

***[The following report was begun by Joan Horsley prior to March 2009.
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**JOHN DAVIS
REVOLUTIONARY SOLDIER
(1754 – 1842)**

Could he be related to the Benjamin Davis family?

Research Report by

Joan Horsley

as of March 2009

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JOHN DAVIS
REVOLUTIONARY SOLDIER
Born 1754 Virginia – Died 1842, Georgia

Could he be related to the Benjamin Davis family?

OVERVIEW

JOHN DAVIS, REVOLUTIONARY SOLDIER (R.S.)

Born 2 July 1754 in King William County, Virginia

Entered the war in July 1777 while living in Culpeper County, Virginia

Moved to Elbert County, Georgia in 1791

Died 1842 (aged 88) in Georgia; Will written 3 Nov 1840; partially proved 6 Dec 1842, fully proved 2 Jan 1843

Wife, Frances Ham Davis, married in 1787 in Culpeper County, Virginia, died bet. 1820-1830.

Children in order as named in his will:

Son, James Davis, and grandson John Davis

Daughter, Elizabeth (Davis) McCurry, wife of Angus McCurry

Daughter, July (Davis) Skelton, wife of Jabez Skelton

Daughter, Lucy (Davis) Smith, wife of Fielding Smith

Son, Richard Davis

Daughter, Sally (Davis) Washington Strickling, wife of Joseph Strickling, granddaughter Polly Strickling

Daughter, Lucretia (Davis) King, wife of Zuriah King, and grandson William L. King

Daughter, Nancy (Davis) Adams, wife of John Adams

Daughter, Polly (Davis) Cash, wife of James Cash

Son, John Davis

Daughter, Frances (Davis) Brudin [sic, Braden], and her children

REPORT

JOHN DAVIS was a Revolutionary War soldier (RS) who states in his 1833 war pension application that he was born in King William County, Virginia on 2 July 1754. [File #S16358, NARA] He further states that he first entered the war from Culpeper County, Virginia in July 1777 as a volunteer for three months' duty. In March of 1781 he was drafted for another three months' stint. Later that year he again volunteered, first for two months, and a last time for one month. (Having served a total of nine months, he qualified for pension offered by a law of 1832, for which he applied and received in Elbert County, Georgia, in 1833.)

The Culpeper County Virginia Years

Following the Revolution, Culpeper County, Virginia personal property tax lists show John owned one slave, Will, and one horse by 1782, when tax lists began. The 1784 list tells us Will is still under 16, and John now owns 4 horses and 2 cattle. John purchased a second male slave in 1787, both of them now over 16. John Davis remained on the Culpeper personal property tax lists through 1789, when he was taxed for 2 male slaves and 3 horses (cows were no longer taxed). [Culpeper County Personal Property Tax Lists 1782-1802, Reel 89, Library of Virginia (LVA), Richmond, Virginia] Just because John is missing from the personal property tax lists in 1790 and 1791 does not in itself prove wrong John's statement that he left Culpeper in 1791. He easily could have been skipped in the 1790 list, as people often had gap years in their tax records, and he probably left in 1791 before the taxes were due.

The Culpeper land tax lists for John are a little more confusing. He may have owned, or leased and paid tax on, 50 acres, beginning in 1782. A John Davis appears consistently with 50 acres through the land tax list of 1791, the year John Davis RS states in his pension application that he left for Georgia. [Culpeper County Land Tax 1782-1813, Reel 78, LVA] I found no John Davis with land tax in 1792; however, there were 50 acres charged to a John Davis 1793 through 1801 (the land was now in Madison County). [Madison County Land Tax 1793-1829, Reel 184, LVA] Since an individual often had gaps in the tax records with a year missing here or there, this could be John Davis RS's land that he did not sell until after he moved to Georgia. Another possibility is that another John Davis, one who did not reside in the county (since there is only one John Davis on the personal property list who disappears from the list after 1789), owned the 50 acres, and John Davis RS could have been living on or leasing land for which the owner paid the taxes. A deed of purchase or sale probably would clear up the confusion, but so far, I have not found either.

In any case, I have found no John Davis other than the Revolutionary War soldier who could be the resident of the Culpeper County tax district shown in the personal property lists 1782 through 1789.

John Davis married Frances Ham 20 May 1787 in Culpeper County Virginia, as recorded in Culpeper County marriage records. [Vogt & Kethley, *Culpeper County Virginia Marriages 1780-1853* (1986), p. 29] He states in his pension application that he continued living in Culpeper until 1791 when he moved his family to Elbert County, Georgia, which Culpeper personal property tax records support.

Other Davis Family in Culpeper County

Our major problem with John Davis RS in Culpeper County, Virginia is that even though his pension application confirms he is the John Davis of the personal property tax lists, no Culpeper deed records for John exist, either as buyer/seller or as a bound or witness. (This may support that he is living on land owned by someone else, and a non-resident John Davis owns the 50 acres.) However, his absence on deed records leaves us with little knowledge of exactly where he was living and who were his neighbors and friends. All we know is that the tax list district was the part of Culpeper that became today's Madison County in 1793.

Starting with the first tax lists in 1782, the only other Davis's living in that tax district before John's departure (with the possible exception of 1789) were relatives of Benjamin Davis, who moved his family to Elbert County, Georgia the same time as John in 1791, along with a number of others from Culpeper and nearby Orange and Albemarle County. It is unknown how, or even if, Benjamin Davis was related to John Davis RS, and the Davis name in 18th century Virginia is a common as Smith and Jones, even more common in some counties. It appears that Benjamin also was born in King William County, but almost all King William County records burned in the courthouse fire of 1885, so much may never be known absolutely. The fact that John Davis in

1777, at age 23, is in rather distant Culpeper County, where Benjamin's immediate family members had begun to move from adjacent Spotsylvania and Orange County in 1757, may point to some family connection between John and Benjamin. However, even though they lived in the same Culpeper tax district (i.e., today's Madison County), the two seem to have very different circles of associates, judging by whom John Davis married versus primary records for Benjamin and his siblings. Similarly, in Elbert County, records show their groups and associates on records were likewise very different, even though their land was in the same section of Elbert, where others from their part of Virginia also settled.

When Benjamin Davis wrote his will as a resident of Elbert County in 1796, he named as one executor a John Davis who is otherwise unidentified but could be John Davis RS. [*Elbert County Georgia Wills 1791-1803, Book B, pg. 23*] Of course, even if the executor were John Davis RS, that would not necessarily mean they were related. Another possibility is that the executor John Davis could be an elder son of Benjamin not named in his will, since Benjamin, of modest means, obviously was most concerned for his four motherless children, the three oldest being unmarried daughters, and most if not all under 21 years of age. No executor bond or estate account was ever filed, so we are left with no clues from probate records.

Although Benjamin Davis did have a brother John, named in another brother's will, John Davis RS almost certainly was not Benjamin's brother. First, because the apparent birth family of Benjamin Davis was living in Spotsylvania County by at least early 1743, eleven years prior to John's birth in King William County. Secondly, Benjamin was born 1736, 18 years before John was born, and Benjamin's siblings average 20 years older than John RS, their births ranging from about 1728 to 1742.

Thirdly, there are a few extant pages of an old family manuscript dated 1895 written by John Davis RS's grandson William Pemberton (W. P.) Davis that says John RS's father was also named John, that John the father was born in Wales about 1721, came as a young man to King William County, Virginia, and disappeared from King William County in 1765 after leaving on a trip. On the other hand, by strong indirect evidence Benjamin's father was not named John, and court records prove he died in 1763 while living in Culpeper town. Benjamin's immigrant ancestor is also said to be Welsh but came to Virginia probably over 100 years before John's father is said to have arrived. If John's father were not the immigrant, it would seem likely that John and Benjamin were cousins of some degree.

John Davis RS Family History from W. P. Davis (1895) and Ephraim Davis (1926)

The family history manuscript written by John's grandson W. P. Davis was almost completely destroyed about 1908 in a fire at the Georgia courthouse where it was stored. The only parts to survive are four non-consecutive pages that obviously were re-typed from rescued and probably fire-damaged pages, which leaves many opportunities for mistranscription. In 1926, W. P.'s grandson Ephraim Davis wrote a four-page letter telling the early family history, using admittedly fragmented and partially illegible handwritten notes for what he says were W. P. Davis' early drafts. Ephraim also elaborates on some of those notes and makes additional comments "from memory of his history," which in the letter are sometimes difficult to distinguish from his grandfather's notes. Ephraim did not mention having a copy of the four surviving pages of his grandfather's final version, and indeed he seems not to have had any of the completed manuscript, since some of what he writes from the notes or his memory conflicts with the surviving final version. (Ephraim seems to have rather imaginatively "filled in the blanks," and unlike W. P., he attached an overly grand earlier ancestry, neither probable nor even possible, as was often the case in family histories of that era.) Both manuscript and letter are highly problematic, as many facts and dates are unsupported or contradicted by primary documents. [*Copies of each to me from a John Davis RS descendant.*]

Given all that, it still seems significant that the surviving portion of W. P. Davis' finished manuscript says that John RS's father, also named John, "left [from King William County] on a trip South about 1765 and was nevermore heard from." W. P. says there had been much family speculation through the years about what happened to John's father. Generally, people thought he had been "slain for his money," but others thought "perhaps he had deserted his family and gone back to England or Wales," which the author does not believe, because "we have no account of any domestic trouble whatever." Since the author, John RS's grandson, includes such sensitive and uncomplimentary controversy as desertion and family members who "drank to excess"--especially writing in an era when it was *de rigueur* for family histories to be idealized and overly glorified--it seems probable that at least the name of John's father and his disappearance have roots in fact.

Furthermore, unlike most family history writers of his time (and later even his grandson Ephraim) who tended to claim a usually erroneous heritage back to illustrious British Isles families and European royalty, W. P. Davis' manuscript and notes claim only to know back to his great-grandfather who disappeared. Ephraim quotes W. P.'s notes as saying, "My great-grandfather Davis [ie, John RS's father] is as far back as we can trace our ancestors with absolute certainty," and, indeed, W. P. begins his final version only with his great-grandfather John. Although I think there are clues that John's father John may not have been the immigrant John Davis of this line, the basic information about John's father's name and disappearance seems credible to me.

There are, however, three significant discrepancies between the manuscript and/or letter and the extant primary records (i.e., records made at the time of happening, such as deeds, wills, marriage records, etc.): 1) where John Davis RS lived after the Revolution, 2) who, when and where he married, and 3) the age of his first son John Jr.

1) John's residence after the war

W. P. Davis' surviving pages did not include information on John Davis RS, but Ephraim says W. P.'s early draft notes say John entered the Revolution war and served from King William, then migrated to Amherst County, Virginia, about 100 miles south of Culpeper/Madison. This is in error by John's own sworn testimony in his 1833 pension application. One of the questions specifically required was, "Where were you living when called into service; where have you lived since the Revolution, and where do you live now?" In compliance with this requirement John's statement unambiguously says, "when called into service he had lived in Culpeper County, Virginia, where he lived until he moved to the State of Georgia, Elbert County, in 1791, where he still lives." So, either John was a) lying under oath, b) forgetful or confused in his dotage (in which case we can't trust his stated date or place of birth either), or c) telling the truth and the later descendants were the ones who were confused.

A search in the Revolutionary War records at the National Archives in Washington, D. C. found there was no John Davis who served from King William, lived in Amherst, later lived in Georgia and received a war pension (which W. P. Davis' notes stated he knew his grandfather John had received). [NARA Microfilm Publication M804] Also, I have diligently searched for and not found any proof in the records that this John Davis RS ever lived in Amherst County, although there was at least one of that very commonly-found name in Amherst at the time in question, but he moved to Kentucky about 1798.

Since the Culpeper tax lists support John's own pension statement, I believe we can take as given that John lived consistently after the war in Culpeper County and never lived in Amherst, and that the family history contains errors. Most of that time did, since few historical records were available or accessible, and handed-down stories often confused intertwining family lines. As we shall see, there were good reasons W. P. was confused about Amherst County.

2) John's wife

There is no mention of the wife of John Davis RS in the surviving pages of W. P. Davis' family history. However, Ephraim Davis' 1926 letter states a note of his grandfather W. P. says John married a "Miss Ham" in Amherst County, Virginia. Ephraim Davis then says her name was Sally Ham but gives no explanation of where this came from or how he knows this name, when his own grandfather W. P. Davis did not remember his (W. P.'s) grandmother's first name. In the DAR records for John Davis RS, some members entering under his name give his wife as Sally (perhaps from Ephraim's letter or vice versa?), but no documentation or proof was submitted nor has any since been found. The DAR Patriot records are notably unreliable since no proof was required until the later 1900's, and old unproved information still stands as received. (There was, indeed, at least one Sally Ham in Amherst in the pertinent time, but she married a Turner and moved to Kentucky.)

There seems to be no question that John Davis RS is the John Davis who married Frances Ham 20 May 1787, according to the marriage record in Culpeper County, where John was living at the time by his own sworn pension testimony and by Culpeper tax records. The minister was a Baptist, George Eve, who also married Reuben Ham and Elizabeth Pemberton (indexed as Pembleton) in Culpeper County on 28 Jan 1790. [Vogt & Kethley, *Culpeper County Virginia Marriages 1780-1853* (1986), p. 40] John and Frances Ham Davis' son John Jr. was

married in Georgia to Reuben and Elizabeth Pemberton Ham's daughter Lucy, and they in turn were the parents of William Pemberton Davis, who wrote the family history that got burned in the courthouse fire.

In W. P. Davis' original manuscript there is a surviving section about John Davis RS's son John Davis Jr. He says John Jr. married Lucy Ham "his own cousin," which supports that the respective parents Frances Ham Davis and Reuben Ham, both of Culpeper County, Virginia, were either siblings or cousins themselves. The only Ham household in the 1783 Culpeper personal property tax lists was headed by Edward Ham with another adult male James Ham in the home. Significantly, they were in the same tax district as John Davis RS. *[Mrs. Garland C. Norris, Property Tax Lists of Culpeper County Virginia and Names of Slaves 1783, HeritageQuest Online]*

Although Frances Ham and Reuben Ham (as well as Elizabeth Pemberton) were of Culpeper (later Madison) County families, there was a much larger contingent of Ham families in Amherst County, Virginia. The error of placing John and his "Miss Ham" in Amherst may have come about because W. P. might have known of Ham relatives from there and naturally assumed his Ham grandparents came from there as well. There were, in fact, a number of Ham families from Amherst County living in Elbert County when John Davis RS lived there. Also, one of John Davis' daughters (W. P.'s aunt Polly) married James Cash, and they lived in Campbell County where W. P. lived from childhood. Some researchers think James Cash's family came from Amherst County, and if so, he well could have known, or at least known of, the numerous Ham's in Amherst. It is very common in family stories and old family histories for various family lines and generations to become confused and intermixed in memory and telling. (It seems obvious, however, that neither W. P. nor his father John Davis Jr., d. 1879, who W. P.'s notes say was alive and helping him when he first began his family history, nor W. P.'s grandson Ephraim knew anything of Benjamin Davis and his siblings of Culpeper County, even though Benjamin and then his children lived also in Elbert County for decades. This seems to me another indication that Benjamin and John RS were not brothers, or if related, then not very closely.)

As for where the mistaken name Sally came from, this is only speculation, but it may be similar to another wife's name problem I found in other Virginia research. It seems most females of that day were called by nicknames. The common nickname at that time for Frances was "Frankey," not a name late 19th to early 20th century people would usually bring to mind. It may be that in some old Davis family papers, John's wife's name was written down, but by then was partially illegible. In the old script, a faded or poorly written "Franky" or "Frankey" could easily have looked like "Sally" to later eyes and to those unfamiliar with old nicknames and handwriting forms. (In the other case, I found that Frankey, for Frances, had been mistranscribed as "Lucy.")

One more point concerning John's wife's name. There is an Elbert County, Georgia deed dated 12 June 1790 from a John Davis and wife Ann to Charles Kennedy. According to John Davis RS's pension application, he did not move to Elbert until 1791, so this deed would not be his. (More on this deed below.) Nevertheless, some recent researchers have assumed this deed was for John RS and then decided that "Ann" was just "Sally's" middle name, making a muddle even more meddlesome.

Given the sworn statements by John himself as to dates and place of residence, plus the absence of any other John Davis in Culpeper who could be this groom, the evidence clearly points to John Davis RS's wife being Frances Ham whom he married in 1787, as the Culpeper marriage records states. Frances clearly was related to Reuben Ham, since W. P. says his parents, children of Frances and Reuben, were cousins.

3) John Davis Jr's birth date

This brings us to the third vexing problem with the W. P. and Ephraim Davis family history information; namely, the discrepancy in the date of John Davis Jr's birth date, which has ramifications as well for who and when his father John Davis RS married.

The transcription of the surviving pages of W. P. Davis' manuscript says his father, John Davis Jr., was the third child of his parents and was born 5 Jan 1787. Obviously, this is a problem, if as seems certain, John and his wife Frances only married in May 1787. Of course, John Jr. theoretically could be a child of an earlier wife, but I think the answer is easier than that, and supported by census records.

Almost none of the dates in either the surviving W. P. Davis manuscript or Ephraim Davis' 1926 letter are accurate when they are able to be checked against known documents or historical dates. For example, the transcription of the surviving manuscript of W. P. Davis says John RS was born in 1756 (not 1754), and it says

the War of 1812 ended in 1819 (not 1815). In many cases, maybe all, the wrong dates in the W. P. Davis manuscript may be from an earlier problem of legibility in what was being transcribed. Chances are the original final version was handwritten, then what remained and probably fire-damaged was transcribed, and the copy I have (no telling how many transcriptions later) is still blurred in places and some typed letters/numbers are only partially formed.

I believe from my investigation that the year 1787 should be 1791. This would be a very easy mistake, since in old script an "8" is one of the hardest numbers to decipher, given the number of strange ways it was written, and a "1" often had a prominent hook at the top, making it look like a "7." A typed copy either damaged and/or blurred could easily have parts of the font missing and "91" could easily be mistaken as "87."

Actually, I arrived at the year 1791 originally by checking the census records. First of all, censuses are notoriously poor sources for exact ages, because so many variables are involved, from people back then not knowing or caring about their exact age (or figuring the government or their neighbors have no business knowing!), to what was known by the one doing the reporting, to notational errors by enumerators when checking off columns or writing down the age given. I have found as a general rule of thumb that ages given in earlier censuses (presumably reported by a mother or wife) are more reliable than those given later, when an adult child or grandchild with whom the elder is living (or even a domestic worker or boarder) would be the one at home when the enumerator arrived.

I identified John Davis Jr. in five censuses, 1830 through 1870. In the first two, 1830 and 1840, when John Jr's wife was still alive and probably was the reporter, the age categories in each census taken together show his birth to be the latter part of 1790 or earlier part of 1791.

The next census in 1850, John Jr.'s 18-year-old daughter Martha is the oldest female in the house (along with a 15-year-old) and his birth year is reported as 1787. Again, in 1860, John Jr. is living with his now married daughter Martha, who reports his birth year as 1788. (We see again, as it was in 1830 and 1840, a one-year discrepancy from the previous census, indicating that John Jr.'s birthday could have fallen during the census-taking season.) In 1870, John is still living with his daughter Martha who now has an 8-year-old son in the home, and the birth year is reported as 1796, obviously very discrepant.

Using the guideline that the earlier censuses for an individual often give the more dependable birth dates, this sequence of censuses supports John Davis Jr. being born in the first half of 1791, rather than in 1787. In fact, it may be that W. P. Davis got the 1787 birth year from his sister Martha, the reporter in 1850 and 1860, whose birth years were different from the 1790/1791 of the previous two censuses, probably reported by John's wife Lucy.

This birth year of 1791 for John Jr., stated in the manuscript as being his parents' third child, fits well with other known dates. Online (albeit unsourced) files say the first child Mary/Polly Davis Cash, was born 13 April 1788, which would support John RS marrying Frances Ham in May 1787. This would allow time for a second child to be born before the "third child" John Jr. was born in 1791.

There is always the possibility that John Davis Jr. was the son of a first wife of John Davis RS. I have not been able to ascertain the exact ages of John Sr's children to make a judgment on that possibility. However, such a claim would need more evidence and documentation than just Ephraim Davis' unsourced and unexplained name Sally, especially since no mention was made of two wives. (The fact that John was almost 33 when he married Frances Ham is not unusual. In the 18th century Virginia families I have researched, men of John's age, more commonly than not, married for the first time in their later 20's and 30's.)

This W. P. Davis manuscript, together with Ephraim Davis' subsequent letter, is the fourth family history manuscript of its era and kind that I have investigated in twice as many years. They can be frustrating, confusing, even plain wrong, and still be exciting avenues into discovering more of the truth of our ancestors' lives as real people. I am always grateful for the people who cared enough to write for us what they knew to the best of their understanding. However, when family manuscripts or stories conflict with primary documents, standards for modern genealogical research require us to give precedence to primary records and documented historical events over unsourced and undocumented family histories and oral traditions (unless of course the records can be independently proved in error). Such family stories and writings often contain

significant kernels of truth even among their more obvious errors. But the truth of our ancestors' lives needs to be built upon the foundation of the available primary records made for them and by them during their lifetimes.

The Elbert County, Georgia Years

John Davis RS's pension application states that he moved from Culpeper County Virginia to Elbert County Georgia in 1791. I have found no deed records in Elbert for when or where John first bought land, and no subsequent deeds of sale. However, several early deeds mention John Davis as a bound on Pickens Creek (at the corner with today's Hart County near the Savannah River), notably one deed: 22 Sep 1817, Levinston P[ryor] Gaines to James Cash, 97 3/4 acres on Pickens Creek, adjoining "Apins (Akins?)" old line, John Davis, John Davis & Anderson McGuire, witnessed by Jeremiah S. Warren and J. Johnston JIC, Registered 15 Dec 1817 [*Elbert Deed Book Q, p. 85, Michal Martin Farmer, Elbert County Deed Books K-R 1806-1819, p. 308*] Since Francis Gaines and Thomas Johnston were John Davis' executors, and James Cash was John's son-in-law, it seems we can be reasonably sure the John Davis named on Pickens Creek in the 1817 deed is John Davis RS.

There are several early Wilkes/Elbert County deeds that refer to a John Davis with wife Ann. However, John Davis RS says in his pension application he did not leave Culpeper until 1791. This other John Davis had to be in Georgia at least a while before 12 June 1790, when he and wife Ann sell land on the south side of the Broad River in Wilkes, now Madison, County. [*Elbert Deed Book A, p. 112*] A month later, on 12 July 1790, this same John received a land grant in the same area, which he and wife Ann sell on 15 November 1793. [*Elbert Deed Book P, p. 110*] The land grant was also on the Broad River, at the North Fork of the Broad, where today's counties of Oglethorpe and Madison meet the southwest border of Elbert County. On the other hand, John Davis RS's land on Pickens Creek was in the far northeast corner of Elbert County, where he most likely settled after arriving from Culpeper, since others who came from his area Virginia around the same time also lived in that general vicinity.

It appears from census listings that between 1820 and 1840 John Davis RS may have moved a short way south from Pickens Creek to Coldwater Creek, since in the 1840 census he is listed next to the younger Benjamin Davis' brother-in-law Thomas Wanslow (Wansley), who is said to have lived on the north side of Big Coldwater Creek, close to where his father John Wansley settled his family after moving from Albemarle County Virginia in 1800. [*Frank N. Wansley, "From Rome to Ruckersville" (1975), p. 39*] Coldwater Creek is also where the elder Benjamin Davis had his land when he died in 1797, although the younger Benjamin sold that land in 1804, [*Elbert County Deed Book J, p. 135*] and may have lived in Petersburg in extreme southeastern Elbert County much of the time before leaving Elbert about 1815.

According to Elbert County, Georgia census records, John's wife, presumably still Frances, died between 1820 and 1830. Her name was not given, as the early censuses only gave the name of the head of the household, but the age category of the eldest female in 1820 (45+), missing in 1830, fits for a wife of John.

John Davis' will was dated 3 November 1840. [*Elbert County Georgia Will Book 1835-1860, copy of recorded original to me from June Hayes.*] In his will, John bequeathed 300 acres "where I now live," 5 Negro boys, 2 Negro girls, 2 Negro men, and 1 Negro woman (a total of 10 slaves who appear to be a family, each of whom went to a different legatee), 2 sorrel mares, a bridle, saddle, and furniture, plus cash totaling \$505. The balance of his estate was to be sold and divided equally among some, but not all, of his children.

John's will names his children James Davis, Elizabeth McCurry wife of Angus McCurry now deceased, July Skelton wife of Jabez Skelton, Lucy Smith wife of Fielding Smith, Richard Davis, Sally Washington Strickling wife of Joseph Strickling, Lucretia King wife of Zuriah King, Nancy Adams wife of John Adams, Polly Cash wife of James Cash, John Davis, Frances Breeding. Also named are grandchildren Polly Strickling, John Davis son of James, and William S. King. The executors named were Francis Gaines and Thomas Johnston, and Moses Cash, Thomas F. Adams, and Washington W. Hinton witnessed John's signing.

John Davis, Revolutionary Soldier, was 88 years old the year his will was proved in Elbert County Court on 6 December 1842.

Revolutionary War Pension Application of John Davis
NARA File No. S16358

Revolutionary War pension was granted to John Davis based upon the following statement sworn to by him on 15 Jul 1833, Elbert County, Georgia, Inferior Court.

John Davis volunteered into the service of the United States as a private in July 1777 in Culpeper County, Virginia, under Capt. Rucker in a regiment commanded by Col. James Barbour. He marched from Culpeper Court House to Prince William County, Virginia, to Loudoun County, Virginia, through Maryland, then to Pennsylvania at General Washington's headquarters called White Horse Tavern. He served three months as a private. Before his discharge, Col. Barbour resigned and Col. Pendleton took command of the regiment.

He was drafted as a private for three month's service in March 1781 under Capt. Phinks [Finks] in a regiment commanded by Col. Hill. He marched from Culpeper Court House to Cabin Point on the James River, then to Petersburg and fought the British there. At that place, the Virginia Militia was commanded by General Muhlenberg. After that battle he was commanded by a "Major Boss or Buss" and Col. Dick. They marched from there by nights and went down the James River, took three prisoners, and killed several others. Crossed the James River at a place called Shirly Hundred, and fought the British there, killed a great number of the Enemy and took prisoners. Marched from there to Chesterfield County, Virginia, then to Richmond and crossed the James River. While he was marching to Richmond he went off from his companions and took a prisoner. From Richmond he marched to Chickahominy Swamp, then to Orange and Hanover Counties, Virginia, where he was discharged after three months service.

Later in 1781 he voluntarily enlisted in Culpeper County as a private for two months and served under Capt. Early commanded by Col. Lewis. He marched from Culpeper to Albemarle Court House where he served guarding the British prisoners there until his two months ended and he was discharged.

He volunteered again in 1781 in Culpeper County as a private for one month under Capt. Joel Early in a regiment commanded by Col. Bell. He marched from Culpeper Court House through Hanover County, Page Town, New Castle Town (all in Virginia) then back to Culpeper Court House where he joined Gen. Washington, the Marquis de Lafayette, and Gen. Wayne, commanding officers of the American Army. Discharged there after serving one month.

He testifies that he served at different times nine months as a private in the service of the United States during the Revolutionary War, but he has no documentary evidence and no one who can testify to his service. All of his discharges were verbal, not written. Some of the people to whom he is known in his present neighborhood and who can testify to his character for veracity and their belief of his service as a soldier of the Revolution are Col. David Dobbs, Wiley Thompson formerly a Member of Congress, William White, and William Johnson.

He states he was born in King William County, Virginia, July 2, 1754 but has no record of his age. When called into service he lived in Culpeper County, Virginia, where he lived until he moved to the State of Georgia, Elbert County, in 1791, where he now lives and has resided there ever since.

Signed: John Davis [by signature]

"We Asa Chandler, a clergyman residing in Elbert County, and William Bailey, residing in the same county, hereby certify that we are well acquainted with John Davis, who has subscribed and sworn to the above declaration; that we believe him to be seventy nine [79] years of age; that he is reputed and believed in the neighborhood where he resides to be a soldier of the Revolution, and that we concur in that opinion." /s/ Asa Chandler, William Bailey

Declaration and witness certification sworn to and subscribed 15 Jul 1833
/s/ Benjamin W. Fortson, Clk I. C. [Clerk of Inferior Court, Elbert County, Georgia]

Pension Certificate #23175 issued 25 Nov 1733.

*[Source: NARA M804. Revolutionary War Pension and Bounty-Land Warrant Application Files. File No. S16358.
Abstracted by Joan Horsley from images of original document online at www.Fold3.com. Comments in brackets added.]*

WILL OF JOHN DAVIS

Elbert County, Georgia - Will Book A 1835-1860, p. 71-73
Written 3 Nov 1840 - Partially proved 6 Dec 1842, fully proved 2 Jan 1843
Abstract by Joan Horsley

"I John Davis...being of sound mind and disposing memory but weak in body and calling to mind the uncertainty of human existence[sic] and the certainty of death have thought proper to make and ordain this my last will and Testament in manner and form following..."

Item 1: Debts, funeral and burial expenses to be paid;

Item 2: To son JAMES DAVIS, Negro man named Moses in his possession and no more of my estate.

Item 3: To daughter ELIZABETH McCURRY, wife of Angus McCurry now deceased, one Negro boy named Weg [Wegen?] their share

Item 4: To daughter JULY SKELTON, one Negro boy named Richard now in possession of Jabez Skelton her husband, and \$100

Item 5: To daughter LUCY SMITH, wife of Fielding Smith, one Negro girl named Lucy and increase

Item 6: To son RICHARD DAVIS, one Negro boy named Oliver

Item 7: To daughter SALLY WASHINGTON STRICKLING, wife of Joseph Strickling [usually spelled Strickland], tract of land I live on containing 300 acres and one Negro girl named Louisa, which is her part of my estate and no more;

Item 8: To daughter LUCRETIA KING, wife of Zuriah King, one Negro man named Ben, and do appoint William L. King my grandson as trustee for daughter Lucretia King and her children; the trustee is authorized, after my death, to dispose of or exchange the Negro man Ben for a Negro woman as he thinks most proper for the benefit of daughter Lucretia King and her children; also \$5

Item 9: To daughter NANCY ADAMS, wife of John Adams, one Negro boy named Willis now in her husband's possession and \$200, their share

Item 10: To daughter POLLY CASH, wife of James Cash, one Negro man named James

Item 11: To son JOHN DAVIS, one Negro woman named Queen and child[?] now in his possession

Item 12: To son JOHN DAVIS of Campbell County, Georgia, trustee for my daughter FRANCES BRUDIN [sic, Braden] and her children, one Negro boy named William and \$200

Item 13: To granddaughter Polly STRICKLING, my sorrel mare, bridle and saddle, and also my bed and furniture

Item 14: To grandson John DAVIS, son of JAMES DAVIS, one sorrel mare, one bed and furniture

Item 15: Balance of estate to be sold and divided among all but in items 2, 3, 7, 9, 12

Item 16: Executors appointed: Francis Gaines and Thomas Johnston

Signed: JOHN DAVIS [by signature]

Witnesses: Moses Cash, Thomas F. Adams, Washington W. (x) Hinton (his mark)

Elbert County (Georgia) Court

6 Dec 1842 - Will sworn to by oaths of Thomas F. Adams and Moses Cash, two of the witnesses

2 Jan 1843 - Will sworn to by oath of Washington W. Hinton, the other witness.

[Notation of recording not included in my copy. -JH]

[Source: Elbert Will Book A 1835-1860, p. 71-73. Abstracted by Joan Horsley from photocopy of original will book entry sent to me Nov 2006. Caps and comments in brackets added.]

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