just as the library was closing, on the last day of the trip. We were being shooed out of the research room and I was not able to make an image or create a citation. I will retrieve it on my next trip to LoV.

⁹ Franklin Co., VA, Court Order Book, 1800–1805, p. 353; imaged, *FamilySearch* digital film no. 7897650.

COMMENT:

This John Toney was the Montgomery County planter, mill operator, and ordinary keeper of that name for whom William Mills witnessed two land leases in 1816.

2 APRIL 1805

FRANKLIN COUNTY, VA

Witness

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

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

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

Marginal note: Exd. & D^d [Delivered to] John R. Guerrant June 1814."¹⁰

COMMENT:

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

John Hobson Jr. has not been identified. As noted on page 1 of this report, William and Drucilla's son Samuel E. married Mary Ann Hobson in 1841. John Jr.'s relationship to Mary Ann has not been determined.

2 APRIL 1805

FRANKLIN COUNTY, VA

Witness

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

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

6 January 1812, Peter Guerrant Jr. acknowledged the document in court and it was ordered to be recorded.¹¹

2 FEBRUARY 1807

FRANKLIN COUNTY, VA

¹⁰ Franklin Co., VA, Deed Book 6 (1811–1814): 240–41.

¹¹ Franklin Co., VA, Deed Book 6 (1811–1814): 241–43.

Estate inventory.

Estate of Thomas Robertson, inventoried by Lewis Davis, Thomas Crutcher, and **George Menefee**. Included "one Bond on **Saml. McCarroll** pble [payable] 17th Octo. 1807 [for] 6.-.-." Similar notes on Lewis Davis, Melker Waggoner, Walker Waggoner, John Griffith, smaller amounts, all due same date."¹²

COMMENT:

- This Samuel McCarroll/McCarrell is the young landowner with whom William Mills is coupled in 1806 when he first came onto Franklin's tax roll as a propertyless tithable. McCarroll also owned land in Montgomery Co. that was purchased by his grandfather John Ferguson Sr.
- George Menefee was McCarroll's cousin on the Ferguson side.
- The McCarrell-Menafee/Menefee land lay roughly at Locale 1 on Map 1. From there, the Menafee land extended east toward the center of the county.

2 JANUARY 1809

FRANKLIN COUNTY, VA

Court order

"A letter of attorney from **James Ferguson** to **Samuel McCarrell** prov^d & O R^d."¹³

MARCH 1809

FRANKLIN COUNTY, VA

Court order

"**Thomas McCarroll** v. Thomas Hatton. All^d Jud for Pltff for £11.7.9 + costs with six per centum per annum Interest thereon from 2d April 1806 til paid and costs. Francis Hill a Garnishee being sworn saith he owes the Defendant a Sum Sufficient to discharge this Jud. for which Jud. is rendered against him."¹⁴

8 MARCH 1809

FRANKLIN COUNTY, VA

Court order

Booker Mullins paid for 130 hours patrolling: \$7.50¹⁵

MARCH 1809

FRANKLIN COUNTY, VA

Court order

"**James Mills & wife** v. George Wright. Dismissed at Defts. costs per award."¹⁶

COMMENT:

See 4 September 1820, below, for "James Mills v Jno. Wright."

9 AUGUST 1809

FRANKLIN COUNTY, VA

Court order

Jury sworn for trial of James Mozeley & Co. v Jubal Turner includes **Samuel McCarrell**.

"Nancy Ader v **Samuel McCarroll**. Dism^e Plt. not fur. pro."¹⁷

¹² Franklin Co., VA, Will Book 1: 289; imaged, *FamilySearch* digital film 007644994.

¹³ Franklin Co., VA, Court Order Book, 1806–1811: 246; imaged, *FamilySearch* digital film no. 7897650.

¹⁴ Franklin Co., VA, Court Order Book, 1806–1811: 254.

¹⁵ Franklin Co., VA, Court Order Book, 1806–1811: 262.

¹⁶ Franklin Co., VA, Court Order Book, 1806–1811: 255.

11 AUGUST 1809
FRANKLIN COUNTY, VA

Court order

Jury sworn for trials of Martin McGee v John Cook & David Willis and Lidia Carles v William Brooks includes **Booker Mullins**.¹⁸

6 NOVEMBER 1809
FRANKLIN COUNTY, VA

Court order

“**Bowker Mullin, Obediah White**, and William Standley posted bond (\$200 for Mullin; \$100 for White and Standley) on condition that Bowker Mullins shall keep the peace and be of good behavior toward the citizens of this Commonwealth, and especially toward a certain John Hunter for a year and a day.”¹⁹

6 MARCH 1810
FRANKLIN COUNTY, VA

Court order

Jury sworn for trial of John Wysong v George Radford. **Bowker Mullins** served on jury.²⁰

2 JUNE 1810
FRANKLIN COUNTY, VA

Witness

Clifford Slone to George Wright, sale for 37£ 10 shillings, all the interest of Sloan has in the estate of Hartman Doran, deceased, by virtue of Slone’s marriage with Peggy Doran, including all right to the land Hartman Doran owned on the waters of Gills Creek adjoining William Wright, **Peter Abshire**, and others. Signed: Clifford Slone, Peggy Slone. Witnesses: Joseph Wright, Solomon Wright, **William Mills**.²¹

COMMENT:

This William would be the son of James Mills who bought a part of the land owned by Clifford’s father James Slone. This William was married to Peter Abshire’s daughter Elizabeth.

5 JUNE 1810
FRANKLIN COUNTY, VA

Court order

Jury sworn for trial of William & John Callaway v Daniel Gillespie. **Bowker Mullins** served on jury.²²

7 AUGUST 1810
FRANKLIN COUNTY, VA

Court order

¹⁷ Franklin Co., VA, Court Order Book, 1806–1811: 298–99.

¹⁸ Franklin Co., VA, Court Order Book, 1806–1811: 305.

¹⁹ Franklin Co., VA, Court Order Book, 1806–1811: 320.

²⁰ Franklin Co., VA, Court Order Book, 1806–1811: 339.

²¹ Franklin Co., VA, Deed Book 6 (1811–1814): 10–11.

²² Franklin Co., VA, Court Order Book, 1806–1811: 355.

Jury sworn for trials of Calhoun Gatewood & Co. vs. Adda Garratt and Adam Ader v. William Akers includes **George Mills**.²³

6 NOVEMBER 1810
FRANKLIN COUNTY, VA
Court order

Jury sworn for trial of John Watson v. James Watson's Executors includes **George Mills**.
Jury sworn for trail of Leonard Cheatham Sr. v John Early's Exors includes **Arthur Mills**.²⁴

COMMENT:

This George Mills appears to be a son of the Maggoty and Elliott Creeks settler, James Mills. He did not remain in Franklin County or else died as a young adult. Because he did not own land, there would be no probate record for him, if he died there.²⁵

Arthur Mills was a proved son of James of the Maggoty.

6 MARCH 1810
FRANKLIN COUNTY, VA
Court order

Peter Saunders Sr assee. v James Bird & **Saml. McCarroll**. John Doughten Spl B^l for Saml. McCarroll."²⁶

MAY 1811
FRANKLIN COUNTY, VA
Court order

List of persons to be paid "for Serving as Patrolers" ...
Edward Abshire, 28 hours @ 75 cents for 12 hours = 1.75
William Mills, 28 hours @ .75 cents for 12 hours = 1.75
& others²⁷

COMMENT:

This, like all the prior entries, should be the William Mills who married Elizabeth Abshire. The young William Mills-Whitt, who was not yet a property owner or taxpayer, had not worked himself into a position of public trust within the community.

17 MAY 1810
FRANKLIN COUNTY, VA
Community service

Inquest on the body of Julius 'a negro boy slave the property of William Robertson." Jury of inquest included Stephen Smith, Skelton Taylor, Amos Ellison, Jasper Franklin, James Greer, Leonard Hutts, Charles Hopkins, William Clarkson, Valentine Wysong, Valentine Oyler Senr., Valentine Oyler Junr., Joseph Wysong, Ezekiel Dowdy, Henry Wysong, William Smith, Robert

²³ Franklin Co., VA, Court Order Book, 1806–1811: 376–77.

²⁴ Franklin Co., VA, Court Order Book, 1806–1811: 392–93.

²⁵ See E. S. Mills, "James Mills (bef. 1750—c1823-24); Wife: [?Octavia Breckinridge?]: Research Notes," a work-in-progress last updated 28 December 2019; archived online at *Historic Pathways* under the "Research" tab.

²⁶ Franklin Co., VA, Court Order Book, 1806–1811: 422.

²⁷ Franklin Co., VA, Court Order Book, 1806–1811: 430.

Childress, James Amos, **George Mills**. The jury found that he hung himself, from the bough of a dogwood, with a black cord.²⁸

COMMENT:

And Jeffrey Epstein hung himself.

1 JULY 1811

FRANKLIN COUNTY, VA

Court order

“Devalt Crowl is appointed Surveyor of the Road from the Bridge across Magotty at Turnbull’s Mill to John Ferguson’s Mill with the allotment of hands filed.”

“David Kinzie v **James Mills**— Cont^d.”²⁹

6–7 NOVEMBER 1811

FRANKLIN COUNTY, VA

Court order

James Mills serves on jury in case of Adam Bowman v Daniel Plyborn and Robert Henry assee. vs. Richard Becket.³⁰

COMMENT:

Two James Mills were then in the county: the father who settled there before it was created in 1785 and the son who married in 1799. The record does not state which man served. The fact that the court did not feel a need to distinguish between the two suggests that only one of them remained in the county or that only one of them was eligible for jury duty. James Sr. was at that time a landowner. No land has been found for James Jr., who would die before the 1820 census.

7 FEBRUARY 1812

FRANKLIN COUNTY, VA

Public service

A jury of inquest appointed to investigate the effects of a mill dam proposed by Caleb Hippenstall met and assessed the effect on “fish of passage and ordinary navigation,” report that Hippenstall owns the land on both sides of the waterway and that no others will be effected nor will the “neighbours be annoyed by the stagnation of the water.” Jurors were Saml. Hale, **Robert Camp**, Wm. Smith, Thos. Dudley, Henry Smith, Thos. Hiett, Benjamin Barnard, Peter Barnard, John Craghead, George Radford, Benja. Booth, Levi Dudley and Matthew Farmer.³¹

COMMENT:

This Robert Camp/Kemp was father of Drucilla and eventual father-in-law of William Mills-Whitt.

1 JUNE 1812

FRANKLIN COUNTY, VA

Court order

Bowker Mullins was paid \$2.44 for 39 hours patrolling. One of 55 or so males.³²

²⁸ Franklin Co., VA, Deed Book 6 (1811–1814): 148–49.

²⁹ Franklin Co., VA, Court Order Book, 1806–1811: 445.

³⁰ Franklin Co., VA, Court Order Book, 1811–1817: 13, 15; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS4V-R3VT-H?i=89&cat=397106>), digital film 007898092, made from FHL microfilm no. 31517.

³¹ Franklin Co., VA, Deed Book 6 (1811–1814): 368–69.

³² Franklin Co., VA, Court Order Book, 1811–1817: 49.

3 JUNE 1812

FRANKLIN COUNTY, VA

Court order

William Mills served on jury in case of Robert Scarborough v Robert Guillams.³³

COMMENT:

Again there is no appendix to the name to indicate which William Mills. There were two of poll age cited in this year's tax roll: William, husband of Elizabeth Abshire; and the younger William who would marry Drucilla Kemp. However, the younger William did not own land. The older William farmed with his landowning father James.

I've also noticed that the use of Sr. or Jr. is extremely rare in the juror lists. It is seen for deeds and court cases, but the distinction is not usually made when identifying jurors.

One alternative way to potentially identify a juror—when unrelated same-name men exist in the county—is to consider whether kinsmen also served on the same jury. Frequently these lists include a group of related men who appear to have come to court together—and often because one or more of them is also involved in a suit being tried at that term. See, for example, the coupling of George and Arthur Mills in prior jury notes.

7 JUNE 1813

FRANKLIN COUNTY, VA

Court order

Peter Boon v. **George Mills**—Joseph Wyson Sp[ecia]l B[ai]l.

Deed from **Allen Jarratt** & wife To Martin McGhee, further proved by 2 witnesses.”³⁴

COMMENT:

In the 1840s, Allen Jarratt's daughter would marry William and Drucilla's son Robert Wiley Mills.

8 JUNE 1813

FRANKLIN COUNTY, VA

Court order

Peter Boon v. **George Mills** — “Joseph Wysong the Sp^l B^l for the Def^t Surrendered him here in Court and prayed into Custody —& Jn^o Dodd fur. Sp^l B^l.”³⁵

10 JUNE 1813

FRANKLIN COUNTY, VA

Court order

Dickensons & Shrewsbury v. **Allen Jarrott** &c. Plea waved & Is^d according to Specialty & costs.

“A Deed from **Allen Jarratt** & wife to Martin McGhee, fur. prov^d & OR^d.”³⁶

2 NOVEMBER 1813

FRANKLIN COUNTY, VA

Court order

William Mills serves on jury in case of John Vandover v Jno. Highley, together with Booth **Napier**,

³³ Franklin Co., VA, Court Order Book, 1811–1817: 59.

³⁴ Franklin Co., VA, Court Order Book, 1811–1817: 129–30.

³⁵ Franklin Co., VA, Court Order Book, 1811–1817: 136.

³⁶ Franklin Co., VA, Court Order Book, 1811–1817: 143–44.

Thomas **Napier**, **George Furguson** and others.³⁷

7 NOVEMBER 1814
FRANKLIN COUNTY, VA

Court order

“A Letter of Attorney from **James Ferguson** & wife to **Samuel McCarroll** Certified & OR^d.”

“A Deed of Release from **Thomas McCarroll** & wife of their Interest in a Tract of Land formerly belonging to **John Ferguson** Certified & OR^d.”³⁸

COMMENT:

Thomas McCarroll was father of Samuel; his wife was a daughter of the late John Ferguson Sr.

2 JANUARY 1815
FRANKLIN COUNTY, VA

Court order

“A Deed from ... **Sam^l McCarroll** to Charles Waid, _____ — prv^d & OR^d.”³⁹

4 SEPTEMBER 1815
FRANKLIN COUNTY, VA

Court order

“A Letter of attorney from **William Weaks** & wife To George W. **Ferguson**, produced & ordered to be recorded.”⁴⁰

COMMENT:

William Weaks was also married to a Ferguson, a sister to Mrs. Thomas McCarroll. Samuel McCarroll, when he came to adulthood a few years earlier, had bought from Weaks the Montgomery County land that Mrs. Weaks had inherited from her father. (See my previously cited Montgomery County reports.)

6 NOVEMBER 1815
FRANKLIN COUNTY, VA

Court order

“Matthew Farmer is appointed Surveyor of the Road from the Pittsylvania Road to **Robert Kemps** at Black Water with the allotment of hands filed.”⁴¹

COMMENT:

Conspicuously absent from these court minutes is Stephen Standifer who served as surety for the 1815 marriage bond of William Mills and Drucilla Kemp. As research continues in these court records, I’ve not found any reference to Stephen.

7 MARCH 1816
FRANKLIN COUNTY, VA

Court order

“James Campbell assee v Thomas Stewart. **Sparrel Hale**, Sp^l Bail.”⁴²

³⁷ Franklin Co., VA, Court Order Book, 1811–1817: 171.

³⁸ Franklin Co., VA, Court Order Book, 1811–1817: 228.

³⁹ Franklin Co., VA, Court Order Book, 1811–1817: 240.

⁴⁰ Franklin Co., VA, Court Order Book, 1811–1817: 295.

⁴¹ Franklin Co., VA, Court Order Book, 1811–1817: 299.

⁴² Franklin Co., VA, Court Order Book, 1811–1817: 324.

COMMENT:

This is the first reference I've found to Sparrel Hale in these minutes. From this point on, he appears occasionally as a juror, despite his youth.

1 DECEMBER 1817
FRANKLIN COUNTY, VA

Court order

"**Robert Kemp** is appointed Surveyor of the Road from the Pittsylvania line to the ford of Black Water at Robert Kemps, in place of Matthew Farmer with the allotment of hands filed.

"James **Toney** is appointed Surveyor of the Road from **Henderson's ford** on Black Water to the Richmond Road with the allotment of hands filed."⁴³

2 MARCH 1818
FRANKLIN COUNTY, VA

Court order

Grand jury for this term of court consisted of James S. Hail, Foreman, Isaiah Craghead, Thomas Payne, David Thurmond, William Mullins, **Bowker Mullins**, Thomas **Standley**, Jeremiah **Ferguson**, William Brooks, John Pate, Henry Kingery, William B. Cockran, David Price, Charles Lumsden, **Jourdan Kemp**, Larkin **Standley**, and Jacob Frisburn?"⁴⁴

2 MARCH 1818
FRANKLIN COUNTY, VA

Court order

"**Jourdan Kemp** is Recommended as Capt in 1st Battn. & 110th Regt. in place of George Crump resigned." Tyree G. Newbill as Ensign in the same in the place of **Jourdan Kemp** ~~resigned~~ promoted."⁴⁵

1 JUNE 1818
FRANKLIN COUNTY, VA

Court order

"**Bowker Mullins** serves on jury in case of Commonwealth v Shores P. Turner."⁴⁶

COMMENT:

There are in preceding and subsequent pages a number of suits against Sparrel Hale, individually and jointly with Samuel Hale.

Bowker Mullins continues to serve in other cases this month.

13 JUNE 1818
FRANKLIN COUNTY, VA

Court order

"Jeremiah Barrett v. **Bowker Mullins** — W E set aside —Not Guilty and son assault & issues, a Jury sworn to by the same ... Returned a verdict for the Defendant and Judgment accordingly."⁴⁷

COMMENT:

⁴³ Franklin Co., VA, Court Order Book, 1817–1822: 35.

⁴⁴ Franklin Co., VA, Court Order Book, 1817–1822: 42.

⁴⁵ Franklin Co., VA, Court Order Book, 1817–1822: 45.

⁴⁶ Franklin Co., VA, Court Order Book, 1817–1822: 65.

⁴⁷ Franklin Co., VA, Court Order Book, 1817–1822: 72.

The phrasing used before "... a Jury" in the first court order appears repeatedly in these court orders. It is obviously a form of shorthand for pleas and processes; but I have yet to see it written out in full.

3 AUGUST 1818

FRANKLIN COUNTY, VA

Court order

"Ordered that Ransom Sutherland, Tyree G. Newbill, **Jourdan Kemp**, and William Kemp, or any three of them settle the account current of Joseph Crow, admr. of Fergus Crow decd. and make Report &c."⁴⁸

3 AUGUST 1818

FRANKLIN COUNTY, VA

Court order

Robert Kemp served on jury for case of Commonwealth v Wm. Booth.⁴⁹

7 SEPTEMBER 1818

FRANKLIN COUNTY, VA

Court order

"**Robert Kemp** is appointed Surveyor of the Road from the **K fork** to the **ford** of Black Water at said Kemp's with the allotment of hands filed."⁵⁰

5 OCTOBER 1818

FRANKLIN COUNTY, VA

Court order

"Levy **Dudley** is appointed Surveyor of the Road from Black Water at **Robert Kemps** to Leftwich & Davis' Store in place of Gwin **Dudley**, with the former allotment of hands."⁵¹

COMMENT:

Gwin Dudley's son James was married to a daughter of Robert Kemp and, thus, was the brother-in-law of William Mills-Whitt.

2 NOVEMBER 1818

FRANKLIN COUNTY, VA

Court order

"A List of hands filed to work under Levi Dudley surveyor of the Road from Black Water at **Robert Kemp's** by Leftwich & Davis' Store and from thence to Hendricks Mill."⁵²

3 MAY 1819

FRANKLIN COUNTY, VA

Court order

"On the motion of Stephen **Preston Jr & Co** who paid the Clerk of this County the sum of eighteen Dollars, a license is granted them to keep an ordinary in **German Town** in this County until the first day of May next, they having given bond and security according to law."⁵³

⁴⁸ Franklin Co., VA, Court Order Book, 1817–1822: 81.

⁴⁹ Franklin Co., VA, Court Order Book, 1817–1822: 82.

⁵⁰ Franklin Co., VA, Court Order Book, 1817–1822: 92.

⁵¹ Franklin Co., VA, Court Order Book, 1817–1822: 97.

⁵² Franklin Co., VA, Court Order Book, 1817–1822: 100.

⁵³ Franklin Co., VA, Court Order Book, 1817–1822: 137.

COMMENT:

German Town School is a site in NW Franklin County, N of Black Water and W of Maggoty Creek, around the junction of Highways 687 and 635, about 4 miles as the crow flies from the Roanoke Co. line.

7 JUNE 1819

FRANKLIN COUNTY, VA

Court order

Jourdan Kemp serves on jury.⁵⁴

COMMENT:

This court session refers to the road from **Fleming Saunders' Shop** to **Hairston's Store**. 5 July 1819 minutes (p. 161) appoint Robert Hairston surveyor of the road from Pig River in Fleming Saunder's lane to Samuel Hairston's old place.

TO DO:

Three sets of merchant's account books are identified in these notes for William's years in Franklin. NUCMC and other manuscript catalogs need to be searched to determine whether books from either business still survives and whether he was a customer. Those three are

- Fleming Saunders' Shop
- Hairston's Store
- Leftwich & Davis' store, identified under 2 November 1818.

5 JULY 1819

FRANKLIN COUNTY, VA

Court order

"John Bowman is appointed surveyor of the road from the ford of Maggoty at Slones Mill to the ford of Black Water at Claibornes, in place of Edward Abshire, with the allotment of hands filed."⁵⁵

6 SEPTEMBER 1819

FRANKLIN COUNTY, VA

Court order

"Ordered that the Sheriff of this County out of the Deposition in his hand for the year 1819, pay to John Wills the Clerk of the **Superior Court of Chancery for Lynchburg District** the sum of [\$20.22] being the Counties Quota of a sum necessarily expended by the said John Wills in renting an office for the said Court of Chancery, until one was provided by the corporation of Lynchburg."⁵⁶

4 OCTOBER 1819

FRANKLIN COUNTY, VA

Court order

"**Thomas English** & others against **Stephen English** & others. In Chancery. Stephen English is appointed Special Guardian to the Infant Defendants to defend them in this suit and This cause this day came on to be heard on the Bill & answers, and was argued by Counsel, on consideration whereof the Court doth adjudge order & decree that Joseph Smith, William Smith, John M. Holland, Bernard G. Hendrick, and **Jourdan Kemp** (who are hereby appointed commissioners for this purpose) do assign to **Adra Kemp** one

⁵⁴ Franklin Co., VA, Court Order Book, 1817–1822: 144.

⁵⁵ Franklin Co., VA, Court Order Book, 1817–1822: 161.

⁵⁶ Franklin Co., VA, Court Order Book, 1817–1822: 176.

third part of the Lands and slaves belonging to the **Estate of William English decd**, and that they do after duly advertising the time and place of Sale sell to the highest Bidder the remaining two thirds of the said Estate Consisting of Lands and Slaves, on a Credit of twelve months requiring Bond and good Security to be given by the purchase and assign the proceeds to the Complainants and Defendants equally, except **William Kemp** and **Adra** his wife – and make Report to the Court, giving to the infant Defendants six months after their respective disabilities shall be removed to shew Cause against this Decree.”⁵⁷

COMMA:

Adria was the widow of William English, remarried to a Kemp uncle of Drucilla.

2 NOVEMBER 1819

FRANKLIN COUNTY, VA

Court order

“An Indictment agt. **Sparrel Hale** for Assault & Battery, a true bill.”⁵⁸

COMMENT:

Twelve men are indicted by the grand jury in this term for similar offense, suggesting a group brawl. There have been earlier charges against Sparrel for other misdemeanors and debts.

22 DECEMBER 1819

FRANKLIN COUNTY, VA

Estate sale

Auction of goods of **Wm. English Dec^d**, November 22, 1819. Buyers included: Walter Kemp (2 purchases), Stephen Dudley, Guinn Dudley, Levi Dudley, John Kemp Jr., William Kemp (7 purchases), [*skip 2*], **William Mills** (5 plates, \$.26), Zeb Maxey, William Kemp, Thomas Kemp, Zeb Maxey, William Kemp (4 more purchases) ... William Kemp, Zeb Maxey, **William Mills** (1 Churn), William Kemp, Zeb Maxey, Jordan Kemp, William Kemp (2 more purchases).

“At a Court held for Franklin County the 7th day of December 1829, This account of sale of the Estate of William English dec^d was returned and ordered to be recorded.”⁵⁹

COMMENT:

This William Mills should be the William who married Drucilla Kemp—i.e., now brother-in-law to James Dudley and the Kemps.

5 JUNE 1820

FRANKLIN COUNTY, VA

Court order

“**William Mills** assee v Jn^o Law == Anthony Street Sp^l B^l – Office Jud. set aside – Paym^t & issue.”⁶⁰

COMMENT:

I have not developed sufficient context to determine whether this is William Mills of the Blackwater or William Mills (son of James) of Maggoty Creek.

5 JUNE 1820

FRANKLIN COUNTY, VA

Court order

⁵⁷ Franklin Co., VA, Court Order Book, 1817–1822: 179.

⁵⁸ Franklin Co., VA, Court Order Book, 1817–1822: 188.

⁵⁹ Franklin Co., VA, Will Book 4, With Inventories and Accounts: 59.

⁶⁰ Franklin Co., VA, Court Order Book, 1817–1822: 245.

“On the motion of **James Callaway** by his attorney, a Writ of ad quod damnum is awarded him for the purpose of having the legal Inquest made on his seat proposed for the erection of **Water Grist mill & saw mill** on his own land on **Black Water River** in this county, he being proprietor of the land on both sides of the said Stream, to be executed on the third Tuesday in this month.”⁶¹

6 JUNE 1820
FRANKLIN COUNTY, VA

Court order

“On the motion of the attorney prosecuting for the Commonwealth, It is ordered that **Robert Kemp**, surveyor of the public Road leading from Black Water near his house into the Lew’s Island Road at the K. Fork in this County be summoned to appear here on the first Monday in August next to shew cause why an Information should not be filed against him for not keeping the said Road in repair on the third day of this month and within six months last past.”⁶²

6 JUNE 1820
FRANKLIN COUNTY, VA

Court order

“Common Wealth agt. Lewis Hodges – In six cases

The same v. Reuben Hodges – In two cases

The same v George Ferguson -----

The same v James Young -----

The same v. **William Mills** – in four cases

The same v George Menafee -----

The same v Jeremiah Ferguson -----

“On Presentments for profane Swearing --

“On the motion of the Defendants by their attornies, It is ordered that these several Presentments be quashed. It is the opinion of the Court that Lewis Davis, one of the Grand Jury by Whom the said Presents were made, was not a free holder, and therefore not a legally qualified Grand Juror.”⁶³

COMMENT:

Given that Fergusons and Menafees were kinsmen of Samuel McCarrell in whose presence William Mills-Whitt first appeared in 1806 and for several years thereafter, the coupling here might suggest that the William of this record was William Mills-Whitt. *However*, note below that, in this same court term, Arthur Mills (son of James and brother of William Sr.) gave a deed of trust to Eli *Ferguson*. Apparently both sets of Millses (William of the Black Water and the James Mills offspring of the Maggoty) associated with the Fergusons.

6 JUNE 1820
FRANKLIN COUNTY, VA

Court order

“**James Mills** v Hiram Wright – Writ of Enquiry set aside – not Guilty & son assault. Issue. A Jury sworn to try the same, to wit: Robert T. Woods, **Sparrel Hale**, Elisha Greer, John Craighead, Thomas Heptinstall, Peter Lyon, John Parker, William Price, Eli Ferguson, Lewis Wysong and John Hill & Jesse Saunders returned a verd^t for the Plaintiff for Twenty one dollars Damages and Jud. accordingly.”⁶⁴

⁶¹ Franklin Co., VA, Court Order Book, 1817–1822: 247.

⁶² Franklin Co., VA, Court Order Book, 1817–1822: 254.

⁶³ Franklin Co., VA, Court Order Book, 1817–1822: 255.

⁶⁴ Franklin Co., VA, Court Order Book, 1817–1822: 255.

COMMENT:

This would appear to be the elderly James Sr. The tax rolls imply that James Jr. has died and the 1820 census enumerates Jr.'s widow Nancy as a head-of-household.

On 18 January 1819 Sparrel Hale was a partner with Joseph H. Townes in the mercantile firm of Townes and Hale. See Determined Papers, 1828-29, digital film 8704987 > frame 592.

6 JUNE 1820
FRANKLIN COUNTY, VA

Court order

"William Terry's exors v. William Markham & John Tyree. The Plaintiff filed a Special replication of Estoppel in Writing in the Words following, to wit, 'Terry's exors agt. Markham &c—and the said Robert Campbell Executor &c which replication of Estoppel being overruled by the Court the Plaintiffs filed Special Replication to the Defendants Pleas, and issues being joined thereon, a Jury, to wit, Elijah Cooley, Meredith Dillion, Jonathan Davis, William Stone, **William Mills**, Jacob Stone, Robert Board, Marlin Dillion, Thomas Hale, Otey Taylor, William Cooper, and Hailey Andrews – four ~~Three~~ sev several Exceptions taken by the Pltff to the opinion of the Court – returned a Verd^t for the Plaintiff for Three hundred and seventy four dollars Damages, and on the motion of the Defendants by their attorney, for a new trial, the same is granted them on paying the Plaintiff his costs at this term."⁶⁵

COMMENT:

This juror should be William of Maggoty and Elliott Creek, who owned land with his father amid the Stones.

6 JUNE 1820
FRANKLIN COUNTY, VA

Court order

"A Deed of Trust from **Arthur Mills** to same [Eli Ferguson] ackn^d by the said Eli Ferguson."⁶⁶

7 AUGUST 1820
FRANKLIN COUNTY, VA

Court order

"Com. Wealth v **Robert Kemp** – Rule Disch^d."⁶⁷

COMMENT:

This day was also the official census day in 1820—i.e., the first Monday in August.

8 AUGUST 1820
FRANKLIN COUNTY, VA

Court order

"On the motion of the attorney prosecuting for the Common Wealth It is ordered that **Abraham Abshire** Labourer and Surveyor of the public Road from the ford of **Maggotty** to the forks of the Road Commonly Called the **Carlina [Carolina] Road** thence leading to the forks of the Road at Isaac Nafe's in this County, be summoned to appear here on the first Monday in November term next, to shew cause why an Information should not be filed against him for not keeping the said Road in repair on the seventh day of August 1820 and within the Six months then next preceding."

⁶⁵ Franklin Co., VA, Court Order Book, 1817–1822: 256.

⁶⁶ Franklin Co., VA, Court Order Book, 1817–1822: 256.

⁶⁷ Franklin Co., VA, Court Order Book, 1817–1822: 276.

“Common Wealth v. **Abraham Abshire Sr.** – For reasons appearing to the Court the Presentment made at this term by the Grand Jury agt. the Def. is quashed.”⁶⁸

3 SEPTEMBER 1820
FRANKLIN COUNTY, VA

Court order

“**James Mills** v. Jno. Wright – M^o on D. Bond – Notice Proc^d by the Affi^d of the Dep^y Shff. Defts. called & not appearing, Jud. for Plaintiff according to specicately? & costs.”⁶⁹

9 MARCH 1821
FRANKLIN COUNTY, VA

Court order

“**Wm Mills** assee. v. John Law—plea waved—and dismiss^d as to Joseph Boling.”⁷⁰

COMMENT:

This William appears to be William Mills-Whitt. John Law was taxed annually in Prunty’s District (not the Moses Greer district in which we find the James Mills clan of Maggoty and Elliot Creeks). Law in 1817 submitted his tax list the same day as William Mills-Whitt.

4 FEBRUARY 1822
FRANKLIN COUNTY, VA

Court order

“Sam^l & Sp^l Hale v. **Arthur Mills &c.** Def^{ts} called and not appearing Jud[gment] for Plaintiff according to specialty & Costs.”⁷¹

1 JULY 1822
FRANKLIN COUNTY, VA

Court order

“Ordered that **Levi Dudley** be appointed Surveyor of the Publick Road from **Robert Kemps Ford** on Black Water to the fork of the road at Stephen Englishes, with the allotment of hands filed.”⁷²

1 JULY 1822
FRANKLIN COUNTY, VA

Court order

“**Westley Key**, Henry Akers, and Edw^d Lamberth this day appeared in discharge of a Recognizance entered into by them on the 14th day of June 1822 before Sam^l Hairston a Justice of the peace for this County, for the personal appearance of the said Westley Key also for his keeping the peace towards **Nancy Mills**, and the said Nancy Mills declaring further to prosecute if and upon the Premises, it is Ordered that the said Westley Key, Henry Akers & Edward Lamberth be acquitted and discharged from their undertakeings Severally in the premises.”⁷³

COMMENT:

- Presumably, this Nancy Mills is Nancy Frame, widow of James Jr.
- In December 1850 in Floyd Co., William & Drucilla’s daughter Sally married William H. Key.

⁶⁸ Franklin Co., VA, Court Order Book, 1817–1822: 278, 280.

⁶⁹ Franklin Co., VA, Court Order Book, 1817–1822: 291.

⁷⁰ Franklin Co., VA, Court Order Book, 1817–1822: 338.

⁷¹ Franklin Co., VA, Court Order Book, 1817–1822: 432.

⁷² Franklin Co., VA, Court Order Book, 1822–1824: 26.

⁷³ Franklin Co., VA, Court Order Book, 1822–24: 26.

His parents are not yet identified, but he is said by the 1850 census to be a native of Giles rather than Franklin.⁷⁴

- Past this point in the court-order book, there are pages whose writing is so faded that thorough and reliable reading is impossible.

9 AUGUST 1822

FRANKLIN COUNTY, VA

Court order

Sparrel Hale is now a county justice.⁷⁵

SEPTEMBER 1822

FRANKLIN COUNTY, VA

Court order

“James **Akers** appointed Surveyor of the Road from the **ford of Blackwater at Lamberts**, thence up blackwater &? Millar’s Spur to the Montgomery line on the top of the Mountain, thence along the same to the **bent road** in place of David Peters, with the allotment of hands filed.”⁷⁶

MARCH 1823

FRANKLIN COUNTY, VA

Court order

“On the Motion of **Jordan Kemp** it is ordered that Lewis Hancock, Burwell Law Jr., Benjamin Hancock & Philemon Sutherland, after being first sworn, do view the way for a public Road from the house of s^d **Kemp** into the Public Road leading from the Court house to Loos Island through the lands of **Gabriel Mattox, James Dudley** & Ransom Sutherland, and report to the Court the Conveniences & Inconveniences resulting therefrom as well to the Public as to Individuals.”⁷⁷

COMMENT:

- James Dudley was Robert Kemp’s son-in-law. Jordan is alleged to be Robert’s brother. Robert’s last wife was Sarah Mattox/Maddox.
- Gabriel Mattox’s location is noted here, given his appearances in records created by and for William and Drucilla.
- Ransom Sutherland in 1815 submitted his list on the same day as William Mills. In other years, other Sutherlands/Southerlands submitted on the same day. This road order places them within 3 miles or so of Robert Kemp’s land.

2 JUNE 1823

FRANKLIN COUNTY, VA

Court order

“The Viewers appointed at the Last term to view a way for a Road from **Jourdan Kemps** to the **Lews Island Road** near the **K Fork** having this day reported _____ thereto, On the motion of **Jourdan Kemp** it is ordered that **Gabriel Mattox, James Dudley** and Ransom Sutherland, the Owners of the Lands through

⁷⁴ “Virginia Compiled Marriages, 1740–1850,” *Ancestry* (<https://www.ancestry.com> : 6 February 2020), database entry for William H. Key and Sarah Ann Mills. 1850 U.S. census, Floyd Co., pop. sch., p. 406, dwell./fam. 421–23/421–23. Also 1860 U.S. census, Pulaski Co., TN, “Western District: Newbern P.O.,” p. 29, dwelling/family 198/193.

⁷⁵ Franklin Co., VA, Court Order Book, 1822–24: 49.

⁷⁶ Franklin Co., VA, Court Order Book, 1822–24: 54.

⁷⁷ Franklin Co., VA, Court Order Book, 1822–24: 95.

which it is proposed to run the said Road be Summoned to appear here on the first day of the next Term to shew cause why the said Road should not be opened agreeable to said Report.”⁷⁸

4 AUGUST 1823

FRANKLIN COUNTY, VA

Court order

“On the motion of **Jourdan Kemp**, It is ordered that a Public Road be established from Jourdan Kems to the Lews Island Road near the **K^d fork**, agreeable to the Report of the Viewers and the inquest of the Jury taken and this day returned. And **James Dudley** is appointed to Open the same and then act as Surveyor thereof with the allotment of hands filed.”⁷⁹

1 SEPTEMBER 1823

FRANKLIN COUNTY, VA

Court order

“On the motion of **Gabriel Mattox** by his Attorney, It is moved that Pleasant Dickerson, John Graves, John Glass, William C. Tyree? or any three of them do after being first sworn, View the nearest and best Way for a Public Road from **Jourdan Kems** to the Lews Island road near the **K^e Fork** and to report to the Court what alterations of the new Road lately established will conduce to Public and private Conveniences or inconveniences.”⁸⁰

6 OCTOBER 1823

FRANKLIN COUNTY, VA

Court order

“On the motion of Francis Divers &al. it is ordered that John J. Burwell, Kemuel C. Gilbert, **Robert Kemp Jr.** and Richard Robinson or any three of them ... do view the nearest and best way for a public Road to turn out of the Main Road at Poindexter’s field, thence through the Lands of Daniel Ward, Thomas **Dudley**, crossing Blackwater at Websters old ford, thence to the Jerman Town Road, and to report to the Court the conveniences and inconveniences resulting there from as well to the public and individuals.”⁸¹

2 FEBRUARY 1824

FRANKLIN COUNTY, VA

Court order

“A Deed from ... David Robertson to **Bowker Mullins** ack^d & O R^d”⁸²

4 MARCH 1824

FRANKLIN COUNTY, VA

Court order

Bowker Mullins served on jury.⁸³

7 JUNE 1824

FRANKLIN COUNTY, VA

Court order

Bowker Mullins served on grand jury.⁸⁴

⁷⁸ Franklin Co., VA, Court Order Book, 1822–24: 143.

⁷⁹ Franklin Co., VA, Court Order Book, 1822–24: 179.

⁸⁰ Franklin Co., VA, Court Order Book, 1822–24: 198.

⁸¹ Franklin Co., VA, Court Order Book, 1822–24: 204.

⁸² Franklin Co., VA, Court Order Book, 1822–24: 244.

⁸³ Franklin Co., VA, Court Order Book, 1822–24: 272.

COMMENT:

There continue to be numerous suits against Sparrel and Samuel Hale. Up to this point, I've seen no other man named Sparrel in the records, aside from Sparrel Hale who is, by now, a "gentleman justice." Samuel Hale was deputy sheriff in August 1824 (p. 340). Other justices serving with Sparrel included two of his kinsmen: Peter Saunders and Samuel Saunders (p. 349). Determined Papers for 1829 (FHL digital film 8704987 > image 732) references "Peter Saunders, one of the owners of the Iron Works."

NOVEMBER 1825

FRANKLIN COUNTY, VA

Court order

Bowker Mullins is again on a jury.⁸⁵

2 DECEMBER 1825

FRANKLIN COUNTY, VA

Court order

"**Ruben Mills** v William Pratt?. App^l. By Request of the parties Moses Greer is substituted as a Receiver? in this cause in place of John Sample who is unable to act."⁸⁶

6 MARCH 1826

FRANKLIN COUNTY, VA

Court order

"R _____ Boles? is appointed Surveyor of the Road from the ford of Blackwater at **Robert Kemps** to _____ Lewis Island _____ to Dickenson's Store in place of **Robert Kemp** with the allotment of hands filed."⁸⁷

6 MARCH 1826

FRANKLIN COUNTY, VA

Court order

"An Indictment against **Levi Dudley** surveyor of the Road from **Stephen English** to **Kemp's ford** on Blackwater river for not keeping the same in repair. A true bill."⁸⁸

8 MARCH 1826

FRANKLIN COUNTY, VA

Court order

John Mills serves on jury."⁸⁹

COMMENT:

This is clearly written as Mills, not Miles. However, no "John Mills" has been identified in the county.

21 APRIL 1827

FRANKLIN COUNTY, VA

Summons

William Childress, Peter Teel, John Brown, **Arthur Mills**, and Harvey Clayton were summoned to appear

⁸⁴ Franklin Co., VA, Court Order Book, 1822–24: 289.

⁸⁵ Franklin Co., VA, Court Order Book, 1824–28: 122? [Page numbers at this point are not visible or only partially visible.]

⁸⁶ Franklin Co., VA, Court Order Book, 1824–28: 135.

⁸⁷ Franklin Co., VA, Court Order Book, 1824–28: 150.

⁸⁸ Franklin Co., VA, Court Order Book, 1824–28: 151.

⁸⁹ Franklin Co., VA, Court Order Book, 1824–28: 158.

on 2 October next “to testify and the truth to speak on behalf of Marcus Creasey in a certain matter of controversy then and there depending and undetermined between said Creasey, plaintiff, and Henry T. Callaway Deft.”⁹⁰

7 NOVEMBER 1827
FRANKLIN COUNTY, VA
Court order

Bowker Mullins again serves on jury.⁹¹ (He was also on jury on 7 November 1826, p. 233)

1828
FRANKLIN COUNTY, VA
Court order

Nothing found on the legible pages.

COMMENT:

This record book ends after 5 May 1828. The next record book begins in 1830.

17 AUGUST 1829
FRANKLIN COUNTY, VA
Will

Robert Pasley, last will and testament. Bequests to “heirs of my son Robert Pasley, Decd .. and their mother Frances Pasley; wife; son John Pasley; heirs of **daughter Mary Dudley** Decd, Lewis and **Guin Dudley**; daughter Sally; **daughter Nancy Dudley**; daughter Susannah Wright; daughter Joamia Dillion; son William Pasley; Sarah and Mary Williamson, heirs of my daughter Keziah Williamson Decd., to be held for them until they turn 21; daughter Rhoda Cockran; son Solomon Pasley. Witnesses: Samuel Helm, Jarvis Robertson Jr., Owin Hutts, **Jordan Kemp**, Michael Hutts (x) his mark. Proved 3 January 1831.⁹²

11 MARCH 1830
FRANKLIN COUNTY, VA
Probate sale

Robert Kemp’s estate. Purchases by **Wm. Mills** (items not identified: \$33.53. Significantly more than any other heir.⁹³

29 MAY 1830
FRANKLIN COUNTY, VA
Estate sale

“List of the property sold of **John Webster** on the 29th May 1830 ... **Jesse Mills** D^r To 2 Slays and harness \$1.80.⁹⁴

COMMENT:

- None of the other purchasers were known associates of either William Mills-Whitt (and in-laws) or the Millses of Elliot’s Creek & the Maggoty.
- *FamilySearch’s* FamilyTree asserts (without evidence) that this Jesse was son of Arthur Mills.

⁹⁰ Franklin Co., VA, Determined Papers, 1837, unnumbered, unalphabetized; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3QHV-V38L-7N12?i=695&cat=762228>; accessed 2 January 2020) > image 600.

⁹¹ Franklin Co., VA, Court Order Book, 1824–28, page numbers are worn away in this section.

⁹² Franklin Co., VA, Will Book 3 With Inventories & Accounts: 501–2; imaged, *FamilySearch* digital film 7644995.

⁹³ Franklin Co., VA, Will Book 3 With Inventories & Accounts, 1825–1833: 404–5.

⁹⁴ Franklin Co., VA, Will Book 4 with Inventories & Accounts, 1829–37: 87; *FamilySearch* digital film 7649995.

- No other reference to Jesse has been found in reading these court minutes, deeds, and probate records, suggesting that he was not a permanent resident of Franklin County.

8 JUNE 1830
FRANKLIN COUNTY, VA

Court order

“Inventory & appraisalment of the Estate of **Robert Kemp** decd ret^d & O R^d.”⁹⁵

8 JUNE 1830
FRANKLIN COUNTY, VA

Court order

“**James Dudley** & others against **John Kemp** & others. This cause this day came to be heard upon the purpose? formerly _____ and by consent of the parties the Court doth adjudge, order and de_____ that the Commissioners appointed by an interlocutory decree _____ named in this issue ___ on making distribution of the _____ estate whereof **Robert Kemp** died seized **take into account the advancements made by the said intestate in his life time to his children**, the parties to this cause at the time they were made and report pursuant to the principles of the decree aforesaid not _____ in the order of this day.

“And now this cause again coming on to be heard upon the report of Moses Greer Jr., Matthew B. Nowlin and John M. Holland commissioners in the County appointed by the decree aforesaid to which there is no exception the court upon Consideration doth confirm the same and the Court doth further order adjudge and decree that the rest of the suit be apportioned equally between the Parties to this suit.”⁹⁶

8 JUNE 1830
FRANKLIN COUNTY, VA

Estate division

Robert Kemp’s estate. Heirs:

Widow Sarah Kemp: 177 acres land as her dower, also her one third part of slaves, consisting of Negro man Caleb (\$400) and Negro man Lews (\$275) = \$675.00

James Dudley: “advancements made in decedant’s lifetime” (\$82), 80 acres of land (\$400), 1 Negro woman Hannah and child (\$325) “and **William Mills** to pay him (\$.40) = \$807.40 [to equalize the amounts inherited].

William Mills: “advancements made in the intestate life time” (\$82), lot of land 151 acres (\$400), 2 Negro Boys Jackson & Buck (\$400) and he to pay to Jno. Kemp (\$40.40), James Kemp (\$31.40), Wm. Kemp (\$2.40) and James Dudley (\$.40) = 807.40

William Kemp: “Advancements made in intestate’s life time (\$82), 163 acres (\$523), 1 negro Cynthia (\$200), **Wm. Mills** to pay (\$2.40) = 807.40.

James Kemp: “Amt. of advancements made in the intestator life time (\$351.00), Negro man Neros (\$300), Negro boy Minter (\$125.00) and **Wm. Mills** to pay him (\$31.40).

John Kemp: “Advancements made in the intestates lifetime (\$767) and **Wm. Mills** to pay him (\$40.40) = \$807.40.”⁹⁷

COMMENT:

⁹⁵ Franklin Co., VA, Court Order Book, 1830–35: 6.

⁹⁶ Franklin Co., VA, Court Order Book, 1830–35: 9.

⁹⁷ Franklin Co., VA, Will book 4 with Inventories & Accounts, 1829–37: 163–65.

There follows a description of each heir's land. See image. William Mills's portion is described as:
151 acres beginning at a spanish oak on the river, off 52° E92 poles to pointers on a branch, thence up the same as it meanders 130 poles to a red oak, off S85° E82 poles to pointers, N8° W128 poles to a persimmon tree, N65° W140 poles to a willow on river, then up the same as it meanders to beginning.⁹⁸

3 AUGUST 1830
FRANKLIN COUNTY, VA

Court order

"Ordered that John ___ Bur____, John M. Holland, James _____, Matthew B. Nowlin and E _____ Sutherland or any three of them after being _____ do _____ and settle the account Current of **John Kemp Jr. & James Kemp** administrators of **Robert Kemp decd.** & make report to court."⁹⁹

7 NOVEMBER 1831
FRANKLIN COUNTY, VA

Court order

"**Robert Kemp** [Jr.] came into Court and together with **Gabriel Mattox**, Peter H. Holland, Stephen Smith, and Andrew H. Turner executed their bond to Stephen Dudley and Thomas English in the penalty of \$6000 conditioned to save harmless & indemnify the said Stephen Dudley & Thomas English securities for the said Robert Kemp's administration of the Estate of **Thomas Kemp Decd.**"¹⁰⁰

COMMENT:

In June 1830, neither Robert Kemp Jr. nor Thomas Kemp were named among the heirs of Robert Kemp Sr.

23 NOVEMBER 1831
FRANKLIN COUNTY, VA

Probate sales account

Estate of **Thomas Kemp** ... "**William Mills** to Sundries ... \$10.00." Account filed 6 January 1834.¹⁰¹

7 DECEMBER 1831
FRANKLIN COUNTY, VA

Probate account

"A/ct. of bonds due to the Estate of Robt. Pasley Sr. Dec^d." Bonds ranged from \$356.63 to \$3.81. The smallest was "**Wm Mills** Debt and Int. \$3.81."¹⁰²

30 DECEMBER 1831
FRANKLIN COUNTY, VA

Probate account current

⁹⁸ Franklin Co., VA, Will Book 4: 163. The heir James Dudley married Nancy Kemp by bond dated 19 September 1804; see Marshall Wingfield, *Marriage Bonds of Franklin County, Virginia* (Memphis: West Tennessee Genealogical Society, 1939), 78. To be of age to marry in 1804, Nancy should be a full sister of Drucilla—i.e., the daughter of Millie Edmondson rather than Sarah Maddox. Online trees assert that James Dudley was born about 1784 in Bedford Co. as son of Gwyn Dudley and Mary E. Hail(e). The Hailes were the first family in Franklin to whom I can attach the unusual name "Sparrel" as a given name. After the birth of the first Sparrel Haile in 1797 to the prominent John Haile and wife Theodosia Saunders (daughter of Col. Peter Saunders and Mary Sparrel), a rash of Franklin County boys would be named Sparrel for the next three decades.

⁹⁹ Franklin Co., VA, Court Order Book, 1830–35: 32.

¹⁰⁰ Franklin Co., VA, Court Order Book, 1830–35: 143.

¹⁰¹ Franklin Co., VA, Will Book 4 With Inventories & Accounts: 345–47.

¹⁰² Franklin Co., VA, Will Book 4 With Inventories & Accounts: 67.

“Solomon & John Pasley, Executors of Robert Pasley, decd. In account Current with the Estate of the said Robert Pasley Decd.

“To Cash recd of **John Kemp**: 65.51
“To Cash of **William Mill**: 3.81¹⁰³

[Etc.]

4 JUNE 1832

FRANKLIN COUNTY, VA

Court order

“Account Current of the estate of **Robert Kemp** decd’ Rec’d Cont^d”¹⁰⁴

AUGUST 1832

FRANKLIN COUNTY, VA

Court order

“Dickerson & Nowlin vs. **William Mills**, judgment confessed by the Deft. for \$176.56 cents with legal Interest thereon from the first of March 1832, and the costs, with a stay of Execution until the 1st day of January next.”¹⁰⁵

MARCH 1833

FRANKLIN COUNTY, VA

Legal suit

Frame 686: “Franklin County to wit ... Benjamin Betz complains of Wm. C. Ashworth & Mary Betz in custody &c of a plea Trespass on the case. For that whereas the said plaintiff heretofore to wit on the [blank] day of [blank] in year [blank] at the County aforesaid was lawfully possess^d as of his own property of certain cattle to wit one horse and being so posses^d Thereof he the said plttff afterwards to wit on the day and hour first above mentioned at the County aforesaid casually lost the said horse out of his possession. And the same afterwards to wit on the day & year lost aforesaid at the County aforesaid Came to the possession of the s^d dfts. by finding. Yet the said dfts. well knowing the said horse to be the property of the said plttff & of right to belong & appertain to him but contriving and fraudulently intending craftily & subtly to deceive the said plttff in this behalf hath not yet delivered the said horse to the said plttff. Tho often requested to do so & hath hitherto wholly refused so to do & afterwards on the day & year aforesaid & County aforesaid converted & disposed of the said horse to their own use to damage of the s^d plttff. \$ [blank space] & therefore brings suit. [signed] Wells pq.

Frame 687: “Betz vs Betz’s admrs. This is an action on the Case, no bail req^d. To April rules 1833. Superior Court. Executed on Mary Betzs 22^d March 1833 & on William C. Ashworth the 25th March 1833. **Solomon Pasley** per Patrick Hix Sh.

Frame 688: 11 March 1833. Summons issued to “Mary Betz and William C. Ashworth Administrators with the Will annexed of Conrad Betz dec^d ... to answer Benjamin Betz of a plea of Trespass on the Case, Damage one hundred dollars.”

Frame 692: 10 May 1833. Summons issued to John Frailin.

Frame 694: 2 April 1833. Court orders the sheriff of Franklin Co. to summon “Joel Hauper, Jacob Beckner, Jacob A? Frailin and **William Mills Jr.**”¹⁰⁶

¹⁰³ Franklin Co., VA, Will Book 4 With Inventories & Accounts: 391.

¹⁰⁴ Franklin Co., VA, Court Order Book, 1830–1835: 207.

¹⁰⁵ Franklin Co., VA, Court Order Book, 1830–1835: 238.

¹⁰⁶ Franklin Co., VA, Determined Papers, 1833, unnumbered, unalphabetized; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3QHV-V38L-7N12?i=695&cat=762228>: accessed 2 January 2020), images 684–95.

COMMENT:

The case of Commonwealth vs. “William Dillion son of Arthur” charges him with assaulting Michael Crantz “at William C. Ashworth’s school House.” (1 August 1828, digital film 8704987, frames 249-252, particularly 251)

In December 1828 a summons was also issued to William C. Ashworth, Patrick Hix, John Bowman, Elijah Poteet, Sally Bond, Mary Hix (wife of Jeremiah Hix) and John Pasley as witnesses in the breach-of-promise suit filed by the “infant” Milly C. Bond against Ambrose Abshire (Ibid., frame 702). William Gunson was the “next friend” who sued on Milly’s behalf. Patrick Hix was then the county sheriff. Other witnesses were summoned later, including Jincy Ashworth (image 714). Image 718 has a full list of witnesses, the dates they appeared, and the amounts paid to each—but no mileage..

This William Mills “Jr.” should be the Elliott’s Creek man noted under 1834 below, a man who married into the Shewalter/Showalter family.

5 AUGUST 1833

FRANKLIN COUNTY, VA

Court order

“Grand Jury of inquest included ... John Kemp ... **William Mills Sr.**, Isaac Abshire, Adam Wray, John Arthur Jr.”¹⁰⁷

COMMENT:

The published index to this book cites this as William Mills Jr., but the suffix to the name is clearly a long-tailed ‘S.’ (I am reading these volumes page-by-page, for context, rather than using the published indexes to identify specific “relevant” pages.)

5 AUGUST 1833

FRANKLIN COUNTY, VA

Court order

“Ordered that Samuel Saunders, George Turner, George Standley, and Jacob Prillaman or any three of them after being sworn according to law, do settle the a/c current of **Booker Mullins** admr. of Wm. Mullins dec^d & report &c.”¹⁰⁸

15 AUGUST 1833

FRANKLIN COUNTY, VA

Deed

Blackburn Akers and wife Elizabeth of **Floyd County** sell to James Young of Franklin, for \$96, 290 acres land in Franklin on waters of Nicholases Creek. [Metes & bounds not copied.] Signed Blackburn Akers; Elizabeth her X mark Akers.¹⁰⁹

2 SEPTEMBER 1833

FRANKLIN COUNTY, VA

Court order

“Ordered that John M. Holland, James Robertson, Jordan Robertson, Hopkins Nowlin and **Thos. English** or any three of them after being sworn do state and setele [settle] the account Current of **Robert Kemps**

¹⁰⁷ Franklin Co., VA, Court Order Book, 1830–1835: 327.

¹⁰⁸ Franklin Co., VA, Court Order Book, 1830–1835: 327.

¹⁰⁹ Franklin Co., VA, Deed Book 14 (1833–1836): 99–100; imaged, *FamilySearch* digital film 7894518 > image 395.

Admrs. and make report to Court.”¹¹⁰

18 SEPTEMBER 1833
FRANKLIN COUNTY, VA
Deed

John Kemp and wife Margaret to Robert Hairston, sale for \$250, 341 acres of land conveyed to Kemp by Jacob Prillaman on 29 November 1822. [Metes & bounds not copied.]¹¹¹

13 NOVEMBER 1833
FRANKLIN COUNTY, VA

Probate account current

Estate of **Thomas Kemp, Robert Kemp** [Jr.], adm.

“By cash received of ... **Gabrail Mattacts** \$4.06; By cash received of **Wesley A. White** \$3.70” ...

“Amount Credits brought forward “By Cash received of **William Mills** Debt. in \$10.25.”¹¹²

COMMENT:

Gabriel Maddox was a brother of Drucilla’s stepmother, Sarah Maddox (daughter of Nathan).

The presence of “Wesley A. White” in the estate settlement of Thomas Kemp could be of considerable significance to the identity of Thomas’s in-law, William Mills. Consider these points:

- In August 1827, in Giles County, **Wesley White, David Mills**, Benjamin White [first cousin of David Mills], John Conner, Zachariah Crawford and a couple of dozen others were jointly given a title-clearance deed by James and Charlotte Hector covering lands they had purchased “on the N side of Bluestone River, Giles County,” beginning on the S “side of a ridge, near the forks of a branch & near Jas. White’s corner.”¹¹³
- David Mills was the son of Samuel Mills of Giles, the premarital son of Frances “Frankey” (Mills) White, one of the two potential mothers for William Mills-Whitt.
- The Wesley White of Giles almost certainly was a son of David Mills’s grandmother Frances by John White Sr., whom she married in 1792, Montgomery County. Wesley should not be confused with his same-aged half-uncle Benjamin Wesley White, son of Benjamin White and grandson of John White Sr.
- John Conner and Zachariah Crawford were the two men whose 1816 and 1817 Giles Co. leases of land from John Toney were witnessed by **William Mills**. Exhaustive research on Frances and Samuel Mills and their White kin in the resources of Montgomery and Giles Counties reveals no other William Mills connection.
- This “Wesley A. White” does not appear on the Franklin County tax rolls of 1827–35, not even in this year 1833 (and on through 1835) when all male tithables are named whether they had taxable property or not. He does not appear to have been a resident of Franklin. That point raises a question: *Why was he (like William Mills) indebted to William’s in-law?*

TO DO:

Pursue this Wesley White to determine whether he is or is not the Giles County man.

3 FEBRUARY 1834
FRANKLIN COUNTY, VA

¹¹⁰ Franklin Co., VA, Court Order Book, 1830–35: 340.

¹¹¹ Franklin Co., VA, Deed Book 14 (1833–1836): 45–46; imaged, *FamilySearch* digital film 7894518 > image 358.

¹¹² Franklin Co., VA, Will Book 4 With Inventories & Accounts, 1829–37: 245–47.

¹¹³ Giles Co., VA, Deed Book C: 414. DB C does not have its own index at back or front.

Court order

“Account Current of the admrs. of **Robert Kemp** decd the same [Returned and Continued].”¹¹⁴

3 FEBRUARY 1834

FRANKLIN COUNTY, VA

Estate sale

Stephen King, decd. Buyers included **Booker Mullins** and Joseph Mullins. Also “Perigin **Mills** [Miles] \$4.44.” Other purchases were Luke Standley, William Clay, “Samuel Smith of Town Creek.” Items not identified.¹¹⁵

COMMENT:

The name Mills is clearly written as such in this document. An earlier document in this book also dealt with “Perigine Wills.” The name at that point was very clearly written with a “W”, with the open space at the top and sharp points on the bottom, while surrounding words beginning with “M” were written with very rounded tops on the “M” and open bottoms.

4 MARCH 1834

FRANKLIN COUNTY, VA

Court order

“Account Current of the admrs. of **Robert Kemp** decd the same [Returned and Continued].”¹¹⁶.

13 MARCH 1834

FRANKLIN COUNTY, VA

Deed

Solomon Pasley and Milly his wife, with Solomon also acting for “**John Kemp** of the County of **Callaway, Mo.** in the State of Missouri, by letter of attorney dated 10 September 1831, to sell 204 acres conveyed to Kemp and Pasley by Nancy Benson and Judea her mother on 30 January 1819, lying on Waters of Staunton River, now sell the land to Robert Craghead for \$800. [Metes & bounds not copied.]¹¹⁷

COMMENT:

Cragheads were also Kemp kin.

27 MAY 1834

FRANKLIN COUNTY, VA

Deed of trust

William Mills Jr. of the County of Franklin to Daniel Ferguson of same. “Whereas the said Wm Mills Jr. is indebted to Sally Shewalter” for \$127.10, with lawful interest from this date, Mills gives a deed of trust, to be held by Ferguson, who has paid \$1, for “half of one tract of land containing 74 acres” in Franklin County adjoining Jacob Peters, Abram **Teel**, “being the same bought of Jacob Peters by Sally & Polley Shewalter,” also 5 head of cattle, 4 head of hogs, 4 beds & bedsteads and furniture, 1 Bureau, 1 chest, 1 flax wheel, 1 cotton wheel, 1 candle stand, 6 chairs, 1 coffee mill, 1 looking glass, 1 table, 1 pot, 1 dutch oven, 1 skillet, 1 frying pan, a parcel of Crockery & earthen ware, 1 side saddle, 2 bar Shir plows. On condition that William Mills pay the due sum on or before 25 December 1837. Signed: William his x mark Mills Jr., Daniel Ferguson, Sally Shewalter.¹¹⁸

¹¹⁴ Franklin Co., VA, Court Order Book, 1830–35: 372.

¹¹⁵ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 122–23.

¹¹⁶ Franklin Co., VA, Court Order Book, 1830–35: 384.

¹¹⁷ Franklin Co., VA, Deed Book 14 (1833–1836): 78–80.

¹¹⁸ Franklin Co., VA, Deed Book 14 (1833–1836): 117; imaged, *FamilySearch* digital film 7894518.

COMMENT:

This William Mills should be the William of 3 February 1836, below, who (as “Sally Showalter & William Mills and his wife Polly”) deeded 74 acres on “Elects” [Elliott’s] Creek to Daniel Nafe and then dropped from the county tax rolls.

He appears to be the William Mills who was intermittently taxed thereafter in Floyd with Larken and Anderson Mills who also lived intermittently in both counties.

2 JUNE 1834

FRANKLIN COUNTY, VA

Court order

“A Deed of Trust from **Wm. Mills** to Danl. Ferguson – Ack^d & O. R^d.”¹¹⁹

COMMENT:

This would be the deed of trust dated 27 May 1834, above, executed by “William Jr.”

31 OCTOBER 1834

FRANKLIN COUNTY, VA

Deed

William Mills and Siller Mills his wife of the first part, **Solomon Pasley** of the second part, and **Guin Dudley Sr.** of the Third part. Whereas William Mills is indebted to Guin for \$205.62 by note dated 31 October 1834 and William Mills and Siller his wife are willing to secure the debt. Pasley, as trustee, has paid Mills \$1 and will hold the title to

One certain tract or parcel of land lying and being in the County of Franklin, on Blackwater River and Standerfer’s Creek, containing 150 acres described as

Beginning at a Spanish oak in the river off S 20? [30?] E 93 poles to pointers on a branch, Thence up the same as it meanders 130 poles to a red budd Off S 85 E 82 poles to pointers, N 8W 128 poles to a tree, N 65 West 140 poles to a willow on the river, up the same as it meanders to the beginning

Also two horses, one a bright the othe[r] a dark bay, 7 head of cattle marked with a swaller fork in each ear, 1 house of tobacco, 5 stalks of oats, 3 blade stacks, 3 top stacks, the crop of corn which is now on the plantation, 3 beds, bedsteads, and furniture, 6 chairs, 1 pot, 1 oven, 1 skillet, 6 plates, 2 dishes, 1 set knives & forks?, 1 Cotton wheel, 1 flax wheel, 1 table, ____ of flax, 1 fire shovel, 2 water vessels, 1 powdering? tub, 1 set shewmakers tools, set of cups and saucers, 4 poles axes, 3 ____ hoes, 2 ploughs, plough gear, one mattock, one dozen Turkeys, 4 hens, 2 soller?, 1 churn, 2 augurs, 1 hand saw, 1 drawing knife. Signed William his X mark Mills; Siller her x mark Mills.¹²⁰

COMMENT:

Much of this document is faded to the point that a complete transcription is unfeasible.

The following comparison of items mortgaged in this deed of trust with those in the mortgage executed in May 1834 by “William Mills Jr.” without a wife’s participation, includes both significant similarities and significant differences.

¹¹⁹ Franklin Co., VA, Court Order Book, 1830–35: 400.

¹²⁰ Franklin Co., VA, Deed Book 14 (1833–1836), 214–16; FS digital film 7894518, images 443–44.

May 1834 Deed, "William Mills Jr."

½ tract of land, 74 acres
 5 cattle
 4 beds, bedsteads, furniture
 6 chairs
 1 pot
 1 dutch oven
 1 skillet
 1 parcel of crockery & earthen ware
 1 cotton wheel
 1 flax wheel
 2 ploughs

Other items

4 hogs
 1 bureau
 1 chest
 1 candle stand
 1 coffee mill
 1 looking glass
 1 frying pan
 1 side saddle
 1 coffee mill
 1 looking glass

October 1834 Deed, "William Mills" & wife Siller

150 acres
 7 cattle
 3 beds, bedsteads, furniture
 6 chairs
 1 pot
 1 oven
 1 skillet
 6 plates, 2 dishes
 1 cotton wheel
 1 flax wheel
 2 ploughs & gear

Other items

1 mattock
 1 dozen turkeys
 4 hens
 2 sollers?
 1 churn
 2 augurs
 1 hand saw
 1 drawing knife
 1 tobacco house
 5 stalks oats
 3 blade stacks
 3 top stacks
 crop of corn

The two have similarities but are not the same. The William of the May 1834 deed of trust sold that 74 acres in 1836 (see below) via a deed that named the landowners as "Sally Showalter & **William Mills** and his wife **Polly**."

26 JANUARY 1835
FRANKLIN COUNTY, VA
 Deed

William Mills Sr. and Betsey his wife, to Henry Stover, all of Franklin Co., sale, for \$6 paid by Stover, the receipt whereof is hereby acknowledged, conveys one tract of land "containing 2 acres more or less on the waters of Elliots Creek in Franklin County described as

Beginning at a chesnut tree near the road, thence up a branch to a rock, thence SE 20 po. to a do__chesnuts, thence 2? E to the road and with it to the beginning.

Both sellers made their marks. No witnesses are named. J.P.s Patrick Hix and Joab Early certify that Mills appeared before them on 26 January 1835 and acknowledged the same as his act and deed. They also certify that Betsey Mills, wife of William, appeared before them and relinquished her dower rights the same day.¹²¹

¹²¹ Franklin Co., VA, Deed Book 14 (1833–1836): 262–63; imaged, *FamilySearch* digital film 7894518 > image 467.

COMMENT:

- This William Sr. would be the son of James, married to Elizabeth Abshire.
- Two acres was typically the size of a mill or ferry site.

19 FEBRUARY 1835

FRANKLIN COUNTY, VA

Deed

Edward Gray of the first part, Cary Gray of the second part (both residents of Franklin Co.) and **Robert Wiley** of the **County of Floyd** as party of the third part, Deed of Trust. "Whereas the said Robert Wiley was the security for the said Edward Gray for the sum of \$51.50 on a bond executed by him and the said Robert Wiley to Charles Willis adm. of David Willis and whereas the said Robert Wiley ... has paid a large portion of the said debt and has assumed and undertaken to pay the balance thereof on the first of March next for the said Edward Gray ... Edward Gray has agreed ... to secure and save the said Robert Wiley harmless [within] twelve months ... to pay the money aforesaid, so advanced." Therefore Edward Gray gives a deed of trust on 1 gray mare, 1 cow and calf, 1 rifle Gun, 2 beds and furniture, all the ___ of his household furniture, 1 man's saddle, 10 barrels of corn, and a parcel of oats and fodder. Edward Gray signed.¹²²

COMMENT:

William and Drucilla Kemp gave the name "Robert Wiley" to the son they produced in 1826. No evidence suggests a reason for their choice of that name. One Robert Wiley, prior to Floyd County's creation, was a merchant (c1810) in Botetourt County. William and Drucilla in the late 1840s, would move to Floyd County.

On 21 March 1835 (p. 279), Cary Gray executed a mortgage for his land, placing it on Daniel's Run. **Daniel's Run** was the waterway at the mountain gap between Franklin and Floyd, extending into Floyd as a branch of Little River. See my Floyd Co. notes.¹²³

However, the 17 August 1837 bail bond, below, suggests that the William Mills who was a Gray associate was William Sr. of the Maggoty and Elliott's Creek, husband of Elizabeth Abshire.

3 FEBRUARY 1836

FRANKLIN COUNTY, VA

Deed

Sally Showalter & **William Mills** and his wife **Polly** of the one part, and Daniel Nafe of the other part, Witnesseth that the sd. Sally Showalter & William Mills and Polly his wife," for \$362.00 in hand paid, sell to Daniel Nafe a tract of 74 acres on "Elects" [Elliott's] Creek in Franklin County described as

Beginning at a forked red oak in the old line, thence N 21 W 108 poles to a White oak, N 37 W 120 poles to pointes in Jacob Peters line, thence with it E 50 poles to a black Jack South 32 E 60 poles to a red Oak, S 60 E 24 poles to a white oak, S 20 E 121 poles to a stake in **Sample's line**, with it S 62 W 44 poles to the beginning.

Signed: Sally her X mark Showalter; William Mls [sic], Poly [sic] Mills.

5 March 1836, J.P.s Benj. Booth and Ste. Wood certify that Polly came before them to relinquish her dower. They submitted the document for recording on 9 March 1836.¹²⁴

¹²² Franklin Co., VA, Deed Book 14 (1833–1836): 270; imaged, *FamilySearch* digital film 7894518 > image 471.

¹²³ E. S. Mills, "Mills & Associates of Floyd County, Virginia: Conner, Idding, Key, Light, Smith (Bird & John), Walters, Wilson," report to file, 1 September 2021; archived at *Historic Pathways* under the "Research" tab.

¹²⁴ Franklin Co., VA, Deed Book 14 (1833–1836): 448–49; imaged, *FamilySearch* digital film 7894518 > image 561.

7 AUGUST 1836

FRANKLIN COUNTY, VA

Estate settlement

Jesse Webster, decd., account current. "George McVay & Polly Webster, Administrators. In a/c with the Estate of Jesse Webster Decd. ... One Bond on **Arthur Mills** due 4th day of February 1836 for \$3.61."¹²⁵

17 AUGUST 1837

FRANKLIN COUNTY, VA

Special bail bond

"**William Mills** of the said county personally appeared before me, J. P. Woods deputy Sheriff for Peter Saunders Sheriff of the county aforesaid, and undertook for **John Gray** at the suit of Peter Abshire who sues for the Benefit of Thomas __ Jones in an action of Debt for Fifty Dollars now depending in the Superior Court of the county aforesaid, that in case the said John Gray shall be cast in the said suit, the said John Gray will pay and satisfy the condemnation of the Court, or render his body to prison, in execution for the same, or that **William Mills** ... will do it for him. Given under my hand, this 17 day of Augst 1837, J. P. Woods. William Mills & Jno. Gray have acknowledged the above recognizance of bail, and in testimony thereof, have hereunto affixed hand and seal this 19 day of Aust. 1837. [Signed] William (his X mark) Mills."¹²⁶

COMMENT:

The Abshire connection suggests this is William Mills Sr., husband of Elizabeth Abshire.

24 AUGUST 1837

FRANKLIN COUNTY, VA

Summons

William Childress, Peter Teel and **Arthur Mills** were summoned to appear on 2 October next "to testify and the truth to speak on behalf of Marcus Creasey in a certain matter of controversy then and there depending and undetermined between said Creasey, plaintiff, and Henry T. Callaway Deft."¹²⁷

1 JANUARY 1838

FRANKLIN COUNTY, VA

Probate account

"This Account Current of Moses Janney and **Sparrel Janney**, Guardians of the Infant Children of Aaron Janney decd was returned and continued for exceptions."¹²⁸

COMMENT:

This is the first reference I've found in the county to an adult named Sparrel, other than Sparrel Hale whose grandmother was a Sparrel. This Sparrel Janney was of legal age, placing his birth before 1 January 1817—about the time that Sparrel Hale was coming of age. Subsequently, there grew to adulthood in Franklin many young men named Sparrel.

¹²⁵ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 6.

¹²⁶ Franklin Co., VA, Determined Papers, 1837, unnumbered, unalphabetized; imaged *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3QHV-V38L-7N12?i=695&cat=762228>; accessed 2 January 2020) > image 510.

¹²⁷ Franklin Co., VA, Determined Papers, 1837, unnumbered, unalphabetized; imaged *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3QHV-V38L-7N12?i=695&cat=762228>; accessed 2 January 2020) > image 596.

¹²⁸ Franklin Co., VA, Will Book 5 with Inventories & Accounts, 1837–45: 94.

3 APRIL 1838

FRANKLIN COUNTY, VA

Summons

William Childress, Peter Teel, **Arthur Mills**, and John A. Smith were summoned to appear on 2 May next “to testify and the truth to speak on behalf of Marcus Creasey in a certain matter of controversy then and there depending and undetermined between said Creasey, plaintiff, and Henry T. Callaway defendant.”¹²⁹

12 JULY 1838

FRANKLIN COUNTY, VA

Estate account current

“This Estate of Peter Holland dec^d In Acct Current with John M. Holland Exor. ...

“11 June 1838 By Cash [Received] of John Holland in part his bond \$101.00

“12 July 1838 By Cash [Received] of **Wm. Mills** debt & Interest \$9.44

[*skip several*]

“2 February 1838 By Cash of Holland & **Dudley** in part bond \$65”

[Numerous entries follow for “Holland & **Dudley**, different dates]

[Signed] 4 July 1840 J. S. Burwell, Joseph Rives.¹³⁰

COMMENT:

The extent to which the Dudleys were involved in this estate suggests the William Mills of this document is the Dudley in-law—i.e., husband of Drucilla Kemp.

3 MARCH 1840

FRANKLIN COUNTY, VA

Estate inventory

“Commonwealth vs. Wm. Moore – New Summons awarded returnable to 1st day of June Court next ... The same agt. **Saml. Mills** – the same.”¹³¹

COMMENT:

William and Drucilla’s son Samuel E., born February 1818, is now of age. No other Samuel Mills has been placed in the county.

2 JUNE 1840

FRANKLIN COUNTY, VA

Estate inventory

“Commonwealth agt **Samuel Mills** – Defts motion to quash the Information filed in this cause overruled & exceptions filed &c and [pleads] not guilty & issue & a jury sworn to try the same to wit Wiley Ferguson, Robert P. Hairston, Daniel K. Forgie, Creed H. Adams, Foster James, Thomas **Dudley Jr.**, Wiley Easter, Matthias Crook, Stewart Tinsley, Jacob Fishburn, Peter Fisher & Abel Long & not agreeing on a verdict, a Juror withdrawn & the cause contd till August Court next.”¹³²

4 AUGUST 1840

¹²⁹ Franklin Co., VA, Determined Papers, 1837, unnumbered, unalphabetized; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3QHV-V38L-7N12?i=695&cat=762228>; accessed 2 January 2020) > image 598.

¹³⁰ Franklin Co., VA, Will Book 5 with Inventories & Accounts, 1837–45: 284–91, particularly p. 285 for Wm Mills.

¹³¹ Franklin Co., VA, Order Book 1836–1840, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-L?i=177&cat=397106>; accessed 8 January 2020) > image 178.

¹³² Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SSX3-B?i=194&cat=397106>; accessed 8 January 2020) > image 195.

FRANKLIN COUNTY, VA

Court order

“Commonwealth vs. Caleb Hodges – not guilty [plea] & issue & a jury sworn to wit Joel Cooper, Iles Cooper, Wm. Galaspy, Jno. R. Forbes, Jno. B. Lyon, **James H. Mills**, Samuel I. Hog, Gwinn Dudley, Wm. Willard, Peyton Standley, Robt. Pinckard & Jno. Young & returned a verdict of not guilty & judgment accordingly.”

“The same vs. **Saml. Mills** – contd.”¹³³

COMMENT:

James H. Mills was the eldest son of William and Drucilla.

4 NOVEMBER 1840

FRANKLIN COUNTY, VA

Court order

“The same [Commonwealth] vs. **Saml. Mills** – contd.”¹³⁴

25 DECEMBER 1840

FRANKLIN COUNTY, VA

Estate account

“Thomas B. Greer, Trustee, for the wife of William Webb and Children, in Account Current, with the same up to the 25th December 1840. ...

1836	To this amount due as per Negro’s hire	\$8
1837	To this sum the hire of Patt	20
	To Ditto the Hire of Mary	15
	To Ditto the Hire of Jim	25
	To Ditto the Hire of Sparrel	12

COMMENT:

This set of entries is repeated, more or less, through 1840.

“1840 ...

No. 7

“Ditto [By this amt. paid ...] to Col^o Thones [Thomas] for Services rendered and to be rendered in the Suits relative to the rights of Webb wife & Children to the Negroes ... \$30

“By Order on Anderson Mills	8.50
“By rent of my place for the year 1840	15.00

No. 6

“By Wimmers Order	1.25
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No. 5

“By Clerk’s Tickets	6.11” ¹³⁵
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¹³³ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 203.

¹³⁴ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 216.

¹³⁵ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 197–99, particularly p. 99 for Anderson Mills.

COMMENT:

The “my place” mentioned in this case appears to be a self-reference by Thomas B. Greer, the man who is compiling this account.

2 MARCH 1841

FRANKLIN COUNTY, VA

Court order

“Commonwealth vs. **Saml. Mills**, a jury sworn to try the issue joined to wit: Saml. Patterson, Benjn. T. Bird, **Hiram Mills**, John Crum, Luke Bird, Stephen Martin, Wm. Poteet, Henry Thurmon, Daniel Shiveley, Booker Law, James Martin & Elijah Campbell and returned a verdict of not guilty and judgment accordingly and rule agt. **Wm. A. Burwell** a witness for the commonwealth discharged.”¹³⁶

COMMENT:

The fact that Hiram Mills served on the jury trying Samuel Mills cannot be taken to mean that the two were not related. Had they been brothers or father and son, Hiram would not serve; but these court minutes are full of cases in which we see more-distant kinships between jurors and parties to the suits they decided.

Hiram Mills is the older brother of William A. Burrel Mills, who bore the same name as the man who charged Samuel Mills with the unidentified offense that brought him into court.

7 JUNE 1841

FRANKLIN COUNTY, VA

Court order

“**Solomon Pasley** is appointed Surveyor of the road from **Kemp’s ford** on Blackwater to the Gills Creek road in place of Jordan Robertson with the former list of hands.”¹³⁷

13 SEPTEMBER 1841

FRANKLIN COUNTY, VA

Will

“Know all men by these presents that I **William Mills** of the County of Franklin and State of Virginia, Being weak in body, but in perfect mind and memory, thanks be to God for his mercies bestowed on me, do make and ordain this my last Will and Testament in the following manner. First of all is my desire that all my just debts and funeral expenses be paid out of my Estate that it has pleased God to bless me with. Secondly I will and bequeath to my beloved **wife Elizabeth Mills** the whole of my Estate during her life consisting of my land that I live on, also two head of Horses, Seven head of Cattle, Sixteen head of Hogs, Eight head of Sheep, together with all my Household and Kitchen furniture, Plantation Utensils &c. If my **Daughter Patsey** lives with her mother until she marries, her mother is [to] furnish her with a Bed and Bed furniture left at the discession of her mother. Now it is my request that my son **Burrel W. Mills** at the death of his mother shall have the Land I live on containing 127 acres be the same more or less it is also my request at the death of my wife that my Estate that will be at my wife’s death, Land excepted, shall be sold and equally divided between my six Children namely **Hiram Mills, George Mills, Leona Mills, Betsy Mills, Katharine Rucker, Patsey Mills** also **James Otey Mills** is my **grandson** if he lives with my wife until he is of age, he is to have an equal part with the above named six children. I leave my Shot Gun for the benefit of the Plantation. Now *if my son Burrel should marry or leave his mother* it shall be

¹³⁶ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 230.

¹³⁷ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 237.

left in the hands of my Executors to rent or lease the land for the benefit of my wife during her life. Also I desire that my present Crop of all kind shall be left to my wife and family that lives with her, for their support, and pay my just debts. Last of all I constitute and appoint my wife **Elizabeth Mills & Hiram Mills** as sole Executors to my last Will and Testament. As witness my hand and seal this 13th day of September in the year of our Lord 1841.

Signed: **William X his mark Mills**. Witness: Gabriel Swanson, Anderson Starkey, Henry Stover.

At a court held for Franklin County at the Courthouse the 2nd day of November 1841, This last Will and Testament of William Mills decd was produced in Court & proved by the oath of Anderson Starkey and Henry Stover two of the subscribing witnesses to said Will and ordered to be recorded. Also on the motion of Hiram Mills the Executor therein named, who made oath & gave bond & security according to law, certificate is granted him for obtaining a probat[e] thereof in due form. Elizabeth Mills the Executrix named in said Will, appearing in Court & refusing to qualify as such. Teste: Moses G. Carper, C.F.C.”¹³⁸

COMMENT:

Clearly the “William Mills Jr.” of 1834 was not the unmarried “Burrell William,” aka William A. B.

13 SEPTEMBER 1841
FRANKLIN COUNTY, VA
Estate inventory

“Appraisement of the Personal Estate of George Webster Decd. ... scythe, cradle, pair of lasts, pistol & caps, razor, cloth brush, small book, clock, lot of castings, ink stan[d] small foremant[s] to Cust Screws,” 1 Leather apron, 1 pocket book, 1 money pass.” \$17.12 ½ total. Submitted by Steward Tinsley, William B. Brock Jr., **Hiram Mills**, James G. Wright, Administrator.¹³⁹

NOVEMBER 1841
FRANKLIN COUNTY, VA
Court order

“On the motion of William A. Street (& at the request of **Nancy Dudley**, widow of **James Dudley** decd.) who made Oath and gave bond & security according to law, certificate is granted him for obtaining letters of administration on the estate of the said James Dudley decd. in due form.

“Ordered that Gwyn Dudley, Christopher Booth, John A. Burwell, Andrew S. Brooks, and Benjamin Semones or any three of them, after being sworn for the purpose, do appraise in current money, the personal estate of James Dudley decd and return the appraisement to court.”¹⁴⁰

“John Jesse is appointed Surveyor of the road from **Col. Hairston’s old store** to the forks of the **Dug Spur & Daniel’s Run Road** in place of James Shepherd with the list of hands filed.”¹⁴¹

COMMENT:

Nancy Dudley was née Kemp, a sister of Drucilla.

2 NOVEMBER 1841
FRANKLIN COUNTY, VA
Court order

“The last Will and Testament of **William Mills** decd. was produced in Court & proved by the oath of **Anderson Starkey** and **Henry Stover**, two of the subscribing witnesses to said Will and ordered to be

¹³⁸ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 336.

¹³⁹ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 350.

¹⁴⁰ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 257.

¹⁴¹ *Ibid.*

recorded. And on the motion of **Hiram Mills**, the executor therein named, who made oath & gave bond & security according to law, certificate is granted him for obtaining a probat [sic] thereon in due form. **Elizabeth Mills**, the Executrix named in said will, appearing in court & refusing to qualify as such. Ordered that **Stephen Keslar, Anderson Starkey, and Henry Stover**, after being sworn for the purpose, do appraise in current money the personal estate of Wm. Mills decd. and return the appraisement to Court.” ...

“Hannah Webb agt. Fisher & Anderson. A Jury sworn to enquire of damages, to wit: **Hiram Mills**, Harvey Hiett, Geo. W. Crump, Jno. W. Poindexter, Joseph Horsley, William Waid, John Potter, Abram Childress, Fleming Forbes, Wm. B. Beach, Austin Starkey & Hay Turnbull, and assessed the plaintiffs damages to \$48.00 with interest from the 27th day of December 1839, & judgment accordingly.”

“Commonwealth agt. Abram Crum—a Jury sworn to wit: **Hiram Mills** [etc. as above] & returned a verdict of not guilty & judgment accordingly.”¹⁴²

2 NOVEMBER 1841
FRANKLIN COUNTY, VA
Court order

“Dudley & al agt. Dudley & al. In Chancery. **Thomas Dudley** is appointed guardian ad litem to the infant defendants **Julia & James A. Dudley** to defend their rights in this suit. And now this cause came on this day to be heard by consent, on the bill, the answers of the defendants, the exhibits & examination of witnesses and was argued by counsel, on consideration whereof the Court doth adjudge, order and decree that John S. Burwell, John M. Holland and Joseph Rives be appointed Commissioners for that purpose (any two of whom may act) do go upon the lands of which **James Dudley** died seized, and allot one third thereof to **Nancy Dudley** his widow, for her dower, having regard to quantity as well as quality, and that they also allot her one third of the negroes—that the same Commissioners or any two of them, after advertising the time and place of sale, sell at public auction at the late residence of James Dudley decd. the remainder of the lands & negroes aforesaid, the lands on a credit of one & two years and the slaves on a credit of twelve months, taking bond and approved security of the purchasers, and that they report their proceedings to the court in order to a final decree.”¹⁴³

6 DECEMBER 1841
FRANKLIN COUNTY, VA
Court order

“Ordered that Steward Tinsley, Wm. B. Beach and **Hiram Mills**, after being sworn for the purpose, do appraise in current money the personal estate of George Webster decd. and return the appraisement to court.”

“Ordered that **Henry L. Muse, Pleasant Dickenson, John S. Brown, William Hutcherson & Henry Frailin** or any three of them be appointed Commissioners to divide and assign to the legal heirs of **Benjamin Hobson** decd. the **dower slaves** of **Mary Ann Hobson** late widow of said **Benjamin Hobson**, if the same can be divided in kind & if not, that they then appraise the said dower slaves and make report to court.”¹⁴⁴

COMMENT:

¹⁴² Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 260.

¹⁴³ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 261.

¹⁴⁴ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 263.

The use of this record to determine the parentage of Samuel E. Mills's wife is being developed in a separate research report.¹⁴⁵

7 FEBRUARY 1842
FRANKLIN COUNTY, VA
Court order

"On the motion of Joseph Hiatt, it is ordered that Jacob Fishburn, Thomas Frith, Charles R. Mason and **William Menafee** or any three of them, do view a way for a proposed alteration of the road from the ford of the creek at **George Menefee's** plantation on **Chesnut Creek** to the top of the ridge at Joseph Hiatt's plantation and report to Court the conveniences & inconveniences resulting therefrom as well to the public as to individuals."¹⁴⁶

COMMENT:

Chestnut Creek was a branch of Pigg River, southwest of Kemp's Ford on the Blackwater.

5 MARCH 1842
FRANKLIN COUNTY, VA
Estate settlement

"Andrew S. Brooks Administrator of William Robbins deceased in account Current with the Estate of the said William Robbins Deceased ... 7 August 1837 Amount paid **James Patterson** former shff, as pr List of sundry Tax Accounts \$22.49." The account's last entry is dated 5 March 1842 and the account was filed for recording that day in county court.¹⁴⁷

COMMENT:

On 17 December 1841, when William Mills's second-born son Samuel E. Mills took out a bond to marry the younger Mary Ann Hobson, James Patterson was his bondsman.¹⁴⁸

4 JULY 1842
FRANKLIN COUNTY, VA
Court order

"Ordered that **Henry L. Muse, Wm. A. Street, Pleasant Dickinson, and William Hutcherson** or any three of them after being sworn for the purpose, do state and settle the account current of **Samuel Patterson**, Exor. of Saml. Patterson decd. and make report to court."¹⁴⁹

COMMENT:

Muse, Dickinson, and Hutcherson, in December 1841, were appointed to lay off the dower slaves of Mary Ann Hobson, widow of Benjamin Hobson. Eleven days later, another Mary Ann Hobson married Samuel Mills, with James Patterson as bondsman.

2 AUGUST 1842
FRANKLIN COUNTY, VA
Court order

¹⁴⁵ E. S. Mills, "Hobson Records in Franklin County, Virginia," report to file, 15 September 2021; to be archived at *Historic Pathways* under the Research tab.

¹⁴⁶ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 266.

¹⁴⁷ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 384.

¹⁴⁸ Franklin Co., VA, Marriage Bond 2857.

¹⁴⁹ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 295.

“**James Dudley**’s admr. agt. **Wm. Kemp**. A jury sworn to inquire of damages to wit: William Young, Jacob G. Mackenheimer, Frederick R. Brown, Robert P. Hairston, Edwd. Lambert, Geo. Hutchison, Jesse Law, Harvey Hutt, Stephen Martin, Jas. C. Harper, Wm. Campbell, and Wm. L. Stockton, & returned a verdict for the plaintiff for \$25.27 cents damages with interest from 10 Sept. 1836 till paid & judgment accordingly.”¹⁵⁰

COMMENT:

William Kemp was brother-in-law of the late James Dudley.

21 OCTOBER 1842

FRANKLIN COUNTY, VA

Court order

“John H. Wade Plff against **Richard Nunley** Deft. In Debt. This day came the parties in their proper persons and thereupon the defendant acknowledges the plaintiffs action for the debt & interest in the writ of capias mentioned, and the costs. Therefore it is considered that the plaintiff recover against the Defendant Two hundred and fifty dollars with legal interest thereon from the 21st day of October 1842 till payment [of] the debt and interest aforesaid, and his costs by him about his suit in this behalf expended..”¹⁵¹

COMMENT:

In August 1855, in Montgomery Co., Nunley’s daughter Sarah married William and Drucilla’s son Thomas.¹⁵²

7 NOVEMBER 1842

FRANKLIN COUNTY, VA

Court order

“**Wade & al.** agt. **Hobson & al.** In Chy [Chancery]. This day cause came on to be heard by consent of parties, upon the bill answers and exhibits &c and was argued by counsel, and the court being satisfied that a distribution in kind of the slaves of which **Mary Ann Hobson died** possessed, would be impracticable, doth adjudge, order, and decree that John Wade, who is hereby appointed a commissioner for that purpose, shall after first advertising the time & place of sale for twenty days, proceed to sell the said slaves in the bill mentioned upon a credit of twelve months, taking bond and good security of the purchasers, and report his proceedings to court, in order to a final decree.”¹⁵³

COMMENT:

Subsequent proceedings in this case identify Wade as John Wade. He was the father-in-law of James Patterson who served as bondsman for Samuel E. Mills to marry Mary Ann Hobson in December 1841. Those proceedings also imply that John Wade was married to one of the heirs to a larger Hobson estate that was being simultaneously settled.

7 NOVEMBER 1842

FRANKLIN COUNTY, VA

¹⁵⁰ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 298.

¹⁵¹ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 308.

¹⁵² "Virginia Marriages, 1785–1940," database, *FamilySearch* (<https://familysearch.org/ark:/61903/1:1:XRS5-C2L> : 11 February 2018), Thos. R. Mills and Sarah S. Nunnally, 27 Aug 1855; citing Montgomery, Virginia, reference n 34; FHL microfilm 2,048,462.

¹⁵³ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 310.

Court order

“Dudley &c vs. Dudley &c. In Chy. Report of Commissioners appointed to sell the slaves &c of **James Dudley’s** estate returned.”¹⁵⁴

5 DECEMBER 1842

FRANKLIN COUNTY, VA

Court order

“Acct. Currt. of **Saml. Patterson’s** exors —The same” [i.e., Returned and recorded]¹⁵⁵

2 JANUARY 1843

FRANKLIN COUNTY, VA

Court order

“Inventory &c of the estate of **Wm. Mills** decd. Ret’d & R’d.”¹⁵⁶

6 MARCH 1843

FRANKLIN COUNTY, VA

Court order

“Ordered that Cyrus Price, Wm. B. Beach & **Hiram Mills**, after being sworn according to law, do state & settle the accts. of James G. Wright, Admr. of Geo. Webster dec’d and report to court.

“John A. Wright and William A. B. Wright, & Mary Wright, the executors named in the last will & testament of George Wright decd. refusing to qualify as such—On the motion of **Hiram Mills** and Abram Teal, who made oath and gave bond & security conditioned according to law, certificate is granted them for obtaining letters of administration in due form on the estate of said George Wright decd. with his will annexed.”¹⁵⁷

“Commonwealth agt. Robert Williams—[Pleads] Not guilty & issue, and a jury sworn to try the same—to wit Isaac Janney, David Willis, Saml. Hoy, Benja. Bird., **Saml. E. Mills**, Booker Law, Stephen English, Thomas W. Murrill, William Dudley, Isaac D. Brooks, Jno. O. W. Haynes & William Campbell [has] returned a verdict of guilty and assess his fine to one cent, & judgment accordingly & costs.”¹⁵⁸

14 MARCH 1843

FRANKLIN COUNTY, VA

Estate settlement

“Saml. S. P. Thompson & William P. Thompson, Administrators with the Estate of Thomas Thompson Decd. ... Bond on **Hiram Mills** \$2.00 [and] Int on same \$.42.”¹⁵⁹

1 APRIL 1843

FRANKLIN COUNTY, VA

Estate inventory

¹⁵⁴ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 310.

¹⁵⁵ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 315.

¹⁵⁶ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 317.

¹⁵⁷ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > images 323–24.

¹⁵⁸ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 324.

¹⁵⁹ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 731.

“Agreeable to order of Court the 6th day of March 1843, we proceeded to appraise the Estate of George Wright Sr., Dec^d. ... John Flora, John Bowman, Stephen Kasler, **Hiram Mills** & Abram Teel Admrs. Files 1 May 1843.¹⁶⁰

5 JUNE 1843

FRANKLIN COUNTY, VA

Court order

“Ferguson &c vs. Ray’s admr. & al. In Chy. Richard Tharp having intermarried with the defendant Parthena Ray & **Cornelius Mills** having intermarried with the defendant **Sarah Ray** since the institution of this suit, on the motion of the said Richard Tharp & Cornelius Mills and by consent of parties, it is ordered that they be made party defendants to this suit, and that the same be in future proceedings against them as party defendants with their said wives.” ...

“Thomas Law vs. **Saml. Mills**—Office Judgment set aside & special plea filed & issue.”¹⁶¹

7-8 AUGUST 1843

FRANKLIN COUNTY, VA

Court order

Samuel E. Mills served on a jury in the case of Commonwealth agt. Saml. Helm, Sheriff & Jailor of Franklin Co. Verdict: guilty. Fine \$15 and costs.

Hiram Mills served on jury in case of Commonwealth agt. Caleb Hodges [charge not shown]. Verdict: Guilty. Fine \$6.66 and costs.

“Ordered that Abram Teel, James G. Wright and James Webster after being sworn for the purpose do state and settle the accounts current of **Hiram Mills** Execr. of **William Mills** Decd. and make report to court.”

“**Samuel Mills**” serves on the jury in the case of Commonwealth agt. Henry Jameson. Verdict: guilty. Fine “one cent & ... costs.

Hiram Mills serves on the jury in the case of Commonwealth agt. Goodman A. Wright & Jno. Abshire. Verdict: guilty. Fine “one cent ... & the costs.

Hiram Mills serves on jury in the case of John Akers vs. Daniel Akers. Verdict for plaintiff \$100 damages with interest from 1 January 1840 until paid, plus costs.

James Patterson served on jury in case of **John Nunley** vs. William Waid. Verdict for defendant.

Samuel E. Mills served on jury in case of Jacob G. Mackinheimer assignee vs. Jehu A. Bradnor. Verdict for defendant.

“Thomas Law vs. **Samuel Mills** — Contd. for the Plff.”¹⁶²

OCTOBER 1843

FRANKLIN COUNTY, VA

Court order

“Dudley vs. Dudley & al. In chancery. **Thomas Dudley** is appointed guardian ad litem to defend **Silas Dudley, James Henry Dudley, Mary Frances Dudley & Harriet Mildred Dudley**, infant defendants in this

¹⁶⁰ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 476–78.

¹⁶¹ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 335. See also images 362–63 for a subsequent and much-more detailed account of this case.

¹⁶² Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > images 346–49.

cause. And now this cause came on this day by consent to be heard on the bill, the answers of the defendants, the exhibits & was argued by counsel, on consideration whereon, the court doth adjudge order & decree that **Thomas Dudley, Solomon Pasley** and **Moses Greer** appointed commissioners for that purpose, do divide the lands and slaves of **Stephen Dudley** decd. between his children, parties to this suit, equally charging in the said division **Samuel Powell** with \$400 & a horse saddle & bridle at \$60 & a cow & calf, bed & furniture, **Caleb Hepstinstall** with \$460, a cow & calf, bed & furniture, **Isaac Brooks** with \$460, a cow & calf, bed and furniture, **the plaintiff** with \$200, a horse saddle & bridle at \$60 and a cow & calf, bed & furniture, and that they report their proceedings to the court in order to a final decree.

“On the motion of **Thomas W. Dudley** who made oath and gave bond & security conditional according to law, certificate is granted him for obtaining letters of administration de bonis non with the will annexed of **Stephen Dudley** decd. in due form.

“Ordered that Samuel B. Morgan, Henry English, Thomas N. Bernard and Robert Powell or any three of them, after being sworn for the purpose, do appraise in current money the personal estate of Stephen Dudley decd. & return the appraisement to court.”¹⁶³

7 NOVEMBER 1843
FRANKLIN COUNTY, VA

James H. Mills and **Saml. E. Mills** serve on jury in case of Booth & Davis agt. Wm. & James Anderson. Judgment for defendant.

James H. Mills serves on the jury for case “R. Pasley’s exors for &c vs. Wm. Pasley.” Verdict for the defendant.

James H. Mills serves on the jury for the case “Isaac Jones Jr. vs. Merit Price’s admr.” Judgment for defendant.

“Thomas Law vs. **Saml Mills**—Contd at Plffs costs.”¹⁶⁴

4 DECEMBER 1843
FRANKLIN COUNTY, VA

Court order

“Account current of **Wm. Mills’s** exor. again presented in court and ordered to be recorded.”¹⁶⁵

4 DECEMBER 1843
FRANKLIN COUNTY, VA

Court order

“Wade & wife agt. **Hobson** & al— In chancery. This day this cause came on finally to be heard, by consent of parties upon the bill, answers, exhibits & report of Commissioner **John Wade**, and was argued by Counsel. On consideration whereof the court doth confirm said report and doth further adjudge order & decree that the said John Wade shall after first paying the costs of this suit and the expenses of sale, divide the residue of said money into eight equal parts and retain one eighth part thereof in his own right, one other eighth part as the purchaser of **Watkins Hobson**, one other eighth part as the purchaser of **Richard Hobson**, one other eighth part as the purchaser of **John Terry & Henrietta** his wife, one other eighth part as the purchaser of **William Hobson** and **Benjamin Hobson**,

¹⁶³ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 355.

¹⁶⁴ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 359–61.

¹⁶⁵ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 362.

only heirs of **Benjamin Hobson decd.**, one other eighth part as the purchaser of **William Hobson** and **Benjamin Hobson** of the reversion of **Sarah Sweeney's** interest under the will of **Matthew Hobson decd.** upon condition that the said John Wade pays to the said Sarah Sweeney annually the legal interest on that amount, till her death, and also four sevenths of one eighth part thereof as the purchaser of **James Wall, Charles Wall, Matthew Wall & Elizabeth Brandon** late Elizabeth Wall, being their interest under **Sarah Wall** in said estate and that the said John Wade pay over three sevenths of one eighth part thereof to the three infant children of **Sarah Whitfield, formerly Sarah Wall,** and the other eighth part thereof to **Timothy Stamps** on application."¹⁶⁶

COMMENT:

The use of this record to determine the parentage of Samuel E. Mills's wife is being developed in a separate research report.¹⁶⁷

4 DECEMBER 1843
FRANKLIN COUNTY, VA
Court order

"Ordered that **James Patterson** be appointed a comr. to state and settle the acct. current of **Moses Greer** admr. of Henry Frailin decd. & report to court."¹⁶⁸

23 DECEMBER 1843
FRANKLIN COUNTY, VA
Estate sale

Nancy Dudley, Decd., Robert S. Dudley, adm. **Samuel E. Mills** 1 lot pork & bacon \$4.20¹⁶⁹

COMMENT:

This Nancy Dudley should be Samuel's aunt Nancy (Kemp) Dudley, widow of James Dudley.

1 JANUARY 1844
FRANKLIN COUNTY, VA
Court order

"**James A. Dudley** being of proper age, came into Court & made choice of **Wm. Dudley** as guardian of his property & person, whereupon he gave bond & security according to law."¹⁷⁰

5 FEBRUARY 1844
FRANKLIN COUNTY, VA
Court order

"James Price is appointed Surveyor of the road from the forks of the road above Henry T. Callaway's to the **foot of the mountain at Daniel's run,** in place of Owen Price with the former list of hands."¹⁷¹

5 MARCH 1844

¹⁶⁶ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > images 363–64..

¹⁶⁷ E. S. Mills, "Hobson Records in Franklin County, Virginia," report to file, 15 September 2021; to be archived at *Historic Pathways* under the Research tab.

¹⁶⁸ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 365.

¹⁶⁹ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 692–96, esp. 696 for Samuel E. Mills.

¹⁷⁰ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 366.

¹⁷¹ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 369.

FRANKLIN COUNTY, VA

Court order

“**Saml E. Mills**” serves on jury for Commonwealth agt. John O. Purdue and, as “**Samuel E. Mills**,” for Commonwealth v. Meshack Turner.¹⁷²

6 MARCH 1844

FRANKLIN COUNTY, VA

Court order

“Thomas Law agt. **Samuel Mills**, a jury sworn & affirmed to try the issue joined to wit: John Bowman, John Cook, Nicholas Kempleton, James Ennies, Thomas F. Taylor, William W. Greer, Peter P. Davis, John Hunter, John Plybon, William Muse, Wm. A. J. Finney and Wm Campbell— & jurors withdrawn Demurs? to evidence & joinder & demurrer overuled and judgment for the debt in the declaration mentioned & the costs.”¹⁷³

COMMENT:

See also 4 March 1845, below, for Thomas Law vs. Jno. Patterson.

3 JUNE 1844

FRANKLIN COUNTY, VA

Court order

“Samuel H. Wood Pliff agt. **Richard Nunelly** Deft—In Debt. The defendant being in custody of the Sheriff on a writ of *capias* issued out in this cause, was brought into this office [Clerk’s Office] and thereupon acknowledged the plaintiffs action for the debt and interest in the said writ mentioned and the costs. Therefore it is considered that the plaintiff recover against the defendant \$37.29 cents with legal interest thereon from the 9th day of March 1844 till paid, the debt & interest aforesaid, and his costs by him about his suit in this behalf expended—and the said defendant was not prayed in custody.”¹⁷⁴

2 SEPTEMBER 1844

FRANKLIN COUNTY, VA

Court order

“The last Will & Testament of Mary Ashworth Decd. produced in court and proved by the oath of Asa Holland, John Booth, and **Archer Mills**, the subscribing witnesses thereto and ordered to be recorded. And on motion of David Durram who made oath and gave bond and security according to law, certificate is granted him for obtaining a probate of said will in due form.”¹⁷⁵

7 OCTOBER 1844

FRANKLIN COUNTY, VA

Court order

“**Wade & wife vs. Hobson & al.** In Chancery. On the petition of Sarah Sweeney, and by consent of the parties, it is ordered that the decree pronounced in this cause on the 4th day of December last, so far as the interest of the said Sweeney is concerned, be opined? & set aside and thereupon this cause again came on to be heard by consent of the parties on the papers formerly read, and the petition aforesaid of

¹⁷² Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > images 373–74.

¹⁷³ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 376.

¹⁷⁴ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 387.

¹⁷⁵ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 397.

the said Sarah Sweeny, on consideration whereof, and by consent of parties, the court doth adjudge, order and decree, that John Wade, the receiver appointed to collect & distribute the proceeds arising from the sale of the slaves in the proceedings mentioned, instead of retaining one eighth part of the proceeds of said sale as the purchaser of the reversionary interest of **William Hobson, Benjamin Hobson**, of said Sarah Sweeny's interest in the estate of **Matthew Hobson decd.** that he pay the said one eighth part of the proceeds of said sale after deducting therefrom the costs of suit and expenses of sale, to the said Sarah Sweeney or her legal representatives and the court doth adjudge & order that the said decree of the 4th December last in all other respects stand and be confirmed. But the said Sarah Sweeny is not to have the benefit of this decree, untill she shall have executed to the said **John Wade** bond with good security conditioned for the refunding and payment, at her death, of the amount of the sum so decreed to be paid to her."¹⁷⁶

COMMENT:

The use of this record to determine the parentage of Samuel E. Mills's wife is being developed in a separate research report.¹⁷⁷

7 OCTOBER 1844

FRANKLIN COUNTY, VA

Court order

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

"Ordered that David Johnes, H. J? [F?] Terry, John **Patterson** and **John Wade** or any three of them after being sworn for the purpose, do appraise in current money the personal estate of Lydia Patterson decd. and return the appraisement to court."¹⁷⁸

2 DECEMBER 1844

FRANKLIN COUNTY, VA

Court order

"Ordered that Samuel B. Morgan, Wm. Bernard, George **Dudley**, and Gabriel **Mattox** or any three of them after being sworn for the purpose, do appraise in current money the personal estate of **Nancy Dudley dec'd** & return the appraisement to court."¹⁷⁹

COMMENT:

This Nancy Dudley would seem to be Nancy Kemp, sister of Drucilla.

2 DECEMBER 1844

FRANKLIN COUNTY, VA

Court order

Hiram Mills served on jury in the case of Peter Kesley vs. Henry Shoemaker.¹⁸⁰

¹⁷⁶ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 400.

¹⁷⁷ E. S. Mills, "Hobson Records in Franklin County, Virginia," report to file, 15 September 2021; to be archived at *Historic Pathways* under the Research tab.

¹⁷⁸ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 400.

¹⁷⁹ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 410.

¹⁸⁰ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 412.

6 JANUARY 1845
FRANKLIN COUNTY, VA

Court order

“**Saml. Patterson** agt. **Wm. Mills &c.** D. Bond, notice proved, Defendant called & not appearing. Judgment according to spl. & costs.”¹⁸¹

COMMENT:

Given the Patterson association, this should be William Mills-Whitt.

3 FEBRUARY 1845
FRANKLIN COUNTY, VA

Court order

“Ordered that Moses Greer, Jno. Bowman & Saml S. P. Thompson, after being sworn for the purpose, do state & settle the account current of **Hiram Mills & Abram Teel** admrs. of George Wright decd. & report to court.”

“Benjamin Price is appointed Surveyor of the **road** from the **foot of the mountain at Daniels run to the Floyd line** in place of Carey Gray with the former list of hands.”¹⁸²

25 FEBRUARY 1845
FRANKLIN COUNTY, VA

Estate inventory

“**Hiram Mills & Abram Teel** In a/c current with Estate of George Wright Sr. Decd. ... By Cash Paid ... **Hiram Mills** \$110.60.” Assets include “By **Hiram Mills** Land \$200.00.” Report dated 25 February 1845 submitted at March Term of court, where it was accepted and ordered recorded.¹⁸³

3 MARCH 1845
FRANKLIN COUNTY, VA

Court order

“Inventory &c of the estate of **Nancy Dudley** decd. Retd. & O. Rd.

“A Deed from **Wm. Kemp** & wife to Coleman English. Certified & Ord.”¹⁸⁴

COMMENT:

Drucilla had four siblings in the county when her father died. Her sister Nancy is now dead. Her brother John left for Callaway County, MO, in the 1830s.¹⁸⁵ That leaves her with only the brothers James and William.

TO DO:

Get this deed. Determine whether this is the point at which her brother William Kemp left Franklin County.

4 MARCH 1845
FRANKLIN COUNTY, VA

Court order

¹⁸¹ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 412.

¹⁸² Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 414.

¹⁸³ Franklin Co., VA, Will Book 6 With Inventories & Accounts, 1845–49: 110–13, esp. 113 for James H. Mills.

¹⁸⁴ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 416.

¹⁸⁵ Franklin County, Deed Book 14 (1833–1836): 78–80.

“Thomas Law agt. **Jno. Patterson** Nil debit & general demurrer to declaration & Joinder & issue & contd.”¹⁸⁶

COMMENT:

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

5 MARCH 1845
FRANKLIN COUNTY, VA

Court order

“On the motion of John Wimmer it is ordered that Charles B. Reynolds, James S. Callaway & **Hiram Mills** after being sworn for the purpose do view a way for a public road from John R. Guerrants to the top of the mountain at John Wimmers, and report to court the convenience & inconveniences resulting therefrom as well to the public as to individuals.”

“**Waid &c vs. Waid & al**—In Chy—On motion it is ordered that this suit be removed to the Circuit Superior Court of Law & Chancery of this County to be there proceeded in and tried.”¹⁸⁷

7 APRIL 1845
FRANKLIN COUNTY, VA

Court order

“Ordered that **Wm. Hutcherson, John Wade**, Andrew S. Brooks and **Saml. Mattox**, or any three of them after being sworn for the purpose, do appraise in current money the personal estate of **Elizabeth Frailin Jr.**, decd. & return the appraisement to court.”¹⁸⁸

2 JUNE 1845
FRANKLIN COUNTY, VA

Court order

“**James Kemp** for &c vs. David Moore —The same [i.e. “office Judgment set aside, payment & issue & contd.”¹⁸⁹

3 JUNE 1845
FRANKLIN COUNTY, VA

Court order

William Mills and **Richd. Nunally** and **Thos. Law** served on jury in the case of Commonwealth vs. Lafayette Hatcher.

“Thomas Law agt. John Patterson—Dismissed at Plff’s costs.”¹⁹⁰

6 OCTOBER 1845
FRANKLIN COUNTY, VA

Court order

¹⁸⁶ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 419.

¹⁸⁷ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 419.

¹⁸⁸ Franklin Co., VA, Order Book 1840–1845, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 422.

¹⁸⁹ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 436.

¹⁹⁰ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > images 438–39.

“Ordered that **Hiram Mills**, William Webster, William Akers and John Webster or any two of them after being sworn for the purpose do appraise in current money the personal estate of **Burd W. Toney** Decd and return the appraisement to court.” **James Toney** is adm.

The full court sat in session to pick an additional justice for the county. Among those who received sufficient votes to be “recommended” [to the governor?] were **James Patterson** and **Thomas Dudley Jr.**

“Ordered that the hands of **Andrew Patterson** be taken from William Powell’s list of hands & added to the list of **James Patterson**, as surveyor of the road.” [The road and the bounds of Patterson’s district are not named.]¹⁹¹

20 OCTOBER 1845
FRANKLIN COUNTY, VA

Estate inventory

“A List and appraisement of the personal property of John M. Holland Dec^d 20th October 1845 ... A List of Accounts due the estate of John M. Holland dec^d: ... [skip 23] **James H. Mills** \$.63”¹⁹²

COMMENT:

This is the last record I have found for James H. Mills. However, we cannot assume from it that James H. Mills was still alive or still in the county.

5 NOVEMBER 1845
FRANKLIN COUNTY, VA

Court order

“Ordered that Andrew S. Brooks, Stephen F. Smith and James **Robertson**, after being sworn for the purpose, do state & settle the account current of **Wm. A. Street** admr. of **James Dudley dec’d** and make report to court.”

‘On the motion of George W. Kinsey, it is ordered that Richard F. Darnall, **Hiram Mills**, William P. Thompson & Saml. S. P. Thompson or any three of them after being sworn for the purpose, do view a way for a public road from some point near Wm. Akers’s on the Boon’s Mill Road to Blackwater Meetinghouse & report to Court the conveniences & inconveniences resulting therefrom as well to the public as to individuals.”¹⁹³

COMMENT:

This James Robertson was also appointed (February 1846) with Solomon Pasley to distribute the residue of the estate of Stephen Dudley, Decd. (image 464).

1 DECEMBER 1845
FRANKLIN COUNTY, VA

Estate settlement

Undated document filed 1 December 1845. “We in obedience to the order of the Court has met and settled the accounts of Thomas & Parmenas English, administrators of the estate of Charles H. English Deceased and made the following report ... “Cr[edit] By moneys paid the estate by Parmenas English ... **William Mills a/c paid \$9.30.**”¹⁹⁴

COMMENT:

¹⁹¹ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > images 451–53.

¹⁹² Franklin Co., VA, Will Book 6 With Inventories & Accounts, 1845–49: 177–79.

¹⁹³ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 439.

¹⁹⁴ Franklin Co., VA, Will Book 5 With Inventories & Accounts, 1837–45: 766–69, p. 767 specifically for William Mills.

This William should be William Mills-Whitt, whose inherited land neighbored the Englishes on the Blackwater.

1 DECEMBER 1845
FRANKLIN COUNTY, VA

Court order

“Taylor agt. Boon & al. — In Chy. On the motion of the infant defendant Wm. Robertson, by **Mills Robertson** his father & legal Guardian. It is ordered that the said **Mills Robertson** be substituted and appointed Guardian ad litem to the said defendant in the place & stead of Moses G. Carper to defend his rights in this suit, and on the further motion of the said defts. Robertson by the said Mills Robertson his Guardian ad litem And for reasons appearing to the court, leave is given the said defendant to file a cross bill in the suit.”¹⁹⁵

COMMENT:

This is the first reference I’ve encountered to this Mills Robertson. Researchers of the James Mills family of the Maggoty and Elliott’s Creeks should study him to determine whether his mother was one of the still-unidentified daughters of James.

1 DECEMBER 1845
FRANKLIN COUNTY, VA

Court order

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

“Ordered that **William Hutchinson**, Lankford Brizendine, David Jones & **Hezekiah F. Toney** or any three of them after being sworn for the purpose do state & settle the account Current of **Samuel Patterson**, Executor of **Samuel Patterson** Dec’d. and make report to Court.”¹⁹⁶

COMMENT:

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

17 FEBRUARY 1846
FRANKLIN COUNTY, VA

Estate inventory

“Inventory & appraisement of the personal property of **Burd W. Toney** Dec^d. ... agreeable to an order of Court 6 October 1845, We **Hiram Mills**, William Webster & John Webster proceeded to appraise the personal estate of Burd W. Toney, Dec^d the 17th day of February 1846 ...”¹⁹⁷

2 MARCH 1846
FRANKLIN COUNTY, VA

Court order

“Pleasant Dickinson’s admrs. agt. **Adda Jarratt** &c. D Bond notice proved. Defendants called and not appearing, judgment according to speciality & the costs. The same agt. The Same—The Same.”¹⁹⁸

¹⁹⁵ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 461.

¹⁹⁶ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 461.

¹⁹⁷ Franklin Co., VA, Will Book 6 With Inventories & Accounts, 1845–49: 43.

6 JULY 1846

FRANKLIN COUNTY, VA

Court order

"A Deed from **Hiram Mills**, do. [ditto, referring back to the word "Exr." in the entry above] to Ferdinand Pine. Ackd. & O. R^d."¹⁹⁹

7 DECEMBER 1846

FRANKLIN COUNTY, VA

Court order

"Ordered that **James Patterson** and **John Wade** or either of them after being sworn for the Purpose do state and settle the account current of Joseph Dickenson admr. of **Pleasant Dickinson** Decd. and make report to court."²⁰⁰

4 JANUARY 1847

FRANKLIN COUNTY, VA

Marriage bond.

William Mills and Mary Abshire. Anderson Starkey, surety.²⁰¹

COMMENT:

The groom is William A. Burrell Mills, son of William Mills Sr. and wife Elizabeth Abshire. See the 1843 will of William Sr. (above) and the October 1847 sale (below) of William Sr.'s land by the young couple and William A. B.'s mother Elizabeth.

Cf. the William Mills—Mary M. Matthews marriage below, in October of this year.

3 MAY 1847

FRANKLIN COUNTY, VA

Court order

Hiram Mills served on jury for William D. Duncan? vs. William Campbell.²⁰²

9 JUNE 1847

FRANKLIN COUNTY, VA

Court order

Annual payments to those to whom the county is indebted. Includes "**Samuel Mills** for Patrolling \$.56."²⁰³

6 SEPTEMBER 1847

FRANKLIN COUNTY, VA

Court order

¹⁹⁸ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 465.

¹⁹⁹ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 479.

²⁰⁰ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 494.

²⁰¹ Franklin Co., VA, Marriage Bond Book 1, 1786–1853: 67, citing marriage bond 2862.

²⁰² Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 509.

²⁰³ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 518.

“Ordered that Solomon Pasley and **James Robertson** do after being sworn for the purpose do state and settle the Account Current of **Robert L. Dudley**, admr. of **Nancy Dudley** Decd and make report to court.”²⁰⁴

19 OCTOBER 1847
FRANKLIN COUNTY, VA

Marriage bond.

William Mills and Mary M. Matthews. Wm. C. Barber, surety.²⁰⁵

COMMENT:

This William is William B. (aka William Breckenridge), son of William and Drucilla. William Mills and Mary Abshire have left the county after selling the inherited land.

The 1850 census of Franklin presents only one William and Mary. William is 30, Mary is 22. With them are John W. Mills aged 3, and James W. Mills aged 1.²⁰⁶

4 OCTOBER 1847
FRANKLIN COUNTY, VA

Deed

Elizabeth Mills, William A. B. Mills, and Mary E. Mills, his wife, sell to A. Starkey for \$150 cash and \$150 to be paid 1 May 1851, 89 acres described as beginning at chestnut tree near Elliot’s Creek, running with Henry Stover’s line to Tenor Smith’s line, with her line to Abraham Kinsy’s line, then with his line to Southerland Ross’s line, running with his line to Joab Early’s line, running with his line to A. Starky’s line, and with his line to the beginning.²⁰⁷

COMMENT:

This Elizabeth Mills is widow of William Sr. (i.e., William of James). William Sr.’s will left occupancy wights to his land to his son “Burrel W.,” an occupancy to be shared with the widow Elizabeth. Given Elizabeth is now selling the land with “William A. B.” and wife, William A. B. should be one and the same as “Burrel W.,” the son and heir.

4 APRIL 1848
FRANKLIN COUNTY, VA

Court order

“**Arthur Mills** agt. Wm. Pratt—appeal—Referred—Contd for award. Wm. Pratt, the appellee’s admr. being dead, revived in name of Stephen Turnbull, admr. de bonis non.” ...

“**Adda Jarratt** agt. William Duncan—Appeal—Cont’d.”²⁰⁸

COMMENT:

At this term of court there are a rash of court cases being dropped or altered because one party had died. Either the court has been derelict in keeping up to date or else there has been a rash of deaths in the county.

26 APRIL 1848

²⁰⁴ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 527.

²⁰⁵ Franklin Co., VA, Marriage Bond Book 1, 1786–1853: 67, citing marriage bond 2861.

²⁰⁶ 1850 U.S. census, Franklin Co., VA, p. 197v, dwelling 2012, family 2001.

²⁰⁷ Franklin Co., VA, Deed Book 20:125.

²⁰⁸ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 550.

FRANKLIN COUNTY, VA

Estate settlement

“The Estate of **Nancy Dudley** Dec^d In account with Robt. Dudley the Admr. ... To cash received of ... **Sam^l E. Mills** \$6.20.”²⁰⁹

COMMENT:

Samuel E. Mills was the nephew of Nancy (Kemp) Dudley, again suggesting that this “Nancy Dudley” was née Nancy Kemp.

OCTOBER 1848

FRANKLIN COUNTY, VA

Court order

“Ordered that Samuel Jamerson, **Hiram Mills**, Terry Teel, John Jamerson & Lewis H. Turnbull or any three of them after being sworn for the purpose do appraise in current money the personal Estate of Jacob Abshire Decd and return the appraisement to court.”²¹⁰

4 JUNE 1849

FRANKLIN COUNTY, VA

Court order

“Ordered that **James Patterson** be appointed a commissioner to state and settle the account current of Joseph Dickinson admr. of Ransom Sutherland decd. and make report to court.”²¹¹

2 JULY 1849

FRANKLIN COUNTY, VA

Court order

“This day **James Patterson** produced an account of his services as a Commissioner of the Revenue and the court have considered that 75 days were required for the said Commissioner to perform the services aforesaid.”²¹²

3 SEPTEMBER 1849

FRANKLIN COUNTY, VA

Court order

“Ordered that **James Patterson** and **Peter Saunders** after being sworn for the purpose do state and settle the account current of John Patterson and James P. Hutto, Executors of John Law Decd. and make report to Court and also to state and settle the account current of James P. Hutto, Administrator of Mary Law Decd & make report to court.”²¹³

COMMENT:

I am not continuing to gather notes on James Patterson unless I encounter something that speaks directly to Mills and Hobson. The notes gathered up to this point sufficiently establish his position in Franklin’s social and political structure and identifies his core network of associates.

²⁰⁹ Franklin Co., VA, Will Book 6 with Inventories & Accounts, 1845–49: 43.

²¹⁰ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 574.

²¹¹ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 601.

²¹² Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 609.

²¹³ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 617.

6 NOVEMBER 1849
FRANKLIN COUNTY, VA

Court order

“Davis &c agt. **Hobson &c—In Chy.**

“Ro. A. Scott” is appointed “Guardian ad litem to the infant Defendants to defend them in this suit.” [infants not named]. “The Court doth adjudge, order and decree that the tract of Land in the Bill mentioned (after the same shall have been first advertised in some newspaper published in the town of Lynchburg and at the most public places in the neighbourhood of said Lands for at least three weekes be sold on the premises to the highest bidder at public auction on a credit of one, two & three years for equal installments (except as to a sum sufficient to defray the expenses of sale and the rest of this suit for ____ cash is to be required) ...”²¹⁴

TO DO:

Read the Lynchburg newspapers for this period for additional information on parties and location of land.

4 MARCH 1850
FRANKLIN COUNTY, VA

Court order

“**Samuel D. Light** presented an account against the commonwealth amounting to \$18.50 which was examined, allowed, and ordered to be certified to the Auditor of Public Accounts.”²¹⁵

COMMENT:

Samuel D. Light was in 1850 a constable in adjacent Floyd County. He was also the adjacent neighbor to William and Drucilla on the 1850 Floyd census and the apparent owner of the land that William was then farming.

Note that this court order does not identify Light, suggesting that he was well known to court officials in Franklin. I have found only one connection for him in Franklin: In 184 he married Peggy Smith of Franklin, “daughter of John.”²¹⁶ I’ve not identified which John Smith family Peggy belongs to.

3 JUNE 1850
FRANKLIN COUNTY, VA

Land tax roll

James Patterson’s list: Delivered 3 June 1850

William Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$3 [sic] per a, \$453 total value, 46¢ tax.

4 JUNE 1850
FRANKLIN COUNTY, VA

Court order

“The declaration of **Mrs. Adria Kemp** claiming a pension under the act of Congress of Feby 2d 1848, together with the accompanying evidence and documents were produced in Court & examined and the

²¹⁴ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > 626.

²¹⁵ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 638.

²¹⁶ Therese A. Fisher, *Marriages in the New River Valley: Montgomery, Floyd, Pulaski, & Giles* (Bowie, MD: Heritage Books, 2008), 143.

Court being satisfied therewith, do order that the same be certified in due form to the department of the Interior.

“The declaration of **Mrs. Patsy Robertson**, widow of Richd. Robertson decd. claiming the balance of pension due her decd. husband, together with the accompanying documents, was produced in court and examined and the court being satisfied therewith doth order that the same be certified in due form to the department of the Interior.”²¹⁷

4 JUNE 1850

FRANKLIN COUNTY, VA

Court order

Annual list of payments to be made by the county, includes:

“To **James Patterson** for copies of property Books for Election Commrs. \$30.00”²¹⁸

11 JUNE 1851

FRANKLIN COUNTY, VA

Land tax roll

James Patterson’s list: Delivered 11 June 1851

William Mills (Floyd Co.) 151a Blackwater, **18 m. NE** of courthouse, \$4.50 [*sic*] per a, \$679.50 total value, 82¢ tax.²¹⁹ (Roll 443)

COMMENT:

“James Dudley Decd” is still carried on the tax roll for

- 52, 80, 60, and 34 acres 16m E of courthouse
- 54½ acres 20m NE of courthouse

Other Dudleys

- Guinn & John Dudley were 16 miles NE on Bull Rull
- Thomas Dudley was 15 and 22m NE on Blackwater and 18 NE on Bull Run
- Thomas W. Dudley was 20 NE on Blackwater
- James H. Dudley was 22m NE on Blackwater
- Harriet Mildred Dudley was 22m NE on Blackwater
- Mary Frances Dudley was 22m NE on Blackwater
- Silas J. Dudley was 22m NE on Blackwater

Mattoxes:

- Gabriel: 45, 68, and 209 acres on Waters Jacks Creek, **18m E**
- David P.: 101 acres, Waters of Jacks Creek, **18m E**
- Samuel G.: 287 Pig River, 10m E
- Mullins, Booker: 150 Town Creek 15m SW

Others at 10-20m NE on Blackwater:

- Craighead, Townsend 139a Blackwater, 20m
- English, Stephen Sr. 240a, Blackwater, **18m**

²¹⁷ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 654..

²¹⁸ Franklin Co., VA, Order Book 1845–1850, unnumbered page; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSL6-SS6Y-W?i=202&cat=397106> : accessed 8 January 2020) > image 659.

²¹⁹ Franklin Co., VA, Land Tax Rolls 1851; Land tax microfilm 443, Library of Virginia, Richmond. From this point on, all Franklin Co. tax data is from this set. Rather than create a new footnote for each of the next forty-plus years, I will cite the roll number parenthetically, as shown above.

- English, Henry 27 & 267a, Blackwater, **18m**
- English, Charles Decd 177a, Blackwater, **18m**
- English, Coleman 120 "Near Blackwater," **18m**
- English, Stephen D., Thomas J. B., Henry F & George (Jams? Sons), Blackwater, 110½ 16mE; 9, 77 ½, 46, 98, 63 ½ @ **18m NE**
- Ferguson, George W & Stephen (John's sons) 317 Pig River 7E
- Fay, Lucinda (F.N.) 14a "Near Blackwater" **18m NE**
- Holland, Mary 490a "Waters Blackwater" 10m NE
- Housman, Peter, George & David, Summons Creek 15m NE
- Jefferson, Lucy (Life interest) 10a5 Waters of Pig River, **18m NE?**
- Kemp, Addra, 2½ a Blackwater 20m NE [1853 list cites him as deceased]
- Kemp, James, 100 3/4a Owens Creek & Bull Run 20 NE [no other Kemps/Camps in district]
- Keys, Elizabeth 40a Rocky Fork Town Creek 15m SW
- Metts, John 294a Summons Creek 10m NE
- Mitchell, Thomas J. 205a, Poplar Camp Creek 10m NE
- Morgan, Samuel B. 114½a, Blackwater, **18m NE**
- Poindexter, John Decd 25a Blackwater, 10m NE
- Poindexter, Cephas 6 & 105a Poplar Camp Creek, 12m NE
- Robertson, James, 194a Standifer's Creek **18m NE**
- Robertson, Richard Decd. 113½ conv to Polly Robertson; 36a Standifers Creek **18m NE**
- Ray, William 62a Staunton River 20m NE
- Smith, Stephen F. 233a Blackwater 15m NE
- Wingo, Drury Decd. 80a Poplar Camp Creek 12m NE

Others of interest

- Light: none found
- Napier: none found
- Patterson, James 830 Chesnut Creek 10m SE
- Patterson, James & John Wade Jr., 86a, Chesnut Creek 11m **SE** "from Saml"
- Prillaman, Daniel Sr, William, David, Jacob, John 200a? 15?m SW on Nicholas Creek, Town Creek, and water of Smith River
- Smith, John: None in district

District 2 (Chatham T. Pollard)

- Light: None
- Smith, John G **Missouri**, 25a Blackwater 15m NE [still taxed on this in 1852, at which time "Right Smith" was also said to be in Missouri]
- Smith, Stephen 25a, 230a, Blackwater 10m NE
- Smith, Henry Jr. 225a, Blackwater 15m NE
- Smith, Henry Sr. [c800a], Blackwater 12m NE
- Smith, Henry J 155a, Blackwater 10m NE
- Smith, **John Decd.** 404a "Fork" 25m NE
- Saunders, Henry 24 ½ a Staunton Rive 20m NE

4 OCTOBER 1852

FRANKLIN COUNTY, VA

Land tax roll

James Patterson's list: Delivered 4 October 1852

William Mills (Floyd Co.) 151a Blackwater, **18 m. NE** of courthouse, \$4.50 [*sic*] per a, \$679.50 total value, 82¢ tax. (Roll 443)

Others of interest

District 2 (Lawrence N. Powell)

- Dudley, Mary (life) 151a Blackwater 12m NE
- Dudley, **Sparrell**, 107a Blackwater 12 NE
- Dudley, Ransom, 107a Blackwater, 12m NE
- Dudley, Robert 5 ½ Staunton River 20m NE
- Dudley William 42a Fowl Ground 8m NE
- Early, Jubal A. 50a Gills Creek 15m N
- Early, Samuel H. (Kanawha), 250 & 700a Gills Creek 15m N
- Early, Robert H. (Kanawha) 55a Gills Creek, 15m N
- Light: none found
- Napier: none found

29 AUGUST 1853

FRANKLIN COUNTY, VA

Land tax roll

Henry S. Woody's List: Delivered 29 August

William Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$4.50 [*sic*] per a, \$679.50 total value, 1.36¢ tax. (Roll 443)

COMMENT:

William Mills-Whitt is no longer in Floyd County. He is taxed this year in Montgomery. Apparently his same-name son in Franklin kept the tax paid each year and the tax commissioner never questioned whether the information was up to date, given that the taxes continued to be paid. This (Floyd Co.) statement would not be corrected until 1861.

5 JULY 1854

FRANKLIN COUNTY, VA

Land tax roll

Henry S. Woody's List: Delivered 5 July

William Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$4.50 [*sic*] per a, \$679.50 total value, 1.36¢ tax. (Roll 443)

5 JULY 1855

FRANKLIN COUNTY, VA

Land tax roll

Jacob G. Mackenheimer's list: Delivered 15 June

William Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$4.50 [*sic*] per a, \$679.50 total value, 1.36¢ tax. (Roll 443)

16 JUNE 1856

FRANKLIN COUNTY, VA

Land tax roll

Jacob G. Mackenheimer's list: Delivered 15 June

William Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$4.50 [*sic*] per a, \$679.50 total value, 1.36¢ tax. (Roll 444)

15 JUNE 1857

FRANKLIN COUNTY, VA

Land tax roll

Jacob G. Mackenheimer's list: Delivered 15 June

William Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$5.00 per a, \$755 total value, 3.02¢ tax. (Roll 444)

16 JUNE 1858

FRANKLIN COUNTY, VA

Land tax roll

Jacob G. Mackenheimer's list: Delivered 16 June

William Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$5.00 per a, \$755 total value, 3.02¢ tax. (Roll 444)

4 JULY 1859

FRANKLIN COUNTY, VA

Land tax roll

R. C. Bennett's list: Delivered 4 July 1859

William Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$5.00 per a, \$755 total value, 3.02¢ tax. (Roll 444)

8 JUNE 1860

FRANKLIN COUNTY, VA

Land tax roll

Bennett's list: Delivered 8 June 1859

Wm Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$5.00 per a, \$755 total value, 3.02¢ tax. (Roll 444)

18 JUNE 1861

FRANKLIN COUNTY, VA

Land tax roll

Bennett's list: 18 June 1861

Wm Mills (Floyd Co.) 151a Blackwater, 18 m. NE of courthouse, \$5.00 per a, \$755 total value, 3.02¢ tax.

Dudley, Tilghman P.L. 172a 3r 7p on Blackwater **18 m. NE**

“ “ “ 333a Pig River 4m E

“ “ “ 654 “ “

“ “ “ 120 Glade Creek [no distance or direction] (Roll 445)

COMMENT:

I have not identified Tilman/Tilghman Dudley's parents or determined whether he descended from the Tilmans who intermarried with the Millses of Amherst County.

7 JUNE 1862

FRANKLIN COUNTY, VA

Land tax roll

Bennett's list: 7 June

Wm Mills, Franklin Co. 151a Blackwater, 18 m. NE of courthouse, \$5 per a, \$755 total value, 4.53¢ tax. (Roll 445)

1 JULY 1863

FRANKLIN COUNTY, VA

Land tax roll

Bennett's list: 1 July 1863

Wm Mills, Franklin Co. 151a Blackwater, 18 m. NE of courthouse, \$5 per a, \$755 total value, 5.75¢ tax.

Remarks: "By recent survey." (Roll 445)

COMMENT:

This survey would appear to be performed as part of William B. Mills's 1863 defense of his land ownership.

1864

FRANKLIN COUNTY, VA

Land tax roll

None.

1865

FRANKLIN COUNTY, VA

Land tax roll

Bennett's list: delivered 13 February 1866

Wm Mills, Franklin Co. 126a Blackwater, 18 m. NE of courthouse, \$5 per a, \$650 total value, \$1.26 tax.

Remarks: "By recent survey." (Roll 445)

COMMENT:

There is no explanation as to what happened to William's other 25 acres. It is debatable whether he had a second survey made within two years or whether the "by recent survey" remark was simply a carryover from the last surviving roll. If so, it would seem that the decrease in acreage should have been made on the 1863 roll. There is no new addition of 25 acres to anyone named Mills. [I did not have time to read the full roll in search of any and all 25-acre additions or to read the remarks on all pages.]

Meanwhile, son William B. who appears to have been occupying the land from 1848, entered CSA service in 1862 (and died in May 1865).

25 JULY 1866

FRANKLIN COUNTY, VA

Land tax roll

W. C. Bennett's list: delivered 25 July 1866

Wm Mills, Franklin Co. 126a Blackwater, 18 m. NE of courthouse, \$5 per a, \$650 total value, \$1.26 tax. (roll 446)

1867

FRANKLIN COUNTY, VA

Land tax roll

W. C. Bennett's list: delivered [no date]

Wm Mills, Franklin Co. 126a Blackwater, 18 m. NE of courthouse, \$5 per a, \$630 total value, \$1.89 tax. (roll 446)

1 JUNE 1868

FRANKLIN COUNTY, VA

Land tax roll

W. C. Bennett's list: delivered 1 June

Wm Mills, Franklin Co. 126a Blackwater, 18 m. NE of courthouse, \$5 per a, \$630 total value, \$1.89 tax. (roll 446)

11 MAY 1869

FRANKLIN COUNTY, VA

Land tax roll

Winborn C. Bennett's list: delivered 11 May

Wm Mills, Franklin Co. 126a Blackwater, 18 m. NE of courthouse, \$5 per a, \$630 total value, \$3.15 tax.
(roll 446)

27 OCTOBER 1870

FRANKLIN COUNTY, VA

Land tax roll

Winborn C. Bennett's list: delivered 27 October 1870

Wm Mills, Franklin Co. 126a Blackwater, 18 m. NE of courthouse, \$5 per a, \$630 total value, \$5.15 tax.
(roll 446)

23 JUNE 1871

FRANKLIN COUNTY, VA

Land tax roll

Union Hall Township

William S. Arrington list: delivered 23 June 1871

Wm Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax.
(roll 603)

3 AUGUST 1872

FRANKLIN COUNTY, VA

Land tax roll

Union Hall Township

William S. Arrington list: delivered 3 August 1872

Wm Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax.
"Wilson Cunniff to pay."

Wilson Cuniff, Franklin Co., 71a Blk Water, NE 15m & 68 1/2a Standifer's Creek NE 15m (roll 616)

COMMENT:

The reference to Cuniff (aka Cundiff) implies that Cuniff was now renting the land.

28 JULY 1873

FRANKLIN COUNTY, VA

Land tax roll

Union Hall Township

William S. Arrington list: delivered 28 July 1873

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax
"Wilson Cunniff to pay." (roll 629)

29 AUGUST 1874

FRANKLIN COUNTY, VA

Land tax roll

Union Hall Township

William S. Arrington list: delivered 29 August 1874

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax
"Wilson Cunniff to pay." (roll 640)

27 JULY 1875

FRANKLIN COUNTY, VA

Land tax roll

Union Hall Township

William S. Arrington list: delivered 25 July 1875

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax
"Wilson Cunniff to pay." (roll 654)

29 AUGUST 1876

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Arrington list: delivered 29 August 1876

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax
"Wilson Cunniff pays." (roll 668)

COMMENT:

Adda Kemp estate still hasn't been settled, even though the tax rolls have had "Dec'd" beside her name for about 10 years.

4 SEPTEMBER 1877

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Arrington list: delivered 4 September 1877

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax
"Wilson Cunniff pays." (roll 680)

COMMENT:

There are a goodly number of entries now, saying that rent is paid by someone other than the landowner.

30 AUGUST 1878

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Arrington list: delivered 30 August 1878

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax
"Wilson Cunniff pays." (roll 694)

29 AUGUST 1879

FRANKLIN COUNTY, VA

Land tax roll (roll 707)

COMMENT:

Roll not in drawer across the several days of this visit to LoV.

9 JULY 1880

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: Thos. R. Hancock's list: delivered 9 July 1880

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax
"Wilson Cunniff pays." (roll 721)

15 JUNE 1881

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: delivered 15 June 1881

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$3 per a, \$378 total value, \$1.89 tax
"Wilson Cunniff pays." (roll 734)

26 AUGUST 1882

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: delivered 26 August 1882

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$2.75 per a, \$346.50 total value,
\$1.39 tax *"Wilson Cunniff pays."* (roll 749)

13 JULY 1883

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: delivered 13 July 1883

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$2.75 per a, \$346.50 total value,
\$1.39 tax *"Wilson Cunniff pays."* (roll 765)

1884

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: delivered [date?]

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$2.75 per a, \$346.50 total value,
\$1.39 tax *"Wilson Cunniff pays."* (roll 780)

13 AUGUST 1885

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: delivered 13 August 1885

William Mills, Franklin Co. 126a Blk Water, 18 m. NE of courthouse, \$2.75 per a, \$346.50 total value,
\$1.39 tax *"J.W. Hutt & Rhoda Cundiff pays."* (roll 799)

COMMENT:

Wilson Cundiff is carried on the tax rolls for the same land as first noted for him above. Beside his entries, a notation says *"D. T? Brown pays."*

15 AUGUST 1885

FRANKLIN COUNTY, VA

Deed

P. H. Dillard, Commissioner of the Circuit Court of Franklin County in the chancery cause of Francis Wright vs. **Wilson Cundiff's** heirs, to **James H. Hutts**, both of Franklin Co. "In pursuance of a decree in said cause and in consideration of the sum of five dollars ... doth grant ... a certain lot or parcel of land lying in Franklin County Va. containing 56 acres more or less and bounded as follows: "Beginning at 'A' Pointers in a branch at **Hutts Mill pond** and running with said branch ..."

"Also a certain other parcel of land containing **66 acres** more or less lying ... near Hutts Mills and bounded as follows:

Beginning at 'A' pointers in **old line** and running a dividing line N 45 E50p to 'B' a Red Bud N 30 E 62p to 'C' pointers in old line and with it S 62 E24p to 'D' pointers, S 5 E 154p to 'E' Corner of **William's** line, N 78 W 72p to Hutts Mill creek and with it as it meanders to the beginning.

Acknowledged in clerk's office by Dillard on 7 September 1885.²²⁰

COMMENT:

The tax roll of 1886, below, reduces William Mills's acreage to 60. The remaining 66 acres seems to be the acreage referenced above as "66 acres ... near Hutts Mills." The above reference to a dividing line and an "old line" implies that a new survey had been made to separate the part taken by Wilson Cundiff and the part retained by William Mills.

The deed created by Commissioner Dillard did not previously mention any adjacent neighbor named William. **It seems likely that the "William's line" reference should have been "William Mills' line."**

3 AUGUST 1886

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: delivered 3 August 1886

William Mills, Franklin Co. 60a Blk Water, 15? m. NE of courthouse, \$2.75per a, \$165 total value, \$.67 tax "66 A to James Hutt" (roll 819)

COMMENT:

James W. "Hutt" is also taxed on 122 acres on Standifer Creek "from Wilson Cundiff" but nothing on Blackwater.

30 JULY 1887

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Harrington list: delivered 30 July 1887

William Mills, Franklin Co. 60a Blk Water, 15? m. NE of courthouse, \$2.75per a, \$165 total value, \$.66 tax [no notation of anyone else paying the tax] (roll 835)

COMMENT:

James W. Hutt is taxed on a new listing for 114 acres on Blackwater, 15m NE, \$4 per acre. Remarks: "Lands Thos. **Dudley** Decd." There is no reference to 66 acres from Mills.

19 JULY 1888

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Harrington list: delivered 19 July 1888

William Mills, Franklin Co. 60a Blk Water, 15 m. NE of courthouse, \$2.75per a, \$165 total value, \$.66 tax [No notation of anyone else paying the tax.] (roll 851)

17 JULY 1889

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: delivered 17 July 1889

²²⁰ Franklin Co., Deed Book 37: 292-93.

William Mills, Franklin Co. 60a Blk Water, 15 m. NE of courthouse, \$2.75per a, \$165 total value, \$.66 tax
[No notation of anyone else paying the tax.] (roll 868)

COMMENT:

The remarks column carries a long line through it, with no explanation. A similar line is used for several other taxpayers in the district.

I checked the end of the district and the end of the whole tax roll to see if a list of delinquents appear. I found none.

25 JULY 1890

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Arrington's list: delivered 25 July 1890

William Mills, Franklin Co. 60a Blk Water, 16 m. NE of courthouse, \$2.75per a, \$165 total value, \$.66 tax
[No notation of anyone else paying the tax.] (roll 888)

COMMENT:

The long line carried in the remarks column the prior year is no longer there although it appears for some others.

3 AUGUST 1891

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Arrington list: delivered 3 August 1891

William Mills, Franklin Co. 60a Blk Water, 16 m. NE of courthouse, \$2.50 per a, \$150 total value, \$.60 tax
[No notation of anyone else paying the tax.] (roll 909)

COMMENT:

The long line is again added across the remarks column.

2 JULY 1892

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: W. F. Poindexter's list: delivered 2 July 1892

William Mills, Franklin Co. 60a Blk Water, 16 m. NE of courthouse, \$2.50 per a, \$150 total value, \$.60 tax
[No notation of anyone else paying the tax.] (roll 932)

COMMENT:

The long line across the remarks column is again removed.

8 AUGUST 1893

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Arrington list: delivered 8 August 1893

William Mills, Franklin Co. 60a Blk Water, 16 m. NE of courthouse, \$2.50 per a, \$150 total value, \$.60 tax
[No notation of anyone else paying the tax.] (roll 957)

COMMENT:

The long line is not there.

16 FEBRUARY 1894

FRANKLIN COUNTY, VA

Deed

“Between Jno. P. Lee Commissioner as hereinafter mentioned ... and James A. Cundiff, party of the second part; whereas the Circuit Court of Franklin County did order and decree at its May Term 1890 in a certain suit there depending therein under the short style of Cundiff J. W. and al vs. Cundiff & als. That Jno. P. Lee who was thereby appointed a Commissioner for the purpose should sell at Public auction the land in the proceedings of the said suit .. being the deiver [sic] estate of **Rhoda Cundiff** now deceased in the lands of **Wilson Cundiff** dec’d, and whereas the said Commr Lee did sell the said land and James A. Cundiff became the purchaser thereof at the price of [\$375] which sale being reported to the Court was confirmed by a decree entered at the May Term 1891 and whereas the said Court did by the decree entered at the May term 1893 order that Jno P. Lee who was thereby appointed a commissioner for the purpose should convey the said land to the said James A. Cundif, he having paid all the purchase money therefor. Now Therefore this Indenture ... for the sum of one dollar .. [Lee] doth hereby grant ... unto [Cundiff] with special warranty the said tract of land lying and being in Franklin County, Virginia, on Blackwater River adjoining the lands of George Brown and James Hutts and Containing Sixty acres more or less. This is a portion of a tract of land purchased by the said Wilson Cundiff in his lifetime from **Wm Mills ...**”

Acknowledged in the Clerks Office by Lee on 19 February 1894.²²¹

COMMENT:

1871	126 acres: Owner is William Mills
1872	126 acres: Owner is William Mills, but “Wilson Cunniff to pay”
1885	126 acres: Owner is William Mills, but “J.W. Hutt & Rhoda Cundiff pays”
1886	60 acres: owner is William Mills, but “66 acres to James Hutt”
1887-1894	60 acres: owner is William Mills. No remarks about payee
1895	60 acres: William Mills “to James Cundiff”

27 JULY 1894

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Arrington list: delivered 27 July 1894

William Mills, Franklin Co. 60a Blk Water, 16 m. NE of courthouse, \$2.50 per a, \$150 total value, \$.60 tax [No notation of anyone else paying the tax.] (roll 984)

COMMENT:

The long line is not there.

26 JULY 1895

FRANKLIN COUNTY, VA

Land tax roll

2nd Dist: William S. Arrington list: delivered 26 July 1895

William Mills, Franklin Co. 60a Blk Water, 16 m. NE of courthouse, \$2.50 per a, \$150 total value, \$0 tax *Remarks: “To James Cundiff”* (roll 1010)

COMMENT:

At this point, the tax roll is updated and the land is not thereafter charged to “William Mills.”

²²¹ Franklin Co., VA Deed Book 45: 169–70

CHECKLIST Sources Used & Future Work

Court Records

Read item by item:

- County Court Order Books 1786–1850. FS digital film 7898091, 7897650, 7898090, 7898092, 8141192, 8190425
- Determined Papers, 1811–1820. Library of Virginia (LoV), Franklin Co. microfilm reel 120–123
- Determined Papers, 1828–1829. FS digital film 8704987
- Determined Papers, 1833. FS digital film 8704991
- Determined Papers, 1837. FS digital film 8573775 and 8704993
- Order Book, October 1811–1817. Library of Virginia (LoV), Franklin Co. microfilm reel 29

Have not yet used:

- Chancery Order Books 1–8, 1814–1865. FS digital film 8141193, 8151709, 8151710, 8572432
- Circuit Superior Court of Law and Chancery & Circuit Court, Order Books A–B, 1831–1850, **LoV** Franklin Co. reel 34 (refilmed as reel 483)
- Determined Papers, 1789–1810. 26 rolls
- Determined Papers, 1821–1824. Missing from FS. LoV reels 126-127
- Determined Papers, 1826–1827. 2 rolls
- Determined Papers, 1830–1833. 2 rolls
- Determined Papers, 1834–1836. 2 rolls
- Determined Papers, 1838–1860. 45 rolls
- Determined Papers, 1841–1898. FS digital film 8705518
- Superior Court Order Books, 1789–1809. FS digital film 7898088, 7898089
(Also available as District Court Order Books 1-5, 1804-1809, **LoV** microfilm 36–36)

Deeds: County Clerk

Used via the clerk's index, but I have not read page-by-page:

- Deed Records, Books 1–22 (1786–1853). Library of Virginia and *FamilySearch*

Deeds: District Court

Read:

- Deed Book 1 (1789–1802). FS digital film 7898087
- Deed Book 2 (1802–1814). Ditto

COMMENT:

Book 2 of this series has several Christopher Clark entries—apparently the son-in-law of Peter Wright of Botetourt whose 1790 will named [daughter?] **Rachel Preston**. **Get his data.**

- Bonds, Deeds, Book No. 2 (1802–1814). Ditto
- “Index to Land Suits, District Court, 1805–1818.” LoV, Franklin Co. reel 40. Library of Virginia

Fiduciary Records

Have not yet used:

- Guardians' Accounts, 1805–1833, 1833–1855, 1852–1864. **LoV** Franklin Co. reels 493, 282–2833, 284–285

Marriage Records

Read:

- "Marriage Bonds, 1813 (I)–1818." Loose papers chronologically arranged. LoV Franklin Co. reel 47.

Have not yet used:

- Marriage Returns, 1786-1858. **LoV** Franklin Co. reels 92–93

Superior Court

Have not yet used:

- Land suits, 1805–1818, 1821-1822; FS digital film 8141191

Surveyor's Office

Read:

- Plat Book 1, 1792–1811; LoV Franklin Co. microfilm reel 40

Have not yet used:

- Plat books, 1811–1891; FS digital film 8141191

Tax Records

Read:

- Land Tax Records, 1786–1895. **LoV**, Franklin Co., land tax microfilm
- Personal Property Tax Records, 1786–1850. **LoV**, Franklin Co., personal tax microfilm

Will Books

Read:

- County Court Will Books 1–6 (1786–1849). LoV, Franklin Co. reels 18–19

Have not yet used:

- Circuit Court Will Book 2, 1804–1901. FS digital film 7645001.
- County Court Will Books 7–12 (1849–1863). FS microfilm 764497, 764498, 764499.
- Will Inventories, Accounts. Arranged alphabetically. **LoV**, Franklin Co. reels 650–672

OTHER MATERIALS USED

Online:

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- Edwards, Conley L. *A Political History of the Poll Tax in Virginia, 1900–1950*. M.A. Thesis, University of Virginia, August 1973). Archived at University of Richmond, "UR Scholarship Repository." <https://scholarship.richmond.edu/masters-theses/452/> : 2014.
- Find A Grave*. <https://findagrave.com>. 2018,
- Franklin County, VA. *Franklin County Park and Recreation*. <http://www.franklincountyva.org/parks/>. 2018.
- "Franklin County, Virginia, Marriage Bond Index." Database. *Ancestry.com*. 2018.
- Library of Virginia. "Land Office Grants." Database with images. *Virginia Memory* http://virginiamemory.com/collections/collections_by_topic.
- Lloyd, J.T. *Lloyd's Official Map of the State of Virginia*. New York: J. T. Lloyd, 1862). Imaged *David Rumsey Map Collection* (<https://www.davidrumsey.com/luna/servlet/detail/RUMSEY~8~1~3695~350006:Lloyd-s-official-map-of-the-State-o>).
- "Virginia Compiled Marriages." Database. *Ancestry*. <https://www.ancestry.com>.
- "Virginia Marriages, 1785–1940." Database. *FamilySearch*. <https://familysearch.org>.

Print:

- Beck, Sara Motisher. *Abstracts of the Eighteenth Century Deed Books, Franklin County, Virginia; Deed Book 1 (1786–1789), Deed Book II (1789–1793)*. Rocky Mount, VA: Franklin County History Project, 1978.
- Crumpton, Barbara Crumpton. *Franklin County, Virginia, Deed Book 4, 1799–1804*. Duncan, OK: Creative Copies, 1999.
- . *Franklin County, Virginia, Deed Book 2, 1788–92*. Duncan, OK: Creative Copies, 1999.
- Douthat, James L. *Montgomery County, VA, Will Book 1, 1786–1800*. Signal Mountain, TN: Mountain Press, 1986.
- Fisher, Therese A. *Marriages in the New River Valley, Virginia: Montgomery, Floyd, Pulaski, and Giles Counties*. Bowie, MD: Heritage Books, 2008.
- Franklin County, Virginia, Will Book 2, 1812–1825*. Duncan, OK: Creative Copies, 1999.
- Franklin County, Virginia, Wills, 1786–1812*. Miami Beach, FL: TLC Genealogy, 1991.
- Mann, Gertrude C., J. R. Hildebrand, and George A. Kegley. *A Settlement Map of Franklin County, Virginia ... 1786 to 1886*. Rocky Mount: Franklin County Historical Society, 1976.
- Merritt, Beverly. *Franklin County, Virginia, Index of District Order Book #1, 1789–1808*. Henry, VA: Privately printed, 2015.
- . *Franklin County Virginia, Court Records: Minute Books 04-03-1836–05-04-1840*. Henry, VA: Privately printed, 1999.
- Note:** Although the title does not say so, this is only an index—a database print-out showing defendant, plaintiff, date, and page number.
- . *Franklin County, Virginia, Plat Book #1, 1792–1811*. No place of publication: Privately printed, no date.
- . *Franklin County, Virginia, Will Book Index, 1786–1986*. No Place: Privately printed, no date.

MILLS: Mills & Associates: Franklin County, VA: Extended Survey 1 September 2021

Schreiner-Yantis, Netti, and Florene Speakman Love. *The 1787 Census of Virginia: An Accounting of the Name of Every White Male Tithable ...*, 3 vols. Springfield, VA: Genealogical Books in Print, 1987.

Wingfield, Marshall. *An Old Virginia Court: Being a Transcript of the Records of the First Court of Franklin County, Virginia, 1786–1789*. Memphis: West Tennessee Historical Society, 1948.

— — —. *Pioneer Families of Franklin County, Virginia*. Berryville, VA: Chesapeake Book Co., 1964.

