

*[The following report was begun by Joan Horsley prior to March 2012.
It was completed using Joan's research notes by Pam Lasher. You can contact her at lpam216@gmail.com.]*

BENJAMIN DAVIS

c1690 – 1763

**Master Carpenter, Bridge Builder, A First Builder of Culpeper Town
Culpeper and Spotsylvania Counties, Virginia**

Research Report by

Joan Horsley

Based on her research as of March 2012

Website: www.JoanHorsley.org

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Acknowledgements

There are individuals that collaborated and/or shared with Joan along the way. It is impossible to name them and not leave someone out. Joan appreciated everyone who joined the research journey with her. And I believe I can speak for us when I say, "Joan was the most excellent researcher with the grit to endure the tediousness and preciseness needed to get it right. We miss her still." ~Pam

To make reading the report easier, Joan abbreviated sources. For instance, SDBH is Spotsylvania Co. Deed Book H. The first letter will be obvious when considering the county mentioned in the paragraph. Following the first letter is either Deed Book, Will Book, Order Book, Road Orders, or Marriage License; and then the number/letter of the book. The page number follows.

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| Note to researchers: questions that Joan left and need further research are contained inside a box. |
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FORWARD

Wishing to maintain the integrity of Joan's research, as well as her own words, I tread lightly in adding to or changing anything Joan wrote. ... And so, in her own words, here are her thoughts found as the *Conclusion* of her report on Daniel and Mary Davis Jarrell. It is true for this report as well.

Again, please use these interpretations I present with caution, since this is only a preliminary assessment made by only one researcher, and all original records have not yet been checked or probably even found. While I have ardently played devil's advocate with my own interpretations at each step, it takes the interaction and feedback of a community of researchers with their own interpretations, family knowledge, questions and answers, along with the discovery of more records and further in-depth investigation of those records already found, to "grow backwards" any family tree.

Hopefully even these records to date have given us a new view of this Jarrell family, enlarged their lives for us by connecting them in communities and among people whose associations continued over time, and widened the window into their lives, times, and geographic surrounds. As refinements, corrections and additions are made to these interpretations and as new records are found, we will continue to broaden and deepen the story of Daniel and Mary Davis Jarrell, their family, relatives, friends and neighbors, which is our story as well.

General Report Notes

** Note on Abbreviations in Citations:*

Abbreviations for in-line citations follow this format: county, type of record, book number or letter, (colon:) number of first page of document. Thus MadWB3:312 means "Madison County (VA) Will Book 3, beginning on page 312." (DB=Deed Book, CM=Court Minutes, etc) The county should be explicit in the context, but in this report I distinguish Madison (Mad) from Monroe (Mon) since both "M" counties are frequently cited. All documents cited in this format come from copies or microfilm of the complete original document unless referenced with an abstract book or other secondary material. See the Bibliography for complete source information and Timeline of Records for transcriptions and extracts. Any citation from a secondary source needs to be verified against the original document.

*** Note on Punctuation:*

In my research papers, I use an apostrophe with an "s" (i.e., Jarrell's) as the plural form of a proper name, a usage that in today's American English is as archaic as I often feel. The advantage for our research purposes is that this form clearly delineates the core surname in a way that simply adding "s" or "es" often does not. Although I find this outdated form very useful for research clarity, I hope other grammar-sensitive readers do not find it overly irritating or distracting.

**** Note on Relationships Among Jarrell Family Associates:*

Information on the Jarrell and Davis families' relationships is from my own research based upon primary records, which I attempt to hold to current stringent standards for evidence and proof (or note when that could not be done). However, relationships within families associated with them are based chiefly on the most reliable secondary sources to which I had access, some of which had more documentation than others. These auxiliary and associated family relationships could not be held to the proof standards of the primary families in this report due to limitations of time and resources. They are included in this report only as a reference points, not necessarily as proved or fully documented relationships.

Joan's opinion of family tree outlines:

Birth dates of these siblings are only approximate, based on indicators such as when they first appear in records, date of marriage and/or first child, age of spouse (if known).

I hesitate to set down in any outline form a possible early Jarrell Family Line, since a simple outline can appear to be a finished conclusion even though the information presented is far from finished or conclusive. An outline format does not allow for all the questions raised in this report or show the varying degrees of strength of the evidence found in primary records for each person's relationships.

If such an outline is taken only as a working hypothesis, with strong evidence for some relationships and not much more than educated guesses for others, it can be a useful tool, especially given the mass of material covered in this report. To be taken (or rejected for that matter) in toto and out of hand would be an unwelcome result and a hindrance to further Jarrell family research. Taken as a work in progress, a springboard, hopefully this outline will help show the pattern of the forest without getting lost among the trees, as it is all too easy to do in a report of this size and scope.

Joan's questions have been retained in this report and in each report following this one of Benjamin (I)'s children. It is the wish of Joan's beloved husband that this will help researchers by knowing which trails Joan explored, as well as possible clues on how to proceed. Researchers are encouraged to collaborate to move Joan's research forward and hopefully uncover primary documents to prove details about this extraordinary Davis family.

Misspellings within a transcribed document were purposely not corrected (as Joan desired); they are preserved as seen in the original document.

Joan's descriptions and explanations are maintained within these pages. Occasionally, when I am making comments regarding her notes, it will be obvious.

Happy hunting, and blessings to all,



Pam Lasher

A descendant of Benjamin's daughter, Mary Davis Jarrell
And 6th cousin once removed to Joan Horsley!

OVERVIEW OF THE FAMILY

BENJAMIN DAVIS

Born c1690, King and Queen County, Virginia
 Master Carpenter, Bridge Builder, A First Builder of Culpeper Town
 Married Elizabeth ____ (b. abt 1700 d. bef. 15 March 1761 in Spotsylvania County, Virginia; maiden name unknown) abt. 1725 in King William County, Virginia
 Died 23 July-19 August 1763 in Culpeper, Culpeper County, Virginia

JOHN DAVIS

Born abt. 1728 in King William County, Virginia
 Son of Benjamin Davis (I) and Elizabeth __ (maiden name unknown)
 Master Carpenter
 Married (1) Lucy ____ (maiden name unknown; b. unk. d. abt. 1778 in Culpeper Co. Virginia) abt. 1765; and (2) Frances ____ (maiden name unknown; b. abt.1750, d. bef. 15 March 1821) bef. 17 May 1779 in Culpeper County, Virginia
 Died bet. 27 February 1807-19 September 1808 in Pittsylvania County, Virginia

WILLIAM DAVIS

Born abt. 1730, King William County, Virginia
Probable son of Benjamin Davis (I) and Elizabeth __ (maiden name unknown)
 Married Sarah ____ (maiden name unknown) before 1762
 Died shortly bef. 23 September 1823 in Fayette County, Kentucky

JAMES DAVIS

Born abt.1732 in King William or Caroline County, Virginia
 Son of Benjamin Davis (I) and Elizabeth __ (maiden name unknown)
 Master Carpenter
 Died bet. 1820-28 October 1824 in Madison (formerly Culpeper) County, Virginia
 Married (1) Margaret ____ bef. 3 July 1766; and (2) Mary Price bet. 3 July 1766-June 1777 in Culpeper County, Virginia

BENJAMIN DAVIS (II)

Born 1736 in King William (or Caroline) County, Virginia
 Son of Benjamin Davis (I) and Elizabeth __ (maiden name unknown)
 A carpenter like his father
 Served in the Revolutionary War 1777-1779
 Moved to Elbert County, Georgia in 1791
 Married to Mary (Bush?)
 Died bet. 02 September 1796-24 Jul 1797, a resident of Elbert County, Georgia

SARAH "Sallie" DAVIS

Born abt. 1738 in King William (or Caroline) County, Virginia
 Daughter of Benjamin Davis (I) and Elizabeth __ (maiden name unknown)
 Married Thomas Terry (c1730-bef. 28 June 1804) abt. 1758 in Spotsylvania or Culpeper County, Virginia
 Died Aft. 21 December 1817 in Wolfstown, Madison (formerly Culpeper) County, Virginia

MARY DAVIS

Born abt. 1742 in King William or Spotsylvania County, Virginia
 Daughter of Benjamin Davis (I) and Elizabeth ____ (maiden name unknown)
 Married Daniel Jarrell (b. c1740, d. 1804) on 7 February 1770 in Culpeper (later Madison) County, Virginia
 Died Between 4 April 1811-2 April 1812 near today's Indian Mills, Monroe County, Virginia (now West Virginia)

Benjamin Davis (c1690 – 1763)

BENJAMIN DAVIS was born c1690 in King and Queen County (later King William County), Virginia. He died between 23 Jul-19 August 1763 in town of Culpeper (first called Fairfax), Culpeper County, Virginia. He married Elizabeth __ (maiden name unknown) in about 1725 in King William County, Virginia. She was born about 1700 and died before 15 March 1761 in Spotsylvania County or Culpeper County, Virginia.

Benjamin and Elizabeth __ Davis had the following six children:

- John Davis (c1728-1808)
- William Davis (c1730-1823)*
- James Davis (c1732-1824)
- Benjamin Davis (“II”, 1736-1797)
- Sarah “Sallie” Davis (c1738-c1820), who married Thomas Terry
- Mary Davis (c1742-1812), who married Daniel Jarrell

*William Davis, above, is a probable son to Benjamin and brother to the others, who moved from Culpeper County, Virginia to Fayette County, Kentucky in the early 1780’s, and while their relationship has not yet been proved directly, Spotsylvania and Culpeper records for this William Davis show a strong association as son of Benjamin I and not with another Davis family in their area. The 1817 Madison County, Virginia will of James Davis does prove directly that the siblings include at least John Davis, James Davis, Benjamin Davis, Sarah Terry, and Mary Jarrell. [*MadWB3:312 (*See General Report Notes regarding inline citation abbreviations.)*]

Some list a seventh child, Elizabeth Davis, as a daughter of Benjamin. Joan removed her from the list of his children and wrote these notes regarding Elizabeth Davis:

- Thought she was Benjamin’s daughter, but “Davis” is not in the Dorman book as cited elsewhere, and there’s the problem of her child being named Diana Carter Collins that I can’t explain (with either Davis line OR the Collins, actually).
- FTM notes for her husband Lewis Collins, also removed
- Elizabeth Davis
b. Abt. 1726, King William, d. Aft. 16 Sep 1783 Kershaw Dist., South Carolina – this is the date her husband Lewis Collins’ will was written in Granville Co., North Carolina.
- The Robertson Family of Culpeper County, Virginia, by John Frederick Dorman (1964)
Library of Virginia Call Number: CS71.R645
Title: The Robertson family of Culpeper County, Virginia.
Publication: Richmond, [A. G. Robertson] 1964.
- Does not give her last name as Davis. Probably the child named Carter made someone else think she was of the Davis family who married Carter (i.e. “Wrong” James Davis).

A SHORT BIOGRAPHY OF BENJAMIN DAVIS I

Benjamin Davis (I) was likely born between 1690-1695 in the areas that became King William County, Virginia in 1701. He married about 1725. He and his wife, Elizabeth __ (maiden name unknown), raised a family of six (known) children. Due to the loss of King William County records, we know little of the family until 1742, after he moved the family upriver to Spotsylvania County.

Note regarding three generations of men named Benjamin Davis:

Since Benjamin Davis has a son and a grandson named Benjamin, they are referred to as Benjamin I, or sometimes written Benjamin (I), Benjamin (II), and Benjamin (III).

Benjamin Davis was a master carpenter by profession, and records still exist for three of his likely more numerous apprentices. [SDBB Pt 1 p 93,101,137] Formally trained skilled craftsmen were relatively rare in the Colonies, and as such were valuable to, and valued by, their communities. Such carpenters, usually classified as “carpenter-joiner,” were equipped with the skills to perform all forms of carpentry from framing and roofing to finishing, ornate indoor and outdoor woodworking, cabinetry, even glazing when no specialist glazier was available or needed. They were also the county bridge builders, contracted for locations where special training was required. Records still exist for three of Benjamin’s likely more numerous apprentices. Two of his sons, John and Benjamin, were also carpenters by profession [CDBE:135; CDBH:131], and probably part of the family business; and after Benjamin died, his eldest son, John, contracted apprentices of his own.

Benjamin was literate, as were all trained craftsmen. Apprenticeship contracts required the masters to teach their apprentices to read and write, and skills such as carpentry required the mathematics necessary for their craft. It is noteworthy, though, that both of Benjamin’s known daughters as well as his sons were also literate. The majority of men in their time and place were illiterate, and literate females outside of the aristocracy were rare indeed.

During his 15-year sojourn in Spotsylvania County, Benjamin Davis was a builder of note. His public projects included the construction of at least five county bridges in Spotsylvania and adjacent Louisa and Orange counties with maintenance responsibilities for five to seven years, and a five-year maintenance contract on yet another bridge near Fredericksburg. [SOB1738-1749:396; LOB1742-1748:279; OOB5:157; SWBB Pt 1 p37, 38; Pt 2, p. 374] Benjamin may have done similar work in adjacent Culpeper County, now unknown because of the destruction of early Culpeper Court records.

One of the bridges was not completed on time [SOB1738-1749:507], but that was remedied without penalty or forfeiture of bond and was not a deterrent to future contracts. Only one complaint was ever lodged against his work, for a bridge not completed when due but that was obviously rectified in due haste, since no fine or reimbursement was required of him, as a number of other records show was the penalty, and he continued bridges over the: Northanna River between Louisa County and Spotsylvania County (requiring contractual approval from both courts), over the Po River and over the Ni River where the Pamunkey rolling road crossed over them in Spotsylvania County, the “Mine Bridge” also in Spotsylvania, and the bridge over Wilderness Run in Orange County on the main road from Spotsylvania into Culpeper.

In May 1754, Benjamin was awarded the contract to build the first addition to the St. George’s Parish church in Fredericksburg (attended by several members of George Washington’s family), following the same pattern and specifications as the original distinguished architecture. [Dorman, St. George’s Parish

Vestry Books 1726-1817, p 99,101,107,109] For this 21-month project, Benjamin was paid a total of 25,300 lbs. of tobacco, a substantial sum in the currency of the day. A carpenter of Benjamin's skills and experience would have built untold numbers of houses and buildings never recorded, such as the unspecified work for which he was paid by the estate of the brother-in-law of James Madison Sr., father of the later U.S. president. [OWB2:385]

Benjamin Davis was in his mid-60's and perhaps already a widower when he moved his residence from Spotsylvania County to Culpeper County in 1757. That same year he was appointed Sexton of the Culpeper Courthouse. [Davis, *St. Mark's Parish Vestry Book 1730-1785, p 67*] It is possible Benjamin may have built that first frame courthouse, constructed about 1750, since his carpentry projects covered several area counties. However, his reason for relocating to Culpeper appears primarily to have been a real estate development project he had undertaken with Robert Coleman, the only project of this kind indicated in the records for Benjamin. [Culpeper's first frame courthouse, constructed about 1750-- information from the Culpeper Historical Society was obtained on a visit in August 2004: Culpeper County was formed in 1749, a courthouse, believed to have been frame, was erected at the Northeast corner of Main and Davis Streets. Authorized by the Council of Colonial Virginia in 1749, the building was probably completed in 1750. (Whoever built it did a good job; it seems the building was not replaced until 1808.)]

In 1759, an Act of the Virginia General Assembly formally established a town at the Culpeper Courthouse. Originally named Fairfax, in 1870 it was officially re-named Culpeper, as this county-seat town 70 miles southwest of Washington, DC is called today. According to the 1759 Act, the new town was to be laid out on 30 acres that Benjamin Davis was leasing from Robert Coleman. Coleman was a land investor whose family was well-known, and Benjamin was an experienced builder of local repute. It seems obvious that the reason for Benjamin's lease was to build houses and buildings that would attract residents to this "high and pleasant situation," to both Coleman's and his advantage.

With the town's formal creation, Benjamin agreed for Coleman to break his lease in return for Benjamin's retaining his own houses at a twenty percent reduction in rent for the lease time remaining, thus freeing Coleman to sell the remaining 27 acres as town lots. In 1763, four years after Coleman took over the town land as a private enterprise, Benjamin Davis, then around age 70, is recorded for the first time with debt suits against him, the earliest dating from December 1761. (In 1758, he still had the surplus to provision the militia called up for the defense of the Augusta County, Virginia frontier during the French and Indian War.) [<http://vagenweb.org/hening/vol107--10.htm>.]

Three of the 1763 debt cases were dismissed by the court or by agreement of the parties. In two of the three cases, he lost (one a company, one a mill owner), Benjamin was ordered to pay only half "in mercy," the court recognizing he would not be able to repay the full amount owed without undue hardship. At the same time, for the first time in 20 years, Benjamin was suing to collect debts owed to him. Before that case was resolved, Benjamin Davis died in Fairfax/Culpeper in late July or early August of 1763. [Madison County Virginia Will Book 4, p. 312-313. *Madison Courthouse, Madison, Virginia*]

The courthouse of which Benjamin had been Sexton and possibly had built was located on the road where Benjamin lived, then known as "Davis's street." Two hundred and fifty years later, Benjamin Davis has long been forgotten, but Davis Street remains at the heart of today's Culpeper and the focal point of the town's distinguished Historic District. Given its beginnings, Davis Street stands as an unrecognized memorial to all the forgotten "ordinary people," the small-scale farmers, the tradesmen providing labor

and transport services, and the various categories of skilled craftsmen who have gone before, laid the foundations, and paved the way on the long road to today.

REGARDING BENJAMIN'S PARENTS

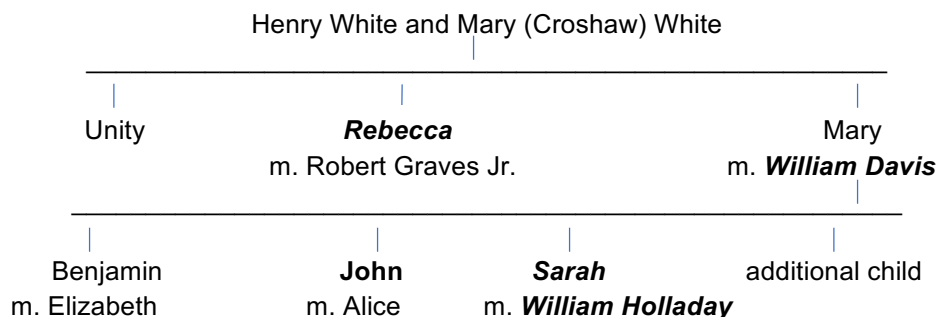
Because of the loss of almost all early records for King William County and the adjacent counties of New Kent and King and Queen from which King William was formed, no records for Benjamin Davis have been found there. Due to the same loss of records, Benjamin's parents are not yet proved with primary documentation, although the 19 May 1702 Deed of John Davis with William Davis to William Holladay is a strong indication. In addition to this deed (transcribed and given in the following section, called The Timeline of Records for Benjamin Davis I), substantial indirect evidence from his numerous records in Spotsylvania and his children's later records indicate Benjamin came from King William County and is the son of William and Mary (White) Davis. (Extensive research has eliminated any close relationship with Davis families in surviving records of ten counties that surround Spotsylvania and from where migration into Spotsylvania generally came. Even though all evidence points to Benjamin being a native of the area where he is first recorded, Davis families in Pennsylvania and the Northeast have been investigated and likewise eliminated.)

I believe there are strong indications that BENJAMIN DAVIS was a brother of JOHN DAVIS of King William County. Benjamin and his children are on records and/or live near many of the people connected with John and his father William in King William--most significantly, Waller's, Holloday's, Graves's and Terry's, their in-laws and friends. Because most King William County records have been lost to fire, Benjamin's parents may never be absolutely proved, but the connections are numerous and I believe convincing. For convenience and ease of reading I usually say "Benjamin's father" rather than "likely" or "probable" father, but I am aware this is not definitively proved and could change with new evidence.

There is a possibility that Benjamin could be the son of John instead of John's father William, since Benjamin's connections with John in Spotsylvania records are significant. I have found no other Davis than Benjamin with records showing similarly strong on-going familial connections with this family. And no other Davis with any clues that they could be Benjamin's family of origin instead.

We are fortunate that one of the few surviving early King William records provides significant information about this Davis family. From it we learn the father was William whose first wife was a sister of Rebecca White. (Earlier records show that William Davis' wife Mary White and sister Rebecca White were daughters of Henry White and Mary Croshaw, and a third sister Unity married Ralph Graves, Jr.) The 1702 deed also shows that William and Mary White Davis had a son John, a daughter Sarah who married William Holloday, and two other surviving children who inherited their mother's sister's land. (Another King William record two months earlier shows William's current wife to be named Alice, and he could have had children by her as well.) We also have land grants and surveys that tell us William Davis' land was adjacent to John Waller (Sr) and to Ralph Graves, and that John Holloday had land adjacent to Capt. James Terry. Benjamin Davis also has Spotsylvania connections with children of John Waller, John Holloday, and relatives of Ralph Graves, and his daughter Sarah married Thomas Terry, a grandson of one of the Captains Terry, almost certainly James.

Referring to the 19 May 1702 deed (transcribed at the beginning of the next section of this report) and related details, the family tree most likely, in part, looks like this:



[Bolded and italicized names are seen in the 19 May 1702 deed. This “tree” was added by Pam. Benjamin Davis’s parents and siblings still need further primary documentation in addition to this one deed.]

William and Mary White Davis' son John Davis continued to live in King William County but travelled to Spotsylvania, allowing us to make personal connections with him there in addition to his 1719 patent for land that became Spotsylvania. There are deeds (below) relating directly to JOHN DAVIS. I mention records of BENJAMIN DAVIS to show some of the connections between him and his probable brother JOHN DAVIS, which the complete records and notes for Benjamin illustrate further. Also, in the Spotsylvania records below I have capitalized names found also in records or associated with Benjamin Davis and/or his children. After that is a collection of records that help to expand our information about John and Benjamin and the people and places associated with them. The names "Elk Neck," "Gunstock" and "East North East" are key identifiers of those around John's 1719 land grant.

The following paragraph by Joan shows just how difficult this research has been in trying to determine records amongst people with very common names:

There was another John Davis with a 1728 land patent for Spotsylvania County, but he is a different John Davis than William's son in King William. The other John Davis died with a will proved 4 June 1734 in St. Mark's Parish, Spotsylvania Co. His land was further west near today's Mallory's Ford in Orange County at the border with Louisa. There are connections between the families of the two John Davis's, particularly through the Rucker family, but how or if they are related is not yet known.

Also, through the generations, besides three Benjamins, there were multiple men with the name John Davis. (1) John Davis of King William County—the brother of Benjamin Davis (I). (2) John Davis of York—the father of William Davis who married Mary White. (3) John Davis the Elder—son of Benjamin Davis (I). (4) John Davis—Revolutionary War Soldier—named in James Davis' will as “brother” (probably a foster brother or cousin). (5) John Davis d. 1734—possibly the son of William and Mary White Davis. (5) John Davis “a lunatic” d. 1854—probably the son of John and Lucy Davis, Benjamin (I)'s grandson.

TIMELINE OF RECORDS FOR BENJAMIN DAVIS

The following records are in order by date. They are records that include the name Benjamin Davis (pertaining to Benjamin I). Documents are transcribed as found in the source text, misspellings and all.

The first record here--this deed of 19 May 1702 is the only record found thus far that indirectly indicates who Benjamin Davis's parents are (a triple-lined box is around it to set it apart as special). The record following this one is 1742/43; we have no found records in between.

1702

19 May 1702 - King William County Deed

JOHN DAVIS with WILLIAM DAVIS to William HOLLODAY.

TO ALL CHRISTIAN PEOPLE to whome these presents shall come, I JOHN DAVIS of King William County sendeth Greeting. Know ye that I JOHN DAVIS by and with the free consent of my Father, WILLIAM DAVIS, for divers good causes hereafter mentioned but more especially for the effecton & love I bare to my Sister, SARAH HOLLADAY, and further in consideration doe acknowledge I have received of the said HOLLADAY a two yeare old Heifer in full satisfaction fhave assigned and sett over and for ever make over unto the sd. WILLIAM HOLLADAY his heires Excrs. Admrs. & assignes seventy f() acres of Land lying and being upon MATTAPONY RIVER in the County aforesaid, it being my part of three hundred acres of Land fallen to mee by the death of my Aunt, REBECCA WHITE, bounded as followeth; to have the full breadth on the River and soe to run up from the River upon SCOTLAND'S Line being the land of Mr. RICHD. LITTLEPAGE on one side bounding the Lane belonging to RALPH GRAVES on the other side until it cometh up soe fair as to containe the aforesaid Land of seventy five acres. I doe hereby for my self my heires warrant the said Land unto the said WILLIAM HOLLADAY his heires, Excrs. Admrs. and assignes for ever from any person whatsoever laying any claime to the said Land with all the appurtenances thereunto belonging, and further doe oblige mee my heires & assignes to make unto WILLIAM HOLLADAY his heires & assignes any further assurance when required and doe hereby oblige my selfe with my Father, WILLIAM DAVIS, to acknowledge this Deed in open Court held next for King William County.

Signed: JOHN DAVIS, WILLIAM DAVIS

**Witness our hands and seales this 19th May 1702 Signed Sealed and Delivered in the presence of us RICHARD GISSEDGE, WM: NOYES, SARAH (x) GISSEDGE, RD. [Richard] WALL
Acknowledge in Court and recorded 26 May 1702**

At a Court held for King William County the 26th day of May 1702 The Subscribers, JOHN and WILLIAM DAVIS, came into Court & acknowledged () unto WILLIAM HOLLADAY ()

This deed is bolded because of its importance to us. This is the one and only document found thus far that proves the early Davis relationships.

[Source: King William Record Book Vol 1, p. 7 (XI-200); King William County Virginia Records Books 1702-1705 by Ruth and Sam Sparacio (Antient Press, 1996), p. 3; Confirmed against my copy of deed as best I could make out the singed and smudged page, except the Sparacio's have "Ginedy" which I have corrected to the correct "Gissedge", The abstract of the same deed by Beverly R. Conolly (New Papyrus Pub. 2006) confirms Gissedge.]

Note:

According to the above deed, I believe these to be the parents of Benjamin Davis: **William Davis and Mary White, daughter of Henry White (d. 1671, York County) and Mary Croshaw, daughter of Joseph Croshaw (d. 1667, York County, Virginia)**. Ralph Graves Sr. married Rachel Croshaw, sister of Mary Croshaw White. Ralph Graves Jr. married Unity White, sister of Mary White Davis. Their sister Rebecca White was bequeathed, as were they, 300 acres in then New Kent County from their father Henry White (York County will 1671). When Rebecca died, underage and unmarried, in 1686, her 300 acres were divided equally among her surviving siblings William and Joseph White, Unity Graves, and Mary Davis, according to the directive of Henry White's will.

By the time of this deed, Mary White Davis has also deceased. Apparently, her eldest son John inherited her land by primogeniture. However, Mary's husband William Davis would have use of the land for his lifetime by "right of courtesy", so he had to give his consent for John to sell or otherwise transfer it while William was still alive.

Some researchers have misinterpreted the deed's phrase "my part of three hundred acres of Land fallen to me by the death of my Aunt, Rebecca White" to imply that the other $\frac{3}{4}$ parts went to John's siblings. If true, this would mean William and Mary White Davis had only four children. However, since the other $\frac{3}{4}$ parts went to Mary's siblings, not John's, and since by the law of primogeniture the eldest son inherited all land not otherwise assigned by a will (which Mary probably did not make, and none has been found), this deed tells us nothing about how many children Mary and William had. It does, however, tell us who two of them were.

One child was son John, the grantor in this deed. He later, in 1719/20, got a patent in the "Elk Neck" area of what became Spotsylvania County, near to present-day Levy and in the area where Thomas and John Graves Jr. later lived, as well as Benjamin's son William Davis. John Davis' several records in Spotsylvania are with people also connected with Benjamin.

The 1702 deed also names **a daughter Sarah Davis**, who married William Holloday, almost certainly related to John Holloday of King William County whose family in Spotsylvania has numerous associations with Benjamin and whose son John Holloday Jr. witnessed Benjamin's Spotsylvania deed of 1754.

I believe there is strong indirect evidence that the **third child is Benjamin Davis**, probably named for William's brother Benjamin who died in his late teens. The **fourth child could be William Davis** who died in Culpeper in 1763 within a few weeks of Benjamin and whose son George became in 1765 a carpenter apprentice of Benjamin's son John Davis.

William and Mary White Davis lived in the part of New Kent County that became first King and Queen, then King William County. Their land was adjacent to John Waller, whose sons in Spotsylvania are later on records with Benjamin, as well as in-laws and friends. Across John Waller's land from William Davis was Davis Davenport, whose daughter Ann married Thomas Graves, brother of John Graves Jr, both sons of John Graves Sr. who died in Spotsylvania. The families and descendants of John Graves Sr. and Benjamin Davis continue relationships from King William to Spotsylvania to Culpeper to Kentucky.

In summary, John Davis in the above 19 May 1702 King William County deed, I believe is Benjamin's brother; Sarah is Benjamin's sister, and William Davis is their father. Rachel White, as the deed says, is their aunt--on their mother's side. It would be good to find another primary document to strengthen this case. More information on this family is given in the last section of this report.

1742/43

12 February 1742/43 - John COLLINS granted a land patent in Spotsylvania County, 400 acres on the branches of the river Ta, a branch of Mattapony River. Beginning and extending on the East side of a glade in Griffin Fantleroy's line also a corner of Benjamin Dukes [BENJAMIN DAVIS] land...corner of Dukes [DAVIS] and Mr. Joseph Brock...Bluff Swamp...corner to George Stubblefield...John Sartins line...lower side of Bluff Run...John Fieldow's [Fielding's?] line...near the new MINE BANK ROAD...on the east side thereof also in the line of the said Fantleroy...his corner being a white oak and the OLD MINE ROAD.

[Source: Land Office Patent Book 20, p. 469, Library of Virginia, Richmond, Virginia, digital image online]

Note:

No early Spotsylvania deed or land record survives for Benjamin Davis. But two weeks after this grant to John Collins, BENJAMIIN DAVIS was on a jury for the Spotsylvania Court of 1 March 1742/43, proving that Benjamin did own land in Spotsylvania County by that time. But even this trace of a property record is hidden in a misspelling.

The name in this John Collins patent is written as Benjamin "Dukes." That is surely a clerk's or copyist's mistake. Nowhere else have I found the name Duke or Dukes mentioned in land records of Spotsylvania County or in grants for the parts of the counties from which Spotsylvania was formed. In fact, in Crozier's abstracts of Spotsylvania deeds beginning when Spotsylvania was formed in 1721 through 1800, no Duke is mentioned until over 50 years later in 1798 when a Joseph Duke witnessed a deed, and he lived in Louisa County. (A number of other patent book entries around the time of the John Collins' grant seem to have more misspellings beyond the usual phonetic variants, such as here Randall for Randolph and Fieldow or sometimes Fieldour probably for Fielding.)

On the other hand, all the names in this grant (Collins, Brock, Sartin, Mine Road and Fantleroy) appear on records or are associated with BENJAMIN DAVIS and his family. Plus, in a dozen surrounding land patents and deeds, and on road orders for this area are all names closely associated with Benjamin and family, including Graves, Holloday, Waller, Herndon, John Durrett, Robert Coleman, James Stevens, James Marye, George Musick, William Bartlett, John Talbot, and Anthony Foster. So there seems no doubt that Benjamin "Dukes" was actually BENJAMIN DAVIS.

Thanks to Direct Line Software's Deed Mapper plots of some early Spotsylvania patents, and additional information to me from their consultant Steve Broyles, we are able to identify the adjacent tract of Benjamin Davis (as Dukes) referred to in the John Collins February 1742/3. It was a tract of 400 acres granted to John Durrett two and a half years later.

In other words, this indicates that Benjamin Davis must have had a warrant to survey for this patent, made the survey, then assigned it to John Durrett, whose patent reads:

20 August 1745 - Patent to John Durrett - Spotsylvania County
400 acres on the branches of the River Ta, a branch of Mattapony River, beginning and extending in Joseph Brocks line a corner to John Durrets land [patent 29 June 1739] in sight of a parcel of pines on the upper side Black Rock Swamp...Mr. Griffin Fantleroy.

[Source: Land Office Patents No. 22, p. 426, Library of Virginia Online Image]

Obtaining a land patent involved a process of several steps before the actual deed of grant, including applying for a warrant to survey the desired land. Apparently, Benjamin Davis applied for a patent to this land and had obtained and recorded the survey for it before 12 February 1742/43 when John Collins' patent was issued. But between then and 20 August 1745, Benjamin assigned (by sale, bargain, or gift, etc.) his claim to this land to John Durrett who then completed the process and was granted the actual patent in his name. (Patent deeds followed the wording of the original survey, thus the later survey and patent of John Collins is not in John Durrett's deed, since the survey for John Durrett's land apparently was made for Benjamin Davis prior to the Collins survey.)

The transfer of land between survey and patent was not unusual, and later patent records specifically state such transfers and when and by whom the survey was made. However, in this case neither the original survey nor mention of it in John Durrett's patent exists. But it seems obvious from what has survived that the survey was obtained by Benjamin Davis (with his name entered erroneously as Dukes) who transferred it to John Durrett who received the land itself.

Only two weeks after receiving this patent, on 3 Sep 1745 John DURRETT sells land to Henry and Martin TRUE, and BENJAMIN DAVIS is a witness to that deed (see more details at record for that date).

Relations and connections with the family of John Durrett and his Durrett relatives are numerous and continue even to Richard Durrett in Albemarle County in 15 June 1792 on road orders with Benjamin Davis III's future father-in-law John Wansley. Durrett researchers are still unsure how the various early Virginia Durrett's (of various spellings) are related, but are they are thought to be connected, nonetheless. The Davis and Durrett families seem to have had association since before 6 November 1666 when a New Kent County patent on the north side of the York River describes adjacent bounds of Thomas Davis and John DURRETT. [VPB6:13] Thomas Davis, Benjamin I's uncle, inherited the land from his father (**and BENJAMIN DAVIS' grandfather**) **John DAVIS'** patent of 18 March 1662/3.

Other Davis-Durrett connections include:

Francis Durrat [DURRETT] - 9 July 1724. King William County (later Caroline County)

Description: 400 acres on both sides the south fork of the South River in St. Johns Parish adjoining the land of JOHN ROGERS, and Jonathan Clarke, Mr. John MADISON Junr. [VPB12:43] John Rogers had a patent adjacent to Anthony SAMUELS [VPB12:44], and to George EASTHAM. [VPB10:428] All of these families had connections with Benjamin Davis I: Durrett, Rogers, Madison, Samuels, and Eastham.

| |
|---|
| ADD RE: JOSEPH ROGERS, S/O ? ROGERS & BURGESS |
|---|

John Madison Jr. was father of Ambrose Madison whose son-in-law was Tavenor Beale from whose estate Benjamin Davis I was paid. Ambrose Madison, grandfather of President James Madison, was married to Frances Taylor. It seems to be her brother James Taylor Jr. who got a land patent in 1726 adjacent to **Benjamin Davis I's brother John Davis** of King William at Elk Neck that later became Spotsylvania County. [VPB12:490] Anthony Samuels was related to Sarah Samuels, married to Henry Martin, father of Benjamin Martin Sr. from whom Benjamin Davis I bought Spotsylvania land in 1754. George Eastham was related to the Rogers who had numerous connections through several generations with our Davis's. A later George Eastham also had a patent in what became Madison County that ended up in 1784 with Benjamin Davis' son James Davis, possibly because James Davis was married to an Eastham.

John Rooks writes on Durrett GenForum August 29, 2007 that a John DURRITT was executor for Francis DURRITT in 1757. Benjamin DAVIS (Robert's grandfather) witnessed a Spotsylvania deed of a John Durrirt of Spotsylvania in 1745. A related John Durrett of Caroline was married to Catherine GOODLOE whose nephew John GOODLOE (s/o George) witnessed Benjamin's son (Robert's uncle) John DAVIS' Spotsylvania deed 1758.

Another of the related Durrett lines was Richard Durrett. He is on Albemarle Road Orders in the 1790's on Buck Mountain Creek with numerous people associated with Giles Rogers, but also with John Wansley, whose daughter Patsy married Benjamin Davis III in Elbert County, Georgia.

20 February 1766 - Albemarle - We John Durrett of Spotsylvania and Richard Durrett of Albemarle for good causes do hereby lend George Martin of Albemarle, one good negro girl named Delphia and her increase & after his decease we give the negro girl and her increase to be divided equally between Sally and Susanna Martin daughters of said George Martin by his last wife Milly [another transcription says "Molly"]. Given under our hands this 20 February 1766.

Signed: John Durrett, Richd Durrett Wit: Mary Wilson, William Wilson, Sarah Durrett.

[<http://genforum.genealogy.com/durrett/messages/446.html>]

Mary (Molly) Durrett, d/o Col. Richard Durrett (Sr) & wife Sarah Hampton of Albemarle, born abt 1736 died bef March 1777 married George Martin (children Sarah (Sally) Martin and Susanna Martin.)

[*Durrett Family Pedigrees, Durrett DNA Project, <http://www.wfnforum.net/index.php?topic=6450.0>*]

Bluff Run flows west to east beginning near Northeast Creek, formerly East North East River which runs parallel to the north side of today's Lake Anna on the Northanna River. The mouth of Bluff Run is at the Ta River, about 3 miles southeast of today's Post Oak (the old HERNDON farm area) and about the same distance south of where Gladly Run flows into the Po River, which is the area where Benjamin bought land in 1754. Both the Ta and the Po are branches of the Mattaponi (or Mattapony) River, which flows southeast into the York River between King William and King and Queen counties. On the south side of King William flows the Pamunkey River, separating King William and New Kent. This finger of land between the Pamunkey and Mattaponi was called Pamunkey Neck, the original home of Native American people of the Powhatan Confederacy, to which Pocahontas belonged. The first European to patent land, and probably the first to settle, on Pamunkey Neck was Gov. John West whose son John West II married Unity Croshaw, daughter of **Joseph Croshaw, Benjamin Davis' likely maternal great-grandfather.**

It was here near the mouth of the Mattaponi River where Benjamin was probably born on his father William Davis' land adjacent to John Waller. **Ralph Graves Jr (husband of Unity White and son of Rachel Croshaw and Ralph Graves Sr, Benjamin's great-aunt and great-uncle)** owned land adjacent to land bequeathed to Benjamin's mother Mary White Davis and her heirs. Benjamin and family continued associations with the family of John Waller in Spotsylvania and in many cases beyond. The land was across John Waller's land from Davis Davenport, whose family relationship if any to a Davis family is still unknown, but whose descendants and relatives continued to have connections with Benjamin Davis' family, particularly son William Davis, son James Davis, and son-in-law Thomas Terry.

William Davis' land was either the same or adjacent to the 300 acres his wife Mary White inherited from her father Henry White. **Mary's sister Rebecca White** also inherited 300 acres, which she bequeathed (in a will now lost) to her sister's heirs, of whom in 1702 there were four: son John, daughter Sarah who married William Holloday, and two others inferred but not named in a King William deed of 19 May 1702. I believe Benjamin was one of those two, based on the numerous connections in records with the family,

their neighbors and friends. **William Davis also had a brother Benjamin who died in his teens**, after whom our Benjamin was most likely named, as was often the naming custom especially when children died young.

The lands of Pamunkey Neck had once been Charles River County later renamed York County, then New Kent, then King and Queen, and in 1701 became King William. In 1721, the northwestern portions of adjacent King William, King and Queen and Essex County became Spotsylvania County. Thus, many early Spotsylvania settlers were those from the parent counties who either previously owned land in the northern sections or who traveled up the natural migration paths of the roughly parallel Rappahannock River (on the north side of Essex), the Mattaponi River (between King and Queen and King William), and the Pamunkey River (between King William and New Kent).

And so, we too move back up the Pamunkey River to the northern part later known as the Northanna River and to the land on Mine Road where we first find Benjamin in surviving records in February of 1742/3. The Northanna River is the boundary between Louisa on the southwest and Spotsylvania to the northeast. The modern-day damming of the Northanna River to create Lake Anna for a nuclear power plant has erased the natural geography of the river, and everywhere names of remaining creeks and other landmarks have changed over the last 250 years, making exact locations of some early places difficult to ascertain. But this Mine Road referred to in a number of records for Benjamin and his neighbors seems to have been roughly today's State Road 208. Also, known as Courthouse Road, today the road traverses Spotsylvania County from Glenora at Lake Anna (where the river crossing is now called New Bridge Road), then northeast across Northeast Creek to Brokenburg (probably Benjamin's land lay just south of here), to Post Oak (the Herndon farm), to Spotsylvania Courthouse (near Benjamin's 1754 property) and on to become the still-existing Mine Road at Fredericksburg. The Mine Road was first built shortly after February 1727/8 from Charles Chiswell's mine at Douglas Run on the Northanna to a Fredericksburg wharf at the mouth of Hazel Run.

A 3 June 1755 Spotsylvania Road Order supports the path of this Mine Road and its connections with people associated with Benjamin living a little further south on the Northanna River where I believe Benjamin also owned land on which his son William later lived, near to Benjamin's brother John's patent at Elk Neck:

"Thos. PULLIAM is appointed overseer of the road from Pamunkey [or Northanna] Bridge to the Chapple Bridge, E.N.E. [East North East River, now Northeast Creek] and from thence to the MINE ROAD; also, the road that leads by Mr. HERNDON's to Mr. Lewis's Mill, his gang is his own; Col. Thos. MOORE's qtr.; Thos. Gimbor [GAMBILL]; Roger Gains; Jas. RAWLINS; Jas. RAWLINS Jr; Mr. Zachy. LEWIS's qtr. on Pamunkey [Northanna River] & his mill planta.; Thos. Rollins's qtr. tithes. [MB 1755-1765, p. 9, from Vern Stinson]

The Pamunkey Bridge (also called Northanna Bridge) in this order was built by Benjamin Davis in 1748. The contract, jointly from Spotsylvania and Louisa County, specified the location as "Some convenient place between the mouth of great rocky creek & Franks run." [Louisa County Road Orders 26 April 1747, Pawlett] Neither stream still exist as such, but examining various records the old Great Rocky Creek may be today's Rock Creek that enters Lake Anna just southwest of Levy, Spotsylvania, and I believe the bridge may have been between there and Lewiston, about 3 miles northwest of Levy. This also seems to be the old "Elk Neck" and Gunstock Swamp area where Benjamin Davis' brother John got a land patent 1719 and where Benjamin's son William Davis had land he sold to Francis Meriwether in 1764.

On Processioners Reports later that same year in September 1755, Benjamin's son James DAVIS processioned land including Thomas PULLIAM, James ROLLINS, and Col. MOORE and was co-signed by James DAVIS and John SANDIGE (s/o Wm Sandige Sr).

Benjamin's son William DAVIS' land was processioned in an adjacent sector with EDMUND WALLER, Thomas MOORE, Zachary LEWIS, and Francis MERIWETHER and William SANDIGE (Jr, s/o Wm Sandige Sr.). The processioners reports are incomplete and Benjamin's name is not among those that survived. By 1753 he was on Spotsylvania Road Orders nearer the Courthouse and the Herndon's a few miles further to the northeast in the area we know he bought more land in 1754 (the only surviving deed for him).

Below is a chronological series of land records that show the connections among some other primary people (names in caps) in this area at this time who were related to or associated with Benjamin DAVIS and his family.

4 February 1728/9 - On the motion of mr: Mosley Battaley for & in behalfe of John Hollady [HOLLODAY] to have Some hands ordered to him to help him clear the road from his mill to the Church Road above John WALLERs quarter that was granted P this court, it is ordered that all the male labouring tithables, of mr George Seatons quarter, Thomas Sertains [SARTIN], John Sertain [SARTIN], Peter Gustavus and the Sd John Holladys [HOLLODAYs].

[Spotsylvania County Road Orders 1722-1734 by Nathaniel Mason Pawlett (Charlottesville, 1985/2004), Electronic Edition]

29 November 1734 - Spotsylvania County - JOHN DAVIS to William SANDIGE SR.

JOHN DAVIS of St. John's Parish, King William County, Virginia to William SANDIGE of St. Margaret's Parish, Caroline County, Virginia. Lease 5 shillings, release £35 current money. 150 acres on North side of the Northanna River in Spotsylvania County (only vague metes and bounds) "part of a greater tract" (undefined here, but shown by deed dated 1 Sep 1755 from Sandidge's widow Ann, then wife of Joseph Martin, to Francis MERIWETHER to be John's 1719 patent in "ELK NECK."). Recorded 3 December 1734.

Signed: JOHN (j) DAVIS, his mark (no wife named or release of dower) Rec'd 3 December 1734.

Wit: Joseph THOMAS, Robert TURNER, W[illiam] WALLER

[Source: Spotsylvania County Deed Book C, p. 109, Library of Virginia, Richmond, Virginia (c)]

Note:

This is Benjamin's brother John Davis, son of William and Mary White Davis. Benjamin's son William Davis is on 1755 processioning reports with William Sandige's son William Jr, and Benjamin's son James Davis is on the same year's reports with William Sandige's son John. In 1764 William Davis sells his Spotsylvania land.

1 July 1735. Thomas x SARTIN of St. George's Parish, Spotsylvania Co., to JAMES TERRY of Parish and County, afsd. 200 a. Wm. WALLER, Peter x Gustavus, Thomas Estes, July 1, 1735. Mary, wife of Thomas Sartin, acknowledged her dower, etc. *[SDBC, Crozier, 139]*

Note: John Sartin and Thomas Sartin had adjacent land also adjacent to James Taylor and John WALLER with mutual descriptions of "branches of East North East' Creek and north side of the Northanna.

10 October 1737 - James TERRY [likely father of **Thomas TERRY who married Benjamin's daughter Sarah Davis**] of St. George's Parish, Spotsylvania Co., to John Holliday [HOLLODAY], Senr., of county and par. afsd. £20 curr. 200 a.Thos. x Seartin [SARTIN], Wm. Hollday [HOLLODAY], sd. Lankford. December 6, 1737. [SDBC, Crozier p. 144]

12 February 1742/43 - John COLLINS granted land in Spotsylvania County, 400 acres on the branches of the river Ta, Griffin Fantleroy's line also a corner of BENJAMIN DAVIS [written as Dukes] land...corner of DAVIS [written Dukes] and Mr. Joseph Brock...Bluff Swamp...corner to George Stubblefield...John SARTINs line...lower side of Bluff Run...John Fieldow's [Fielding's?] line...near the new MINE BANK ROAD...on the east side thereof also in the line of the said Fantleroy...his corner being a white oak and the OLD MINE ROAD.

[Source: Land Office Patent Book 20, p. 469, Library of Virginia, Richmond, Virginia, digital image online--see notes above re: Dukes]

27 January 1743/4 - Spotsylvania County - Nicholas x Randolph and Margaret, his wife, of Spotsylvania Co., to John GRAVES of sd. county. £25 curr. 170 a., part of a tract granted MUSICK by pat., and by him sold to sd. Randolph. Witnesses, Henry Chiles, Ambrose x MUSICK, JOHN x DAVIS. Feby. 7th, 1743 [Crozier, p. 165]

Note: This is Benjamin's brother John Davis of King William who in 1745 was paid for travel to Spotsylvania to witness in court against Ephraim Musick, brother of Ambrose Musick, both sons of George Musick.

30 August 1744 - John GRAVES [Sr.] - Spotsylvania County - 400 acres beginning and extending on a point a corner to John COLLINS and in John Fieldours [Fielding?] line...near the NEW MINE BANK ROAD on the east side...the said MINE ROAD...George MUSICKs and Nicholas Randalls [Randolph] line [VPB22:138, Library of Virginia Online image]

2 April 1745 - JOHN DAVIS [of King William] allowed for one day's attendance and 70 miles coming and going as witness for Joseph ROBERTS and his wife vs Ephraim MUSICK - 235 pounds tobacco [Spotsylvania County Order Book B 1738 - 1749, p. 314, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1744 - 1746, Sparacio (1996), p. 23]

6 November 1744 - Joseph ROBERTS of Spotsylvania Co. and Susanna, his wife, to Wm. Sandage [SANDIGE] of same county. £140 curr. 512 a. in St. George's Parish, Spotsylvania Co., 300 a. purchased by sd. ROBERTS of Coll. James Taylor [10 September 1727 "both sides of EAST NORTH EAST RUN"], the other 212 a. part of a pat. to sd. Roberts, September 28, 1728 ["east side of East North East, corner to James Taylor's grant 21 July 1722 which had corner to John HOLLODAY]. Witnesses: Thos. Cowper, John HOLLODAY, Isaac Bradburn. November 6, 1744 [Sources: Spotsylvania DB A&D, Crozier p. 100, 167; Patent Book 11:150 (Taylor), 14:111 (Roberts)]

10 July 1745 - John GRAVES [Sr] & George MUSICK - Spotsylvania County 520 acres, fork of the Devils Ditch...corner to Joseph ROBERTS...[?] Wyatt...corner to a tract formerly surveyed for the said George MUSICK...corner to John SARTIN...William Harris' corner...said Harris's, John Fieldour [Fielding?], Thomas Shelton, George Cook. [Source: Land Office Patents No. 23, p. 936, Library of Virginia, online images]

30 March 1747 - Will of John Graves Sr. - Proved 2 June 1747, St. George's Parish, Spotsylvania County
Executors: Wife Susannah, Joseph PETERSON, John WIGGLESWORTH

Witnesses: Joseph HOLLODAY, Benjamin HOLLODAY, B[enjamin] Lewis, William WEBB

Legatees: wife Susanna, 140 acres of land which I had of Nicholas RANDOLPH; son THOMAS GRAVES, 140 acres of land next his brother Edward; daughter Rebecca, 140 acres of land next her brother Thomas; son Isaac, 140 acres of land next his sister Rebecca; son John, 140 acres of land next his brother Isaac; daughter Jemima, 140 acres of land next her brother JOHN GRAVES

[SWBA:444, Crozier, p. 8]

Note:

John WIGGLESWORTH is another carpenter/builder, whose son James married a daughter of John Durrett who received the patent for the land Benjamin surveyed adjacent to John Collins. When John sold that land two weeks later, Benjamin Davis was a witness.

John GRAVES JR. resided on land he got 24 May 1729 from Thomas Gambill that Gambill had patented 30 June 1726 with a corner to JOHN DAVIS' patent of 20 February 1719/20. [SDBF:63] John Graves Jr's children closely involved with Benjamin Davis' sons William and James, and even with Benjamin's ward Frances Boswell.

8 September 1755 - Spotsylvania Processioners Reports

"The line Between Thomas MOORE and WILLIAM DAVIS, Present WILLIAM DAVIS and William SANDIGE; The line Between Fr[ancis] MERIWETHER and William DAVIS, Present William SANDIGE and WM. DAVIS" Other is this section included Edmund WALLER and Zachary LEWIS.

The same processioning order included a report dated October 1755 signed by William's brother JAMES DAVIS and John SANDIGE, William Sandige's brother, for the adjacent sector. The names included: Joseph PETERSON, Joseph HOLLODAY, David SANDIGE, Anthony GHOLSON, Col. Thos. MOORE, James ROLLINS [RAWLINS] Sr. and Jr., Thomas PULLIAM, Daniel MUSICK, John SANDIGE, and Charles SMITH.

The families in these records constitute a primary complex of friends and relations for Benjamin Davis' family, reaching backward and forward several generations.

For example, on 4 May 1658 William Pulliam and Charles Edmonds received a patent for land in New Kent County (renewed in their names March 18, 1662). On 18 December 1661 Charles Edmonds sold New Kent County land to **Benjamin Davis' grandfather John Davis who died 1664 on Queens Creek in York County, Virginia**. A later William Pulliam (b. c1665, New Kent) and wife Ann Patterson were the parents of Thomas Pulliam Sr. of Spotsylvania who married Winifred Holloday (sister of John Holloday Jr, on Spotsylvania records with Benjamin Davis and family and likely related to Benjamin's brother-in-law William Holloday). William Pulliam was also the father of Ann Pulliam who married first William Sandige Sr to whom Benjamin's brother John Davis of King William County sold part of his patent on Elk Neck in what became Spotsylvania County. William Pulliam's grandson Thomas Pulliam Jr. married Frances Boswell, Benjamin Davis' ward and sister of Benjamin's apprentices George and James Boswell. (Their granddaughter Mary Pulliam married Benjamin Davis' great-grandson—son William Davis' grandson, James Cussenberry in 1824 in Kentucky.) Mary Pulliam's maternal grandparents were Richard Parks and Mary Graves, daughter of James & Sarah Graves, he being the grandson of the John Graves whose 1744 land patent was adjacent to John Collins' 1742 patent had a bound of Benjamin Davis.

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PULLIAM, THOMAS, St, George's Parish, d. April 17, 1758, probate June 6, 1758. Wit. Joseph Holloday, Benj. Holloday. Ex. sons James and Thomas Pulliam. Leg. sons, James, Thomas and Benjamin; daughters, Winifred, Susannah, Elizabeth, Agnes, Mary; Anna, wife of David Sandige; Sarah, wife of Christopher Diekin. (Page 369) WILL BOOK B—1749-1759.

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1742/43

1 March 1742/3 - BENJAMIN DAVIS on Jury in suit of John Chew Gent vs Joseph Colvert
[Source: Spotsylvania Order Book 1738-1749, p. 241, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1742 - 1744, Sparacio, p. 2]

1 March 1742/3 - BENJAMIN DAVIS on jury in suit of Wm Henslee [Hensley] vs Richard Tutt Gent defendant, moved for a new trial, alleging jury found contrary to evidence, court agreed to take time to advise if they should order a new trial or not.
[Source: Spotsylvania County Order Book 1738-1749, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1742 - 1744, Sparacio, p. 3]

5 April 1743 - BENJAMIN DAVIS on jury composed of William SANDIGE, Benjamin MARTIN, Peter MONTAGUE Jr, John Carter, Joel Parrish, Henry Cammell, Ralph Humphries, Thomas Ship, James Allen, Robert Holloway, Richard Ship in suit of James Kirby Chissweldine and John Hogg vs. William RUSSELL Gent. Voted in favor of 7p 17s 6d.
[Spotsylvania County Order Book 1738-1749, p. 210, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1742-1744, Sparacio, p. 7]

Notes: {Re-order these to begin with the Martin/Sandige connection with Benj's brother John:
 ADD: these are from file Davis_Elizabeth d-o Benjamin (taken out of FTM, lack of proof)

1768: Whereas by the will of my late husband, Joseph Collins, he lends to me during life or widowhood all estate both real and personal and after my marriage or decease to be disposed of as by the said will directed, etc. Having formerly given consent to sale of lands, etc. on June 3, 1765, I do hereby now give consent to sale of personal effects, etc., the money arising from such sale to be divided amongst all my children, etc. Signed: Susanna Collins, July 4, 1768.

Witnesses: Richard Thomas, Reubin, Daniel, Vivion Daniel, Thomas Merry. [all on Road Orders with James Davis]

[Source: Spotsylvania, Virginia County Records, page 262, cited by Charles R. Collins' "Descendants of John Collins"]

26 March 1767

The Veivers have made their report of the way Petitioned for by REUBIN DANIEL and do say that it is a Good and Conveinent Way Ordered that the said road be turned to Strike out of the Old way about one hundred yards above JOHN COLLINS'S fence and thence to HOBDDAYS Corner round his fence to the Old way.

[Source: Orange County Minute Book 1, p. 122, Orange County Road Orders 1750-1800 by Ann Brush Miller by Miller, p. 104, Online Edition]

Note:

JOHN COLLINS is the son of John COLLINS Sr., son of Joseph Collins. The latter two are on Spotsylvania records with Benjamin Davis I. Reuben DANIEL was on Road Orders with Benjamin DAVIS' son James DAVIS and witnessed James' sale of his Orange County land in 1766, which was near John COLLINS, Jr. The other two witnesses to James' deed were John and Edward HOBDAI. John COLLINS Sr. got a grant in 1742 for Spotsylvania County land adjacent to Benjamin DAVIS I.

Joseph Martin patented land 20 March 1745 Louisa County - adjacent Thomas Collins 1420 acres on the north side the North Branch of the north fork of James River and on both sides of Pritties Creek adjoining Thomas COLLINS.

[Source: *Virginia Patent Book 24, p 184, Library of Virginia, Richmond, Virginia; online image*]

Note:

Joseph MARTIN married Ann PULLIAM, widow of William Sandidge Sr. to whom Benjamin DAVIS' brother John DAVIS of King William sold Spotsylvania land in 1734. [SDBC:109]

7) October 24, 1750. Wm. x Martin of St. George's Parish, Spotsylvania Co., to Benjamin MARTIN of Par. and county afsd. £53 curr. 100 1/2 acres, in Par. and co. afsd. THOMAS COLLINS, Nathan HAWKINS, Nichos. Hawkins, Junr., John Hutcherson [HUTCHESON], Jeremiah Smith. November 6, 1750. [SDBD, Crozier, p 183]

Note: Benjamin DAVIS bought Spotsylvania County land in 1754 from Benjamin MARTIN adjacent to Nathan HAWKINS. In __Benjamin DAVIS was a witness for John HUTCHESON in Spotsylvania Court.

1761: John Collins and Ann, his wife, to John Martin, 275 acres. Wit: Edward Herndon, John Carter, H. Goodloe.

8) 28 Nov 1751 - James HERNDON 300a. of land to John Haley....adj, Philip Water's, James Michael, Philip Singleton and Thomas Browning.....

Wit: Benjamin Porter, BENJAMIN DAVIS, John Grigsby

[Source: *Orange County, Virginia Deed Book 12 , p. 63, Sparacio, p. 135*]

Note:

At one time, it was thought that Benjamin Davis was the father of Elizabeth Davis, said to have married Lewis Collins, son of Joseph Collins and Susannah Lewis (sister of Zachary Lewis II of Spotsylvania). Lewis' brother William COLLINS' daughter Beliah married James Haley, brother of John and Valentine Haley. Valentine was the wife of James Herndon.

James Herndon was a brother of Edward Herndon (II) who with wife Mary (Brock) gave land to son Joseph in 1753, and Benjamin Davis witnessed that deed. Joseph Herndon and his brother Edward Jr [III], along with Joseph Brock [Jr, Mary's brother] and John Goodloe witnessed the 1758 deed of Benjamin's son John Davis. Benjamin Davis, son John Davis, John Goodloe and Philip Watters were all carpenters.

"Philip Watters, carpenter" purchased 750 acres in Spotsylvania 4 Feb 1729 adjacent to Edward Haley, father of John, James and Valentine Haley. Edward Haley's Orange County land grant was almost adjacent to the Andrew Harrison land grant on Terrys Run where Benjamin Davis' son James bought land in 1758.

9) WALLER, WILLIAM, Gentl. Spotsylvania Co., d. October 22, 1756, probate May 6, 1760:
 . . .son, John Waller, land in Spotsylvania, given to me by my deceased father's will, John Waller, Gentl., also land adjoining that of my brother Benjamin, and Zachary Lewis, also land which I bought of Ambrose Foster, and my lots of land adjoining the town of Fredericksburg, now in the possession of my tenant William Lewis.

5 April 1743 - BENJAMIN DAVIS, Benjamin MARTIN, and William SANDIGE on jury - Edward White vs Joseph Colvert trespass, assault and battery. Since defendant made first assault, in favor set for 1 shilling.

[Source: Spotsylvania County Order Book 1738-1749, p. 211, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1742 - 1744, Sparacio, p. 8]

5 April 1743 - BENJAMIN DAVIS, William SANDIGE, William WEBB on jury - Joseph Penn vs Henry Brock and Thomas Duerson, guilty damages of full value of his hogs 4 pounds sterling against Brock, but Duerson is not guilty.

[Source: Spotsylvania County Order Book 1738-1749, p. 211, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1742 - 1744, Sparacio, p. 8]

12 August 1743 - Caroline County Court Petition of BENJAMIN DAVIS against Rice Williams. Judgment is granted the petitioner [Davis] for costs.

[Source: Caroline County, Virginia Order Book 1740-1746, Part II, p. 216, comp. John Frederick Dorman (Washington, D.C.: 1973), p. 29]

Note:

I do not believe Benjamin lived in Caroline County, as this is the only mention of him in the Caroline Court Orders, while in Spotsylvania and Culpeper he is frequently mentioned. (King William County records were lost to fire except for a few early deeds.) Rice Williams of King William County got a land grant in 1702 at Edge Hill on SR 632 near current-day Woodford in Caroline County. Easily accessible from the part of Spotsylvania where Benjamin was probably living, this is probably the location of Benjamin's work for Rice Williams for which Benjamin is seeking payment. (There is an online copy of an application for Edge Hill to be registered in the National Park Service National Register of Historic Places.)

In 1724, Rice Williams and John Downer Jr. got a land grant between the Po and Ta rivers. In 1733 a Caroline County Court case of Joseph Powell vs. John Downer Jr had a jury that included George Goodloe (father of John Goodloe who witnessed Benjamin's son John Davis' 1758 Spotsylvania deed), Joseph Martin (2nd husband of Ann Pulliam Sandige whose 1755 Spotsylvania deed regarded Spotsylvania land bought from Benjamin's brother John Davis of King William), and William Carr and Thomas Carr Jr. (brothers of Sarah Carr Minor who sold Benjamin's son William Davis Culpeper land in 1761; brothers also of Agnes Carr who married John Waller Jr, son of John Waller whose King William land was adjacent to Benjamin's father William Davis; and brothers of John Carr who contracted with Benjamin to build the Northanna bridge between Spotsylvania and Louisa counties). The plaintiff in the case Joseph Powell is likely the same or related to the Joseph Powell later of Culpeper and related to Robert Powell who in 1807 in Pittsylvania County married Sally, daughter of Benjamin's son John Davis.

1744

5 December 1744 - BENJAMIN DAVIS vs William WALLER presented to John Parrish and John Carter to arbitrate and if they cannot agree to choose a third person and their award to be definitive.

[Source: Spotsylvania County Order Book 1738-1749, p. 295; Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1742 - 1744, Sparacio, p. 103]

1745

6 February 1744/5 - BENJAMIN DAVIS vs. William WALLER, being agreed, dismissed

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 302; Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1744-1746, Sparacio (1996), p. 9]

2 April 1745 - JOHN DAVIS allowed for one day's attendance and 70 miles coming and going as witness for Joseph ROBERTS and his wife vs Ephraim MUSICK - 235 pounds tobacco

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 314; Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1744 - 1746 by Sparacio (1996), p. 23]

Note:

This I believe is John Davis of King William County, brother of Benjamin Davis. (See Notes for John Davis of King William County).

3 September 1745 - BENJAMIN DAVIS witness to deed of John DURRITT of St. George's Parish, Spotsylvania Co., to Henry TRUE and Martin TRUE of Par. and county afsd. 30 curr. 200 a. in St. George's Parish, on s. side River Ta. 3 Sep 1754. Other wit: Alexander HAWKINS, James SPARKES

[Source: Spotsylvania County Deed Book E 1742 - 1751, p. 196, "Spotsylvania, Virginia County Records 1721-1800" comp. William Armstrong Crozier (New York: 1905)]

Notes:

Henry True and Martin True were related to Margaret True, wife of John Parks of Spotsylvania and their son Richard Parks of Culpeper. Richard Parks had Culpeper land adjacent to Benjamin Davis' son William Davis, and near to land of Benjamin's son John Davis.

Martin True was married to Sarah Martin, daughter of Henry Martin Sr., and sister of Benjamin Martin Sr. from whom BENJAMIN DAVIS bought Spotsylvania land in 1754:

Will of Henry Martin Sr. - Dated 19 April 1748, Proved 1 August 1749, Spotsylvania County, Virginia MARTIN, HENRY, St. George's Parish, d. April 19, 1748, p. August 1, 1749. Wit. Martin True, Robert True, Philip Vincent Vass. Ex. wife Jane [Samuels], son Benjamin [Martin, Sr] and Martin True. Legatees. wife Jane; son Benjamin; grandson John Martin, son of John Martin, dec'd; son Henry Martin [JR]; DAUGHTER SARAH, WIFE OF MARTIN TRUE; daughter Alice, wife of John Moore; daughter Mary, wife of ? Robinson. [SWBB:508, Crozier, p. 10]

1746

4 November 1746 - County Levy Expenses include 1770 pounds tobacco to BENJAMIN DAVIS for building the MINE BRIDGE.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 396, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 5.]

Note:

Regarding the building of bridges, Ann Miller's introduction to her book on Orange County Road Orders gives us this from Thomas Jefferson, Notes on the State of Virginia, 1781: "The roads are under the

government of the county courts, subject to be controlled by the general court. They order new roads to be opened whenever they think them necessary. The inhabitants of the county are by them laid off into precincts, to each of which they allot a convenient portion of the public roads to be kept in repair. Such bridges as may be built without the assistance of artificers [professional builders], they are to be built. If the stream be such as to require a bridge of regular workmanship, the court employs workmen to build it, at the expense of the whole county. If it be too great for the county, application is made to the general assembly, who authorize individuals to build it, and to take a fixed toll from all passengers, or give sanction to such other proposition as to them appears reasonable." Miller goes on to explain, "Major projects, such as bridges over rivers, demanding considerable expenditures were executed by commissioners appointed by the Court to select the site and to contract with workmen for the construction. Where bridges connected two counties, a commission was appointed by each and they cooperated in executing the work."

["Orange County Road Orders 1750-1800" by Ann Brush Miller, Orange County Historical Society, August 1989, Revised April 2004, online at http://www.virginiadot.org/vtrc/main/online_reports/pdf/90-r6.pdf]

5 February 1728/9 – Spotsylvania County Road Orders (OB p. 288)

On Petition of mr Charles Chiswell & Compa: for a road from their intended Iron works on Duglas run called Fredricksville to Fredricksburgh on Rapahanock River, and the veiwers haveing returned that thay marked a road from the said Iron work to a landing on Rapahanock River at the mouth of the Hazel run between ye Lands of Collo: Man Pages & mrs: Jael Johnsons to be the most convenients Landing, which report was last court refferred to this for mr Edwin Hickman one of the Said Viewers to Inform them, and mr Zachary Lewis Attorney in behalfe of the Said mr Cha: Chiswell & Compa: haveing put in a new pettition to have the said road & landing according as it is returned laid out & Marked, The Same is granted, and Ordered that mr Thomas Jermain be Overseer of the Said Road & that all the male labouring tithables belonging to the Said mr Charles Chiswell & Compa: and all adjacent Inhabitants that lives within two miles of each Side the Said Road So marked and laid ofe do help him clear the Same.

[Spotsylvania Road Orders, Pawlett]

7 October 1729 - Spotsylvania County Levy (OB p. 354)

To John WALLER assignee: of William EDDINS For Timber to mend the MINE BRIDGE & Copy Order -158 lbs. tobacco

7 July 1730 – Spotsylvania Order Book, p. 402

John WIGLESWORTH and Richard BLANTON Came into Court and gave bond for Keeping the MINE BRIDGE that The Said WIGLESWORTH built and finished OVER THE RIVER PO, in good repair Seven Years According to agreemt: Made with Mr Charles Chiswell, Which was Ordered to be Lodged in the Clerks office.

[Spotsylvania Road Orders, Pawlett]

Note:

John Waller had land by 1696 adjacent to Benjamin Davis' probable father William Davis in King and Queen, later King William, County. William Eddins had Culpeper County land adjacent to Benjamin's son Benjamin Davis II's land purchased in 1775.

Also in Levy of 7 October 1729 - To John Wiglesworth for building the BRIDGE over the RIVER NY, according to agreemt - 2,000

Note: Benjamin built a bridge over the Ni or Ny River in 1750.

1746/47

4 February 1746/47 - Michael Lawless vs Samual Hensley. Ordered that Peter MONTAGUE, James PRITCHETT, and BENJAMIN DAVIS or any two of them view the work done by plaintiff for defendant and report its value by next court.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 403, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 11]

[This could indicate that Peter MONTAGUE and James PRITCHETT (husband of Nicholas HAWKINS I's daughter Ann) were carpenters as BENJAMIN DAVIS was.]

1747

7 July 1747

BENJAMIN DAVIS on jury. Anthony STROTHER Gent. vs George STUBBLEFIELD. John WALLER Jr. Sheriff

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 426, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 34]

4 August 1747 - BENJAMIN DAVIS on jury. Nicholas Randall vs Benjamin HOLLODAY. Blank verdict, each fined one penny.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 429, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 37]

6 October 1747 - BENJAMIN DAVIS and Jeremiah WHITE acknowledge their indenture to each other.

[No deed extant.]

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 445, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 53]

3 November 1747

Erasmus Withers Allen overseer of road from the pond called Head of Pidgeon to county line near TERRYS RUN in room of John HOLLODAY.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 446, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 53]

3 November 1747 - BENJAMIN DAVIS on jury. John Asher vs Bloomfield LONG suit of trespass. Guilty.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 447, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 55]

Benjamin Davis witnessed deed of Jeremiah White to William Waller.

17 November 1747 - Jeremiah WHITE and Mary his wife of Spotsylvania to William WALLER, Gent, of same (rec 17 November 1747) for £23, 100 acres adjacent to Henry GOODLOE (metes and bounds given). Recorded 2 February 1747/8

Signed: Jeremiah WHITE (wife Mary did not sign)

Wit: Edmund WALLER, George WYTHE, BENJA. DAVIS

[Source: Spotsylvania Deed Book D, p. 343, Circuit Clerk's Office, Spotsylvania, Virginia]

Note:

George Wythe later was a signer of the Declaration of Independence, law teacher of Thomas Jefferson and John Marshall, the first Professor of Law in the US, at William & Mary College, and one of the most influential lawyers of his era. At the time of this deed he was a new lawyer, working for Zachary Lewis, a King's attorney.

George Wythe's wife was the daughter of Zachary Lewis Jr., brother of Susannah Lewis who married Joseph Collins, on records with Benjamin Davis. Their daughter Tabitha Collins' third husband was John Holloday Jr, on records with Benjamin Davis and surely related to William Holloday who married Benjamin's sister Sarah in King William before 1702. Tabitha Collins Holloday died in Elbert County Georgia, several years after Benjamin Davis II died in 1797, also then a resident of Elbert County. This William Waller (will was d. October 22, 1756, probate May 6, 1760) and his brother Edmond are both sons of John Waller (d. 1754) whose King William County land was adjacent to Benjamin's father William Davis in 1696 [Waller survey]. In a Spotsylvania County deed of 1766, their brother John Waller Jr. had a shared bound with Nathan Hawkins and Benjamin Martin—the Benjamin Martin land is the same or near property Benjamin Davis bought in 1754 from Benjamin Martin Sr. with a corner to Nathan Hawkins whose father Nicholas Hawkins bought the land from Lindsey.

The relationship between Jeremiah White and Benjamin Davis and their families is a close one, extending to 1786 in Pittsylvania County when Jeremiah's son Jeremiah White Jr. witnessed the release of dower for sale of King William land by Benjamin's son John Davis, and to 1804 in Elbert County, Georgia when Jeremiah's son Reuben White witnessed a deed of Benjamin's grandson Benjamin Davis III. Jeremiah's family is thought to have come from King William County where Benjamin was raised. **Benjamin's maternal grandfather was Henry White of York County**, but whether Jeremiah White was related to him is unknown.

Henry Goodloe was the grandfather of John Goodloe, a carpenter who witnessed the 1758 Spotsylvania deed of Benjamin Davis' son John Davis.

Add with additional comments: (Or could put it with building the Mattapony Church?)

The following excerpt is from "Our Eastham Generations in America 1637-1963" by George P. and Helen E. Bunn, 1963. Catalog number P.B. 929.2, #325, p. 45; LDS:

"George Eastham (E-2b), son of the immigrant, Edward (E-1), was born in Old Rappahannock; moved on to New Kent County, with his parents, married Mary Bird about 1685; patented 400 acres in St. John's Parish, in nearby King William County, 1719; had a daughter, Rachel, born about 1695, and a son Robert (Col.), born about 1706; was deceased in 1748 and his wife, Mary, in 1756, with their son-in-law, John Rogers, as executor for each."

The following is from FTM CD#4, tree # 1059:

George was probably the son of Edward Eastham was granted 400 acres of land in 1710 and 1719, there being two grants. See Grant Book of Virginia, No 10., p. 428 [FTM CD#4, Tree #1059]

They lived in Gloucester County, Virginia for some time, then moved to Caroline Co where they resided until their deaths. Mr. Eastham was living May 4, 1747 as he witnessed a deed from Henry Goodloe to his son, Robert Goodloe.

1747/48

2 February 1747/48 - BENJAMIN DAVIS on jury with Daniel Trigg and Nicholas HAWKINS, JR. Suit of Kemp Talliaferro vs John Gorden.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 453, *Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 60*]

3 February 1747/48 - BENJAMIN DAVIS allowed five days' time as witness for John HUTCHESON vs Issac SCOTT and to be paid 125 pounds tobacco by Hutcheson.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 455, *Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 63*]

Note:

I have not positively identified this John Hutcheson, as there may be more than one with land and interests in Spotsylvania County. However, there are numerous connections between Benjamin Davis and the Hutcheson's of these records:

John Durrett, connected with Benjamin Davis through John's patent of 20 August 1745 and deed of 3 Sep 1745 (both discussed above), names in his Spotsylvania will dated 30 July 1773 a son-in-law James Chiles, husband of his daughter Elizabeth Durrett. James Chiles and Elizabeth Durrett had a daughter Elizabeth Chiles who married John Hutcheson (Jr), son of John Hutcheson and Mary Dudley. James Chile's parents were Henry Chiles and Margaret Littlepage, whose father??? Richard Littlepage was a bound??? on the King William County land Benjamin Davis' brother John Davis inherited and gave to his sister Sarah's new husband William Holladay in 1702. (Another of John Durrett's sons-in-law was James Wigglesworth, a son of John Wigglesworth.)

The King William connection is partially reflected in this deed:

p. 48-51:

20 November 1702. Richard Littlepage to Henry Chiles both of New Kent 492 acres being part of 4886 acres granted to Littlepage and bounding upon the College land. Wits: John Waller [who lived adjacent to Benjamin's father William Davis], George Dabney, Thomas Terry [related to Benjamin's later son-in-law Thomas Terry]. [KWRB1, Connolly, p. 48]

These deeds show John Hutcheson (either the same person or a likely uncle & nephew) associated with the land and close neighbors of Benjamin Davis' property he purchased from Benjamin Martin in 1754:

April 28, 1743. William Lindsey of St. George's Parish, Spotsylvania Co., to Nicholas Hawkins of Par. and county afsd. £55 curr. 200 acres. Parmenas Bowker, John x HUTCHESON, William x Martin, John x Sutton, James Hawkins, Nathan Hawkins, Alexander Hawkins. June 7, 1743. [SDBD, Crozier, p. 162]

October 24, 1750. Wm. x MARTIN of St. George's Parish, Spotsylvania Co., to Benjamin MARTIN of Par. and county afsd. £53 curr. 100 1/2 acres, in Par. and co. afsd. Thomas COLLINS, Nathan HAWKINS, Nichos. HAWKINS, Junr., John Hutcherson [HUTCHESON], Jeremiah Smith. November 6, 1750. [SDBD, Crozier, p 183]

This is probably the land adjacent to the land Benjamin DAVIS buys in 1754 from Benjamin Martin (of the 1765 deed below). Davis' land had bounds of Lindsey and Nathan Hawkins (one in purchase deed, other in sale). Other deeds show Nicholas Hawkins sold this Lindsey land to his son Nathan Hawkins. Nicholas' son Alexander Hawkins (on this deed also) was Benjamin DAVIS' lawyer in Culpeper court in 1763. Benjamin Davis has a long history with both Hawkins and Martin families and their associated families in Spotsylvania County.

1748

20 June 1748 - John WALLER and William ROBINSON, Gent., having made a return about the letting the NORTHANNA BRIDGE in these words, "In compliance to the within Order, wee the Subscribers mett the Commissioners appointed by LOUISA County Court this day according to Publick Notice given to undertakers to come in and agree for building the Bridge over NORTHANNA RIVER and with them did agree with BENJAMIN DAVIS to build the said Bridge and finish the same by the last day of October next and keep the same in repair for seven years after for the consideration of thirty seven pounds, ten shillings cash to be paid him by Spotsylvania and LOUISA Countys by the first of July which shall be in the year 1749 as by Bond taken with security and returned may more fully appear.

Witness our hands this 20th day of June 1748, Signed: John WALLER, William Robinson."

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 471, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 77]

28 June 1748 – Louisa County

The Persons appointed by this [Louisa County] Court to meet Commissioners appointed by the Court of Spotsylvania returned that they have with the said Commissioners [including John CARR and Joseph BICKLEY] agreed with BENJAMIN DAVIS of the County of Spotsylvania to Erect a bridge at the place mentioned in the former return for the Sum of thirty Seven pounds ten Shillings which is to be paid to him by both the sd. Counties; in proportion to the number of Tithes in each of them, the said DAVIS is to maintain the said bridge for Seven years and the said Comconrs [Commissioners?] of Spotsylvania is to take bond for the performance of the Same; which is ordered to be recorded.

[Source: Louisa County, Virginia Order Book 1742-1748, p. 279, Louisa County Road Orders by Nathaniel Mason Pawlett, (Virginia Highway & Transportation Research Council, Charlottesville, Virginia 1975, 1979, 2003), p. 29]

Referring to previous order of 26 April 1747 (p. 265)

On the Petition of Sundry Freeholders & inhabitants of this county to have a bridge Erected over the NORTHANNA or Pamunkey river, which devides this [Louisa County] & the County of Spotsylvania; at Some convenient place between the mouth of great rocky creek & Franks run, the petition is granted. And it is Ordered that Charles Barret, Robert Harris, JOHN CARR, & JOSEPH BICKLEY Gent: or any two of them, do meet Commissioners to be appointed by the said Court of Spotsylvania & with them do agree and fix on the most convenient place within the Limits aforesd: for erecting the sd. bridge & make report of their proceedings to the next Court.I. [Source: Pawlett, p. 28.]

Note:

The location of this bridge appears to be at the southern end of today's Lake Anna near where Louisa, Spotsylvania, and Caroline counties meet. Lake Anna was created 1971 to serve as a water coolant for

Virginia Power's nearby nuclear plant, so exact locations are more difficult to find. But this is the area where Benjamin Davis' brother John Davis of King William got his land grant in 1719, and where Benjamin's son William Davis had land that he sold in 1764. Many of Benjamin's and his family's associates lived in this area. In Louisa County Road Orders in 1744, Samuel McGehee, another family connection, is near Great Rocky Creek where the bridge was to be built. It is possible Benjamin Davis lived at or near his brother's land grant near here when he first moved to Spotsylvania about 1742.

[The only difference being that the old Mine Road probably crossed the Northanna further south, nearer to Levy. There is a reference in the Louisa County Road Orders of 13 February 1743/4, a year after Collins' patent was granted, to "a road that leads from the Mine Road over the Little River to Locust Creek" which may be in the Mt. Garland area ten miles or so south of the "New Bridge" on Route 208. Perhaps the Mine Road of that Louisa order linked via an old Northanna Bridge probably at the lower end of today's Lake Anna (where Benjamin built a Northanna Bridge in 1748) and on northeast to join basic route of today's Spotsylvania's Courthouse Road (S.R. 208).]

JOHN CARR is the brother of Sarah Carr Minor who sold Culpeper property to Benjamin's son William Davis in 1761.

JOSEPH BICKLEY is the same or the son of Joseph Bickley of King William who was married 20 September 1703 in King William County to Sarah, widow of Richard Gissedge. [KWRB1:207] Sarah and Richard Gissedge witnessed the 19 May 1702 deed of Benjamin Davis' brother John (with consent of their father William Davis) to their sister Sarah, wife of William Holloday, as a wedding gift. [KWRB1:7]

5 July 1748 - Spotsylvania County Court

John WALLER and William ROBINSON, Gent., having made a return about the letting the NORTHANNA BRIDGE in these words, "In compliance to the within Order, wee the Subscribers mett the Commissioners appointed by Louisa County Court this day according to Publick Notice given to undertakers to come in and agree for building the Bridge over Northanna River and with them did agree with BENJAMIN DAVIS to build the said Bridge and finish the same by the last day of October next and keep the same in repair for seven years after for the consideration of thirty seven pounds, ten shillings cash to be paid him by SPOTSYLVANIA and LOUISA Countys by the first of July which shall be in the year 1749 as by Bond taken with security and returned may more fully appear.

Witness our hands this 20th day of June 1748, John WALLER, William ROBINSON.

[Source: Spotsylvania County Order Book, 1738-1749, p. 471, "Virginia County Court Records Order Book Abstracts, Spotsylvania County, Virginia 1746-1748" by Sparacio (Antient Press, 2000), p. 77]

Orange County Road Orders

16 March 1735, O.S. p. 59

On the petition of Thomas Chester and Jacob Funk it is ordered that they lay off and clear a road from where they Live to the lower end of BURGESSES Land and that William RUSSELL Anthony Scott & Samuel Scott or any two of them lay of a road from thence to Beverleys Quarter or the point of the little fork.

24 September 1742

The order for building a bridge Over ye NORTH ANNA being returned that Wm RUSSELL & George TAYLOR Gent had agreed with THOMAS BURGESS to build a bridge over the sd Northanna and had taken bond Its ordered that the said Bond be lodged in ye office.

[Source: "Orange County Road Orders 1734-1749" by Ann Brush Miller, (Charlottesville, Virginia July 1984, Revised April 2004), p. 76 (p. 249 in original records)]

5 July 1748 - Robert COLEMAN of Orange Co. and Sarah, his wife, to William HUTCHESON of St. George's Parish, Spotsylvania Co. £31 curr. 226 a. in Spotsylvania Co., on S. side GLADY RUN, part of pat. granted sd. Coleman, Augt. 30, 1744. John Chew, Samll. Major, A. FOSTER. July 5, 1748. [SDBD, Crozier, p. 177]

It appears from this record that William Hutcheson was the brother of John Hutcheson. William's son here is called "John Hutcheson Jr." indicating he is younger than another John Hutcheson in Spotsylvania, presumably the John Hutcheson for whom Benjamin is witness:

11 February 1763. William x Hutchason and Ruth, his wife, of St. George's Parish, Spotsylvania Co., to their son, John Hutchason, junr. Deed of Gift. 100 a. in St. George's Parish, Spotsylvania Co. John Tureman, Edwd. Coleman, Edwd. Collins, Wm. Gardner, Henry Coleman, Sarah Coleman. July 4, 1763.

[SDBF, Crozier p. 228]

Edward Collins became guardian of the orphans of Benjamin Davis, son of James Davis, son of Thomas Davis, surely related to our Benjamin's father William with a brother Thomas.

Robert COLEMAN owned the 30 acres of land that became the town of Culpeper (first called Fairfax) in 1759. Sometime before that, Benjamin DAVIS had leased those 30 acres from Coleman and had built houses and probably other buildings there by the time the town was established. When Coleman arranged for his land to be sold as lots for the new town, an accommodation was made to Benjamin for the loss of his lease, and he was allowed to keep his houses and have a 1/5 reduction on the lease of the land they were on, apparently 3 acres. He was appointed Sexton of the Courthouse, Coleman was later appointed town "gaoler," and Benjamin may have built them both shortly before the county was established in 1749. In any case, the two central cross streets of the Town of Fairfax/Culpeper were known as COLEMAN (later re-named Main) and DAVIS (or Davis's) streets.

[See "The Statutes at Large; Being a Collection of all the Laws of Virginia from the First Session of the Legislature in the Year of 1619", Volume VII by William Waller Hening, Market Bridge, Virginia: The Franklin Press, 1820; pp. 306-307; as well as Green's "Historical & Genealogical Notes..."]

This land from Coleman to Hutcheson was originally part of a 2000-acre patent to Nathaniel SANDERS [VPB23:723] (any relation to Coleman's wife Sarah Saunders?), then forfeited by his heir Nathaniel Sanders, so granted to Coleman, corner to land Coleman bought from "Booker" (actually Achilles BOWKER, relative of Parmenas Bowker of 1743 deed above). Achilles BOWKER was also on records with Benjamin Davis.

Anthony FOSTER was security on the bonds of Benjamin DAVIS for building bridges in 1750 over the Po and the Ni River in Spotsylvania.

Note: See road orders 1753 for names on the above records.

24 November 1748 – Orange County, Virginia

Then the Court proceeds to lay the County Levy:

To BENJAMIN DAVIS for building a Bridge over the WILDERNESS RUN - 900 Tobo.

[pounds of tobacco, the currency of the day]

[Source: "Orange County Road Orders 1734-1749" by Ann Brush Miller, (Charlottesville, Virginia July 1984, Revised April 2004), p. 138 (p.157 in original records)]

Note:

Located near Wilderness, Virginia where boundaries of present-day Orange, Spotsylvania, Culpeper, Fauquier, and Stafford counties meet. Wilderness Run is crossed now by Virginia SR 3, called Germanna Highway after the German immigrant community established in the early 1700's. German and non-German families associated with the Germanna colonists here and in Culpeper have numerous ties with Benjamin and his family.

7 October 1729 (O. B. p. 355)

On Petition of John Gordon Overseer of the road from the Mark Stones to GERMANNNA, for to have the WILDERNESS RUN BRIDGE built at ye. County Charge (Per reason his gang Chiefly Consisting of Collo. Alexander Spotswood's Mine People Which now are Exempted Per Law) is granted, and Ordered that Goodrich Lightfoot William BLEDSOE, and Robert GREEN, Gentlemen or any two of them, do agree with Some Person to build the same on the Cheapest Terms they Can and Make return of their Proceedings to the Next Court.

[Source: Spotsylvania Road Orders, Pawlett]

6 December 1748 - Spotsylvania County budget. Tobacco to be paid to William CARR and Henry Willis Gent. for building a bridge over the NORTHANNA RIVER to be by them sold and out of it to pay to BENJAMIN DAVIS 20 pounds 5 shillings 8 d cash this county's part and the balance of the sale of the said tobacco to be account for the county 4058 pounds tobacco.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 481, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 86]

7 March 1748/49

BENJAMIN DAVIS on jury with Nicholas HAWKINS and John HOLLoday. Robert Simms vs Thomas GRAVES assault and battery - guilty 5 shillings. Witness for Graves: William England. Witness for Simms: Richard DAVENPORT.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 492, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 96]

9 March 1748/49

"The view on the NORTHANNA BRIDGE being returned in these words, "We the subscribers have viewed the said bridge as is over the Northanna or Pamunkey River and find it is 5 feet 6 inches from the slope of the said bridge to the natural ground."

/s/ James Rallings [RAWLINS], James Edwards, Joseph HOLLoday.

Ordered that BENJAMIN DAVIS be summoned to next court.

[Source: Spotsylvania Court Order Book 1738 - 1749, p. 502, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000), p. 105]

1749

2 May 1749 - Ordered that BENJAMIN DAVIS's bond for building the NORTHANNA BRIDGE be put in prosecution unless he makes the same passable by the next court.

[Source: *Spotsylvania Court Order Book 1738 - 1749*, p. 507, *Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1749-1751*, Ruth and Sam Sparacio (Antient Press, 2000), p. 3]

1749/50

6 March 1749/50 - BENJAMIN DAVIS on jury. Robert Duncanson vs Jacob Everman

[Source: *Spotsylvania Court Order Book 1749 - 1755*, p. 39, *Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1749-1751*, Ruth and Sam Sparacio (Antient Press, 2000), p. 51]

6 March 1749/50 - £50 William LEWIS, administrator of John LEWIS deceased, with BENJAMIN DAVIS, sec. Mch 6, 1749 [6 March 1749, Old Calendar, 1750 in current day calendar.]

[Source: *Spotsylvania County Administration Bonds, Will Book B 1749-1759*, p. 58, "Spotsylvania, Virginia County Records 1721-1800" comp. William Armstrong Crozier (New York: 1905)]

Note:

On 8 November 1749, three months prior to the record above, according to the Old Calendar, Elizabeth Lewis admix. posted £100 administrative bond for the estate of John Lewis, dec'd., with Larkin Johnston and James Parks, sec. [SWBB, Crozier] It is thought that this is the same John Lewis whose brother William became administrator on 6 March 1769 with Benjamin Davis. John Lewis' father John "may" be the carpenter married to Elizabeth McGrath in Middlesex Co., Virginia, and was in New Kent, a parent county of King William.

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| Joan indicated that this information needs to be checked further. |
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Larkin Johnston was the son of William Johnston and Ann Chew, daughter of Larkin Chew and sister of John Chew, part of whose Spotsylvania patent was the land Benjamin bought from Benjamin Martin in 1754. Larkin Chew is said to have owned 17,000 acres in Spotsylvania County. William Johnston Jr. (married to Elizabeth Cave) had a number of connections with our Davis's, including Benjamin's son-in-law Daniel Jarrell land later in Culpeper.

The information below about Giles Rogers' wife "Ann Lewis, daughter of John Lewis" is a portion of my correspondence with a long-time Rogers researcher who was of much help to me while learning the early Rogers family's connections to our Davis group.

Most online files say that Giles Rogers wife was an "(Sarah?) Ann (Iverson?) Lewis". Even in the form, her name looks like a guess or a patchwork. The origination of the Iverson connection seems to come from Virkus' "Compendium" that was compiled by undocumented submissions in the early 1900's and is highly unreliable. I have found no basis for the Iverson connection with Giles Rogers of Albemarle.

ANN LEWIS, Daughter of JOHN LEWIS

However, there is a John Lewis family closely associated with the early King

William/Spotsylvania/Caroline families of Rogers, Burgess, Warren, Martin, Eastham, Samuel, my Davis etc. [For associated families' wives/children, I use here others' research, but my own for Davis.]

This John Lewis died intestate in Spotsylvania in 1749. His wife Elizabeth got administration, with LARKIN JOHNSTON (husband of Mary ROGERS--Giles' sister--Larkin was son of William Johnston and Ann Chew, daughter of Larkin Chew) and James Parks second administrators.

James Parks may be a brother of John Parks--married Margaret True, son John on deed with William, son Richard married Graves, Gabriel with John Davis Culpeper deed, etc. The Parks family had a number of associations with various members of Benjamin's family, particularly with Benjamin's sons James, John and William. (There was also another Parks line in this same time and place, and difficult to separate out. They too seem to have connections with Benjamin's family.)

Joan indicated that this is incomplete.

There seems to be a good chance that it was this John Lewis whose daughter "Ann Lewis, daughter of John Lewis of Spotsylvania" married Giles Rogers. [*Woods, History of Albemarle*] Giles Rogers had a daughter Ann named in his will as the wife of Robert Davis. Extensive research has failed to prove definitively one way or the other, but Ann's husband Robert Davis may well be Benjamin Davis' grandson Robert, son of James Davis of Culpeper/Madison.

William Lewis of Richmond Co., Virginia descended from the Immigrant Richard Lewis of Wiltshire, England. Among the families they intermarried with were the Branhams, Colsons, Richards, and Herndons. [*Herndon Family Page*]

William Lewis of Fredericksburg, Virginia was born 1723, probably in Richmond Co., Virginia. William married Sarah Branham b. c1731 Richmond Co., Virginia in about 1745. Evidence for their marriage comes from Sarah's will which was witnessed by her brother, Daniel Branham, and her brother-in-law, Benjamin Burbridge.

Note: William Davis' good friend Benjamin Robinson married Mildred Burbridge.

1750

26 March 1750. Bond of BENJAMIN DAVIS to build a bridge over the NY [NI] RIVER in Spotsylvania County by Thomas BURBRIDGE's where the PAMUNKEY Roaling [Rolling] Road crosses the said River and where the Old Bridge now stands... and to keep and maintain the bridge in good repair fitting for all carts, Waggon & to pass and repass according to law, for a period of 7 years., for the sum of £7.

Anthony FOSTER his security,

Signed by BENJAMIN DAVIS and Anthony FOSTER

Witnessed by John CHEW, Joseph HAWKINS, A. [Achilles] BOWKER

On margin: Dd (deed delivered) The original bond to Mr. Zachy. [Zachary] LEWIS 15 May 1757

[Source: *Spotsylvania County Will Book B, Part I, p. 37, Circuit Clerk's Office, Spotsylvania Court House, Spotsylvania, Virginia*]

Note: Anthony Foster's son Anthony Jr. married Robert Coleman's daughter Rose. Anthony Foster's grandson Henry Foster was a purchaser of the estate of Benjamin's son William in 1823 in Fayette County, Kentucky.

26 March 1750 - Bond of BENJAMIN DAVIS to build a bridge over the RIVER PO for Spotsylvania County by Mr. John CORBIN's Quarter where the Pamunkey Roaling [Rolling] road crosses the said river

& where the old bridge now is, to be kept in good repair for 7 years, for the sum of £7, 5 shillings. penal sum of £14, 10 shillings. Anthony FOSTER his security.

Signed by BENJAMIN DAVIS and Anthony FOSTER

Witnessed by John CHEW, Joseph HAWKINS, A. BOWKER

[Source: *Spotsylvania Will Book B, Part I*, p. 38, *Circuit Clerk's Office, Spotsylvania Court House, Spotsylvania, Virginia*]

3 July 1750 - BENJAMIN DAVIS on jury with Benjamin MARTIN and Nicholas HAWKINS in suit of Thomas Blassingham, Constable vs Jacob Morris. Assault and Battery. Guilty. Damages 40 shillings.

[Source: *Spotsylvania Court Order Book 1749 - 1755*, p. 65, *Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1749-1751, Ruth and Sam Sparacio (Antient Press, 2000)*, p. 70]

3 July 1750 - BENJAMIN DAVIS on jury in suit of The King vs Thomas Blassingham. on an information of tending seconds. Not guilty.

[Source: *Spotsylvania Court Order Book 1749 - 1755*, p. 66, *Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1749-1751, Ruth and Sam Sparacio (Antient Press, 2000)*, p. 71]

3 July 1750 - BENJAMIN DAVIS jury with Talliaferro CRAIG and others in suit of The King vs. Mary Whitehouse, on an information of tending seconds. Not guilty.

[Source: *Spotsylvania Court Order Book 1749 - 1755*, p. 67, *Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1749-1751, Ruth and Sam Sparacio (Antient Press, 2000)*, p. 72]

3 July 1750 - BENJAMIN DAVIS on jury with Talliaferro Cragg [CRAIG] and others in suit of Joseph Carter vs John Farish, John Carter, and Larkin Johnson. Not guilty.

[Source: *Spotsylvania Court Order Book 1749 - 1755*, p. 68, *Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1749-1751, Ruth and Sam Sparacio (Antient Press, 2000)*, p. 72]

1751

Full abstracts from Craig Kilby, Library of Virginia:

Orange County. The deeds have been abstracted by Sparacio (1985) and there are three of them involving Benjamin as a witness. This book spans the years 1743-1759.

a. 28 November 1751. DB 12, pp. 61-62. James Herndon of Orange County to John Haley of same, £17 10s, "grants" 300 acres of land Herndon purchased of John Yarbrough and Edward Haley bounded by Philip Water [that should probably read VAWTER], James Mikhel [Michael or Michel], Philip Singleton, Thomas Browning, William Haley. Signed by James Herndon and Vallentine Herndon (her mark). Witnesses: Benja. Porter, **Benja Davis**, John Grigsby (all by signature). Vallentine relinquished dower. Recorded 28 November 1751.

b. 28 November 1751. DB 12, pp. 63-65. James Herndon of St. Thomas Parish, Orange Co., and Vallentine his wife, and Just. Stephen I. K. Smith of same. [I wonder if that isn't Just(ian) Stephens aka SMITH--I have good reason to believe it is] of same, for £16..."grants" 400 acres in St. Mark's Parish in Orange County being a grant lately granted to James Herndon by patent 15 December 1749, bounded by Alexander Waugh and Nathaniel Claibourn. Same signatures and witnesses. Witnesses: Benja. Porter, **Benja Davis**, John Grigsby (all by signature)
Recorded 28 November 1751.

c. 3 December 1751. DB 12, pp. 70-72. James Allan of Town of Fredericksburg, County of Spotsylvania, Joiner, brother and heir at law of John Allan, Merchant, deceased, of the same place, to Archibald McPherson, William Hunter and James Hunter, acting executors of the last will and testament of John Allan, dec'd, of the 2nd part, and William Alcock of Caroline County of the 3rd part. That John Allan's will directed all his estate to be sold at public auction at the June or October fair in Fredericksburgh. Sale was held 5 October 175-, when William Alcock became the highest bidder for a tract of land containing 1,000 acres in Orange County, that James Allan, Archibald McPherson, William Hunter and James Hunter convey the land granted to John Allan by patent 1 June 1741 adjacent Col. John Robinson, Mr. Hugh Jones, Col. Spotswood, on south side of the River Po. Signed by William Hunter, James Hunter, James Allan, Archibald McPherson. Abstract does not show James Allan as signing the deed.

Witnessed by **BENJAMIN DAVIS**, T. Lewis and Roger Dixon. Recorded 27 February 1751.

"The Court Order Book for Caroline Co., Virginia 1740-1746, has an entry for the Court held on 11 March 1742/43 recommending Thomas Buckner, Thomas Johnson, Rice Curtis, James Taylor and John Madison for the Governor to add to the commission of the peace for this County. Then on 13 May 1743, Archibald McPherson, Rice Curtis and John Madison, Gent., are appointed to view the road from Johnson's plantation by the Ridge over the Middle River."

[http://www.jmu.edu/madison/center/main_pages/madison_archives/life/biography/genealogy.htm
Madisons of Colonial Virginia (Revised) December 6, 2002, by Bob Allen San Jose, CA.]

13 March 1740/41 - Attachment. Archibald McPherson agst estate **William Jackson** dismissed, being served by the constable. Attachment. George Chapman agst estate **William Jackson** dismissed, being served by the constable & he not having given bond before obtaining the attachment. [*Caroline OB 1740-1747 p. 27*]

10 April 1741 - Suit on attachment. McPherson agst estate **William Jackson** .. plt proving his acct, Sheriff executed attachment in hands of Lawrence Anderson, George Goodloe Gent, William Marshall, Michael Ginning, Christopher Ecoff, Matthew Brooks, Anthony Samuel, James Samuel and Michael Smith (They reported as ordered and the Court ordered garnishees pay petitioner. [*Caroline OB 1732-40 p. 45*]
 [*Records from Linda Sparks Starr's report "Jackson-Rucker-Tinsley Timeline"*]

28 November 1751 - James HERNDON 300a. of land to John Haley....adj, Philip Water's, James Michael, Philip Singleton and Thomas Browning...

Wit: Benjamin Porter, BENJAMIN DAVIS, John Grigsby

[*Source: Orange County Virginia Deed Book 12 – e-mail from NMD*]

Note:

James Herndon was a brother of Edward Herndon (II) who with wife Mary (Brock) gave land to son Joseph in 1753, and Benjamin Davis witnessed that deed. Joseph Herndon and his brother Edward Jr [III], along with Joseph Brock [Jr, Mary's brother] and John Goodloe witnessed the 1758 Spotsylvania deed of Benjamin's son John Davis. Benjamin Davis, his son John Davis, John Goodloe and Philip Watters were all carpenters/builders.

Benjamin is on Spotsylvania records with Joseph Collins, whose son William Collins' daughter Beliah married James Haley, brother of John and Valentine Haley. Valentine was the wife of James Herndon.

"Philip Watters, carpenter" purchased 750 acres in Spotsylvania 4 February 1729 adjacent to Edward Haley, father of John, James and Valentine Haley. Edward Haley's Orange County land grant was almost adjacent to the Andrew Harrison land grant on Terrys Run where Benjamin Davis' son James Davis bought land in 1758.

4 February 1729 - John Purvis to Phillip WATTERS, carpenter 750 acres 2 white oaks on the side of a hill on the Northwest side of Run in Edward Hailys [Haley's] line. Witnesses: Edwin Hickman, William Bledsoe, Samuell Housley. *[Source: SDBA, Crozier]*

NOTE:

Edwin Hickman got a land grant 1731 with corner to George Proctor/Prockter closely associated with Edward Price, related to Kalem Price, father of Mary Price, second wife of Benjamin's son James Davis.

3 December 1728 (Spotsylvania Road Orders)

On Pettition of William Eddins for Satisfaction to be paid him for timber of his, as Benjamin PORTER Overseer made use of to BUILD THE BRIDGE OF THE MINE RUN in this County is granted & ordered that Benjamin PORTER, & Nicholas Christopher, do view & value the same as ye Said Overseer made use of & make report of their proceedings to the next court.

Benjamin Porter's 1728 land grant was adjacent to Andrew Harrison's where Benjamin's son James Davis lived by 1758. In 1746, Benjamin was paid to build the Mine Bridge, but that bridge seems to have been over the Po River, not Mine Run.

John Grigsby is said to be of Stafford County, but seems to be in Culpeper by about 1766. He was married second about 1764 to Elizabeth, daughter of Benjamin Porter on this deed.

28 November 1751 – James HERNDON and wife Vallentine, land to Stephen I. K. Smith

Wit: Benjamin Porter, BENJAMIN DAVIS, John Grigsby

[Source: Orange County Virginia Deed Book 12]

Note:

The sellers and witnesses are the same as the previous deed. The purchaser Stephen Smith was the brother of George Smith (married Elizabeth Hawkins), Charles Smith (married Phoebe Hawkins), and Sarah Smith (married Philemon Hawkins). Two unnamed sources with no documentation give additional information. One says that Stephen and George were sons of the widow Noblet who married Samuel Smith and then had Charles and Sarah. The other says that Stephen's initials were actually "J. K", the "J" standing for "Justephonicus." George was christened 23 August 1713 in St. Peters Parish, New Kent Co. and his family lived in King William before coming to Spotsylvania, so they most likely knew the Hawkins family from there, as well as our Davis family.

The Hawkins's were siblings whose sister Mary married Toliver Craig, parents of Baptist ministers Elijah Craig and Lewis Craig, leader of the Traveling Church migrating in 1781 from Spotsylvania to Fayette County, Kentucky. Their brother Joseph Hawkins (ca. 1707- 69) was a witness to Benjamin's bonds for building bridges over the Ni and the Po rivers in 1750. These Hawkins's lived at Terry's Run and were children of John Hawkins who died in King William with a will that no longer exists but was referred to in a

later suit, allowing us to allot the various Spotsylvania Hawkins correctly. Contrary to most on-line information, the John Hawkins who died in King William is not the same John Hawkins who lived (and died) in Essex County and was father of Nicholas Hawkins of Spotsylvania. But the two Hawkins family lines in Spotsylvania are very intertwined, and Benjamin Davis and his family are connected with both.

Orange County Road Orders of 24 October 1751 show others who lived in the area of the people on these deeds. Thomas Burgess mentioned here is the one who sold land to Benjamin's son James Davis in 1758. Others in caps are names or families connected with Benjamin or his children:

On the Petition of James Cox & others for a Road to be Cleared from the Hill below TERRYS RUN Brige as the way was formerly Veiwed down to the County line by Anthony Streets GEORGE SMITH, THOMAS BURGESS and STEVEN I. K. SMITH having Veiwed the Same they being first sworn, reporteth that they find the same way to go upon a Level Ridge Mostly Barren Land Crossing no Water course nor low ground And do not find it hurtfull to any Settlement already made except the going through the Yard where Charles HARRISON now lives Therefore it is Ordered that the said Way be cleared as laid off by the Veivers and made a good road & that the Male labouring Tithables of Thomas Gahagon, Matthew Cox, William Cox, Lancelot Ray, John Chapman, PETER MOUNTAGUE, James MITCHEL [MICHAEL in 1751 deed above], John Shackelford, Daniel SINGLETON PHILIP SINGLETON, JOHN HALEY, William HALEY, Edward HALEY, THOMAS BROWNING, John Lankford, Edwin Fleet, ANDREW HARRISON, Lawrence HARRISON, Charles HARRISON, Lancelot WARREN, Joseph Nowel, Robert Smithy, John Evins, Steven Shanought William Cudden John Cox Lawrence BATAILES Quarter & John Claytons Quarter, John Hyatt, THOMAS MERRYs, Zachary Allan & James Cox do Clear the same And that ANDREW HARRISON be Surveyor thereof & that he with the aforesaid Gang clear and keep the said Road in Repair according to Law.

[Source: Orange County Road Orders 1750-1800 by Ann Brush Miller, (Virginia Highway & Transportation Research Council, Charlottesville, Virginia, August 1989, Revised April 2004), Electronic Edition]

4 December 1751 - BENJAMIN DAVIS Guardianship Bond for Thomas MORRISS, orphan of Thomas MORRISS, deceased, in the sum of £100. Martin TRUE, security.

Signed by BENJAMIN DAVIS, Martin (x) TRUE

Witnessed by Jonathan GIBSON

[Source: Spotsylvania Will Book B, Part I, p. 92, Circuit Clerk's Office, Spotsylvania Court House, Spotsylvania, Virginia]

Note:

Thomas Morris Sr died in Spotsylvania County with a will dated 21 July 1741 and proved 6 April 1742. It was witnessed by M. Battaley, John Sisar; and Jane Sisar, and named son Thomas Morris; son William Morris; wife Margaret; daughters Mary and Sarah Morris; daughters Elizabeth and Margaret, with executor's wife Margaret Morris, and Zachary Garton. *[SWBA]*

Thomas Morris Jr, a minor at his father's death, had a series of guardians. First on 2 February 1747/8 was Moses Battaley, a witness to his father's will, with second George Wythe, who was the co-witness with Benjamin Davis on a White-Waller deed in 1747. Then on 6 March 1749/50, William Proctor posted guardian bond for Thomas Morris with Martin True security. *[Both in SWBA]* Eighteen months later, Benjamin posted the guardian bond still with Martin True security.

Thomas Morris Sr. witnessed the will of Samuel Long, whose daughters became wards of Nicholas Hawkins whose family had several close connections with Benjamin, including brothers Nathan and Alexander.

Will of Samuel Long – St. George's Parish, d. February 14, 1739-40, p. May 6, 1740.
Wit. Thomas Ship; THOMAS MORRIS; William Perry. Ex. my brother James Long. Leg. son Bromfield Long; daughters Mary and Elizabeth Long. [SWBA, p. 310, Crozier, p. 5]

Guardian Bond - £50 Nicholas Hawkins, guard. to Elizabeth Long, orph. of Samuel Long, with James Hawkins, sec. July 7, 1752. [SWBB, Crozier, p. 72]

Guardian Bond - £100 William Lewis, guard. to Elizabeth Long, orph. of Samuel Long, with Thomas Haydon, sec. December 7, 1756. [SWBB, Crozier, p. 73]

William Lewis was the son of John Lewis and had administration of his father's estate with Benjamin Davis security on the bond 6 March 1749/50.

In 1740, Thomas Morris Sr. witnessed the will of Samuel Long [SWBA], who named son Bromfield Long [sometimes spelled Bloomfield, Broomfield, etc]. Bromfield Long is named as an adjacent landowner in Joseph Brock Sr's will. Joseph Brock Jr. was security to BENJAMIN DAVIS' guardian bond for Frances Boswell, whose brothers were Benjamin's apprentices. Bromfield Long may be related to Lawrence Long, later apprentice to Benjamin's son John Davis in 1765 in Culpeper. In 1725 Thomas Morris bought Spotsylvania land of George Proctor on "Hazlee Run" Hazel Run, near Fredericksburg, where Benjamin Martin in 1749 leased land his deceased father Henry had lived on to Edmund Waller bounded by Rev. James Marye and John Thornton, son of Col. Francis Thornton, deceased. [SDBA] This deed is notable because Marye is connected with James Davis and Thornton with William Davis, both sons of Benjamin Davis. (See discussion under the 1754 deed of purchase by Benjamin Davis.) Also, in 1742, Thomas Morris Sr. co-witnessed a deed with William Burbage/Burbridge [SDBD] who was the grandfather of Mildred who married Benjamin Robinson, Benjamin Davis' son William Davis' good friend and close neighbor later in Fayette Co., Kentucky, for whom William named a son.

On the same day that BENJAMIN DAVIS posted the Guardianship Bond for Thomas MORRIS he also accepted Thomas as his carpentry apprentice:

4 December 1751 - Apprenticeship Indenture between BENJAMIN DAVIS, Carpenter, of Spotsylvania County and Thomas MORRISS (sic) of same, now aged about seventeen years, by and with the consent of the Spotsylvania County Court for the term of 4 years from this date, "during which time the said Thomas Morris his said Master shall well and truly serve [illeg], his lawful commands obey, he shall not destroy or embeszle any of his goods, cause it to be done harm, shall not commit adultery or fornication, not contract matrimony within the said term, neither shall he absent himself by day or night from his said master's service without leave, and the said Benjamin Davis for his part doth covenant and agree to do his utmost and earnest to teach or cause to be taught his said apprentice the Carpenters Trade and to read and write and to find and provide for the said Morris meal, drink, washing, and lodging during said term and at the expiration thereof to give him such Freedom Dues as the law directs." [punctuation added]

Signed: BENJAMIN DAVIS, Thomas MORRIS

Witness: Wm. WALLER, Clerk of Court.

[Source: Spotsylvania Deed Book B, Part I, p. 93, Circuit Clerk's Office, Spotsylvania Court House, Spotsylvania, Virginia]

1751/52

6 February 1751/52 - Apprentice Indenture between BENJAMIN DAVIS, Carpenter of Spotsylvania County and George BOSWELL for the term of six years (suggesting his age this time is 15 years old.) Customary conditions applied--no adultery, no fornication, no marriage contracts, cannot absent himself from his master without permission. Davis to supply food and lodging, teach him the carpenters trade, and to read and write. To be paid the sum of £5 or its equivalent in value in clothes or tools at the expiration of the apprenticeship.

Signed by BENJAMIN DAVIS by signature, George ("I") BOSWELL by mark

Witnessed by Wm. WALLER, Clerk. Recorded the same day.

[Source: Spotsylvania Will Book B, Part I, p. 101, Circuit Clerk's Office, Spotsylvania Court House, Spotsylvania, Virginia]

4 July 1758 - George x BOSWELL and Ann x GATEWOOD of Spotsylvania Co. to MARTIN TRUE of sd. county. £7 2s. curr. 27 a. in Spotsylvania Co. Witnesses: James CHILES, James PULLIAM, Henry TRUE [Jr]. Recorded July 4, 1758. [SDBE, Crozier, p. 208]

Note:

George Boswell was son of John Boswell whose mother "Ann Gatewood" was the widow Ann Ransom Boswell who married next William Gatewood after the death of George's father. George Boswell's sister Frances Boswell married Benjamin Pulliam, etc.

(Add notes re James Chiles/Durrett? & True...)

5 July 1762. George x BOSWELL, Ransom BOSWELL and Wm. Gatewood and Ann, his wife, of Spotsylvania Co., to Richard BLANTON of same Co., 60 pounds curr. 154 a. in Spotsylvania. Co. Wit: Jos. HOLLODAY, junr.; Jno. Gayle, Henry TRUE, Alexr. Spence Head. July 4, 1763. [SDBF, Crozier, p. 228]

4 September 1753. Peter Gatewood of Spotsylvania Co. to John HOLLODAY. £40 curr. 100 a. in Spotsylvania Co., on forks of Bushes and MINE ROADS, part of the land belonging to John BOSWELL, Dec'd., and conveyed to sd. Gatewood by Ransom BOSWELL and Mary, his wife, as by Deeds, Octr. 3, 1752. Ed. HERNDON, junr., Thos. BARTLETT, Thos. Crutcher, junr. September 4, 1753. [Crozier]

Thomas Bartlett is the son of William Bartlett first of Essex County and his wife Susannah Davis. Their children married into families closely associated with Benjamin Davis including Graves, Collins, and Foster. Susannah is said to be the sister of Thomas Davis whose son James Davis (married to Mary Elizabeth Carter) had children including John, James, William, and Benjamin (the same names and Benjamin's and the only other Benjamin Davis, except our Benjamin's son, I have found in the entire area in the early and mid-1700's). When that James Davis' son Benjamin Davis died, the guardian of his orphans was Edward Collins, son of John Collins with land adjacent to Benjamin Davis 1742, grandson of Joseph Collins on records with our Benjamin Davis and nephew of Lewis Collins who married Elizabeth

Davis. Security on the guardian bond is Edward Herndon (Jr), on records with our Benjamin Davis and his son John.

That James Davis family lived on Pleasant Run which met Terrys Run at the northwestern corner of Spotsylvania. This is close to where Benjamin's sons James Davis (at Terrys Run on the Orange side) and John Davis (on the Spotsylvania side a few miles away) bought land several weeks apart in 1758. Twenty years earlier a William Davis was with people in that same area that included names on Orange County records with our Benjamin Davis in early 1750's. That William Davis may be Benjamin's brother, the fourth child of William and Mary. He died in 1763 within a few weeks of Benjamin, both living in the same part of Culpeper at the time. His son George became an apprentice of Benjamin's son John Davis, and his widow married Benjamin Hoomes in a 1760 Culpeper deed transaction with Benjamin and his son James.

Susannah Davis Bartlett and brother Thomas Davis traditionally are said to be children of a John Davis on the Potomac River in Stafford County who married Susannah Matheny widow of Solomon Day. However, I find it very strange that their father Thomas Davis would be in Spotsylvania Court Records from the formation of the County.

Joan indicated here that this paragraph is unfinished, but with no indication of what she intended.

8 November 1752. Apprenticeship Indenture between BENJAMIN DAVIS, Carpenter, and James BOSWELL. Customary conditions applied (no adultery, no fornication, no marriage contracts, cannot absent himself from his master without permission). Davis to supply food and lodging, teach him the carpenters trade, and to read and write. Term to expire when Boswell turns 21 years of age. Signed by BENJAMIN DAVIS and James BOSWELL (both by mark*)

Recorded same day.

[Source: *Spotsylvania Will Book B, Part I, p. 137, Library of Virginia, Richmond, Virginia*]

*As Benjamin obviously could write, this was either a clerical error or someone's shorthand.

Note:

James Boswell was the orphaned son of John Boswell. In John Boswell's will dated 10 January 1740, proved 5 May 1741. St. George's Parish, Spotsylvania Co., he requests that his three eldest sons, Ransom, John and George, be apprenticed at age 15, the first two to a carpenter/joyner, the third to a blacksmith. I have not found any apprenticeship record for Ransom and John, and it is possible that they, too, could have been Benjamin's apprentices, especially since James, a younger brother per his father's will, apprenticed to Benjamin prior to his elder brother George. Instead of becoming a blacksmith, George Boswell also became apprenticed at age 15 as a carpenter to Benjamin Davis three months after James Boswell. Benjamin Davis became guardian of the Boswell's sister Frances in 1755.

1753

Court of 5 June 1753

Spotsylvania Road Orders

Anthony Foster having returned the viewers report on a way petitioned for by him for a road to be cleared which is in these words: "in obedience to the within order, we the subscribers being first sworn before Larkin Chew, Gent., have viewed the way shewn us by Anthony Foster from the Mine Road to the Pamunkey Roling road and find it to be convenient for severall people on Pamunkey as well as those in the fork." Given under our hands, this thirtieth day of April 1753 A. Bowker, Willm. Smith, Owen Thomas, Thomas Merry.

On consideration of which report, it is ordered that a road be cleared from the Pamunkey Roling road along the ridge path to Smith's fork ford over Mattapony River and from thence as near as can be along the line of the land of Isaac Scott & Owen Thomas, and from thence to the best way into the Mine road and it is ordered that Dudley Gatewood be overseer of the said road from the Pamunkey Roling road to the said Mattapony River and the male labouring tithables belonging to Achilles Bowker, Nancy Bowker, William Smith, William Hutcherson [Hutchison], Ignatius Shirman, Dudley Gatewood, Henry Gatewood Junr, Wm Gatewood, Joseph Penn, Hugh Sanders, Anthony Foster, and Thomas McGee to serve under the sd Dudley Gatewood to clear and keep in repair that part of the sd road and William Smith is appointed overseer of the said road from the sd river to the Mine road and the male labouring tithables belonging to Colo. Corbin, Mr. John Chew, Isaac Scott, Jeremiah Smith, Owen Thomas, Nicholas Hawkins, James Hawkins, Nathan Hawkins, Mr. Fielding Lewis' quarter, William Bell, Benjamin Martin, BENJA. DAVIS do serve under the sd William Smith to clear and keep in repair that part of the sd road. [Source: Spotsylvania County Order Book 5, June 1753, p. 399, cited in Pamunkey Neighbors of Orange County, Virginia - Lindsay, Mills, Mountague, Stevens and Related Families and Neighbors by Ruth Trickey Sparacio & Sam Sparacio (Gateway Press Inc, Baltimore, 1985), p. 63]

5 June 1753 - Edward HERNDON and Mary [BROCK] his wife of Spotsylvania County to Joseph HERNDON of said County £10, Lot. No. 3 in Spotsylvania County adjoining lot No. 56 of the town of Fredericksburg.

Witnesses: BENJAMIN DAVIS, Isaac SCOT, Richard BLANTON

[Source: Spotsylvania Deed Book E 1751-1761, "Spotsylvania, Virginia County Records 1721-1800" comp. William Armstrong Crozier (New York: 1905), p. 193]

Note:

Edward Herndon and his wife Mary Brock sell this land to their son Joseph Herndon. Joseph Herndon's brothers Edward Jr. and John Herndon witnessed the 1758 Spotsylvania deed of Benjamin's son JOHN DAVIS. Benjamin Davis also witnessed two Orange County deeds in 1751 of James Herndon, brother of the elder Edward Herndon. They were sons of another Edward Herndon thought to have married Mary Waller, related to John Waller whose King William land was adjacent to Benjamin's father William Davis and family.

According to Marsha Moses, a Herndon descendant, the Herndon farm was at Post Oaks, Virginia just south of where Benjamin bought land in 1754. Herndon family members have a number of deed and related family connections with Benjamin in Spotsylvania. Our Davis-Herndon relationships extend later to Benjamin's son John Davis in Pittsylvania, John's son Frederick Davis in Madison, and the wife of John Jackson who in Culpeper/Madison lived adjacent to Benjamin's children James, Benjamin II, and Sarah Davis (wife of Thomas Terry).

| |
|--|
| Blanton – check bridges for him. See notes next below. |
|--|

"In 1770 Thomas and Jane Blanton sold an acre and a half lot in Frederickburg to William Paul, a merchant of the town and a native of Scotland."

[http://www.archive.org/stream/historyofcityoff00quin/historyofcityoff00quin_djvu.txt]

Another descendant of William Herndon, his grandson Elliot Herndon of Culpeper, sold land to John Davis' son Frederick near John's siblings James, Benjamin II and Sarah Terry. Another grandson, Edward Herndon (b. 1738) married Nancy Rucker, related to Ephraim Rucker and his grandson Larkin who

married Benjamin I's granddaughter Lucy Terry, and later moved to Elbert County, Georgia where Benjamin Davis II moved in 1791.

1754

7 June 1754 - Maintenance Bond of BENJAMIN DAVIS to keep and maintain a good and sufficient bridge over MASSAPONAX at the place the road from Federicksburgh (sic) to Bells crosses. Term of 5 years. Penal sum of 300 lbs. tobacco. No payment stipulated. Thomas BLANTON his security.

Signed by BENJAMIN DAVIS and Thomas BLANTON

Witnessed by Wm. CARR, Rb; DUDLEY

[Source: Spotsylvania Will Book B, Part II, p. 374]

Spotsylvania Records, B-488, August 5, 1760 - Apprenticeship bond between Thomas Blanton, carpenter and joiner, of Spotsylvania Co. and John Artrup "an infant of Spotsylvania County." Witnessed by: John Artrup, John Rakestraw, James Shorlay

[Transcribed by John Edwin Snyder and submitted to Wayne County WVGenWeb.]

Thomas Blanton was son of Richard Blanton (will proved Spotsylvania 1734 September 3; executors: wife Elizabeth, Rice Curtis, Jr., Francis Smith, and William Lindsay. Lived on River Po. 1737 March 23--- Spotsylvania Co., Virginia. Will Book A 1742-9---page 283---Richard BLANTON, deceased, appraisement of estate by Benjamin MARTIN.

Thomas' grandfather was Thomas Blanton of Old Rappahannock Co/Essex who got several land grants adjacent to Francis Graves 1682-1687: 1682 - 20 April - Land Grant of 200 acres Rappahannock County, Virginia . . . dividing the land of Major Robert Beverly . . . to the land of Francis Graves. The said land being due to the said THOMAS BLANTON

[<http://freepages.genealogy.rootsweb.ancestry.com/~blantonroots/historians/book/thomas.htm>]

Graves Family Org now says DNA indicates that while Francis was not a son of Thomas Graves (ancestor of Ralph); he was the ancestor of the Thomas Graves in Culpeper near Benjamin's children at Wolfstown.

[<http://www.gravesfa.org/gfb7-13.html>]

Robert Dudley was the father of Joyce Dudley who married Aaron Quisenberry. Aaron's likely brother was Moses Cussenberry who moved to Kentucky, possibly with Elijah Craig's Traveling Church as did Benjamin's son William Davis. Two of William Davis' daughters married in Kentucky two of Moses Cussenberry's sons. There are numerous shared associations between the Spotsylvania Quisenberry's and their relatives and Benjamin's family (see Notes for William Davis b. c1730 and for James Davis b. c1732 for more details.) The Quisenberry's also tie into people on records in Westmoreland County with Edward Bush, possibly related to Mary Bush, Benjamin II's wife.

In 1742 William Carr (identified in the deed as "of Caroline County") acquired 400 acres of land located on Chiswells Mine Road in Spotsylvania County from Thomas and Richard Ship of Essex County:

September 7, 1742. Thomas Ship and Elizabeth, his wife, of Orange Co., to William Carr of Caroline Co. ?70 curr. 357 a. in St. George's Parish, Spotsylvania Co.--part of a tract granted Henry Willis, Gent., Dec'd., etc. Witnesses, Thos. Roy, Geo. Taylor, Wm. Burnett. September 7, 1742. p. 160.

What was Joan's reason for wanting to insert this here?

FENDAL SOUTHERLAND and William CARR were both heirs of Walter Chiles, and Fendal served as Chiles' administrator about 1761.

WILLIAM CARR of Spotsylvania County wrote his will on 2 August 1760. [*Spotsylvania Co Will Book B 497-501*]

His wife, Susannah, was named an executor, along with Edward Herndon & Joseph Brock (both of whom witnessed Benjamin's son John Davis' Spotsylvania deed of 1758). Witnesses to the will included Anthony Foster, (with, William Ellis and John Gordon). In a codicil to his will written ten days later on 12 August 1760, his executors then included FENDALL SOUTHERLAND. [*Information from Pat Noble's Home Page*]

William Carr was the brother of Thomas Carr (Jr) whose father Thomas Carr Sr. had land in King and Queen (soon King William) County adjacent to the 25 April 1701 patent to James Terry, grandfather of Thomas Terry who married Benjamin's daughter Sarah. William Carr was the uncle of Sarah Carr who as John Minor's widow sold (with son John Minor Jr) Culpeper land to Benjamin's son William Davis in 1761. Sarah's sister Agnes Carr married John Waller Jr, son of John Waller whose King William land was adjacent to Benjamin Davis' father William Davis. John Waller Jr's brothers William and Edmund are on records with Benjamin Davis. William Carr's son Thomas Carr moved to Georgia, but on 1 Nov 1784 was back in Spotsylvania selling property, and one of his deed witnesses was Thomas Terry, husband of Benjamin Davis' daughter Sarah. Another witness was William Brock, related to Joseph Brock who witnessed John Davis' 1758 Spotsylvania deed. [*King William County Land Tax Lists - images from BinnsGenealogy.com*]

6 August 1754 - Benjamin MARTIN [Sr] of St. George's Parish, Spotsylvania County, to BENJAMIN DAVIS of same, for £40 current money, 100 acres on the North side of the PO RIVER, beginning
 (A) three white oaks on a level corner to Nathan HAWKINS N 22 W 132 poles to
 (B) white oak sapling in Mr. John CHEW's line and with his line S 45 W 249 poles to
 (C) white oak corner to said Chew on Punch Point, S 77 W 235 poles [corrected in deed of sale to N 77 E 235 poles] to (A) the beginning corner.

Signed: Benjamin MARTIN

Witnesses: John HOLLODAY, John HAWKINS, Joseph COLLINS

Recorded same date

[*Source: Spotsylvania Deed Book E, p. 182, copy from Library of Virginia, Richmond, Virginia*]

Note:

By 1765, nearby or adjacent land was owned by John Waller who was probably John, son of William Waller, with a corner to Nathan Hawkins and Benjamin Martin. [*See SDB F:23 October 1765, 4 March 1766; Crozier p. 247*] William Waller's father was the John Waller who was adjacent to Benjamin Davis' father William in King William County. William Waller and Benjamin Davis are on Court records together in the 1740's shortly after Benjamin moved from King William to Spotsylvania. His son John Waller's wife was Ann Bowker, daughter of Parmenas, related to Achilles Bowker, on records with Benjamin Davis. (Also, when William Lindsey sold the adjacent land in 1743 to Nathan Hawkins' father Nicholas, Parmenas was a witness.)

The deed witness John Hawkins could be the John Hawkins, brother of Nathan Hawkins with the adjacent land, both sons of Nicholas Hawkins I and brothers of Alexander Hawkins who was Benjamin Davis' lawyer in Culpeper Court in 1763. John Hawkins married Elizabeth Ellis, sister of Hezekiah Ellis, first husband of Mildred Burbridge. She married second Benjamin Robinson, good friend of Benjamin's son William Davis who moved with him to Kentucky in Lewis Craig's Traveling Church.

This deed witness could also be another John Hawkins, son of Joseph Hawkins, son of John Hawkins of King William County [not the same John Hawkins of Essex, but probably related] where Benjamin lived prior to Spotsylvania. John's father Joseph Hawkins witnessed Benjamin's bonds in 1750 for building bridges over the Po and the Ni rivers. Joseph Hawkins had land on Terrys Run, where Benjamin Davis' son James lived by 1758, and Joseph's sister Mary Hawkins Craig was the mother of Lewis Craig with whose Traveling Church Benjamin Davis' son William Davis moved from Culpeper, Virginia to Kentucky in late 1781. Three of Joseph and Mary Hawkins' siblings married three Smith siblings related to Stephen Smith whose 1751 deed was witnessed by Benjamin Davis. This John Hawkins is said to have married a Mary Waller whom I have not been able to confirm or identify, but a Waller connection is certainly feasible. (I believe there are strong indications the families of these two John Hawkins's are related--they certainly live and interact with the same group in the same area of Spotsylvania, and Benjamin Davis for one has a number of connections with each line.)

Deed witness Joseph Collins, formerly of King and Queen County, was the father of 11 children named in his 27 August 1757 will.

Joseph Collins' son John Collins patented Spotsylvania land in 1742 adjacent to land surveyed for patent by Benjamin Davis (spelled erroneously as Benjamin Dukes). Another child of Joseph Collins was Tabitha Collins, whose third husband about 1777 is said to be John Holloday, another witness to this deed and probably related to Benjamin Davis through his sister Sarah Davis' husband William Holloday. Tabitha Collins' first husband was Edmund Foster, son of Anthony Foster who was security on Benjamin Davis' bridge bonds in 1750. Tabitha Collins' married second Henry Gatewood, related to (father of?) William Gatewood whose second wife was Ann Ransom, widow of John Boswell, whose sons George and James Boswell were carpentry apprentices of Benjamin Davis, and whose daughter Frances Boswell was Benjamin's ward.

Benjamin Davis is already on Road Orders as a land owner in this same area on 13 April 1753, over a year before this deed of purchase, which is his only recorded deed in Spotsylvania. Benjamin had to own land in Spotsylvania by 1743, since he served on a Jury early that year. At first Benjamin may have lived slightly southwest of this 1753-1754 location, nearer the Northanna River and the Louisa County border; ie, the same area called "Elk Neck" and "Gunstock Swamp" where his brother John Davis of King William County had a land patent and where is son William Davis later owned land.

Benjamin may have moved up to this deed's location based on it's being more convenient to Spotsylvania Courthouse and to surrounding counties where Benjamin was also engaged in public as well as private building projects. It was also much closer to Fredericksburg where in May of 1754 Benjamin was awarded a 3-year building contract to construct the first addition to St. George's Parish Church (then called Rappahannock Church) in Fredericksburg.

21 May 1754

At a Vestry held for S'. George Parish at Mattapony Church the 21st day of May 1754

Present

| | | |
|--------------------|-----------------|----------------------|
| John Waller | Mosley Battaley |) |
| Zachy. Lewis | Richard Tutt |) |
| John Chew | John Thornton |) Gent of the Vestry |
| Francis Taliaferro | William Waller |) |

Ordered That the undertaker of the Additions to be Built at Fredericksburg and Mattapony Churches be paid in Tob°. at three Separate payments, Each payment to be in Equal proportion, the first payment to be at the Laying the next parish Levy, and that the undertakers have till the first day of October in the year 1756 to Compleat and finish the said Work, and if the Buildings be not Compleatly finished at that time, that the said Last payment be Forfeited by the undertakers and that the same be applied by the Vestry to the use of the Parish for the Lesning the Parish Levy per poll.

Mr. John GOODLOE has this day undertaken to build an Addition to Mattapony Church according to the old order uniform to the old Building as by his Bond will more fully appear, for the sum of Twenty one Thousand Eight Hundred and Fifty pounds of Tobacco.

MR. BENJAMIN DAVIS has undertaken to build an Addition to Rappa. Church according to the old order uniform to the old Building as by his Bond will more fully appear for the sum of Twenty five Thousand Three Hundred pounds of Tobacco.

Ordered That the Church wardens do take Bonds of the undertakers with good and Sufficient Security of the double sum for their performance of the said Work.

Ordered that the Church wardens do provide Dials for Fredericksburg and Mattapony Churches and that the Time be fixed for the going into the said Churches at Eleven of the Clock from the 10th of March till the 10th of September and also the time of going from the 10th of Septem. till the 10th of March be half an hour after Eleven.

Test John Waller, Zachy. Lewis, John Chew, Fras. Taliaferro, Mosley Battaley, Richard Tutt, John Thornton, Will/m Waller.

[Source: *St. George's Parish Spotsylvania Vestry Books 1726-1817* by John Frederick Dorman (Fredericksburg, Virginia 1998; private printing, p. 99)]

History of St. George's Parish, in the county of Spotsylvania, in the Dioses of Virginia, by Philip Slaughter, (J. W. Raldolph & English, Richmond, Virginia 1890):

p. 13-14

"On the tenth of April, 1732, Col. Henry Willis contracted to build two new churches, one at Fredericksburg, and the other at Mattapony, of the following materials and style of workmanship, for each of which he was to receive 75,000 pounds of tobacco. ... Twenty-five years after, viz., in 1756 (sic), one addition was made to these churches, the full width of each church and thirty-two feet in length so as to give them the form of a T."

p. 15-17

October 1733 - Vestry Meeting - "Col. Waller was desired to send to England for pulpit cloths and cushions for each church in the parish to be of crimson velvet with gold tassles each cloth having a cypher with the initials St. G. P. He was also directed to send for two silver chalices."

p. 18

"In 1751, the first bell was put in the church at Fredericksburg; it was the gift of John Spotswood. In 1753, additions were made to the churches in Fredericksburg and at Mattapony."

p. 19

"In 1754, dials were provided in the church-yard to regulate the times of going into church which was 11 o'clock from the 10th of March to the 10th of September and 11-1/2 from the 10th of September to the 10th of March."

Note: In 1755, the first poor house for the parish was established.

Crown glass was produced in a way that made it slightly convex rather than completely flat, and had a characteristic "bullseye" in the center of each pane. Set in a wall with the curve (or "crown") outwards, the building could appear to be slightly swelling, as from built-up air pressure inside. Because crown glass was made without contact with any solid surface, the glass was exceptionally brilliant and reflective.

http://books.google.com/books?id=oC4zG5aR4rwC&pg=PA92&lpg=PA92&dq=england+%22crown+glass%22&source=web&ots=7DRBvf6H81&sig=_o5rpMyAGEibeN8AEIYEAIHQDfg&hl=en

6 August 1754 - Benjamin MARTIN [Sr, dec'd bef 6 February 1769] of St. George Par., Spotsylvania Co. to BENJAMIN DAVIS of same parish and county. £40 curr. 100 a. on N side of River Poe, in Spotsylvania Co. Wit: John HOLLODAY, John HAWKINS, Joseph COLLINS

[Source: *Spotsylvania Deed Book E E*, p. 182]

John Holloday is the son of the John Holloday of King William, almost certainly related to Benjamin's sister Sarah Davis' husband William Holloday of the 1702 King William deed. Joseph Collins is on other Spotsylvania records with Benjamin, and his daughter Tabitha Collins later married John Holloday of this deed, her third husband. John Hawkins is probably the John Hawkins son of Nicholas Hawkins, whose son Nathan had property adjoining this land Benjamin Davis is buying. However, there were also connections between Benjamin Davis' family and another John Hawkins of Spotsylvania and Orange, related by marriage to the Craig family, with whose "Traveling Church" under Rev. Elijah Craig. Benjamin Davis l's son William Davis moved from Culpeper, Virginia to Fayette County, Kentucky in late 1781.

October 7, 1765. Benjamin x Martin, Senr. of St. George's Parish, Spotsylvania Co. & Elizabeth, his wife, to Lenox, Scott & Co., of sd. County, Merchts. £141 15s. curr. 100 a. in St. George's Parish, Spotsylvania Co., given the sd. Benjamin Martin by his father, Henry Martin, etc. Mortgage. Witnesses, Peter Marye, Thomas Colson, Thomas x HUTCHINSON, Septr. 5, 1765. [SDBF, Crozier, p. 246]

Benjamin DAVIS' son James Davis sells his Orange County land to Peter Mayre in 1766. Witnessed by John and Edward Hobday.

John Hutcheson Witness to the Will of James Davis, son of Thomas Davis of Spotsylvania-- JAMES DAVIS Spotsylvania Co., d. February 15, 1765, p. October 7, 1765. Wit. Thomas Wiatt, Joseph Allen, John Hutcherson, Henry Coleman. Ex. wife and son James. Leg. daughter Elizabeth; wife Mary; son John; son James; son Benjamin; son Charles; my four youngest children, William, Mary, Charles and Thomas. [Spotsylvania Will Book D, p. 225, Crozier, p. 23]

Note:

Benjamin was paid in three installments for building this addition to the Rappahannock Church, now named St. George's Parish Church, located in Fredericksburg, Virginia. (See Vestry entry for 17 February 1756 below.) The total amount paid to Benjamin was 25,300 lbs. tobacco, quite a substantial sum in the currency of the day.

An article in "Colonial Williamsburg: The Journal of the Colonial Williamsburg Foundation" explains the term "undertaker":

"Some eighteenth-century words still used today now have different meanings...For example, when Jefferson was asked to study plans for the new federal Capitol, he invited undertakers to advise him. It seems odd that Jefferson would require the aid of morticians to examine blueprints and measure archways, until one understands that eighteenth-century "undertakers" were people--in this instance, building contractors--who "undertook" projects."

["Speaking of the Past: The Words of Colonial Williamsburg" by James Breig, CW Journal, Summer 2001 online edition at <http://www.history.org/foundation/journal/Summer01/words.cfm>]

According to the St. George's Parish Church website, members of George Washington's family attended services here. George Washington's brother Charles and his brother-in-law Fielding Lewis served as vestrymen. The main building had been completed in 1741.

"Robert Jackson was the first Virginia resident accorded the rank of Gentleman to settle in Fredericksburg as a merchant. His background is obscure, but he was highly regarded. Not wealthy, he was a quiet leader, dispensing much welfare for the poor as the only town vestryman. Jackson was a very close friend of Augustine Washington [George Washington's father], and one of his executors in 1743.

[Jackson] was also a mentor of Fielding Lewis, and the two shared many tasks for the court and the parish, including renovating the town church in 1756.

Fredericksburg's Origins and a History of Its Neighborhoods by Paula S. Felder are on the website of Northern Neck Heritage Tours.

1755

5 February 1755 - £50, BENJAMIN DAVIS, guardian to Frances Boswell, orphan of John Boswell, with Joseph BROCK [Jr] security.

[Source: Spotsylvania Guardian Bonds, Will Book B, p. 234 (per Library of Virginia W&A Index), "Spotsylvania, Virginia County Records 1721-1800" comp. William Armstrong Crozier (New York: 1905) p 72]

Note: Francis was the sister of apprentices George and James Boswell above.

Looking at the past --

4 May 1658. William PULLIAM and Charles EDMONDS- New Kent County
(Patent renewed in their names March 18, 1662.)

830 acres beginning with corner near Mr. [Richmond] Terrells land...to George Smiths line; to Diciscums swamp.

[Source: Land Office Patents No. 4, 1655-1664, p. 220 (Reel 4). Library of Virginia online Image]

Note:

Pam Stone on Harris-Colonial VA-L says this may have been Cattail Swamp. See George Smith with Edmund Price grant above. Also, this swamp in a Hickman grant above.

Charles EDMUNDS sold New Kent land to JOHN DAVIS, father of WILLIAM DAVIS and grandfather of BENJAMIN DAVIS on 18 December 1661.

William Pulliam, co-patentee with Charles Edmonds, was related to William Pulliam the father of Thomas Pulliam Sr. of Spotsylvania. Thomas Pulliam Sr. was the husband of Winifred Holloday (daughter of John Holloday Sr), and father of Ann Pulliam who married first William Sandige Sr to whom Benjamin's brother John Davis sold Spotsylvania land. **All of these people and families are closely connected with Benjamin Davis and family**, first in Spotsylvania, then in Culpeper, and even on to Kentucky where Benjamin Davis' son William Davis' grandson James Cussenberry married Thomas Pulliam Jr's granddaughter Mary Pulliam. (Mary Pulliam's maternal grandparents were Richard Parks and Mary Graves, d/o James & Sarah Graves, again families close to Benjamin Davis and family.) Thomas Pulliam Jr. married Frances Boswell, Benjamin Davis' ward and brother of Benjamin's apprentices George and James Boswell.

16 October 1660. Land Patent to William Pullum and Henry Gooch
2500 acres beginning at a hickory by Chickahominy Swamp.
[Source: Land Office Patents No. 4, 1655-1664, p. 472 (Reel 4); Library of Virginia online]

This John Davis was the father of William Davis, Henry White's son-in-law:

18 December 1661 - I Charles EDMONDS of New Kent County for valuable consideration sold to JOHN DAVIS of York County situated at Queens Creek in Marston Parish 640 acres land in KENT COUNTY, next to Capt. Gooch's land, being part of same dividant and it be one half of Charles Edmonds' part and Davis to take his choice of division to be made at or before last of March next. /s/ Charles (mark) Edmonds, recorded 21 December 1661.

Bond of Charles Edmonds to John Davis, 18 December 1661. /s/ Charles (mark) EDMONDS
Wit: George GILL, John Bewley
[Source: York County Records 1659-1662, p. 141, York County Virginia Colonial Records 1659-1662 by Benjamin B. Weisiger, (New Papyrus Press, Athens, Georgia, 1987), p. 141]

18 March 1662. - William PULLIAM and Charles EDMONDS - New Kent County
2520 acres beginning at a red oak corner by Chickahominy Swamp, the land formerly granted to said Edmonds and Pullam, dated May 4th, 1658.
[Source: Land Office Patents No. 5, 1661-1666 (v.1 & 2 p.1-369), p. 350 (Reel 5), Library of Virginia online]

3 June 1755 - Spotsylvania County Road Orders

John Hawkins overseer from Bell's ordinary the old Germanna Road to the Pamunkey rolling road, his gang Viz. his own; John Sutton; Nathan Hawkins; Benj. Martin; BENJ. DAVIS; Jno. Chew; Jas. Pritchett tithes.

[Source: Spotsylvania County Court Session Minute Book, 1755-1765, p. 8; transcribed by Vern Stinson, Spotsylvania GenWeb Archives www.rootsweb.com/~vaspotsy/1755road.htm]

9 September 1755 - St. George's Parish Vestry of Spotsylvania County, payment to MR. BENJAMIN DAVIS, undertaker [contractor/builder] of Rapahannoch (sic) church - 8433 pounds of tobacco

[Source: St. George's Parish Spotsylvania Vestry Books 1726-1817 by John Frederick Dorman (Fredericksburg, Virginia 1998; private printing, p. 107)]

1756

17 February 1756 - St. George's Parish Vestry of Spotsylvania County, payment to MR. BENJA. DAVIS, his last payment for building the addition to Rappahannock church - 8433 pounds of tobacco

[Source: St. George's Parish Spotsylvania Vestry Books 1726-1817 by John Frederick Dorman (Fredericksburg, Virginia 1998; private printing, p. 109)]

BENJAMIN DAVIS owed from the estate of Taverner Beale. "Per account" £3.7.8 and 1/2 penny. Will proved 29 October 1756. Estate settled 21 October 1767.

[Source: Orange County Will Book 2, p. 385, Library of Virginia, Richmond, Virginia]

Note:

Taverner Beale was the husband of Frances Madison and uncle of James Madison (Jr), United State President. Frances Madison and James Madison Sr. were children of Ambrose Madison, who began the building of Montpelier, the Madison family home in Orange County, Virginia, close to various residences of Benjamin Davis and his family (ie, western Spotsylvania Co on the Northanna River, Terrys Run in Orange Co., present-day Madison Co. just over the Rapidan River from Orange Co.)

Ambrose Madison's brother Henry Madison owned land near Benjamin Davis' father William Davis in King William County:

On 20 January 1702/03, Richard Littlepage deeded 155 acres in St. John's Parish, King William Co., Virginia to John Williams adjacent to the south side of Johns Creek, Rowling Road standing in Mr. Robert Payte's line, George Pemberton line, Mr. Henry Maddison's standing on the west side of ye Rowling Road by said Maddison's now plantation, Austin's (Osteen's?) line on the head of Pasture Spring Branch, formerly Samuel Osteen's land and given to Richard Littlepage by his Will. Recorded 20 November 1702. *[King William Co., Virginia Record Book 1, page __.]*

BEALE, Taverner. Will made 3 November 1755; rec 29 October 1756. Exrx. Wife Frances [Madison]; Exrs/ Charles [son] & Richard [brother] Beale, James Madison. Does not name any Children *[Source: A Digest of Orange County Will Books, 1734-1838, Antient Press, cited on Orange County, Virginia Early Court Documents, Uploaded to the USGenWeb Archives by permission of: Sam Sparacio.*

Beale, Taverner.

Publication 1756.

Gen. note Part of index to Orange County Wills and Administrations (1735-1800)

Note p. 238-239. Will pro. 29 October 1756.

p. 244-246. Inv. & appr. rec. 26 November 1756.

p. 309-311. Division rec. 23 April 1761.

p. 385-389. Accounts rec. October 1767 & 26 November 1767.

p. 444-446. Guardians accounts rec. 29 November 1771.

Note Will Book 2, 1744-1781 (Reel 23)

26 April 1750 - Old Style, Orange County Order Book 5 Page 246

On Application of Robert Anderson Gent who was appointed by Louisa Court, Thomas CHEW JOSEPH THOMAS & TAVERNER BEALE or anyone of them are appointed to join with the said Anderson in letting out the BUILDING A BRIDGE OVER THE NORTH ANNA where the old bridge now stands BETWEEN THE SAID SD. LOUISA & THIS COUNTY [ORANGE] & that they do agree with workmen to do the same.
[Source: Orange County Road Orders, Ann Brush Miller, Electronic Version]

Orange County Levy for the year 1750 includes:

To THOMAS BURGESS for building the Bridge of the NORTHANNA between LOUISA AND THIS COUNTY [Orange] to be lodged in the Sheriff's hands

[Source: Orange County Order Book, 1747-1754, Orange County, Virginia, Early Court Documents, Uploaded to the USGenWeb Archives by permission of Sam Sparacio.]

25 April 1754 - N.S., Page 2

TAVERNER BEALE Gent is appointed to take the list of Tithables in the County from TERRY'S RUN bridge up the Road to the Main Road below the Church & all on the South side the said main Road up to the Blue Run to the plantn. where Francis Wisdom lived.

[Source: Orange County Order Book 6, Orange County Road Orders, Ann Brush Miller, Electronic Version]

27 March 1755 - N.S., Page 73

RICHARD BEALE Gent is Appointed Overseer of the road in the room of TAVERNER BEALE Gent...

[Source: Orange County Order Book 6, Orange County Road Orders, Ann Brush Miller, Electronic Version]

23 September 1756, Page 271

On the Petition of RICHARD BEALE & others for a Road to be Cleared opposite to his house into the Louisa Road for the conveniency of Roaling Tobo. to Hanover Inspection Ordered that Thomas KIMBROW James Waggoner, William Sims & Joseph GRAVES or any three of them being first Sworn before Some Justice for this County faithfully & Impartially to Veiw the said Way, do Veiw the Land whereon the said Road is Intended to be cleared & make report to the Court of the Conveniences & inconveniences attending the same.

[Source: Orange County Road Orders, Ann Brush Miller, Electronic Version; also see Orange County Order Book 6]

| |
|---|
| Check date of this – TWO DIFFERENT SOURCES. See the date in Orange County Order Book 6. |
|---|

1757

1 August 1757 - Benjamin MARTIN [Sr] of Spotsylvania to Charles COLSON [also spelled Colston] of town of Fredericksburg, 260 acres except 100 acres part thereof which by the will of Henry Martin, father of said Benjamin Martin was devised to John Martin, son of John Martin. Adjacent to Francis KIMBROW (other metes & bounds). Lease 1 August 1757, release 1 November 1757. Recorded 1 November 1757. Signed: Benjamin MARTIN

Witnesses: Wm. Allock [ALLCOCK], BENJA. DAVIS, Thoms. ROGERS

[Source: Spotsylvania Deed Book E, Part I, p. 397, Circuit Clerk's Office, Spotsylvania, Virginia]

Note: Thomas Rogers is brother of Joseph Rogers who married Lucy, daughter of Thomas Burgess who sold land to James Davis in 1758. It seems to be Joseph's son Joseph Rogers who owned land next to James' son Robert Davis in 1796 in Madison County.

Allcock family information online says William Allcock was a tobacco inspector of Caroline County.

2 August 1757 - Benjamin MARTIN of Spotsylvania Co. and Elizabeth, his wife, to Charles Colson of Fredksbg. £30 curr. 260 a. in Spotsylvania Co. (save one hundred acres, part thereof which by the will of Henry Martin, Dec'd., father of the sd. Benjamin, was devised to John Martin, son of John Martin of Spotsylvania Co.).

Wit: William Allcock, BENJAMIN DAVIS, Thomas ROGERS. Recorded November 6, 1757. [*SDBE, Crozier p. 205*]

Benjamin DAVIS' son James Davis sells his Orange County land to Peter Mayre in 1766. Witnessed by John and Edward Hobday.

John Hutcheson Witness to the Will of James Davis, son of Thomas Davis of Spotsylvania:

JAMES DAVIS Spotsylvania Co., d. February 15, 1765, p. October 7, 1765. Wit. Thomas Wiatt, Joseph Allen, John Hutcherson, Henry Coleman. Ex. wife and son James. Leg. daughter Elizabeth; wife Mary; son John; son James; son Benjamin; son Charles; my four youngest children, William, Mary, Charles and Thomas.

[*Spotsylvania Will Book D, p. 225, Crozier, p. 23*]

Benjamin moves residence from Spotsylvania County to Culpeper County.

10 November 1757 In a Vestry held to St. Mark's Parish at the Vestry House

To BENJA. DAVIS Sexton at the Court House 6 months – 200

[*Source: "St. Mark's Parish Vestry Book 1730-1785" by Rosalie Edith Davis, p. 67 (p 359)*]

Note:

The position of Sexton was a Parish Officer appointed by the Parish Vestry, effectively the parish government. This could be either the elder or younger Benjamin, as they were both carpenters. Benjamin (I) would be well into his 60's, but could have been paid to oversee the repair, care and upkeep of courthouse property and provide labor for any work needed. Benjamin (II), age 32, would be of an age to assume the responsibility and provide the skill and labor himself. It is possible that Benjamin (I) also built the original Court House, at the corner of Davis and Coleman streets, and the jail. "The first County Courthouse, according to local tradition, was probably a simple frame structure that had been built by the time the Town was established in 1759." [*Keller, Genevieve, "Designating Local Landmarks: Town Imagery in Culpeper, Virginia", a University of Virginia master's thesis, by Genevieve Keller (1975), edited for the Town of Culpeper "Comprehensive Plan."*]

1758

September 1758 - Laws of Virginia, To the Militia of the County of Augusta, and for Provisions furnished by sundry Inhabitants of the said County, viz.

Culpeper County

To BENJAMIN DAVIS, for provisions, £2, s 12, d 4

[*Source: "Hening's Statutes at Large: Being a Collection of all the Laws of Virginia from the first session of the Legislature, in the Year 1619" by William Waller Hening, 1820: Richmond, Vol 7, p. 179/213 (On-line transcription of selected portions at <http://vagenweb.org/hening/vol07-10.htm>)*]

Note:

This Act provided payment for troops on the Augusta County, Virginia frontier during the French and Indian War and for those who had given provisions for the troops. Benjamin was the only Davis on the

Culpeper County lists of militia and provisioners. We know that son James was still living in Orange, and son William was still in Spotsylvania at this time. Probably sons John and Benjamin, both carpenters, worked in their father's business and lived with him, or in the houses Benjamin built on the land he leased in Culpeper, referred to in the General Assembly act of February 1759 (see below). Except for possibly John, the sons would have been under 50, so normally eligible for the militia.

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| Online Hening only partial pages; original needs checking. |
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1759

"1759 In February an act of the General Assembly established the town of Fairfax [first name of Culpeper] on a 'fine and pleasant situation in the County of Culpeper where the Courthouse now stands' and set apart 30 acres of Robert Coleman's land to be laid off into lots and streets by the trustees Thomas Slaughter, Wm. Green, Philip Clayton, Nat. Pendleton, and Wm. Williams. This land was held by BENJAMIN DAVIS, leasee of Coleman, who was permitted to hold his houses, and have one fifth of his rent deducted. Hence the name of Coleman and DAVIS Streets." (p. 14)

"BEN DAVIS had leased the land from Coleman, and hence the names DAVIS and Coleman streets." (p. 6).

"Pursuant to an act of the General Assembly...the 22nd of February 1759, the town of Fairfax (Culpeper's original name) was laid off on 27 acres of the land of Robert Coleman, the Court House being located on lot No. 24 (which is now the corner of DAVIS and Main [formerly Coleman] streets...the prison and stocks on lot No. 14...The Town was laid out by William Green, Philip Slaughter, Nathaniel Pendleton, and William Williams, the plan being submitted to the County Court on Thursday, June 21, 1759, and ordered to be recorded." (p. 160)

[Source for all three passages above: "Genealogical and Historical Notes on Culpeper County, Virginia: Embracing a Revised and Enlarged Edition of Dr. Philip Slaughter's History of St. Mark's Parish" compiled and published by Raleigh Travers Green (Culpeper, 1900)]

"Coleman purchased the land 1754 from the eldest son [John] of Virginia Governor Alexander Spotswood, who had received the land in a grant from the British Crown."

[Source: Culpeper Dept. of Tourism On-Line at <http://www.visitculpeperva.com/history.cfm>]

"Coleman's land was part of the original grant to Colonial Governor Alexander Spotswood. Spotswood's son, John, leased and eventually sold [1754] to Coleman two hundred thirty-five acres of a tract described as where "the Court House now stands and where Coleman now lives." On June 21, 1759, Roger Dixon, Clerk of the Court for Culpeper County, recorded a plat of twenty-seven acres divided into forty lots by Robert Coleman...The Trustees recorded that Main Street, then Coleman Street, and Davis Street, were sixty feet wide. All other streets were thirty feet wide. DAVIS Street was named for BENJAMIN DAVIS, lessee of Robert Coleman. To compensate DAVIS for the loss of his holdings after the Town was laid out. Coleman reduced his rent by one-fifth."

[Source: "Designating Local Landmarks: Town Imagery in Culpeper, Virginia", a University of Virginia master's thesis, by Genevieve Keller (1975), edited for the Town of Culpeper "Comprehensive Plan."]

Act of the General Assembly February 1759

Chap. XXIII "An Act for establishing several towns there-in mentioned".

Section I

Whereas the erecting towns on the frontiers of this colony may be of great benefit to the inhabitants, by encouraging many of them to settle together, which will enable them the better to defend their lives and properties on any sudden incursion from the enemy. [Sect II established Peytonsburg and Dalstonburgh]

Section III.

And whereas it hath been represented to this present general assembly, that the land of Robert Coleman, in the county of Culpeper, where court-house is erected, is an high and pleasant situation for a town, and that if a town was laid off there it would encourage a number of useful tradesmen and others to settle there: Be it therefore further enacted, by the authority aforesaid, That thirty acres of the said land (including the court-house) shall be laid off into lots and streets for a town, and shall be called and known by the name of Fairfax: and that Thomas Slaughter, William Green, Philip Clayton, Nathaniel Pendleton, and Wm. Williams, gentlemen shall he, and they are hereby constituted and appointed trustees for the said town; and they, or any three or more of them, are hereby authorized and impowered (sic) to lay off the said thirty acres of land into lots and streets, and from time to time to settle and determine all disputes concerning the bounds of the lots of the said town, and to settle and establish such rules and orders for the more regular and orderly building of the houses in the said town as to them shall seem best and most convenient.

Section IV.

And whereas BENJAMIN DAVIS, of the said county of Culpeper, now holds the land hereby directed to be laid off for a town, by virtue of a lease from the said Robert COLEMAN, and the laying off of the said town may be a prejudice to him, which he is nevertheless willing should be done, provided part of his rent is deducted, and the use of his houses he now occupys (sic) reserved to him during the term of his lease, to which the said Robert Coleman hath assented: Be it further enacted, by the authority aforesaid, that one fifth part of the annual rent, to be paid by the said BENJAMIN DAVIS to the said Robert COLEMAN, for the land held by the said lease, shall be deducted by the said BENJAMIN DAVIS: and that he shall nevertheless hold and enjoy all and singular the houses he is now in possession of by virtue of the said lease during the continuance of the same, notwithstanding any such house or houses may happen to be on different lots when the said land is laid off by the said trustees.

[Source: "The Statutes at Large; Being A Collection of all the LAWS OF VIRGINIA from the First Session of the Legislature in the Year of 1619" Volume VII, by William Waller Hening (Market Bridge, Virginia: The Franklin Press, 1820) pp. 306-307]

This deed below for the sale of an early lot in the new town of Fairfax indicates the street was known first as "DAVIS'S STREET" as would denote someone who first lived there:

15 October 1761 - Robert Coleman and Sarah his wife of Culpeper County to Roger Dixon of Spotsylvania County, Gent. For £60 current money. Thomas Slaughter, William Green, Philip Clayton, Nathaniel Pendleton and William Williams pursuant to an Act of Assembly begun 22 February 1759 have laid off the Town of Fairfax at Culpeper Courthouse on the land of Robert Coleman into lotts and streets and numbered the same from one to forty inclusive according to the plan, which lotts still remain vested in the proprietor [Robert Coleman]. The lotts containing half an acre each, numbered 15 and 25, situate on the main street called Coleman's Street, one on the east and the other on the west side thereof and joyning the cross street called DAVIS 'S STREET on the south side ...Signed: Robert Coleman, Sarah Coleman. [CDBC:618, Dorman]

Coleman – Goggans – Davis Connection

Deed from ROBERT COLEMAN and wife SARAH to WILLIAM GOGGANS - Culpeper County, Virginia.
Book A 1749-1753

October 8, 1750 - ROBERT COLEMAN and SARAH his wife of Parish of St. Mark and Culpeper County to WILLIAM GOGGANS of the Parish of Lunenburg and County of Richmond, 25 pounds, land containing 300 acres, Parish of St. Thomas and Culpeper and County Part of Patent (September 28, 1732) to Coleman and sold to Daniel Brown bounded by lines of Joseph Shell and lines formerly held by Daniel B. Brown), by Rowland Cornelius and the Rev. John Thompson.

This land was sold 21 February 1766 by WILLIAM GOGGANS of Parish of Bromfield and Culpeper County and ELIZABETH his wife to BENJAMIN GAINES of same.

[From: Our Folks by Maron Summer Eve, quoted by Ruth Conaway online.]

Note:

BENJAMIN DAVIS I leased land from ROBERT COLEMAN that became the town of Culpeper in 1759. Benjamin Davis died in Culpeper in late summer 1763, just a few months after David Davis (no known relationship) was appointed 21 April 1763 as Constable "in the room of" [ie, in lieu of] WILLIAM GOGGANS' son George GOGGANS. [Culpeper County Minute Book 1763-64 (Sparacio abstract)]. George GOGGANS had brothers Daniel, William (Jr), and JAMES GOGGANS.

WILLIAM GOGGANS and his wife ELIZABETH apparently died in Culpeper shortly after the 1766 sale of their land, and their sons then moved on to South Carolina. BENJAMIN DAVIS' family stayed in Culpeper for another generation. But on 16 May 1839 in Monroe County, Georgia, WILLIAM GOGGANS' great-granddaughter MATILDA JANE GOGGANS (Samuel, James, William Sr) married BENJAMIN DAVIS I's great-grandson JAMES MADISON DAVIS (Benjamin III, Benjamin II, Benjamin I).

1760

22 December 1760 Bond of William Kelly to John Dillard Jr - security James Connor to convey 225 acres on Muddy Run purchased by William Kelly deceased, father of William Kelly...

Witness: William Green, BENJA. DAVIS, JAMES DAVIS

26 December 1760 William Kelly son and heir of William Kelly of St Mark's Parish, planter, to John Dillard Jr of same, planter, £33 sh15 225 acres in Fork of Rapahanac north side of Muddy Run. Witnesses: Ben Hoomes, Jno Latham, W. Robertson, John Hutchings, Thomas Hutchings, Robert Eastham Jr, Robert Latham.

1761

19 February 1761 Acknowledged by William Green, BENJ. DAVIS and JAMES DAVIS made oath that James Conner jointly acknowledged the bond.

[CDBC:443-446, John Frederick Dorman. "Culpeper County Virginia Deeds 1755-1762, (Washington, DC, 1975) p. 59]

15 March 1761 - BENJAMIN DAVIS of St. Mark's Parish, Culpeper County to Benjamin MARTIN Jr. of Spotsylvania County, £60 current money. This deed is identical to the deed from Benjamin Martin to

Benjamin Davis on 6 August 1754, for 100 acres, except that Station A on bounds is called "corner to Lindsay" instead of "corner of Nathan Hawkins"; station B and C called only Chew, and Chew's line, instead of John Chew; and direction from Station C to A is corrected from S 77 W, to N 77 E.

Signed: BENJ/A DAVIS (no wife named, no release of dower)

Witness: Charles Linch?, John Leavell, JAMES DAVIS [Benjamin's son]

Recorded 7 April 1761

[Source: *Spotsylvania Deed Book E*, p. 791, copy from Library of Virginia, Richmond, Virginia]

Note:

Here Benjamin, now of Culpeper, sells to Benjamin Martin, Jr. the Spotsylvania land that Benjamin Davis bought from Benjamin Martin, Sr. in 1754. This exchange was spelled out in the following Spotsylvania Deed Record February 6 1769:

Benjamin Martin of Orange County and Sarah, his wife, to George Atkinson of Spotsylvania County, £21 2s 5d. curr. 91a. in Spotsylvania County. Sold by Benjamin Martin, dec'd., to Benjamin DAVIS and by him conveyed to Benjamin Martin, party to these presents, etc. Wit, Joseph Brock, Junr., Thomas May. February 6, 1769.

[Source: *Spotsylvania Co. Deed Book G - 1776-1771*, p. 265, "*Spotsylvania, Virginia County Records 1721-1800*" comp. William Armstrong Crozier (New York: 1905)]

27 August 1761 Charles Kavanaugh of Culpeper and Anne his wife to Burkitt Davenport of the town of Fairfax, merchant. Mortgage to secure £72.10.4½ current money to be paid 3 September 1762. 488 acres and plantation where Charles Kavanaugh now lives on Jones's Swamp...part of a larger tract devised to Charles Kavanaugh by the will of his father Philemon Kavanaugh bounded by land of John Minor of Spotsylvania County, William Roane of Essex County and John Williams of Culpeper Co.

Signed: Chas. Kavanaugh, Ann Kavanaugh.

Wit: BENJA. DAVIS, JAMES DAVIS,

Proved 17 September 1761 by BENJAMIN DAVIS, JAMES DAVIS

[Source: *Culpeper County Deed Book B*, p. 595, "*Culpeper County Deed Book B, Vol Two*" abstracted and compiled by John Frederick Dorman, (Wash. DC, 1972), p. 71]

15 October 1761 – Edward & Elizabeth Watt of Orange Co. to Wm Johnston of Culpeper Co., 265 acres where Wm Johnston now lives on a hill on north side of Rapadan River corner of Mr. James Barbour, part of a patent to Thomas Watts deceased by Thomas Watts devised by will to Edward Watt.

Wit: BENJAMIN DAVIS, William Prestridge, Jeremiah Simms. Acknowledged 13 October 1761.

[Source: *Culpeper Deed Book C* p. 611-14, "*Culpeper County Deed Book C 1757-1762*" abstracted and compiled by John Frederick Dorman. JHG Note: The date may be 13 October 1761]

Note:

This land was adjacent to Benjamin's son-in-law Daniel Jarrell's land where Daniel was living by 1782.

1762

1 November 1762, Wednesday - St. Mark's Vestry

To BENJAMIN DAVIS for taking care of Thos. Howell - 150

[Source: "*St. Mark's Parish Vestry Book 1730-1785*" by Rosalie Edith Davis, p. 74]

Saint Mark Parish vestry book & levies, 1730-1785: Spotsylvania, Orange and Culpeper Counties, Virginia / transcribed and edited by Rosalie Edith Davis.

Author: Davis, Rosalie Edith.

Publisher: Manchester, MO: Heritage Trails, c1983.

Note: In an 1803 Elbert County deed record there is a "Thomas Howel" living at Perkins Fork of Doves Creek adjacent to Rev. William Davis, whose father Jonathan and family moved from **Orange Co. to Elbert Co the same year Benjamin Davis II did**. Possibly is the same Thomas Howell. Jonathan is probably a descendant of John Davis (d. Spotsylvania 1734) who may be related (eg, first or second cousin) to Benjamin. **William Davis' wife Nancy Eastin** was the sister of Judith Eastin, wife of Edmund Shackelford. Edmund Shackelford and family lived near Benjamin I in Spotsylvania; he, on a deed with Benjamin III in Elbert Co., Georgia.

Which William? ... MORE RESEARCH NEEDED.

1763

18 May 1763

BENJAMIN DAVIS was among those paid from the estate of Leonard ZIGLAR, paid by Frederick ZIMMERMAN administrator. Amount, date and purpose not given in the abstract.

Estate account dated 18 May 1763 by Robert Slaughter, William GREEN and William Ball.

[Source: Will Book A, p. 335, "Will Abstracts of Culpeper County, Virginia 1749-1770" by Ruth and Sam Sparacio (Antient Press, McLean, Virginia)]

Note: The work for which Benjamin was paid was done by 1758.

[Library of Virginia Wills & Admin Index: Will Book A, 1749-1770, p. 158-160. Will proved 17 August 1758.]

Conflicting information:

"Johann Leonhart Ziegler died as a younger man, age 46, in Culpeper Co., Virginia where his will is recorded in Will Book A for 1757"

[Source: *Germanna Notes* Nr. 665, "Germanna History" by John Blankenbaker at <http://homepages.rootsweb.com/~george/johnsgermnotes/germhs27.html>

Between 19 March 1763 and 23 July 1763 in Culpeper County Court Minutes there are several suits with BENJAMIN DAVIS for debts both owed by and to him. He appeared to owe companies, probably from whom he bought supplies. There were debts owed to him which he then collected by suits of attachment (garnishment). And he appeared as a garnishee; that is, one instructed to withhold money such as wages owed by a person with unpaid debts to a third party, meaning Benjamin was probably the employer. In each of the three debt cases ruled against him, he was judged to pay only half the debt (plus costs and interest), indicating possible extenuating circumstances or inability to pay full debt. His suits for attachments against others were ruled in his favor. An attachment brought by Edward Bush against Benjamin Davis was dismissed. Several other unresolved cases were dismissed "by agreement" in the Court of 23 July 1763. Alexander Hawkins, son of Nicholas Hawkins of Spotsylvania served as Benjamin's lawyer.

Benjamin did not have any Court suits for debt during his previous 15 years in Spotsylvania, except for a very few where Benjamin was the plaintiff. For him to have serious debt problems in Culpeper at this time may be at least in part a result of Robert Coleman's breaking the lease to Benjamin in 1759 for the land Benjamin was building upon, possibly to lease or sell for his own income. This is only speculation, but the reversal of his prior seemingly-sound financial situation does coincide with the loss of the lease. Other factors may have been unexpected changes in the building environment and Benjamin's age (he was probably about 70) and possibly increasing infirmity.

"Virginia County Court Records, Culpeper County, Virginia Minute Book 1763-1764"
by Ruth and Sam Sparacio (Antient Press, 1998) - Page numbers in refer to Sparacio book.

Culpeper Court Dates from 19 March 1763 through 8 February 1764, then none again until 1798.

[no Court date in my copy]

Anthony McKettrick & Co., Plts agt BENJAMIN DAVIS, Dft - In Debt

Court ruled in favor of Plaintiffs in debt of 150 pounds current money plus costs

Judgement (except costs) to be discharged by payment of 75 pounds and 5% interest from 1 June 1762 until paid.

Note: Anthony McKettrick filed a Revolutionary War Public Service Claim in Stafford County. (p. 15)

COURT OF 19 MARCH 1763

Anthony McKettrick & Co., Plts. agst BENJAMIN DAVIS, Deft. - In Case

"The defendant being arrested and not appearing...it is ordered that unless he make his personal appearance at the next Court that judgement shall be entered up against him and Alexander HAWKINS, his security for his said appearance, for 80 pounds and costs." (p. 17) Case finally dismissed, being agreed to by parties, Court 23 July 1763

Note:

Alexander HAWKINS was the brother of Nathan HAWKINS whose Spotsylvania land from their father Nicholas HAWKINS was adjacent to Benjamin DAVIS' land bought in 1754 of Benjamin Martin Sr. Benjamin has many common associates with the HAWKINS, both Nicholas' family and the family of his probable relative Joseph HAWKINS, both of Spotsylvania.

Attachment brought by BENJAMIN DAVIS against the Estate of George McNeale is continued to next Court. (p. 19)

Note: Case continued several times, then finally ended by Benjamin's death, "abated by death of plaintiff" Court of 19 August 1763.

Attachment brought by Edward Bush against the Estate of BENJAMIN DAVIS is continued to next Court. (p. 19)

Case dismissed 20 May 1763

Note:

This is apparently Edward Bush, father of Margaret who married Thomas Gaines. Edward died in 1775 when Margaret (b. c1760) was still a minor. She was his only child named in his will. Edward's will also names brother Maximillian Bush (apparently of Frederick, then Rockingham County) and nephews Enoch and William. Edward's father is uncertain, but from the associations on records he could be the brother of Mary Bush who married Benjamin Davis' son Benjamin Davis II. (If she was his sister, was there ill feeling between them for him not to mention her in his will, especially considering this debt suit Edward lost against Mary's father-in-law?)

COURT OF 21 APRIL 1763

Anthony McKettrick & Co., Plts. agst BENJAMIN DAVIS, Deft. - In Case

Defense attorney Alexander HAWKINS granted leave to imparle (i.e., delay proceedings for settlement discussion). (p. 25)

COURT OF 19 MAY 1763

BENJAMIN DAVIS, Plt agst. William SLAUGHTER, Deft. - In Case
Defendant not proved discount of 3 pounds and ordered to pay Plaintiff full amount of £7/14/8 and costs. (p. 41)

Note:

William Slaughter is related to brothers Francis Slaughter Jr. and John Slaughter Sr. on records with Benjamin's sons John DAVIS and William DAVIS. The Slaughter's were sons of Francis Slaughter Sr. who was named in 17 March 1763 Culpeper Road Orders with William Slaughter.

"Upon Attachment brought by Charles LINCH against estate of Malcum McMurry, BENJAMIN DAVIS, Garnishee, being summoned and failing to appear to answer...and Attachment is awarded against the said garnishee returnable to the next Court." (p. 45)

Note: Here Benjamin is to hand over money normally due McMurry (i.e., wage) to Linch against McMurry's debts to Linch. No resolution recorded.

Charles Linch is a witness with James Davis and Charles Leavell, to Benjamin's 1761 sale of his Spotsylvania land as a resident of Culpeper.

Mssrs Lenox & Scott, Plts. agst. BENJAMIN DAVIS Dft. - In Case

"This day came the parties by their Attornies and Defendt says he did not assume upon himself in manner and form as Plt against him hath declared and of this he puts himself upon the Country" and trial called for next Court. (p. 46)

Note: Jury ruled debt owed by Benjamin but at a lower amount than asked--see below.

COURT OF 20 MAY 1763

Attachment brought by BENJAMIN DAVIS against the Estate of George McNeale continued for Garnishee to appear next Court. (p. 47)

Attachment brought by Edward BUSH against BENJAMIN DAVIS is dismissed. (p. 47)

COURT OF 21 MAY 1763

Anthony McKettrick & Co., Plts. agst BENJAMIN DAVIS, Deft. - In Case

"This day came the parties by their Attornies and Defendt says he did not assume upon himself in manner and form as Plt against him hath declared and of this he puts himself upon the Country" and trial called for next Court. (p. 57)

Phillip Peyton, Plt agst BENJAMIN DAVIS Dft - In Debt

Jury trial rules that plt recover against dft his debt of 20 pounds, damages and costs, but Judgement (except costs) is to be discharge by payment of 10 pounds and 5% interest from 19 December 1761. (p. 60)

Note:

Phillip Peyton was born in Overwharten Parish, Stafford County and resided there until 1763 when he moved to Culpeper for 4 years before moving on to Amherst County (on Horsley Creek).

COURT OF 22 JULY 1763

Mssrs Lenox & Scott, Plts. agst. BENJAMIN DAVIS Dft. - In Case

Jury Trial - Plt charges damages for breach of promise and jury assessed damages at 47 pounds, 8 shillings. The Plaintiffs did not accept this, asked for jury to reconsider, jury came back with same verdict. Plaintiffs requested and were granted new trial. (p. 71)

Note: No further mention of case in surviving court records

Attachment brought by BENJAMIN DAVIS against the Estate of George McNeale, William Robinson; attachment awarded to Plt for [McNeale] failing to appear and continued to next Court (p. 74)

COURT OF 23 JULY 1763

Anthony McKettrick & Co., Plts. agst BENJAMIN DAVIS, Def. - In Case

Dismissed, agreed to by parties (p. 81)

James Walker, Plt, agst BENJAMIN DAVIS Dft - In Case

Dismissed being agreed by the parties (p. 87)

 In the Index of Sparacio's abstracts there are no further cases through the end of surviving records 8 February 1764 involving Benjamin Davis. However, Sparacio omits (at least in the index) a crucial entry found in a 1930 abstract book by A. M. Prichard (*for which I am deeply indebted to Craig Kilby for discovering*):

COURT OF 19 AUGUST 1763

Attachment brought by BENJAMIN DAVIS against the Estate of George McNeale [first mentioned on 19 March 1763 as "continued", and continued again on 20 May 1763] DISMISSED, "ABATED BY DEATH OF PLAINTIFF."

[Source: Culpeper Minute Book 1763-1764, p. 415, Abstracts from the County Court Minute Book of Culpeper County, Virginia 1763-1764, page 45--in Pritchard--compiled by A. M. Prichard of Staunton, Virginia (Published by The Shenandoah Press of Dayton, Virginia, printed by Joseph K. Ruebush Company of Dayton, Virginia, 1930), Library of Virginia, Richmond, Virginia]

Note: Legally the term "abated" means to put an end to or make void. There is no further surviving record that this suit was refiled by Benjamin's heirs.

 All Colonial Culpeper Court records after 8 February 1764 to 1798 are missing. We have no record of a will for Benjamin or any probate proceedings by his heirs as of 6 months after his death. But as Bob Baird explains:

"One cannot assume that wills were proved promptly...For one thing, courts met on schedules, typically four times annually, and the parties necessary to prove it and post bond may not have been available at the earliest possible court date. For another, it was not necessary to prove the will in order to empower the executor. The executor had the power to bury the testator, and to pay or collect debts, regardless of

whether the will had been proved. Ownership of the deceased's personal property was vested in the executor at the death, and was not distributed to the legatees until after debts were paid, so there was no legal necessity to actually prove the will until that time was reached. It is not particularly unusual to find wills proved many months, even a year or more, following the testator's death. In fact, under some conditions, that was a useful means of delaying payment of the deceased's debts.

"It is also important to note that the executor had no duties or powers regarding land, for land was immediately titled to its heirs, regardless of their age. No action was needed, or allowed, by the executor in order to transfer title to land. The executor's (or administrator's) responsibilities were limited to the personal property – the 'estate'." *[Bob's Genealogy Filing Cabinet II, "Colonial Wills, Intestates & the Probate Process". <http://www.genfiles.com/legal/wills.htm>]*

In 1784, Benjamin's son John Davis, then living in Pittsylvania County, sells land in King William County. The deed record is only partially legible, a scrap rescued from the debris when the courthouse burned, so all the details are not known. But based on the buyer Fendal Southerland (and his ties to William Carr) and the witness Jeremiah White, it seems likely that John acquired this land either through Benjamin's will or by primogeniture as Benjamin's eldest son.

There is not a will for Benjamin I Davis, but we have the will of his son, James Davis--

The will of James Davis *[Madison County Virginia Will Book 4, p. 312-313. Madison Courthouse, Madison, Virginia]* names his siblings John Davis, Benjamin Davis, Mary Jarrell, and Sarah Terry, whose identities have been verified by evidence in primary records. The elder Benjamin Davis died intestate and no probate records survive, but his relationship as their father is likewise proved by strong indirect evidence and the elimination of all other possible Davis families in the area. This evidence includes James Davis witnessing Benjamin's sale of his Spotsylvania land after moving to Culpeper *[SDBE:791]* and their co-witnessing two Culpeper deeds. *[CDBB:595, CDBC:443]* It also includes John and the younger Benjamin both being identified in the records as professional carpenters, like the elder Benjamin, with other records that connect them to the other siblings as well.

MORE ON THE PROBABLE PARENTS OF BENJAMIN DAVIS

Joseph Croshaw of York County (b. c1610, d. 1667) had a daughter Mary (b. c1635, d. 18 July 1687). She married Henry White (b. 1631 per deposition, d. 1671/2), and they lived on land that became King William County. Mary Croshaw and Henry White had 8 children, including daughters Mary, Rebecca, and Unity. Unity married Ralph Graves and Rebecca died unmarried about 1686.

Henry and Mary Croshaw White's daughter Mary White married William Davis about 1680. We know that because of a deed where William's son John gives land with his father's consent to his sister Sarah, his share of inheritance from his "aunt Rebecca White." John's 75 acres was 1/4 of the 300 acres in then-New Kent County that Rebecca White was bequeathed in her father's will, which means Mary White and William Davis had four children. Two were John and Sarah. Maybe one was named William--more research is needed.

I believe the fourth child of Mary White and William Davis was our Benjamin, whose name may have come from his grandmother Mary Croshaw's brother Benjamin, who died as a small child. [WMQ, referenced below.]

There are several strong reasons to support Benjamin as their son. Sarah Davis was to marry William Holloday, per John's King William County deed of gift in 1702. Benjamin is on a 1754 Spotsylvania deed with John Holloday who had an uncle William Holloday of King William (d. 1744, Spotsylvania), as well as a brother William. Other of Benjamin's records involve people connected with the Holloday families, including the Hawkins family, Alexander in particular.

Another reason is that almost all the names on the numerous records found for Benjamin in Spotsylvania County are Waller's or those related or associated with them. In King William County, the land of William Davis his wife received from sister Rebecca was adjacent to land of John Waller, father of the Spotsylvania Waller's. And the Spotsylvania land Benjamin bought in 1754 was near or adjacent to John Waller, grandson of John Waller with land next to William Davis in King William County.

A third reason is that the land of William Davis was across John Waller's from Davis Davenport. Davenport and Capt. Thomas Terry were close associates, exploring up the Pamunkey River together. Benjamin Davis' daughter Sarah married Thomas Terry, a descendant of the Captain. And Benjamin's son James bought his first land at Terry's Run, a northern branch of the Pamunkey obviously named by Captain Terry during his explorations with Davenport.

A fourth connection regards William Noyes, witness to John Davis' 1702 deed to his sister Sarah (below, in the next box). In _____
[Joan did not complete this; I don't know what she was thinking here.]

Much of the information above about the Croshaw's, Mary White and William Davis comes from "The Graves Family of York County" by Mrs. P. W. Hiden, William and Mary College Quarterly Historical Magazine, 2nd Ser., Vol. 21, No. 3. (July, 1941), pp. 256-270.

Combined with information that Davenport researcher Bob Baird, by e-mail correspondence, we have these details:

King William Records, Vol 1, p. 9, **May 20, 1702**

"John Davis of King William County, with consent of my father Wm. Davis, and in consideration of the marriage to be arranged between my sister Sarah Davis and Wm. Holladay, have assigned Wm. Holladay 75 a. on Mattapony as my part of 300 a. fallen to me on the death of my aunt Rebecca White, bounded as follows, up from the river upon Scotland line, bounded by the line of Mr. Richd. Littlepage on one side and along the line belonging to Ralph Graves on the other side. Wit: Richd. Gissedge, Sarah (x) Gissedge, Wm. Noyes."

"Since the grantor in this deed owned 1/4 of the tract, there must have been three other owners. The father's consent was necessary since he had life right to the land." [WMQ]

Bob Baird says, "The land adjoins Littlepage and others, and is clearly the land earlier owned by Henry White and is apparently the land referred to as William Davis's in the 1796 survey."

It would seem Rebecca White bequeathed her 300 acres, devised from her father Henry White's 1671/2 will, to her sister Mary White Davis and her heirs. Husband William would have lifetime "right of courtesy" although the land belonged to Mary's children. Mary White Davis seems to have died before 1702, since Bob Baird says:

"There is also an 18 May 1702 King William bond from William Davis and John Davis to William Noyes covenanting the sale of 100 acres bordering the Mattapony in King William and mentioning that Alice Davis was the wife of William Davis."

Bob Baird continues, "There is a 1670 patent to Thomas Barber & Samuel Ousteen for land that apparently adjoins the land surveyed for John Waller in 1696. The patent is "near" Mr. Henry White and adjoins John Talbot. Talbot held only one patent, as far as we can tell, the land he had patented in 1667 jointly with Elias Downes part of which was later surveyed for John Waller. Henry White was not a patentee himself and probably purchased his land from either the Talbot-Downes or Hammond patents...As far as I could determine the first mention of William Davis in Pamunkey Neck records is that same 1696 survey. Davis's land may actually have been the same land formerly Henry White's. It was on the opposite side of Waller's land from Davis Davenport -- abutting Davenport was John Marr, then John Isbell, then Thomas Baker, then northward along William Davis (and what was possibly the Henry White tract) to John Waller's corner on the south bank of the Mattapony."

JOHN DAVIS, Son of William and Mary White Davis--

John Davis received a land grant of 325 acres in King William County on 20 February 1719 for importing seven people. The land was "on the north side of Pomonkey River including a neck of land called Elk Neck." [*Virginia Land Office Patents No. 11, 1719-1724, p. 1 (Reel 10), online image*] Elk Neck, which becomes Spotsylvania County in 1721, seems to be the area where the Holloday's, Waller's, and Ballard's later lived. All of these people live around and are associated with Benjamin Davis I. This was near present-day Lake Anna and just to the south of Terrys Run, where Benjamin's son James Davis buys in 1758.

On 2 December 1734, John Davis of King William sells to William Sandige [Sr] of Caroline Co. 150 acres of this land. [*SDBC, Crozier p 137*] William Sandige's widow Anne married 2nd Joseph Martin of Louisa Co., and on 1 Sep 1755 he sells to Francis Meriwether of Spotsylvania 1/3 of this 150 acres, described in the deed as "part of a tract of 150 a., called Elk Neck, in Spotsylvania Co., purchased by sd. Wm. Sandige in his lifetime of John Davis of King Wm. Co..." [*SDBE, Crozier p. 200*]

Thus, it seems that the John Davis who got the King William land grant in Elk Neck was alive in King William Co. in December of 1734, and was not the John Davis who died before 4 June 1734 in Spotsylvania Co., as many have thought. The King William John Davis may be the same John Davis, son of William, and a young man in 1702.

One of the witnesses to the 1755 deed (Martin to Meriwether) regarding John Davis' Elk Neck land was Benjamin Holloday, whose brother John Holloday is on a 1754 Spotsylvania deed with Benjamin Davis. Benjamin Holloday (with brother Joseph) is on a number of deeds with the Hawkins family, with whom Benjamin was closely involved. Benjamin and John Holloway are sons of John Holloday Sr. (d. Spotsylvania 1742), whose brother William may have been the William Holloway about the marry Sarah Davis in King William in 1702. [*KWDB 1:9, 19 May 1702*] That deed is giving land from John Davis to his sister Sarah, and may be the John who received the 1719 land grant and was still living in King William in December of 1734.

In the will of Benjamin's son James Davis written 1817 (Madison Co., Virginia) he names as a brother John Davis. This John appears to be the one whose Revolutionary War pension application states he was born 1754 in King William County. Since all of Benjamin's known or probable children were born around 1730-1740 and Benjamin had been gone from King William County for at least 10 years by 1754, it seems likely that James' "brother John" was a foster brother adopted by Benjamin, and possibly a grandson of Benjamin's brother John of King William County or even a child of his old age.

BIBLIOGRAPHY

Allen, Bob, *Madisons of Colonial Virginia*, revised December 6, 2002, San Jose, California.

Breig, James, *Speaking of the Past: The Words of Colonial Williamsburg, CW Journal, Summer 2001*; online edition at <http://www.history.org/foundation/journal/Summer01/words.cfm>.

Davis, Rosalie Edith, "*St. Mark's Parish Vestry Book 1730-1785*".

Dorman, John Frederick, *St. George's Parish Spotsylvania Vestry Books 1726-1817*, Fredericksburg, Virginia 1998; private printing.

Dorman, John Frederick, *The Robertson family of Culpeper County, Virginia*, (Richmond: A. G. Robertson, 1964).

"*Genealogical and Historical Notes on Culpeper County, Virginia: Embracing a Revised and Enlarged Edition of Dr. Philip Slaughter's History of St. Mark's Parish*" compiled and published by Raleigh Travers Green (Culpeper, 1900).

"*Hening's Statutes at Large: Being a Collection of all the Laws of Virginia from the first session of the Legislature, in the Year 1619*" by William Waller Hening, 1820: Richmond, Vol 7, (On-line transcription of selected portions at <http://vagenweb.org/hening/vol07-10.htm>)

Keller, Genevieve, "*Designating Local Landmarks: Town Imagery in Culpeper, Virginia*", a University of Virginia master's thesis, by Genevieve Keller (1975), edited for the Town of Culpeper "Comprehensive Plan."

"*The Statutes at Large; Being A Collection of all the Laws of Virginia from the First Session of the Legislature in the Year of 1619*" Volume VII, by William Waller Hening (Market Bridge, Virginia: The Franklin Press, 1820).

A Digest of Orange County Will Books, 1734-1838, Antient Press, cited on Orange County, Virginia Early Court Documents, Uploaded to the USGenWeb Archives by permission of Sam Sparacio.

Bob's Genealogy Filing Cabinet II, "Colonial Wills, Intestates & the Probate Process"; <http://www.genfiles.com/legal/wills.htm>.

Caroline County, Virginia Order Book 1740-1746, Part II, comp. John Frederick Dorman, (Washington D.C., 1973).

Caroline County Order Book, 1732-1740, Pt. 1 and Pt. 2, Reel 13, Library of Virginia, Richmond, Virginia.

Culpeper County Deed Book B, "*Culpeper County Deed Book B, Vol Two*", abstracted and compiled by John Frederick Dorman, (Washington D.C., 1972).

Culpeper County Deed Book C, "*Culpeper County Virginia Deeds 1755-1762*", abstracted and compiled by John Frederick Dorman, (Washington, D.C., 1975).

Culpeper County Deed Book E, 1765-1769, Reel 3, Library of Virginia, Richmond, Virginia.

Culpeper County Deed Book H, 1775-1778, Reel 5, Library of Virginia, Richmond, Virginia.

Culpeper Dept. of Tourism On-Line at <http://www.visitculpeperva.com/history.cfm>.

Culpeper Minute Book 1763-1764, Abstracts from the County Court Minute Book of Culpeper County, Virginia 1763-1764, compiled by A. M. Prichard of Staunton, Virginia (The Shenandoah Press of Dayton, Virginia, printed by Joseph K. Ruebush Company of Dayton, Virginia, 1930), Library of Virginia, Richmond, Virginia.

Germanna Notes Nr. 665, "*Germanna History*" by John Blankenbaker at <http://homepages.rootsweb.com/~george/johnsgermnotes/germhs27.html>.

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|---------------------------------------|
| Herndon Family Page (website unknown) |
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King William County Deed Book B 1:9, 19 May 1702.

King William County Record Book Vol 1, (XI-200); King William County Virginia Records Books 1702-1705 by Ruth and Sam Sparacio (Antient Press, 1996).

Land Office Patents No. 20, Library of Virginia, Richmond, Virginia, digital image online.

Land Office Patents No. 22, Library of Virginia, Richmond, Virginia, digital image online.

Land Office Patents No. 23, Library of Virginia, Richmond, Virginia, digital image online.

Land Office Patents No. 4, 1655-1664, Reel 4, Library of Virginia, Richmond, Virginia, digital image online.

Land Office Patents No. 5, 1661-1666, v.1 & 2, Reel 5, Library of Virginia, Richmond, Virginia, digital image online.

Louisa County Order Book 1, 1742-1748, Reel 29, Library of Virginia, Richmond, Virginia.

Madison County Virginia Will Book 4, Madison Courthouse, Madison, Virginia.

Miller, Ann Brush, "*Orange County Road Orders 1734-1749*", (Charlottesville, Virginia, July 1984, revised April 2004).

Miller Ann Brush. *Orange County Road Orders 1750-1800*, Virginia Highway & Transportation Research Council, Charlottesville, Virginia, August 1989, revised April 2004, Electronic Edition.

Miller, Ann Brush, *Orange County Order Book 6, Orange County Road Orders*, Electronic Version.

Orange County Deed Book 12, 1751-1759, Reel 4, Library of Virginia, Richmond, Virginia.

Orange County Order Book, 1747-1754, Orange County, Virginia, Early Court Documents, Uploaded to the USGenWeb Archives by permission of Sam Sparacio.

"*Orange County Road Orders 1750-1800*" by Ann Brush Miller, Orange County Historical Society, August 1989, Revised April 2004, online at http://www.virginiadot.org/vtrc/main/online_reports/pdf/90-r6.pdf.

Orange County Order Book 5, 1747-1754, Reel 32, Library of Virginia, Richmond, Virginia.

Orange County Will Book 2, 1744-1778, Reel 23, Library of Virginia, Richmond, Virginia.

Our Folks by Maron Summer Eve, quoted by Ruth Conaway on website at http://pages.prodigy.net/blankenstein/new_page_12.htm.

Pawlett, Nathaniel Mason, *Louisa County, Virginia Order Book 1742-1748*, Louisa County Road Orders, Virginia Highway & Transportation Research Council, (Charlottesville, Virginia, 1975, 1979, 2003).

Pawlett, Nathaniel Mason, *Spotsylvania County Road Orders 1722-1734*, Virginia Highway & Transportation Research Council, (Charlottesville, Virginia, 1985).

Saint Mark Parish vestry book & levies, 1730-1785: Spotsylvania, Orange and Culpeper Counties, Virginia, transcribed and edited by Rosalie Edith Davis, (Heritage Trails, Manchester, Missouri, 1983).

Slaughter, Philip, *History of St. George's Parish, in the county of Spotsylvania, in the Dioceses of Virginia*, (J. W. Raldolph & English, Richmond, Virginia 1890).

Spotsylvania County Administration Bonds, Will Book B 1749-1759, "Spotsylvania, Virginia County Records 1721-1800", comp. William Armstrong Crozier (New York, 1905).

Spotsylvania County Court Order Book 1738 - 1749, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1746-1748, Ruth and Sam Sparacio (Antient Press, 2000).

Spotsylvania County Deed Book A, 1722-1729, Circuit Clerk's Office, Spotsylvania, Virginia.

Spotsylvania County Deed Book B, Part I, 1729-1734, Circuit Clerk's Office, Spotsylvania Court House, Virginia.

Spotsylvania County Deed Book C, 1734-1742, Circuit Clerk's Office, Spotsylvania Court House, Virginia.

Spotsylvania County Deed Book D, 1742-1751, Circuit Clerk's Office, Spotsylvania Court House, Virginia.

Spotsylvania County Deed Book E, 1751-1761, Reel 3, Library of Virginia, Richmond, Virginia.

Spotsylvania County Deed Book E 1751-1761, "Spotsylvania, Virginia County Records 1721-1800" comp. William Armstrong Crozier (New York, 1905).

Spotsylvania County Deed Book F, 1761-1766, Circuit Clerk's Office, Spotsylvania Court House, Spotsylvania, Virginia.

Spotsylvania County Deed Book G, 1776-1771, "Spotsylvania, Virginia County Records 1721-1800" comp. William Armstrong Crozier (New York, 1905).

Spotsylvania County Court Session Minute Book, 1755-1765; transcribed by Vern Stinson, Spotsylvania GenWeb Archives.

Spotsylvania County Guardian Bonds, Will Book B, (per Library of Virginia W&A Index), "Spotsylvania, Virginia County Records 1721-1800" comp. William Armstrong Crozier (New York, 1905).

Spotsylvania County Order Book 5, June 1753, cited in Pamunkey Neighbors of Orange County, Virginia - Lindsay, Mills, Mountague, Stevens and Related Families and Neighbors by Ruth Trickey Sparacio & Sam Sparacio (Gateway Press Inc., Baltimore, 1985).

Spotsylvania County Order Book B, 1738-1749, "Virginia County Court Records Order Book Abstracts, Spotsylvania County, Virginia 1746-1748" by Sparacio (Antient Press, 2000).

Spotsylvania County Will Book B, Part I, 1749-1761, Circuit Clerk's Office, Spotsylvania Court House, Virginia.

Spotsylvania Court Order Book 1749 - 1755, Virginia County Court Records Order Book Abstracts of Spotsylvania County, Virginia, 1749-1751, Ruth and Sam Sparacio (Antient Press, 2000).

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|---|
| Spotsylvania County Will Book A, William Armstrong Crozier. |
|---|

Spotsylvania County Will Book B, Part I, Circuit Clerk's Office, Spotsylvania Court House, Virginia.

Spotsylvania County Record, 1721-1800: Being Transcriptions, from the Original Files at the County Court house, of Wills, Deeds, Administrators' and Guardians' Bonds, Marriage Licenses, and Lists of Revolutionary Pensioners, "Spotsylvania County Will Book D", by William Armstrong Crozier, Baltimore: Genealogical Pub. Co., 1965.

Starr, Linda Sparks, "*Colonial Virginia Connections, Jackson-Rucker-Tinsley Timeline*", Internet.

"*The Graves Family of York County*", by Mrs. P. W. Hiden, William and Mary College Quarterly Historical Magazine, 2nd Ser., Vol. 21, No. 3. (July, 1941), pp. 256-270.

Virginia Land Office Patents No. 11, 1719-1724, Reel 10, online image.

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|---|
| VPB12:43] VPB12:44], VPB12:490] VPB22:138, Library of Virginia Online image] VPB6:13] |
|---|

Weisiger, Benjamin B. York County Records 1659-1662, York County Virginia Colonial Records 1659-1662, (New Papyrus Press, Athens, Georgia, 1987).

"*Will Abstracts of Culpeper County, Virginia 1749-1770*", Will Book A, by Ruth and Sam Sparacio, (Antient Press, McLean, Virginia).

Woods, Edgar Rev. *History of Albemarle County, Virginia*. The Michie Company, Printers, 1901.