

Jesse Mills Sr. (c1743–aft1810) of Albemarle & Amherst Counties, Virginia

Spouse:
Lucy Tilman

Research Notes

Jesse Mills Family Summary:¹

Born: c1740–43, Goochland County, VA²
Parents: William Mills (c1695–1755) and Mary (c1705–c1776)
Married: c6 August 1765 in Amherst.³
Died: after 10 March 1810 (possibly after 29 August 1811)⁴
Wife: **Lucy Tilman**, daughter of Thomas Tilman and Lucy Hix; d. after 1810–11⁵
Occupation: Farmer on Pedlar and Tye Rivers
Residences: Goochland Co., VA (c1740–44), Albemarle Co., VA (c1745–61); Amherst Co. (1761—)

¹ The compiler has multiple lines of interest in Jesse. Through her maternal ancestry, she descends from his sister Sarah Mills, wife of Thomas Watts. The compiler's late husband and children also descend from a William Mills, born c1787–88, who married Drusilla Kemp on 24 August 1815 in Franklin Co., an offshoot of Bedford Co. where Jesse's sister Anne settled with her husband Lewis Witt. DNA-tested male-line descendants of this William of Franklin carry a Witt Y. Their closest matches on a 67-marker test, at 1-step removed, are descendants of Lewis and Anne. Their closest matches on a 111-marker test, at 1 step removed, descend from Lewis's cousins in Halifax and Montgomery Cos., VA. A plethora of indirect evidence connects this William Mills of Franklin (and subsequent residences in Montgomery, Floyd, and Pulaski counties) with two Mills women who married in Montgomery a year apart, using the same rural minister: (1) Jesse and Lucy's daughter Sarah Mills who married Elijah Sartain in 1791; and (2) Frances "Franky" Mills who married John White Sr. 1792. For documents and abstracts relating to both Mills lines, see the following research reports by E. S. Mills archived at *Historic Pathways* (<https://www.historicpathways.com>) under the "Research" tab.

- "Mills & Associates: Amherst County, Virginia: Miscellaneous Business Records, 1775–88, report to file, 15 July 2019.
- "Mills & Associates: Amherst County, Virginia: Preliminary Survey," report to file, 18 June 2019.
- "Mills & Associates: Amherst County, Virginia: Court Orders," report to file, 28 October 2019 (updated 25 April 2022).
- "Mills & Associates: Amherst County, Virginia: Tax Rolls, 1782–1803," report to file, 9 June 2019.
- "Mills & Associates: Bedford County, Virginia: Extended Survey of Resources," report to file, 28 August 2018.
- "Mills & Associates: Franklin & Floyd Counties, Virginia: Initial Survey," report to file 28 August 2018 (updated 28 May 2019).
- "Mills & Associates: Giles County, Virginia: Initial Survey," report to file, 3 July 2019.
- "Goochland and Cumberland Counties, Virginia: Initial Survey," report to file, 28 August 2018 (updated 1 February 2019).
- "Mills & Associates: Montgomery and Fincastle Counties, Virginia: Initial Survey," report to file, 28 August 2018 (updated 24 June 2019).
- "Mills & Associates: Virginia Legislative Petitions from Amherst, Augusta, Bedford, Botetourt, Campbell, Carroll, Floyd, Franklin, Giles, Grayson, Montgomery, Pulaski, and Wythe Counties; Arranged Chronologically," report to file, 26 February 2019.
- "William Mills (c1695–1766) of Goochland, Albemarle & Amherst Counties, Virginia; Spouse Mary (Walton?): Research Notes," a work-in-progress last updated 1 June 2019.
- "William Mills (b. c.1783–88; d. c.1863); Spouse Drucilla Kemp: Research Notes," a work-in-progress last updated 28 August 2018.

² Place of birth is based upon the parental place of residence across the time-frame of his birth.

³Amherst Co. Marriage Bonds and Consents, 1763–1783, chronological sequence; imaged on Amherst Co. microfilm 104, Library of Virginia, Richmond. A "circa" date is used here because there is no minister's return on record to state the date of the marriage.

⁴ Augusta Co., VA, Chancery Causes, file 1817-084, Daniel Tilman [et al] vs. Elizabeth Christian, widow, etc., for Complaint of Tilman's Heirs, filed shortly before 10 March 1810 (date first subpoenas were issued); "Chancery Record Index [with images]," Library of Virginia, *Virginia Memory* (https://www.lva.virginia.gov/chancery/case_detail.asp?CFN=015-1817-084 : accessed 16 May 2018), particularly images 1–5 of 29. Jesse and Lucy were parties to this suit. The case was filed in Augusta because that was the site of the district chancery court.

⁵ The Augusta chancery suit *Tilman vs. Christian* identifies Lucy's parents and grandfather Daniel Hix.

RECONSTRUCTED FAMILY OF JESSE MILLS SR. & LUCY TILMAN:

Note: The poverty that Jesse and Lucy lived through in the 1780s and 1790s fractured the family. An official document tells us that one adolescent daughter went to live with a neighboring family. Indirect evidence suggests that several others were farmed out also.

1. **ELIZABETH MILLS**, born c1765–66, married **William Burton** in adjacent Bedford County in October 1786.⁶ Under Virginia’s marriage laws, the bond and license were to be secured in the county in which the bride lived, and individuals under the age of twenty-one had to have parental consent.⁷ In this case, a middle-aged planter and former Revolutionary War captain George Lambert, a resident of Amherst who had been born into a prominent Bedford family, penned a “consent” document stating that Elizabeth was of age, that she gave her consent for the marriage license to be issued, and that he was writing the document “at the request of the Young Lady.”⁸

No other Mills family lived in Amherst or Bedford at this time.⁹ Elizabeth’s aunt Anne (Mills) Witt was a permanent resident of Bedford from the 1760s until her death c1816, but she was a widow of limited means and a large family of children explicitly named in her will.¹⁰ George Lambert, who penned Elizabeth’s marriage consent, was rooted in parental property on Reid Creek of the James River along the Amherst line (see Map 4), five to six miles upstream of the Mills lands on Pedlar River. Lambert’s penning of the consent and age verification suggests that Elizabeth may have been living with and working for the Lamberts—paralleling the 1795 situation in which Jesse and Lucy Mills’s documented daughter Susannah married via a “consent” penned by another planter John Lancaster, who attested that she was Jesse’s daughter, that she had lived in his home for “some time,” and that he believed her to be of age. Like Lancaster, this George Lambert created documents that placed him solidly within Jesse Mills’s network.¹¹

⁶ Bedford Co., VA, Marriage Bonds, 1755A–1787B, for “B” section, Burton-Mills, date of 12 October 1786; imaged, Bedford Co. microfilm 176, Library of Virginia, Richmond. The published abstract of this marriage found in Earle S. Dennis and Jane E. Smith, *Marriage Bonds of Bedford County, Virginia, 1755–1800; Reprinted with Bedford County, Virginia: Index of Wills, from 1754 to 1830*, edited by Rowland D. Buford (Reprinted, Baltimore: Clearfield, 1975), 7, omits critical details. For the key documents referenced in this summary of each proposed child, see the research notes that follow.

⁷ William Waller Hening, *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*, vol. 3 (Richmond, VA: Samuel Shepherd, 1836), 443.

⁸ Bedford Co., VA, Marriage Bonds, 1755A–1787B, for “B” section, date of 12 October, 1786, William Burton; imaged, Bedford Co. microfilm 176, Library of Virginia, Richmond.

⁹ See the numerous research reports cited in note 1, particularly those for Augusta and Bedford counties and Southside Virginia; these document the off-and-on-again residences of the Augusta-rooted John Mills family which left Bedford permanently for Augusta in the 1770s. Also see the cited research notes summary for James Mills, a young tithable who lived in extreme lower Bedford from 1782 through 1784 but was then cut away into Franklin County in 1785—a man whose children did not begin to reach marriageable age until ten years after the Mills-Burton marriage.

¹⁰ For the settlement of Anne and Lewis Witt in Bedford prior to Lewis’s death in 1772, see Petition of Ann Witt, admx. of Lewis Witt, through attorneys Innes & Camp, admitted to court 28 June 1784; in Witt vs. John Cooper, Bedford Chancery Records, 1785–011; imaged at Library of Virginia, *Virginia Memory* (www.lva.virginia.gov/chancery/case_detail.asp?CFN=019-17885-011 : accessed 14 May 2016). The widow Anne and her offspring appear annually on the tax rolls from 1782 until her death c1816 at which time her will was probated; Bedford Co., VA, Will Book 4:287 (Anne Witt).

¹¹For example, see Amherst Co. Deed Book C: 499, wherein Geo. Lambert was witness to a Bell-McCaul deed for land on Pedlar River and Buck Branch, adjoining Nathaniel Davis; Davis, in 1766, had purchased the Mills plantation on Pedlar River from Jesse himself (Amherst Deed Book B: 128.) A fellow witness with Lambert to the Bell-McCaul deed was Jno. Stratton, whose sister Sarah would marry William Lavender, son of Jesse’s sister Milley (Mills) Lavender. Also see Amherst Co. Deed Book D: 1, Geo. Lambert as witness to mortgage from Jno. Thompson to Jos. Cabell and Jas. Higginbotham, all of Amherst, for land on Tye River adjoining James Brown, 17 Oct. 1772; Jesse Mills’s daughter Susannah in 1795 would marry a younger James Brown from this Tye River family. Also in 1778 Lambert was sued by George Penn, whose daughter would, two years later, marry the legitimate William Burton (half-brother to the William Burton for whom Lambert penned Elizabeth Mills’ marriage

The surety for the Burton-Mills marriage bond, Jesse Reynolds, remains unidentified.¹² The 1776 petition of nonconformists in Amherst which Jesse Mills signed in 1776—individuals who likely attended the same church as Jesse and Lucy—did include a Charles *Reynolds*, but not a *Jesse*.¹³ No other record has been found in Bedford for Jesse Reynolds or William and Elizabeth Burton; and no record has been found for Jesse Reynolds in Amherst.

Associations suggest an identity for this William Burton and place him amid Jesse Mills's associates and neighbors. The Amherst tax roll of 1787, compiled five to six months after the Burton-Mills marriage,¹⁴ adds a **new William Burton**. At this first appearance on the Amherst roll, he is labeled “**natural son of William**”¹⁵ to distinguish him from his half brother, also named William Burton, who was a legitimate son and heir of the wealthy planter William Burton by his wife Rebecca Cobbs.¹⁶ William Jr. and his legal brothers Philip and Jesse (but not the illegitimate William) inherited the family land on Buffalo River, a branch of the Tye. That land adjoined the Penn brothers Gabriel and George who—together with Jesse Mills and his brother-in-law William Walton in 1767—were co-securities for the incoming sheriff, George Stovall.¹⁷

The legitimate William Burton Jr. in 1780 married his neighbor Frances Penn,¹⁸ daughter of George Penn who had also witnessed Jesse Mills' purchase of Tye River land in 1770. (George's brother Gabriel, meanwhile, owned Tye River land adjacent to Jesse's sister Milly and her husband William Lavender.¹⁹) William Burton Jr. had, since 1782, been taxed on the land and slaves inherited from his father. The natural son William paid taxes on slaves (one adult and two children) only in 1787. Both William Burtons drop from Amherst taxation in 1788. William and Frances moved to Bedford County

permission (Amherst Co., Court Order Book 1773–1782, p. 277; imaged, *Family Search* digital film 7856348 > image 23). On various occasions in the 1780s, the court orders show George Lambert serving on the petit jury with William and Tilman Walton, the brother-in-law and nephew of Jesse Mills (example: Amherst Co., Court Order Book 1787–1790, pp. 140–46; imaged, *FamilySearch* digital film 7856350 > images 82–86).

¹² As clues to pursue for the bondsman: one Jesse Reynolds (aka Runnals) subsequently settled in Pittsylvania Co., coming there as a RW soldier from Culpeper Co. In old age, he applied for a pension stating that he returned to Culpeper after service and stayed there for “three years after the war ended, then moved to the County of Pittsylvania.” Affidavit of applicant, 23 January 1833, Jesse Reynolds aka Runnals (Pvt., Col. Pendleton's Regt., Va., RW), filed with W 4580, widow Sarah (née Brown) Runnals; imaged at *Fold3* (<https://www.fold3.com/image/1/16187040> and 35 subsequent images); the statement of birth and residence is at image 16187055. No connection has been made between Jesse of Bedford and Jesse of Culpeper-Pittsylvania. However, the move from Culpeper to Pittsylvania (1785–86) occurred about the time that he served as surety for the Burton-Mills marriage in Bedford. As many young men did in those post-war years, he may have worked a year or two in Amherst or Bedford before moving further southward in search of better opportunity. A Jesse Reynolds also appears as a constable on the 1786–87 tax rolls of Henry Co., adjacent to Pittsylvania—a man who was not there the prior year.

¹³ Charles Reynolds in 1769 was an adjacent landowner to 700 acres that George Jefferson of Pittsylvania sold to Joseph Crews on Stovall Creek of Amherst; see Amherst Deed Book C:12. In October and November 1777 he purchased two tracts on the second waterway to the west, Harris Creek which runs into the James at Lynchburg; James Crews was Reynolds's adjacent neighbor (Deed Book C:116; D:76). His will, made 1813, named son Obediah, Archelaus, and John, and a grandson Isaac, but did not include a living son Jesse.

¹⁴ William Waller Hening, *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*, 11 (Richmond, VA: George Cochran, Printer, 1823), 113, iterates the tax law passed in 1782: the compilation of each year's list was to begin on 10 March and the completed list was to be returned to the county court by 20 April.

¹⁵ 1787 Amherst Tax List, Lexington Parish, image 3, for both half-brothers William Burton. Most tax-roll study in this paper was conducted using images available by subscription at BinnsGenealogy.com, a now-defunct site. I am leaving the citations to Binns because the cited image numbers reflect Binn's arrangement.

¹⁶ Amherst Deed Book E: 377 for declaration of the widow Rebecca Burton.

¹⁷ Amherst Deed Book B:261–62.

¹⁸ For the 1780 Burton-Penn marriage, see William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 14.

¹⁹ Amherst Deed Book C:78; D:119 for the two tracts purchased by Jesse Mills and William Lavender, with Penn involvement in each.

where he died in the winter of 1810–11.²⁰ William and Elizabeth have not been found after 1788.²¹

2. SARAH “SALLY” MILLS, born c1768, married **Elijah Sartain** (*var.* Certain, Sartin) about 7 April 1791, in Montgomery Co., VA;²² she apparently died between the 1840 and 1850 censuses of Gallia Co., OH. By Elijah, she bore (among others) a daughter whose name was written in the county marriage register as “**Lucy Tilman Sartain**” when she married **John Williams** at the age of fifteen in 1818.²³ No document has been found that explicitly names Sarah (Mills) Sartain as the daughter of Jesse Mills and Lucy Tilman. However, the proved fact that Sarah named a daughter *Lucy Tilman* Sartin does strongly suggest she was Lucy Tilman’s daughter.

Sarah almost certainly was the mother of an older daughter born 1790–91,²⁴ prior to her marriage. When this child **Elizabeth Mills** married their neighbor **Archibald Chapman** on 26 March 1811, Sarah’s husband Elijah Sartain served as bondsman. The 1810 Giles Co. household of Elijah and Sarah contains a female in this age bracket.²⁵ The 1860 census of Gallia County, OH, places

²⁰ William Burton Jr. would be taxed consistently in Bedford until his death in the winter of 1810–11. His will names his widow Frances and their children, once again distinguishing him from the William Burton who married Elizabeth Mills; see Bedford Co. Will Book 4-A: 4–5.

²¹ As a possibility to pursue for Burton: On 15 December 1797 in Franklin Co. (adjacent to both Bedford and Montgomery) one William Burton took out a license to marry Hannah Lykins, with Marcus Lykins as surety; see Franklin Co., VA, Marriage Book 1: 73. Online trees that include this couple have nothing on his parents or origin. The census of 1810 assigns him an age bracket that would allow him to have a first marriage in 1786. That unalphabetized 1810 census (Montgomery Co., p. 14) places him in this sequence of households: **Henry Light**, **Henry Iddings**, Hellim, Lykins, Childress, Lykins, Wilson, Wilson, BURTON, Russell, James *Light*. That neighborhood was cut off into Floyd Co. in 1831.

In 1848, the aging William Mills of Franklin Co—born c1787–88 as the possible son of Sarah (Mills) Sartain, Child 2 above—lost the land his wife had inherited and moved his family to Floyd Co. There they settled in this neighborhood: **Samuel Light**, William MILLS, **Henry Idings**, Anderson *Idings*, Jonathan *Idings*, John Newman, Isaac Vest, William *Idings*, Sarah Holiday, Bird Smith, and Thomas *Idings*.

Samuel Light, next door to Mills in 1850, was son of **Henry Light**, Burton’s 1810 neighbor. All four of the **1850 Idings** were sons of the **Henry Iddings** who was Burton’s 1810 neighbor.

That choice of residence by the aging and impoverished William was part of a pattern that may have been a survival strategy. By 1860 he had moved again. That last move was to Montgomery Co. where he had sought employment on the farm of Gen. Gordon Cloyd Jr., who grew to adulthood in the Sartain-Brumfield-Napier area of Montgomery.

²² Montgomery County Marriage Bonds, 1796–1803, unnumbered, chronological order; Montgomery Co. microfilm 39, Library of Virginia Richmond. Also “Elijah Certain and Sarah Mills” marriage return, Untitled small register, unpaginated, chronological order; Montgomery Co. microfilm 52, item 2, film label “Marriage Records, 1785–1803,” Library of Virginia. The bond was posted on 7 April. The minister’s return does not state the date of the marriage.

²³ Gallia Co., Ohio, Marriage Book 1: 74, for John Williams and “Lucy Tilman Sartain,” married 26 February 1818 by Timothy Hobbs, J.P. The the obituary of “Lucinda T. Williams” states that she married at the age of fifteen; see Maxine Marshall, transcriber, “Williams, Lucy T.,” *Gallia County Genealogical Society* (http://www.galliaancealogy.org/Obituaries/obits_l-law.htm : downloaded 25 June 2018), citing *Gallipolis Bulletin*, 3 January 1877. Also LisaOMalley1, “Lisa’s Biological DNA Line,” user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/90856023/person/430022214359/facts> : viewed 4 May 2019).

²⁴ Elizabeth would have been underage at the time of her marriage, hence the need for a legal guardian to consent. Thus her birth should have occurred after March 1790—and before her mother’s marriage on 7 April 1791. Some Chapman offspring claim for her a birthdate of 12 March 1787 in *Connecticut* (apparently a case of seizing upon a published vital record for a different Elizabeth Mills). Her broken tombstone identifies “Elizabeth” as “wife of A. Chapman Died [unreadable] 8, 18__”; the descendants give the death year as 1857. The tombstone also states that she was “_1 Yr’s, 8 M’s, 18 D’s” at time of death. Age 71 at death conforms to her age brackets on the 1810–1850 censuses, placing her birth in 1785–86, rather than 1787 as trees allege. See *Find A Grave* (<https://www.findagrave.com/memorial/67973156/chap> : last accessed 4 June 2019), “Elizabeth Betsy Mills Chapman” memorial page; tombstone image by Janith Conner.

²⁵ Giles Co., VA, Marriage Book 1: 24. Also 1810 U.S. census, Giles Co., stamped p. 393 *verso*, line 18, female aged 16–26. *Ancestry* offers an image of the census, but its abstract erroneously identifies the head of household as “Elizabeth” Sartain.

In addition to Elizabeth, b.c1790–91, Sarah *might* also be the mother of the **William Mills** discussed in n. 1 and elsewhere (born c1787–88), whose male-line descendants carry a Witt Y, rather than a Mills Y. In addition to the associational ties found between this William Mills-Witt and the Montgomery Co. family headed by Sarah Mills, naming patterns are also suggestive. This William and his wife Drucilla of Franklin Co. had two daughters: Sarah and Millie. The second daughter Millie carried the name of Drucilla’s mother, Millie (Edmundson) Kemp—suggesting that the first daughter, Sarah, may have been named for William’s mother.

Elizabeth's widower, Archibald Chapman, next door to Lucinda Tilman Sartin and her husband John Williams.²⁶

No explanation has yet been found as to why or with whom Sarah migrated to Montgomery as a single woman. Parts of two Amherst families have been placed in her Montgomery neighborhood:

- **Bias:** The Bias family of Amherst was notably a member of the Mills-Lavender-Walton family network.²⁷ **Obediah** himself left Amherst c1785, apparently leaving behind a wife Lucy,²⁸ and settled on the north side of Montgomery County's Walker Creek, where he had land surveyed in February 1789 and patented in 1798.²⁹
- **Napier.** The aging Patrick Napier of Fluvanna County also received land grants in Montgomery on Walker Creek. His sons **Edmund Napier** and **Thomas Hughes Napier** settled part of that land. Edmund was in Montgomery County by December 1786 when he took out a bond to marry—using as surety Milliton Atkins, of Walker Creek Baptist Church.³⁰ **Thomas Hughes Napier** married Mary Brumfield, whose brother Humphrey Brumfield married Sarah Sartin, sister of Elijah.³¹ Thus, the **Napiers** were in-laws of Sarah (Mills) Sartin. The Widow Napier and her brother Humphrey moved to Gallia County about the same time that Elijah and Sarah made that move.

When Giles Co., VA, was cut from Montgomery in 1806, the Sartin-Bias-Napier farms fell into Giles. In 1809 Elijah Sartin purchased, from other heirs of his father Joel Sartin Sr., the family land on Stoney Creek of Giles.³² In 1815, Giles County, "Elijah and Sally Sartin" sold the family land, noting

²⁶ 1860 U.S. census, Gallia Co., OH, population sch., Gallipolis p.o., Guyon Twp., p. 250, dwellings 1670 and 1671, families 1629 and 1630.

²⁷ These connections are being developed in a not-yet published research paper by E. S. Mills, "Mills and Associates: Amherst County, Extended Research." When complete, it will also be published at *Historic Pathways*.

²⁸ In 1785 the grand jury of Amherst County made a presentment against Lucy for living in adultery with Joseph Laine. That prosecution continued at least through 1790. Meanwhile, in March 1786, Lucy filed suit against Obediah in Amherst's county court, apparently an effort to divorce him so she could rectify her life with Laine. However, her suit against Obediah was dismissed the following month, without statement of cause or reason for the dismissal, and Lucy was charged with the legal fees; see Amherst Co., Court Order Book 1784–87, pp. 435, 524, 572, 632. The latter court minute identified her new partner as "Joseph Lain Sr." In Montgomery, Obediah is said to have taken, as a second wife, a daughter of his neighbor John *Connely*.

²⁹ Virginia, Land Office Grants, vol. 40, 1797–1798, p. 590; imaged at *Library of Virginia* (http://image.lva.virginia.gov/cgi-in/drawer?retrieve_image=LONN&dir=/LONN/LO4/106/106&image_number=0604&offset=%2B14&name=Grants+No.40+++177-1798&dbl_pgs=no&round= : accessed 20 June 2019).

³⁰ Montgomery Co., VA, Marriage Bonds, chronologically arranged, for Edmund Napier and Rachel *Connely* (sometimes called "Ely"), 28 December 1786; imaged Montgomery Co. microfilm 52, Library of Virginia, Richmond. One Margaret Napier married Alexander Montgomery in 1798, using the same Walker Creek minister; Montgomery Co. Marriage Bonds, Montgomery-Napier, Montgomery Co. microfilm 39. For Patrick Napier's first land acquisition on Walker's Creek on 12 August 1785, see Netti Schreiner-Yantis, *Montgomery County, Virginia—Circa 1790: A Comprehensive Study—Including the 1789 Tax Lists, Abstracts of Over 800 Land Surveys & Data Concerning Migration* (Springfield, VA: P.p., 1972), 46, citing Survey Book D.

³¹ Giles Co., VA, Deed Book A: 331–43, Sarah Brumfield et al., heirs of Joel Sartin Dec'd., to Elijah Sartin, co-heir, 8 August 1809.

³² This Elijah should not be confused with his younger kinsman Elijah B. Sartin of Montgomery > Giles who moved to Garrard Co., KY, before 1810 and married there in that year. See 1810 U.S. census, Garrard Co., KY, p. 199 (stamped), 136 (penned). "Kentucky, County Marriage Records, 1783–1965," database with images, *FamilySearch* (<https://www.familysearch.org/> : downloaded 4 March 2019) > Garrard > 1797–1861, image 24 of 688, and Garrard Co., Marriage Records 1797–1853, p. 92; imaging FHL microfilm 183256. The Elijah B. of Kentucky is distinguishable from the Elijah who married Sarah Mills in multiple ways, including: (1) Sarah was still Elijah's wife in 1815 when she participated in the sale of their Giles Co. land; and (2) Elijah B. remained in Garrard Co. and is enumerated there in 1830 while Sarah's husband Elijah is enumerated with his family in Gallia Co., OH, from 1820 through 1860.

that the tract was adjacent to John Sartain, “Roberts,” and Nathan **Marr**.³³ They moved then to Gallia County, Ohio, where their daughter Lucy married in March 1818. The 1820 census enumerates Elijah and family in Gallia, adjacent to the new son-in-law John Williams. Elijah’s 1820, 1830, and 1840 households included a woman of age to be Sarah; but in 1850 he lived alone, still adjacent to their daughter Lucy Tilman (Sartain) Williams.³⁴ In 1860, as previously noted, Elijah lived adjacent to the Chapman widower of Elijah’s proposed stepdaughter, Elizabeth Mills.

3. **WILLIAM MILLS**, born c1770, was taxed 1787 and 1788 as a tithable aged 16–21 (i.e., born 1768–71) in the home of Jesse and Lucy’s newlywed nephew, Tilman Walton (son of Elizabeth Tilman and husband William Walton).³⁵ This young William likely lived with the Waltons as early as August 1786, when he ran two errands to the community store used by the Mills-Walton-Lavender clan. Young William charged 400 8^d nails to William Walton on 23 August and, three days later, charged one-fourth gallon of rum against Tilman Walton.³⁶ William has not been found after his listing on the tax roll compiled in March–April 1788—not in any of the twenty or so counties of central and western Virginia for which I have extracted Mills data. Nor was there any other Mills family in Amherst between 1767 and 1800 to whom this young adult William can be attached. Because each year’s list is an *assessment* list, rather than a final list of taxes paid, he could have left Amherst—or died—at any point after Tilman Walton submitted his name as a tithable in his 1788 household.
4. **JESSE MILLS JR.**, born c1772, who married (1) **Rachael Hudson**, c21 May 1793 in Amherst Co., VA, via a marriage bond that called him “bachelor.” The marriage was performed by the Anglican “Rev. Mr. Crawford,” with the consent of young Rachael’s father Joshua Hudson.³⁷ Rachael died before 5

³³ Giles Co. Deed Book 1: 349, 1815. For Marr(s) as neighbor to Sartain/Certain land, see Deed Book 1: 331 (Sartain heirs of Joel, to Elijah Sartain, 1809), Deed Book 1: 181 (Joel Sartain [Jr.] and wife Avezilla to Nathan Marrs, 1810), and Deed Book 1: 206 (Isaac Chapman land on New River near Turkey Hollow, adjacent to Elijah Sartain and Nathan Mars, 1814.) **Members of this Marr(s) family also appear in association with the younger William Mills-Witt, born c1787–88, potential son of Sarah, who made his first appearance in Franklin County in 1806 and lived intermittently in Montgomery and counties cut from Montgomery.**

One Nathan Marrs of Giles, like Jesse Mills’s daughter Susannah and husband James Brown of Amherst, moved to Crawford Co., IN, by 1830. Born 25 July 1790, this Nathan married Elizabeth Barber 16 November 1815 in Shelby Co., KY. He seems to be a younger man than the Nathan Marrs who owned Giles land adjacent to the Sartains in 1815. For the younger Nathan, see Jeremy Bales, “Bales/Ringo Family Tree,” *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/48466792/person/400043485155/facts>). As sources for Nathan, Bales supplies an image of his 1847 tombstone said to be in Terre Haute, Vigo County, IN (appropriately aged); and Ancestry’s database of Kentucky marriages; he identifies this Nathan (without evidence) as the son of John Marrs of Louisa County and wife Agnes Steel.

³⁴ 1820 U.S. census, Gallia Co., OH, p. 52 (stamped), lines 7–8, Elijah Sartin (male 26–45, female 45+, male 10–16) and John Williams (male 18–26; female 16–26). 1830 U.S. census, Gallia Co., OH, p. 129 (penned), line 24 (Elijah Sartin, male 60–70, female 60–70), also line 4 (John Sartin, 20–30 with family) and line 10 (John Williams, male 40–50, female 20–30, and family). 1840 U.S. census, Gallia Co., OH, p. 153 (penned), line 6 (male 70–80, female 60–70 & others), also line 8 (Isaac Chapman) and line 9 (John Williams). 1850 U.S. census, Gallia Co., Gugan Township, p. 379 (stamped), dwelling/family 159, Elijah Sartin (living alone), age 84, farmer, b. VA. At dwell./fam. 156 is John Williams 54, with wife Lucinda and children 4–30, all born in OH. At 157/157 (next door to Elijah) is Enoch Dodridge 45, apparent wife Susanah, age 40, b. VA, with children 1–20, including Sarah, Lucy, and Isaac; all born in OH. Susanah should be investigated as possible kin.

³⁵ Amherst Co., VA, Tax Roll 1787, Amherst Parish, image 9; and 1788, image 9; imaged at *Binns Genealogy* (<https://www.binnsgenealogy.com>), available by subscription. The 1788 taxable list for the Tilman Walton household was submitted to the county court on 1 April 1788. Meanwhile, Tilman married in Cumberland Co., VA, on 12 April 1787; his bride was his cousin Judith Walton, daughter of Edward and Nancy Walton. See Tilman Walton (Capt., VA troops), Widow Judith Walton W4373, family record page torn from Bible; “Revolutionary War Pensions,” database with images, *Fold3* (<https://www.fold3.com/image/20444482> : downloaded 20 August 2019). Tilman applied for his pension in 1821 from Burke Co., NC, and died there 3 February 1831. Various online trees erroneously identify Tilman’s wife as Judith Murray.

³⁶ “Amherst County Business Records, Thompson and Teas Company Journal for Ledger C, 1785–1788, pp. 375 and 378; Amherst Co. microfilm 132, Library of Virginia, Richmond.

³⁷ Amherst Co. Marriage Bonds and Consents, 1793–1796, chronological sequence; imaged on Amherst Co. microfilm 108, Library of Virginia, Richmond.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

January 1799 leaving a small daughter Rachel Hudson Mills.³⁸ Jesse married (2) Widow **Anne [Murray?] Phillips**, about 5 April 1799 in Louisa Co., VA.³⁹ By October 1802 they had settled in Green Co., KY, according to a suit launched against him then by his first wife's family in Amherst Co., as well as a second lawsuit that Jesse and Anne launched against her apparent in-laws in Louisa Co.⁴⁰

Jesse Jr.'s first appearance in Green County is dated 26 March 1802, when he paid 300 pounds for 300 acres, in prep for the family move.⁴¹ He filed his mark-and-brand there in March 1803 ("an over bit off each Ear.")⁴² In July 1803 he was appointed a road overseer on the stretch from "Bowlins old field" past Robinson Creek and the stone quarry to the head of Buckhorn Creek, then down Pittman's Creek to the starting point.⁴³ In 1805, he was appointed to lead a committee to establish a road from the Presbyterian Meeting house on Meadow Creek to "the road near Will. Phillips."⁴⁴ (The latter was the name of one of his wife's in-laws whom he and Ann had sued back in Louisa County.) In May and October 1806, he and Ann divided into thirds a tract of 1000 acres that had been surveyed for one Julius Coleman but was not yet patented—land on Rough Creek, waters of Green River, in Ohio County, KY. They then sold the three parcels to two men from Amherst County, VA: Anderson Moss and Pulliam Sandridge.⁴⁵ In November 1809, as assignee of one Jesse Bridges, Jesse Mills Jr. entered land on Stoner & Casey's Creek of Green County.⁴⁶ (Apparently, he made a practice of buying land that had been surveyed and partially improved, but not yet patented.)

In June 1810, Jesse returned to Virginia temporarily, thereby causing his household to be missed on the 1810 census. Richard Murray of Green Co. appointed Jesse his attorney to settle for him his

Many online trees erroneously identify this marriage to Rachael Hudson as a second marriage for Jesse Sr. That name's-the-same assumption is disproved by Jesse's identification in the marriage bond as a "bachelor" and by the fact that Jesse Sr.'s wife Lucy was still alive and still his wife at the time they and her siblings launched the chancery suit in 1810.

³⁸ Bailey Fulton Davis, *The Wills of Amherst County, Virginia, 1761–1865* (1985; reprint, Greenville, SC: Southern Historical Press, 1998), 184; citing Book 4: 6 (will of Joshua Hudson, written 5 January 1799; proved 20 April 1801, Albemarle Co., naming "Rachel Hudson Mills" as his grandchild). In October 1802, "Jesse Mills, of Green County, Kentucky" was sued in Albemarle Co. by administrators of Joshua Hudson, with Anderson Moss as Jesse's bondsman; see Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 389; citing Amherst Deed Book I: 497.

³⁹ "Virginia, Select Marriages, 1785–1791," database, *Ancestry* (<https://www.ancestry.com> : accessed 1 March 2018), citing FHL microfilm 32190, [Register of Marriages, Louisa County, Virginia, 1766–1861], p. 99. The database gives an exact date, but does not indicate whether that was the date of the bond or the marriage return.

⁴⁰ Louisa County, VA, Chancery Causes, case 1804-017, Anne Mills and Jesse Mills vs. George Phillips &c., 1800–1804; imaged in "Chancery Record Index [with images]," Library of Virginia, *Virginia Memory* (https://www.lva.virginia.gov/chancery/case_detail.asp?CFN=109-1804-017 : downloaded 16 May 2019), 53 images. Witnesses in this suit over a title to land, whose purchase Anne had negotiated as Widow Phillips, stated that (1) Anne and Jesse, shortly after their marriage, announced an intent to move to Green Co., KY; and (2) Jesse was a "difficult" and volatile man who threatened to kill one of the Phillips brothers if he set foot on the land. The pleadings also reference an unidentified suit pending in Hanover Co., which I have not yet sought.

⁴¹ Green Co., KY, Deed Book 3: 96–98; also see Deed Book 5: 95–96.

⁴² Green Co., KY., County Court Order Book 3: 108; Office of the County Clerk, Greensburg; *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS79-1S1Y-Y?i=149&cat=125489>), digital film no. 007856542, image 159.

⁴³ Green Co., KY., County Court Order Book 3: 120, 126; Office of the County Clerk, Greensburg; *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS79-1S1Y-Y?i=149&cat=125489>), digital film no. 007856542, image 165.

⁴⁴ Green Co., KY., County Court Order Book 4 (1804–1809): 35; Office of the County Clerk, Greensburg; *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS79-1S1Y-Y?i=149&cat=125489>), digital film no. 007856542, image 209.

⁴⁵ Green Co., Deed Book 5: 92–96. Moss had also served as John's bondsman in the 1802 suit filed against Jesse by his Hudson in-laws. Sandidge was a co-executor of the Joshua Hudson estate; see Amherst Co., Deed Book I: 407.

⁴⁶ Green Co., Land Entries Book 1780–1833, p. 350; imaged at *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS56-D376-Z?i=166&cat=133784>) from microfilm 1877097.

interest in the estate of his father Richard Murray Sr. in Fluvanna Co., VA. Fluvanna's deed books also include a power of attorney given to Jesse by Judith Murray, widow of Richard Sr. and other heirs "to sell the land whereon the widow Murray now lives for the best price he may think fit."⁴⁷ The trust placed in Jesse by multiple heirs suggests that his wife (the Widow Phillips) may have been one of the heirs.⁴⁸ (Fluvanna Co. also was the long-time home of Jesse's uncle Daniel Tilman, who instigated the suit of 1810 that included Jesse Sr. and wife Lucy Tilman.) On 20 May 1811, back in Green Co., Jesse and wife Ann confirmed the title to the land they had sold in 1806 to Pulliam Sandidge.⁴⁹ Jesse, his wife, and his offspring have not been tracked yet past this point.

5. **JOHN MILLS**, born c1774–75, was of age to run errands to a community store by 1785, at which time he charged thread and a yard of linen to the account of Jesse Mills' newly adult nephew, Allen Lavender. Similarly, in February 1786, John picked up a yard of cloth, some tape, a dozen metal buttons, and an ounce of thread, again charging it to Allen's account.⁵⁰ This store closed its doors a few months later. I've found no further reference to a John Mills in Amherst through the rest of the century, in the tax rolls or other records examined to date; my search is not complete.

When Nelson County was cut from Amherst in 1807, John became a Nelson County resident. By then he had married and produced at least two sons of record. The names given to those two sons strongly suggest that the John of Nelson was John of Amherst, son of Jesse:

- **Tilman Mills**, b. c1799, married Lydia Flood, 21 January 1825 in Nelson County. When he died in Nelson on 13 February 1875, his death registration named his parents as **John and Mary Mills**, cited his age as 76, and gave his birthplace as Nelson County.⁵¹ The 1850 census states "Amherst County" for Tilman's birth and places two young adults in his household: Joseph Mills, 24, and Elizabeth Ponton, 21.⁵² This Joseph married under the name "Josephus" on 2 October 1856 in Nelson Co., citing Tilman and Lydia Mills as his parents. His wife Sallie E. Fortune, was the daughter of Joel and Mary Fortune,⁵³ from an Albemarle family that intermarried in various ways with offspring of Jesse Mills Sr.'s sister Mildred (Mills) Lavender.
- **Jesse Mills**, b. c1805, married c 30 October 1829, Frances Wood, daughter of Jesse. The couple moved to Kanawha 1830–40.⁵⁴ After her death, Jesse then remarried, 1864, Mary Cart. In that

⁴⁷ Green Co., Deed Book 6: 65–66. Also Fluvanna Co., VA, Deed Book 5: 430.

⁴⁸ Also see, under the discussion of Jesse's brother William, the general (but erroneous) belief that their cousin Tilmon Walton married Judith Murray Jr.

⁴⁹ Green Co., Deed Book 6: 176.

⁵⁰ "Amherst County Business Records, Thompson and Teas Company Journal for Ledger C, 1785–1788," pp. 99 and 296; Amherst Co. microfilm 132, Library of Virginia, Richmond.

⁵¹ "Virginia, Deaths and Burials Index, 1853–1917," database, *Ancestry* (<https://www.ancestry.com> : 14 October 2019), citing his age as 76 and his birthplace as Nelson Co. *Ancestry* indexes this as "Ilman Mills." Also "Virginia, Select Marriages, 1785–1940," database, *Ancestry* (<https://www.ancestry.com> : 18 October 2019), "Tilghman Mills" and Lydia Flood marriage, 21 January 1825, Nelson Co.; citing "FHL film number 32734.

⁵² 1850 U.S. census, Nelson Co., VA, pop. sch., p. 220 verso, dwell./fam. 10/10, Tilman Mills, 45, farmer, \$300; both of the youth were said to be born in Nelson County.

⁵³ "Virginia, Select Marriages, 1785–1940," database, *Ancestry* (<https://www.ancestry.com> : 18 October 2019), citing "FHL Film Number 32734, pg 4 ln [line] 15." The book itself is not identified but the reference is almost certainly to a Nelson County marriage register.

⁵⁴ "Virginia, Select Marriages, 1785–1940," database, *Ancestry* (<https://www.ancestry.com> : 18 October 2019), citing "FHL Film Number 32734, Reference ID 26." The book itself is not identified but the reference is almost certainly to a Nelson County marriage register. An imaged copy of the original WVA entry (without citation) is attached to tawquish "Many Faces of My Family," user-contributed tree, *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/7282287/person/-1127590077/facts> : 18 October 2019), Jesse Mills "Facts" page. The image clearly identifies Jesse parents and bears all the characteristics of an authentic register. The original needs to be sought for verification.

remarriage record, he named his parents as *John and Mary Mills* and cited his birthplace as *Nelson Co.*

Neither the 1810 nor 1820 census enumerates a John Mills household in Nelson County; nor can I find an otherwise undertified John Mills in Virginia. Nelson County tax rolls, which are not available online, should be studied on the next research trip to the Library of Virginia.

6. **SUSANNAH MILLS**, born c1777. On 30 May 1795, in Amherst, **James Brown**, posted a bond to marry Susannah. His surety, John Lancaster Sr., swore that she was the daughter of Jesse Mills but had lived in his household “for Some time” and he believed her to be of age.⁵⁵ Susannah and James are said to be the James Brown family on the 1820 census of Crawford County, Indiana, where that James married secondly, 19 November 1828, **Mason Dearing**. James supposedly died in Crawford County on 8 June 1853.⁵⁶ I have not yet pursued this couple.
7. **MARY MILLS**, born c1779, of age to witness (together with first cousin Tilman Walton), the will of Jno. Norman Kidd, in 1795.⁵⁷
8. **LUCY MILLS**, born c1781. By bond in 1797, Fluvanna Co., VA, she married **Richard Murry/Murray**.⁵⁸ The couple moved to Green County, KY—as did Lucy’s brother Jesse Jr. and wife Anne (widow Phillips). In 1810, “Richard Murray of Green County” appointed Jesse his attorney to settle for him his interest in the estate of his father Richard Murray Sr. in Fluvanna Co. (Fluvanna’s deed books also include a power of attorney given to Jesse by Judith Murray, widow of Richard Sr. and other heirs “to sell the land whereon the widow Murray now lives for the best price he may think fit.”)⁵⁹ Richard died between 20 December 1819 and 25 May 1823, when one Travis Moor posted a legal notice in the *Frankfort Argos* saying that at the July Term of court in Green Co., he would petition the court to convey to him 116 acres in Green “being a tract of land whereon said Murray formerly lived.” According to Moor, Murray executed a bond to Samuel Smith on 20 December 1819 which had not been paid, that Smith assigned the bond to Royal W. Easton on 13 May 1820, and that Easton assigned it to Moor on 29 August 1820.⁶⁰

tawquish also adds to Jesse’s page a snippet (uncited) from what appears to be newspaper, stating “Mills, Jessie, and a daughter of Jessie Woods, married, Oct. 30th, 1928. ‘The infare lasted all night.’” The marriage database states “27 Oct.,” which is likely the date of the bond.

⁵⁵ Amherst County Marriage Bonds & Consents, 1793–1796, James Brown–Susannah Mills, 30 May 1795; imaged Amherst Co., microfilm 108, Library of Virginia, Richmond. For a published abstract (not a transcript), see William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 12.

⁵⁶ Children of this couple are said to be Zachariah Nicholas Brown (1800–1881), Malinda Emeline Brown (1802–1881), **Milley J. Brown** (1805–1881), Mary Ann Brown (1806–1875), James Mulkey Brown (1808– ?) and Jonathan **Rice** Brown (1810–1868A). See Debra Daniels, “Hodges Family Tree,” *Ancestry* (<https://www.ancestry.com/family-tree/person/tree/81536608/person/280041586255/facts>). This tree offers, as evidence, the 1820 to 1850 federal censuses of Crawford County and a database entry for the 1828 Crawford Co. marriage record, but does not indicate how the compiler links the Indiana couple to the Amherst couple. The 1850 census enumerates James Brown as 81 and born in VA, living with Mason aged 68, next door to J. R. Brown, age 41, who is assigned a **NC birthplace; if accurate, his age and place suggests that his alleged mother Susannah did not die in VA as the trees assert**. See 1850 U.S. census, Crawford Co., IN, Liberty Township, p. 35 verso, dwelling/family nos. 423/423 and 424/424.

⁵⁷ Amherst Co. Will Book 3: 338.

⁵⁸ “Fluvanna County Marriage Bonds 1777–1801,” list, *USGenWeb Archives* (<http://files.usgwarchives.net/va/fluvanna/vitals/marriages/marr7758.txt> : accessed 13 March 2022).

⁵⁹ Green Co., Deed Book 6: 65–66. Also Fluvanna Co., VA, Deed Book 5: 430.

⁶⁰ *Frankfort* (Kentucky) *Argus*, 4 June 1823, p. 4. An online index to Green Co. Will Book 2 refers to William’s estate on p. 80; see “Kentucky, U.S., Wills and Probate Records, 17491989,” *Ancestry* (https://www.ancestry.com/imageviewer/collections/9066/images/004819635_00411 : accessed 13 March 2022). **Green Co. records need to be thoroughly used for Richard and Lucy.**

No document has been found that explicitly states Lucy's parents. Four factors, taken together, strongly suggest her placement in the family of Jesse and Lucy (Tilman) Mills. (1) No other candidate family exists in the time and place; (2) the father and brothers of Lucy (Tilman) Mills resided in Fluvanna at this time; (3) Lucy's very name support her identity as daughter of Lucy (Tilman) Mills and Lucy (Hix) Tilman; and (4) Lucy and Richard's move to Green Co. KY, where they were associated with Jesse Mills Jr. so closely that they gave Jesse their power of attorney to settle Richard's interest in his father's estate, also suggests a family relationship.

9. **ROBERT MILLS**, born by 1783. By bond dated 10 November 1806 he married, in Amherst, **Sally Campbell**.⁶¹ He has not been positively identified thereafter. He appears to be the Robert Mills taxed in 1802 and 1803 Fluvanna, for his tithe and one horse in the same tax district as his uncle Daniel Tilman. He may be the Robert Mills who made a one-off appearance the next year on the tax roll of Franklin County.⁶² The Amherst tax rolls have been searched for him through 1812.

BIOGRAPHICAL OVERVIEW

Born c1743, Jesse Mills was left fatherless—and without a father figure—before he reached his teens. His mother did not remarry. Of his older brothers, the adult Thomas had already died and the adult William had migrated to North Carolina. His elder brother Ambrose would also leave for the Carolinas, in the wake of the father's death, together with their oldest sister Sarah and her husband Thomas Watts. Jesse's sisters Elizabeth and Anne followed husbands to Bedford County. Several years would pass before Mary's remaining daughter Mildred would marry William Lavender. Young Jesse, who was to inherit the parental farm by his father's will, remained with a mother who had no known family in the region. She ensured that Jesse got an education, at least enough to well sign his name (which she could not do); but she seems to have had considerably difficulty inculcating the stable qualities of manhood that brought some measure of success to his brothers.

Jesse first came on record as an adult in March 1764, witnessing (with William Tiller and Stephen Gee) a deed for land at Horse Shoe Mountain that John Murrel of Albemarle bought from a Buckingham resident.⁶³ About 6 August 1765, in Amherst (the county in which the family land fell after Albemarle was divided that year) Jesse married **Lucy Tilman**, daughter of Thomas and Lucy (Hix) Tilman.⁶⁴

That leap into the responsibilities of adulthood coincided with the probate of William Sr.'s will. As many

⁶¹ Amherst Co. Marriage Bonds and Consents, 1806–1808, chronological sequence; imaged on Amherst Co. microfilm 113, Library of Virginia, Richmond. **The only Mills marriages recorded in Amherst prior to 1815 were those of Jesse Sr., Jesse Jr., Susannah, and Robert.**

⁶² 1782–1812 tax rolls, Fluvanna Co.; imaged at *Binns Genealogy* (<https://www.BinnsGenealogy.com>), available by subscription. Also 1804 tax roll, Franklin Co., imaged Personal Property Tax Records microfilm 121, Library of Virginia, Richmond.

In 1802, one Robert Mills also appears on the Bedford County tax roll, after which he was dropped. The 1810–20 censuses of Bedford show Robert Mills as a householder born 1775 or earlier, with children born as early as 1795. Descendants of that Bedford man assert that he belonged to the Nicholas > Robert Mills family of Louisa, Hanover, and Henry. Binn's images have been used for the Bedford work.

⁶³ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 79; citing Amherst Deed Book A: 162.

⁶⁴ Amherst Co. Marriage Bonds and Consents, 1763–1783, chronological sequence; imaged on Amherst Co. microfilm 104, Library of Virginia, Richmond. An "about" date is used because we have only the date of the consent of Lucy's father (20 July) and the date of the bond (6 August).

widows did in her era, Mary and her co-executor under the will, Thomas Jopling, had decided to hold the family property together until the youngest child came of age or married. Jesse, apparently, was that last child. When Jesse reached adulthood and Jopling declined to continue the advisory role William had entrusted to him, young Jesse stepped into that role. Only then was the first action taken toward the settlement of William Sr.'s estate. By the terms of his will, a tract of "unsettled" and unpatented land (330 acres) had been bequeathed to William Jr. who had left the Pedlar for North Carolina some five years before. In the wake of William Sr.'s death, no one in the family had finalized the patent and William Jr. had remained in North Carolina. About 1765, Jesse or another legal representative of Mary went to Richmond and paid the 40 shillings necessary to finalize the grant. That patent was issued in the name "William Mills" on 10 July 1766.

Three weeks later, 4 August 1766, Mary, Jesse, and Mary's only son-in-law in Amherst, William Lavender, went before the Amherst court to file for probate on William's will. Jesse was appointed to serve with his mother as co-administrator of the will. Lavender stood as their surety.⁶⁵ The terms of the will were not adhered to, however. While Mary was to enjoy the use of all of her husband's personal property and the family plantation for the remainder of her life, after which the personal property would be divided proportionately among all the heirs and the plantation would fall to Jesse, Mary appears to have renounced her interest in the land. Possibly, she transmitted other property to Jesse as well; she would subsequently be sued over the estate by the man who had married her daughter Elizabeth.

Three weeks after the probate was opened, Jesse and his wife sold William's plantation on the Pedlar River. At that point, the activities of the Millses who remained in Amherst shifted from the Pedlar River to the Tye and its waters. Ten months later, Jesse bought a tract on the Tye near his wife Lucy's family.⁶⁶ In 1767, he and his brother-in-law William Walton (husband of Elizabeth Tilman) cosigned a performance bond for the new sheriff,⁶⁷ suggesting that young Jesse was well regarded in Amherst society and both socially and politically ambitious.

In 1768, for reasons not explained in the records, Jesse sold his new land and farmed with his brother-in-law William Lavender on what appears to be leased acreage. In 1770, both Jesse and Lavender had sudden funds—perhaps an advance on their inheritance from Mary—to buy on the same day two extensive, adjacent tracts on Rucker's Run and the Tye. But again, Jesse's land ownership would be shortlived. Within months, he sold the Ruckers Run land to a resident of Bedford County who lived across the river from Jesse's sister Anne at Witt's Ford. The curiously worded indenture between Jesse and his buyer, Thomas Lunsford, implies that the land was Jesse's anticipated inheritance. Remaining on the land as a tenant, apparently, he would, within months, mortgage the land he no longer owned, together with all his personal property.

Jesse was seriously in debt. A judgment issued against him in a suit by Spiers & Co. resulted in the

⁶⁵ Amherst Co. Will Book 1: 73 (will); Book 1: 75 (administrator's bond); 1: 104 (inventory). *Note: For Amherst registers that I am personally examining, I am citing the original register rather than published abstracts.*

⁶⁶ Amherst Co. Deed Book B: 128, 203.

⁶⁷ Amherst Co. Deed Book B: 261–62.

seizure and sale of the enslaved Phoebe, a young woman Lucy had brought into their marriage.⁶⁸ Lunsford invoked his ownership of the land Jesse had mortgaged and then sold it to a neighbor of Jesse's to prevent a repeat of the problem. Jesse was left with nothing further to mortgage, to finance future crops on leased land, except his livestock, meager farm tools, and household goods.⁶⁹

Early 1776 brought the death of both Jesse's mother and his brother-in-law Lavender who seems to have provided Jesse's family with a residence after the loss of the Rucker's Run tract. His mother's passing delivered to him at least one enslaved woman and returned him to the property-owning class that enabled him to serve occasionally on the petit jury and maintain a semblance of status in the community. He was still on Tye River that year when he signed a petition of religious dissenters from Albemarle, Amherst, and Buckingham—two signatures from Thomas Ballew,⁷⁰ whose daughter would marry the son of Jesse's sister Milly Lavender.⁷¹ In October and December 1779, Jesse signed another two petitions (near Thomas Joplin of Rockfish in both cases) subscribed by "freeholders and inhabitants of the counties of Amherst, Albemarle, and Buckingham" who protested taxation to pay the expenses of the war.⁷² Throughout these issues, Jesse continued to serve on the petit jury; like most of his contemporaries, however, he performed that service during the court sessions in which he had a case before the bar.

A curious suit that Jesse launched in October 1782 may speak to the downward spiral of his life. The defendant was a woman named Milley Ship (Shipp) whom he accused of "trespass assault and battery."⁷³ Miss Shipp did not contest the suit; and it was simply dropped. In the meanwhile, other court records provide a measure of context. In the same term that Jesse sued Shipp, she was also charged by the grand jury of the county with "having a Bastard child," while one George Blaine with simultaneously charged for "Living in Fornication with Milly Ship." The petit jury assessed fines against both of them. The terse minutes of their case does not mention Jesse; but three other points may be relevant: Blaine operated an ordinary (tavern) at the time; and, in that same term, a jury fined him for "permitting Unlawfull Gaming in his House."⁷⁴ Five months later (March 1783), Blaine filed his own suit against Jesse for "Trespass Assault & Battery."⁷⁵ When Blaine's complaint finally went before a jury in 1785–86, the damages assessed against Jesse totalled 9£ 15 shillings, and 6½ pence, plus Blaine's legal fees.⁷⁶ Whether he paid them is doubtful; other debt suits against him were before the bar as well. In 1784, Jesse had mortgaged (and forfeited) to his wife's nephew Tilman Walton the last enslaved woman he

⁶⁸ Augusta County, VA, Chancery Causes, file 1817-084, Daniel Tilman &c vs. Elizabeth Christian, widow, &c, for Complaint of Tilman's Heirs, filed 29 July 1811; "Chancery Record Index [with images]," Library of Virginia, *Virginia Memory* (https://www.lva.virginia.gov/chancery/case_detail.asp?CFN=015-1817-084 : downloaded 16 May 2018), particularly images 1–5 of 29. Jesse and Lucy were named as parties to this suit.

⁶⁹ Amherst Co. Deed Book C: 252, 254, 316, and 397.

⁷⁰ "Virginia Legislative Papers: Petition of Dissenters of Albemarle, Amherst and Buckingham, Oct. 22d, 1776," *Virginia Magazine of History & Biography* 18 (1910): 140–143, citing "originals in the Virginia State Archives."

⁷¹ Charles Lavender (Pvt., Col. Merriwether & Samuel Cabell Regt., VA Continental Line), Widow Lucy, no. W8025, in "Revolutionary War Pensions," *Fold3* (<https://www.fold3.com/image/25254588> and 109 subsequent images : accessed 17 May 2016).

⁷² Jean Pickett Hall, "Legislative Petitions from Virginia Counties with Significant Record Losses: 1. Buckingham County," *Magazine of Virginia Genealogy* 28 (May 1990): 87–114, specifically 91, 93.

⁷³ Amherst Co., Court Order Book 1782–1784, p. 42; imaged, *Family Search* digital film 7856348 > image 196.

⁷⁴ Amherst Co., Court Order Book 1782–1784, p. 44; imaged, *Family Search* digital film 7856348 > image 197.

⁷⁵ Amherst Co., Court Order Book 1782–1784, p. 102; imaged, *Family Search* digital film 7856348 > image 226.

⁷⁶ Amherst Co., Court Order Book 1784–1787, pp. 457–58.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

had inherited from his mother.⁷⁷ Nothing was left to be seized by the sheriff when the widow of James Halley Burton won a judgment against Jesse for 43£, plus costs, in November 1785.⁷⁸

Jesse's life past March 1786 is a cypher. In the fall of that year, his name appeared on a list of "cash bonds" due to the community store that served the Mills-Lavender-Walton clan. The 11£ 11 shillings and 4½ pence that he owed appears to have been a cash advance rather than daily charges; the register, which covers the years 1783–86, shows no charge account for Jesse.⁷⁹ The creditor, Thompson, Teas & Company, proceeded to sue many locals who had not cleared their accounts, but they launched no suit against Jesse. Apparently, they considered that the cost of the suit would reap no reward. The personal tax rolls that begin in 1782 include Jesse only in 1782 and 1784—after which he was dropped from the tax rolls entirely and has not been found in any adjacent county. Typically, an indigent or ill man requested for relief from the payment of a tithe; but no such record has been found for him in the county court orders that survive through 1809—not in Amherst or the surrounding counties. The family unit appears to have broken up in this decade—with son William going to his cousin Tilmon Walton for work, son John going to his cousin Allen Lavender, Susannah going to the John Lancaster family,⁸⁰ Elizabeth going, perhaps, to the household of George Lambert or his father Charles of Bedford, and Sarah going to a family that migrated her to Montgomery County, apparently to avoid a prosecution similar to that imposed upon Milly Shipp.

In March 1810, a lawsuit launched from Amherst by Tilman-Hix heirs includes Jesse Sr. and Lucy among living heirs. No residence is stated for them or for Lucy's brother Daniel who launched the suit; this Daniel appears on the tax rolls of Fluvanna and intermittently Amherst. The subject of the lawsuit was the enslaved Phoebe whom Jesse mortgaged in 1771 and then lost. Tilman heirs alleged in 1810 that the slave had only been loaned to Jesse. In 1815, their attorney created an affidavit for the district chancery court saying that Lucy's brother Daniel was "the only one of the Plts attending to said cause, and as he believes *the only Plt. residing in this Country.*" The document clearly reads *Country*, not *County*, suggesting that Jesse and Lucy by this time had either died or migrated out of the Virginia Piedmont with one of their children.

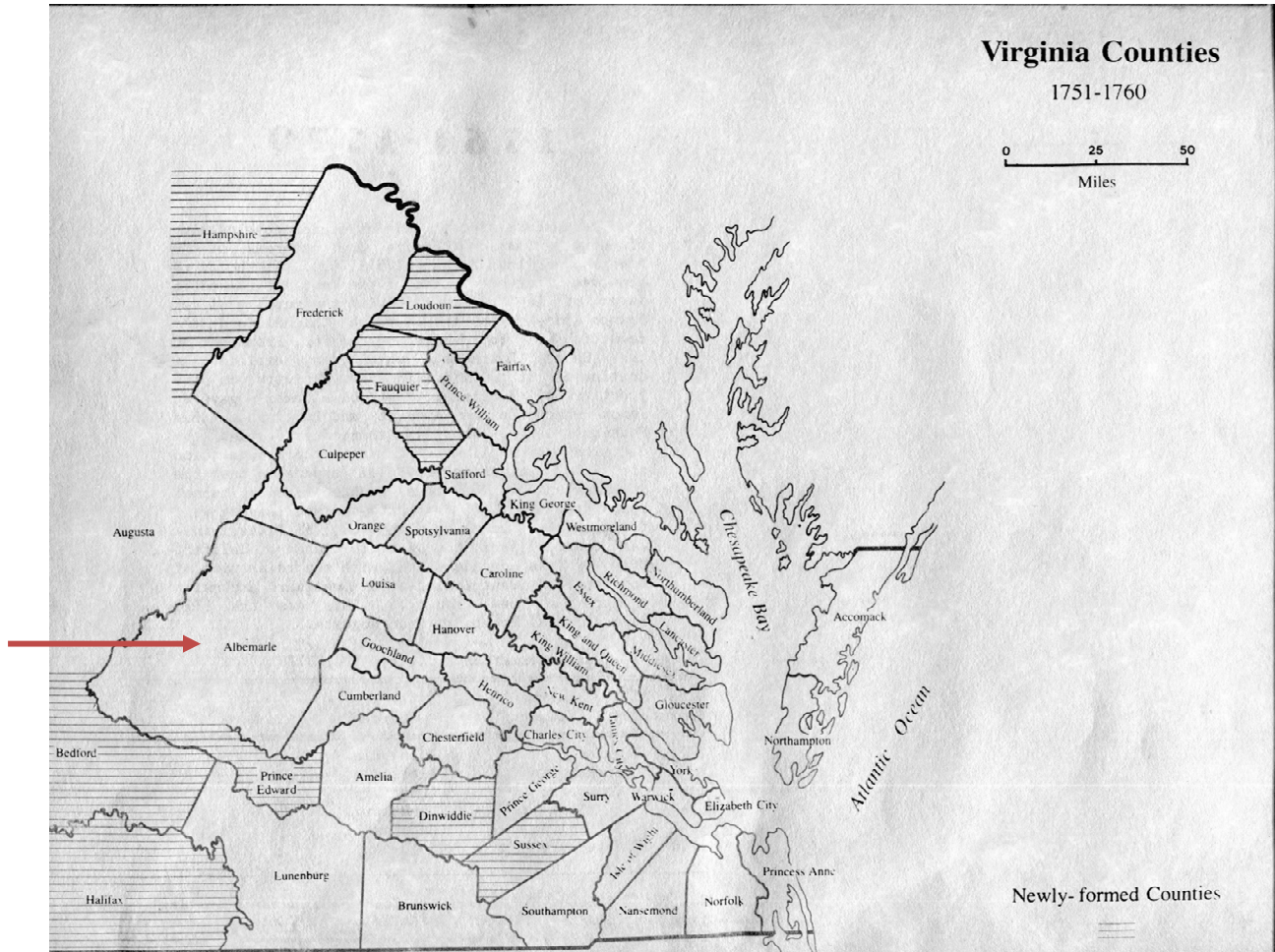
⁷⁷ Amherst Co. Deed Book E: 539.

⁷⁸ Amherst Co. Court Order Book 1784–87, pp. 291 and 335.

⁷⁹ "Amherst County Business Records, Thompson and Teas Company Journal for Ledger C, 1785–1788, unpaginated list of debtors at back of book; Amherst Co. microfilm 132, Library of Virginia, Richmond.

⁸⁰ Five years before Susannah's marriage, John Lancaster Jr. married the daughter of Thomas Parrock who appears two entries from Jesse Mills on the unalphabetized 1782 tax roll. Whether Susannah lived with the family of John Jr. or John Sr. is not evident in the record. For the Lancaster-Parrock marriage, see William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 46.

Map 1
Virginia Counties, 1751–1760⁸¹



⁸¹ Michael F. Doran, *Atlas of County Boundary Changes in Virginia, 1634–1895* (Athens, GA: Iberian Publishing Co., 1987), 23.

RESEARCH NOTES

26 SEPTEMBER 1755
ALBEMARLE COUNTY, VA
Will

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

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

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

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

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

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

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

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

“Item, I give & bequeath to my **son Jesse Mills** a proportionable part of all my Estate besides my Lands & the Tract of Land I now live on, to have & to hold forever—

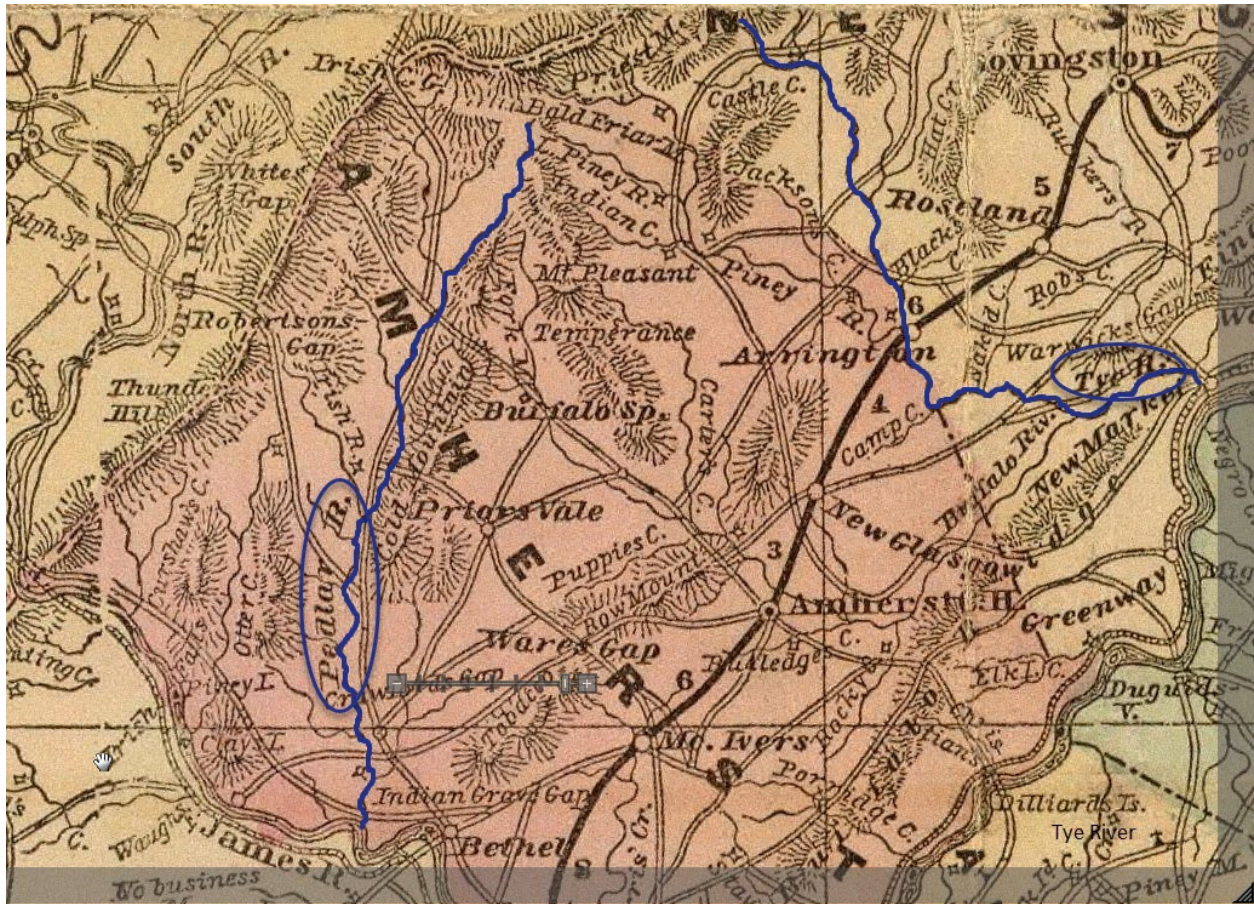
“Item, I give & bequeath to my **Daughter Milley Mills** a proportionable part of all my Estate Excepting my lands to have & to hold forever.

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

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

“Test. [Witnesses] **John Staples, Isham Davis, William Floyed, Charles Tuley, Robert Davis.**⁸²

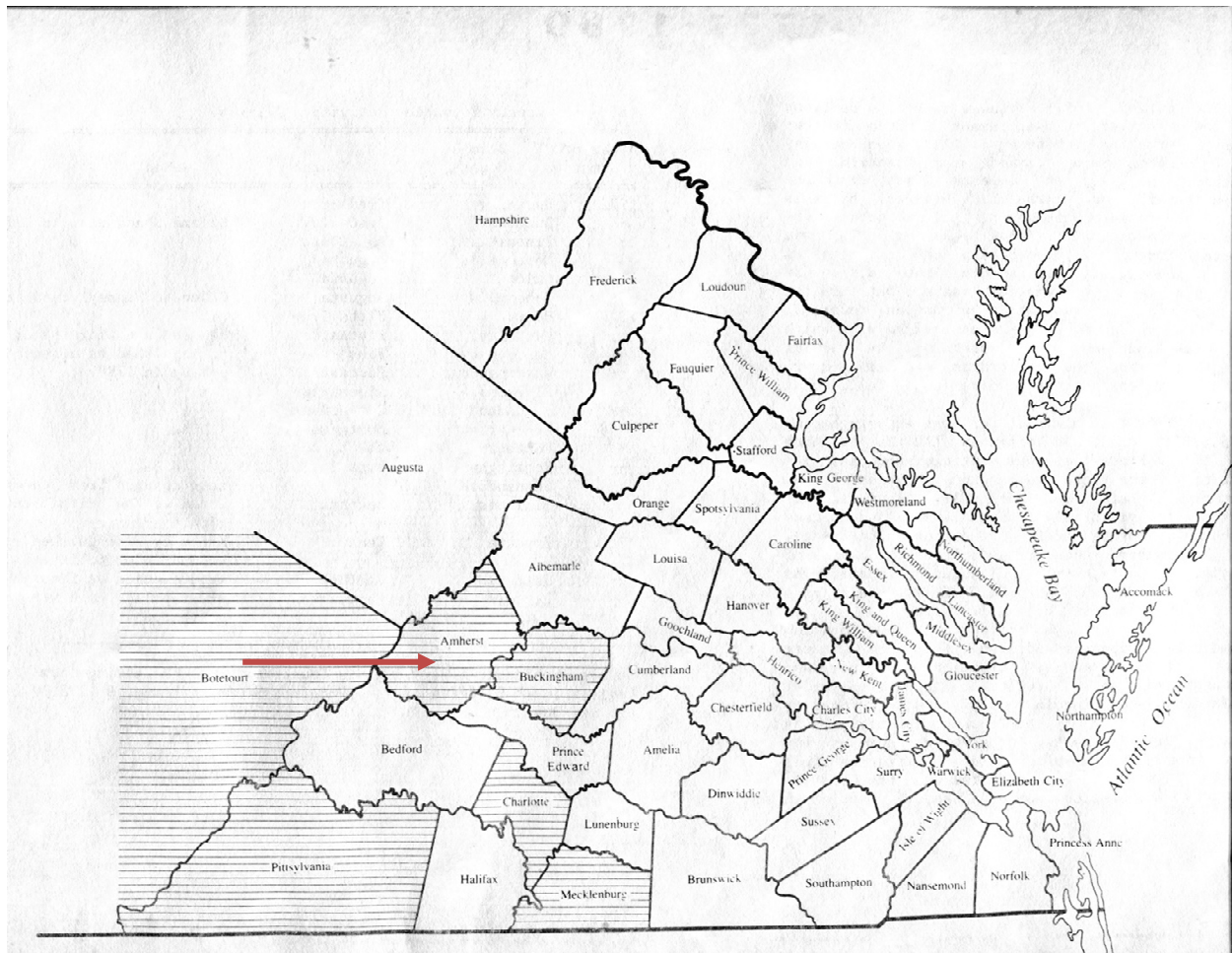
Map 2
Pedlar & Tye Rivers of Albemarle > Amherst Counties⁸³



⁸² Amherst Co., VA, Will Book 1: 73–76 for will and executrix’s bond.

⁸³ Snipped from J. T. Lloyd, *Lloyd’s Official Map of the State of Virginia* (New York: J. T. Lloyd, 1862); imaged online at *David Rumsey Map Collection* (<https://www.davidrumsey.com>).

Map 3
Virginia Counties, 1761–70⁸⁴



5 MARCH 1764
AMHERST COUNTY, VA

Witness

“Gregory Mathews, Buckingham, to John Murrel, Albemarle, 25 pds. For 190 acres on **Horse Shoe Mountain** and joining lands of John Hunter & William Burns. Pat. To Joseph Cabell, 20 Sep 1759. Wit: William Tiller, **Jesse Mills**, Stephen Gee.”⁸⁵

COMMENT:

This is the first reference I’ve found to the adult Jesse, who likely came of age about 1761–63.

⁸⁴ Michael F. Doran, *Atlas of County Boundary Changes in Virginia, 1634–1895* (Athens, GA: Iberian Publishing Co., 1987), 27.

⁸⁵ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 79; citing Amherst Deed Book A: 162.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

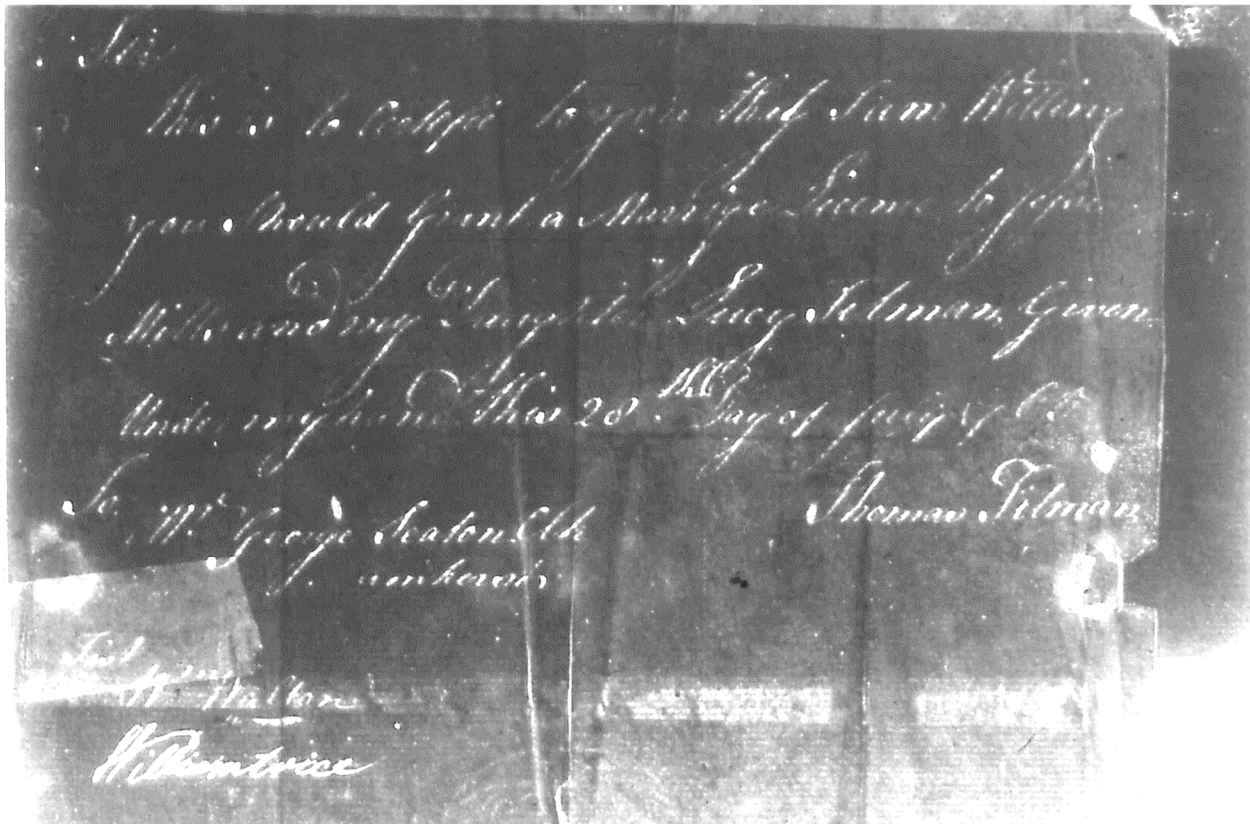
Horsehoe Mountain is now in Nelson County—as is the Tye River on which Jesse and his sister Milly (wife of William Lavender) settled. The nearest waterways are North Prong of Davis Creek (to the south) and Reids Creek of Rockfish River (to the north). After Amherst was cut from the lower half of Albemarle, Nelson was cut (1807) from the upper half of Amherst. Jesse’s cousin George Lavender ended up a resident of Nelson County where he filed a legislative petition in 1810.⁸⁶ Jesse and Lucy have not been found there in the records searched to-date.

20 JULY 1765

AMHERST COUNTY, VA

Marriage consent

“Sir. This is to Certify to you that I am Willing you Should Grant a Marriage license to **Jesse Mills** and **my Daughter Lucy Tilman**. Giver Under my hand this 28th Day of July 1765. [Signed] **Thomas Tilman**. To Mr. George Seaton, Clk Amherst. Test: **William Walton** and **William Trice**.”⁸⁷



⁸⁶ Library of Virginia, “Legislative Petitions Digital Collection,” database with images, *Virginia Memory* (www.virginiamemory.com/collections/petitions) : downloaded 22 May 2016), George Lavender petition 13 December 1810; citing Legislative Petitions of the General Assembly, 1776–1856, accession number 36121, box 177, folder 10.

⁸⁷ Amherst Co. Marriage Bonds and Consents, 1763–1783, chronological sequence; imaged on Amherst Co. microfilm 104, Library of Virginia, Richmond.

COMMENT:

Note that after Thomas Tilman penned his consent, nine days would pass before Jesse took the consent to the courthouse to obtain the license and post his bond.

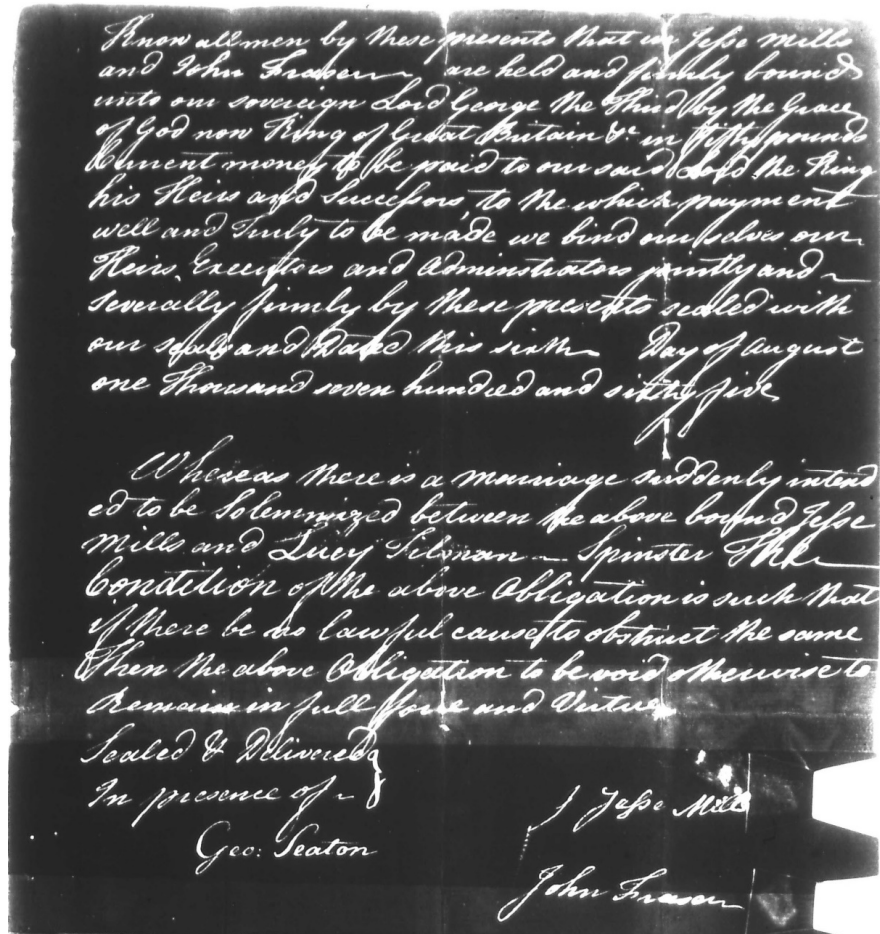
6 AUGUST 1765
AMHERST COUNTY, VA

Marriage bond

"Know all men by these presents that we **Jesse Mills** and **John Fraser** are held and firmly bound unto our sovereign Lord George the Third by the Grace of God now King of Great Britain & in Fifty Pounds Current money to be paid to our said Lord the King his Heirs and Successors, to the which payment well and Truly to be made, we bind ourselves our Heirs, Executors and Administrators jointly and Severally firmly by these presents sealed with our seals and Dated this sixth Day of August one Thousand seven hundred and sixty five.

Whereas there is a marriage suddenly [soon] intended to be Solemnized between the above bound **Jesse Mills** and **Lucy Tilman spinster**, The

Condition of the above Obligation is such that if there be no lawful cause to obstruct the same Then the above Obligation to be void. Otherwise to Remain in full force and Virtue. Sealed & Delivered in presence of Geo. Seaton. [Signed] Jesse Mills, John Fraser."⁸⁸



4 AUGUST 1766
AMHERST COUNTY, VA

Will probate

Thomas Joplin declined his appointment as executor of the will of William Mills, deceased. An

⁸⁸ Amherst Co. Marriage Bonds and Consents, 1763–1783, chronological sequence; imaged on Amherst Co. microfilm 104, Library of Virginia, Richmond.

administrator's bond was then filed by the widow **Mary Mills**, with son **Jesse Mills** and son-in-law **Wm. Lavinder** as her sureties.⁸⁹

5 AUGUST 1766
AMHERST COUNTY, VA

Court order

Jurors: Richard McCary, William Cabell, William Cheeke, Samuel Woods, William Henry, Menos Wright, Niell Campbell, Henry Rose, William Kennon, Matthew Tucker, **Jesse Mills**, and **Charles Toney**.⁹⁰

1 SEPTEMBER 1766
AMHERST COUNTY, VA

Land sale

"Jesse Mills, AC, to Nathaniel Davis, AC, for 40 pds., 350 acres **branch of Buck Creek of Pedlar**. Lines: **Maple Creek, Edward Watte, Jr., Thos. Mills.**" **Lucy, wife of Jesse Mills**, consents.⁹¹

COMMENT:

- This should be the tract mentioned in the 1759 sale by Thomas Smith to John Tooley/Tuley, which identified "William Mills" as adjacent landowner—i.e., the tract granted to William on 13 March 1756.⁹² Jesse is not selling the property as administrator of the estate but as the heir to this tract, given that his wife participated in the sale.
- The fact that one boundary line is said to be shared with Jesse's brother "Thos. Mills"—who died before their father's 1755 will—suggests that Thomas's heirs held onto his land until his two children, "Ambrose Jr." and Elizabeth, reached adulthood. Nothing has been found after 1755 for an Ambrose Jr. as either a child or an adult. In 1777 Thomas's land would be sold by one John Turner and wife *Elizabeth* of Charleston, SC, in the presence of Jesse's friend Gabriel Penn. I have found no purchase of the land by John Turner or any others. By implication, Turner's wife should be Thomas Mills's daughter Elizabeth.
- This land neighbor, Edward "Watte" Jr., had by that time left Amherst and settled on Little River, SC, in what is now Fairfield County. He made his move prior to 1763, when he first acquired land on the more-eastern Wateree River (Fairfield's boundary with Kershaw County) adjacent to the land grants of his brothers William and Thomas (the latter being the husband of Jesse's sister Sarah). Edward Jr. subsequently moved to Fairfield's Little River and obtained another grant of land adjacent to that of Jesse's and Sarah's brother Ambrose Mills.⁹³
- Amherst court orders of that same day give a different account of this action.

⁸⁹ Amherst Co. Will Book 1: 73 (will), 75 (administrator's bond), 104 (inventory).

⁹⁰ Amherst Co., VA, Order Book, 2 June 1766–1769, p. 45; imaged *Family Search* digital film 8151599 > image 32.

⁹¹ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 100; citing Amherst Deed Book B: 128.

⁹² Albemarle Deed Book 2: 205–6. Library of Virginia, "Land Office Grants," database with images, *Virginia Memory* (http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=696&last=&g_p=P32&collection=LO_Patent : downloaded 20 May 2016), "Mills, William, grantee ... Albemarle County ... 350 acres on the branches of Buck Creek of Pedlar River"; citing "Land Office Patents No. 32, 1752–1756 (v.1 & 2 p.1-715), p. 696 (Reel 30)."

⁹³ Elizabeth Shown Mills, "Frontier Research Strategies—Weaving a Web to Snare a Birth Family: John Watts (ca. 1749–ca.1822)," *National Genealogical Society Quarterly* 104 (September 2016): 165–90; archived at *Historic Pathways* under the "Articles" tab.

1 SEPTEMBER 1766
AMHERST COUNTY, VA

Court order

“An Indenture of Feoffment between **Jessee Mills** of the one part and Nathaniel Davis of the other part, with a Memorandum of Livery and seisen and receipt endorsed were acknowledged by the said Jessee Mills and ordered to be recorded, and Lucy, the wife of the said Jessee, personally appeared in Court, and being first privily examined as the law directs, voluntarily relinquished her right of Dower in the Estate conveyed by the said Indenture.”⁹⁴

COMMENT:

Feoffment: “In the Middle Ages, especially under the European feudal system, feoffment or enfeoffment was the deed by which a person was given land in exchange for a pledge of service. This mechanism was later used to avoid restrictions on the passage of title in land by a system in which a landowner would give land to one person for the use of another. The common law of estates in land grew from this concept.”⁹⁵

1 DECEMBER 1766
AMHERST COUNTY, VA

Court order

“Ordered that Ambrose Jones be Surveyor of the road from Ruckers run to Captain Keys with the following Gang, to wit, Jameston Patterson, James Jackson, Bartholomew Ramsey, Daniel Oneal, Charles Oneal, Nicholas Wren, Benjamin Grayson, **Jesse Mills**, Thomas Burden, **William Lavender** & Ambrose Jones & their male labouring Tithables to work thereon.”⁹⁶

3 MARCH 1767
AMHERST COUNTY, VA

Court order

“John Loving Plt. against **Jessee Mills** Deft. This Suit is ordered to be Dismissed.”⁹⁷

Jessee Mills and **William Lavender** served on juries. Inventory of **William Mills** is returned to court and ordered to be recorded.⁹⁸

6 JULY 1767
AMHERST COUNTY, VA

Court order

Judgment against John Hodges and **Jessee Mills**, Hodges’ special bail, in a debt suit brought against Hodges by Thomas Dickerson. 12£ plus costs. James Nevil, Gent. reported that 9£ 1s 9p had been recently paid against the debt.⁹⁹

Jessee Mills served on jury in case of John Loving vs. John Ryan.¹⁰⁰

⁹⁴ Amherst Co., VA, Order Book, 2 June 1766–1769, p. 59; imaged *Family Search* digital film 8151599 > image 39.

⁹⁵ *Wikipedia* (<https://en.Wikipedia.org/wiki/Feoffment> : accessed 25 January 2022), “Feoffmen.”

⁹⁶ Amherst Co., VA, Order Book, 2 June 1766–1769, p. 89; imaged *Family Search* digital film 8151599 > image 54.

⁹⁷ Amherst Co., Court Order Book, 2 June 1766–1769, p. 105; imaged, *Family Search* digital film 8151599 > image 62.

⁹⁸ Amherst Co., Court Order Book, 2 June 1766–1769, pp. 111–15; imaged, *Family Search* digital film 8151599 > images 65–67.

⁹⁹ Amherst Co., Court Order Book, 2 June 1766–1769, pp. 155–56; imaged, *Family Search* digital film 8151599 > image 92.

7 JULY 1767

ALBEMARLE COUNTY, VA

Land sale

“Mary Grymes, widow, Peyton Randolph, Esq.; Benj. Grymes; and John Robinson, Gent., Executors of Phillip Grymes, dec’d; and Lunsford Lomax, the Younger, Caroline Co., to **Jesse Mills**, AC [Amherst Co.]. [Whereas] Lunsford Lomax, the Elder, [of] **Caroline**, mtgd. on 7 Aug 1756, and rec. 21 Oct. 1756 in General Court – to secure loan to Lomax by Phillip Grymes, late of Middlesex, 7881 acres – money not repaid – mutually agreed between Mary Grymes, widow, and executors that land be sold to discharge debt and interest thereon – and they appointed Wm. Cabell, the Younger, atty, in AC Court – Lunsford Lomax & wife, Judith, 13 Jan 1767, (Proved in AC) conveyed to Lunsford Lomax, the Younger, [who now conveys for] 128 pds. 10 sh. [paid] by **Jesse Mills** – **396 acres**, part of said tract and formerly granted to Harmer, King, Randolph, & Lomax by order of Council **Tye River**. Lines Rose. Wit: George Seaton, **Wm. Walton**, Jno. Ryan, Edmund Wilcox, Clerk.”¹⁰¹

COMMENT:

- The 1766–67 documents tell us that Jesse has chosen to leave the neighborhood of his parents and relocate in a different community—selling his parental inheritance on the Pedlar and using the proceeds to buy Tye River land, several miles to the northeast, where his new in-laws lived.
- In 1770 (see below) the Grymes heirs sold another part of this land to Jesse’s brother-in-law William Lavender, via a deed that identified the adjacent landowner as simply “Mills.” The reference is clearly to Jesse, the only adult male Mills left in Amherst County.
- William Walton, the witness, had married Elizabeth Tilman (sister of Jesse’s wife Lucy) in Goochland’s St. James Northam Parish on 1 December 1758.¹⁰² Like Walton, Jesse’s parents had come to Albemarle > Amherst from Goochland.¹⁰³

3 AUGUST 1767

AMHERST COUNTY, VA

Court order

“An Indenture of bargain and Sale between Lunsford Lomax the younger (and William Cabell Junr. attorney for the executors of Philip Grymes Esquire Deceased) of the one part; and **Jessee Mills** of the other part, was acknowledged by the said Lunsford Lomax the Younger & William Cabell and with a Certificate of the acknowledgment thereof, ordered to be recorded.”¹⁰⁴

8 SEPTEMBER 1767

AMHERST COUNTY, VA

Court order

¹⁰⁰ Amherst Co., Court Order Book, 2 June 1766–1769, p. 168; imaged, *Family Search* digital film 8151599 > image 99.

¹⁰¹ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 100; citing Amherst Deed Book B: 203.

¹⁰² W. Mac. Jones, *The Douglas Register: Being a Detailed Record of Births, Marriages, and Deaths ... as Kept by the Rev. William Douglas, from 1750 to 1797* (Richmond: J. W. Fergusson & Sons, 1928), 90.

¹⁰³ E. S. Mills, “William Mills (c1695–1755) of Goochland, Albemarle & Amherst Counties, Virginia; Spouse Mary [—?—]: Research Notes,” a work-in-progress last updated 23 February 2022; archived at *Historic Pathways* under the “Research” tab.

¹⁰⁴ Amherst Co., Court Order Book, 2 June 1766–1769, p. 190; imaged, *Family Search* digital film 8151599 > image 110.

Jessee Mills served again on jury for this term.¹⁰⁵

2 NOVEMBER 1767
AMHERST COUNTY, VA

Surety on bond.

“Geo. Stovall Jr., Jas. Dillard, **Wm. Walton, Gabl. Penn**, Alex. Reid Jr., Alex. Reid, Jno. Ryan, Jacob Smith, **Jesse Mills**, Ambrose Porter, Abraham **Penn**, Wm. Bibb, Jas. Christian, Wm. Floyd, Jos. Dillard, & Wm. Loving bonded to King Geo. III for 1000 pds. for Geo. Stovall Jr. who was appointed sheriff by governor under Colony seal on 17 Oct last past to perform duties of office. ... Same men and date as above for Stovall to collect fees. ... Same men and date for Stovall – 500 pds – to collect all Quit Rents.”¹⁰⁶

COMMENT:

In 1780 Gabriel Penn’s niece Frances (daughter of *George Penn*) would marry William Burton Jr., a half-brother to the illegitimate William Burton who is herein proposed to be Jesse’s son-in-law. (See the discussion of Elizabeth as Child 1 in the background to these research notes.) A number of interactions between Jesse’s family and the Penns will be seen in the research notes that follow.

On 7 March 1768 a new bond would be posted, authorizing Stovall to collect taxes. Walton and Gabriel Penn obligated themselves again. Jesse Mills did not.¹⁰⁷

8 DECEMBER 1767
AMHERST COUNTY, VA

Court order

“**John Ripley & Elizabeth** his wife Plts. against **Mary Mills** executrix of **Wm. Mills** Decd. Deft. In Chancery. This day came as well the Plaintifs by Edmund Winston their attorney, as the defendant by John Harvie her attorney and the Defendant prays, and time is allowed him [*sic*] till next Court to file her answer to the Plaintifs bill.”¹⁰⁸

“The attachment of **Jessee Mills** against the Estate of **John Hodges** is Dismissed, by order of the Plaintiff.”¹⁰⁹

3 MAY 1768
AMHERST COUNTY, VA

Court order

Jesse Mills and **William Walton** serve as jurors for this term of court.¹¹⁰

¹⁰⁵ Amherst Co., Court Order Book, 2 June 1766–1769, p. 217; imaged, *Family Search* digital film 8151599 > image 124.

¹⁰⁶ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 103; citing Amherst Deed Book B: 261–62.

¹⁰⁷ Bailey Fulton Davis, *The Deeds of Amherst County, VA (1762–1852) & Albemarle County, VA (1948–1807)* (Greenville, SC: Southern Historical Press, 1979), 105; citing DB B: 302.

¹⁰⁸ Amherst Co., Court Order Book, 2 June 1766–1769, p. 244; imaged, *Family Search* digital film 8151599 > image 137. No record of the Ripley-Mills/Learwood marriage has been found. It was previously known from the affidavit of her natural son John Mills *alias* Ripley filed in his Revolutionary War Pension Application; John Mills alias Ripley (priv., Capt. Rogers? Co., Genl. Hampton’s Regt., SC), S9025, opened 2 April 1834, Athens, Ohio; file imaged in “Revolutionary War Pensions,” *Fold3* (<https://www.fold3.com/image/25853045> and 19 subsequent numbers : accessed 1 June 2016).

¹⁰⁹ Amherst Co., Court Order Book, 2 June 1766–1769, p. 249; imaged, *Family Search* digital film 8151599 > image 140.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

“John Ripley & Elizabeth his wife Plts. against **Mary Mills**, Executrix of **William Mills** Decd. Deft. In Chancery. On the motion of the Defendant by her counsel, time till the next Court is allowed her to file her answer in this cause.”¹¹¹

“On the Motion of **Jessee Mills**, a Witness for **William Lain** against Joseph Richards, It is ordered that the said William Lain pay him one hundred pounds of Nett Tob^o for four days attendance at this Court.”

5 SEPTEMBER 1768
AMHERST COUNTY, VA

Land sale

“**Jesse Mills & wife, Lucy**, AC, to Lucas Powell, Alb. Co., for 90 pds, 396 acres **branch of Tye**. Lines: Rose. Wit: *Jacob Smith, Wyatt Powell, Wm. Floyd.*”¹¹²

COMMENT:

The recorded deed tells us that the land lies on the branches (plural) of Tye River:

“beginning at a Red oak in **Rose’s line** and running thence S 4^o E 208 p to a white oak, thence S 8^o E 114 poles to Pointers, thence S 38^o W 222 p to Pointers, thence N 32^o W 240 p to Pointers, thence N 21.5^o E 242 p to the Beginning.”

Jesse signed the deed. Lucy signed as “Lusey.” They signed again, in identical form, to acknowledge receipt of the 90£. On that same day, they acknowledged the deed in court.

This is the land that Jesse bought in 1767 from the Grymes estate, adjoining Grymes land that Jesse’s brother-in-law William Lavender would buy in 1770. It is the exact number of acres that Jacob purchased with the same metes and bounds.

In April 1770, Jesse would buy 297 acres on branches of Rucker’s Run. In the nineteen-month interval, he was landless. During that period, he was assigned to a road crew with his brother-in-law William Lavender, suggesting that Jesse and Lucy lived and farmed with the Lavenders. No land purchase is on record for Lavender, however, until April 1770, the *same day* that Jesse bought his new tract.

Note that Jacob Smith and William Floyd were also co-securities with Jesse on the 1767 sheriffs’ bond posted by Stovall.

5 SEPTEMBER 1768
AMHERST COUNTY, VA

Court order

“An Indenture of Bargain & Sale between **Jessee Mills & Lucy** his Wife of the one part, and Lucas Powell of the other part, with a Receipt Indorsed, were acknowledged by the said Jessee Mills and ordered to be Recorded, and the said Lucy personally appeared in Court, and being first privily examined as the Law

¹¹⁰ Amherst Co., VA, Order Book, 2 June 1766–1769, p. 324; imaged *Family Search* digital film 8151599 > image 179.

¹¹¹ Amherst Co., VA, Order Book, 2 June 1766–1769, p. 328; imaged *Family Search* digital film 8151599 > image 181.

¹¹² Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 110; citing Amherst Deed Book B: 364.

directs voluntarily relinquished her right of Dower in the Estate conveyed by the said Indenture.”¹¹³

“John Ripley Plt. [wife Elizabeth is not mentioned] against **Mary Mills** Executrix of **Wm. Mills** Decd Deft. In chancery. This day came the Parties by their Council and the Defendant having filed her answer on the Motion of the Plaintiff time till the next court is allowed to consider the said answer, and then to reply; and by consent of parties a commission is awarded them to examine & take the Deposition of **Jesse Mills** a witness in this Suit according to law.”¹¹⁴

3 JULY 1769
AMHERST COUNTY, VA
Court order

“Thomas Burgin Junr. Plt. against **Jessee Mills** Deft. In Trespass Assault & Battery. By agreement of the parties, this Suit is ordered to be Dismissed at the Costs of the Defendant.”¹¹⁵

COMMENT:

Thomas Burgin was a near neighbor of Jesse. See the road order of the next month, showing them both assigned to the “gang” to work the road that passed by their farms.

7 AUGUST 1769
AMHERST COUNTY, VA
Court order

“Ordered that Richard Tankersley Junr. be Surveyor of the road from Tye River ford to the top of the Mountain at Fenley’s Gap, with the following Gang, Vizt. the Male Labouring Tithables belonging to Mrs. Ann Rose, Hugh Rose, Patrick Rose & Edmund Wilcox; also Ambrose Jones, **William Lavender**, **Jessee Mills**, Dennis Burgin, Thomas Burgin, John Burch, Edward Grady, James Jackson & Richard Tankersley & there male Labouring Tithables to work thereon & keep the same in Lawful repair.”¹¹⁶

17 APRIL 1770
AMHERST COUNTY, VA
Land purchase

“Lunsford Lomax, Jr., Caroline, to **Jesse Mills**, for £60, 297 acres branch of Rucker’s Run and part of 6134 acres etc. – see p. 57 herein – Lomax to Stevens. Wit: Zach. Taliaferro, Thos. Mitchell, Rod. McCulloch, Thos. Reid, Rich. Tankersley, Rich. Tankersley Jr.”¹¹⁷

COMMENT:

Again, the original deed provides more detail:

“Lying on the Branches [plural] of Ruckers run ... Begining at pointers in the old line runing thence with the old line S 55° W 168 p to pointers n the old Line, Thence new lines S 30° E 130 p to pointers, Thence S 73° E 252 poles to pointers in the old line, Thence with it N 3° degrees W

¹¹³ Amherst Co., VA, Order Book, 2 June 1766–1769, p. 381; imaged *Family Search* digital film 8151599 > image 210.

¹¹⁴ Amherst Co., VA, Order Book, 2 June 1766–1769, p. 391; imaged *Family Search* digital film 8151599 > image 216.

¹¹⁵ Amherst Co., Court Order Book, 2 June 1766–1769, p. 508; imaged, *Family Search* digital film 8151599 > image 279.

¹¹⁶ Amherst Co., Court Order Book, 2 June 1766–1769, pp. 520–21; imaged, *Family Search* digital film 8151599 > images 285–86.

¹¹⁷ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 121; citing Amherst Deed Book C: 74.

120 p to a Red oak and thence N 45° W 228 p to the Beginning, Being part of a tract o 6134a conveyed to Lunsord Lomax the elder by Walter King ...”

17 APRIL 1770

AMHERST COUNTY, VA

Land purchase

“Grymes exrs. To **Wm. Lavender** – see p. 33 for details of Grymes – for £25, 546½ acres on **branch of Tye**. Lines: **Mills**, Alcock, King. Wit: Zach. Taliaferro, Thos. Mitchell, Thos. Hawkins, Ambrose Jones, Geo. Galasbey, Moses Campbell.”¹¹⁸

14 JUNE 1770

AMHERST COUNTY, VA

Land sale

“**Jesse Mills, AC** [Amherst County], to **Thos. Lumpkin, AC**, for £100, 297 acres bought by TL [*sic*; should be JM] of Lunsford Lomax Jr. and rec. in AC. Wit: **Geo. Penn**, Isaac Tinsley, Geo. McDaniel, Geo. Galaspie.”¹¹⁹

COMMENT:

Again, the recorded deed provides much more valuable information:

Beginning at Pointers in the old line, runing thence with the old line 55° W 168 poles to Pointers in the old Line, thence new lines S 30° E 130 p to pointers, thence S 73° E 250 p to Pointers in the old line, thence with it N 3° W 120 p to a red Oak, and thence N 45° W 228 p to the beginning, being part of a Tract of 6,134 acres conveyed to Lunsford Lomax the Elder by Walter King, Merchant of Briston & Thomas Man Randolph by Deed dated 1 December 1764 ... and by the said Lunsford Lomax the Elder & Judith his wife ... to Lunsford Lomax the younger by Deed dated 13 January 1767. ...

“The said Jessee Mills for himself, his Heirs, Executors and Administrators doth Covenant promise & grant to & with the said Thomas Lumpkin’s Heirs & Assigns by these presents that the said Jessee Mills now at the time of Sealing & Delivery of these Presents is *Secured of a Good Sure Perfect & Indefeasible [i.e., cannot be made void] Estate of Inheritance in Fee simple* of & in the Premises hereby bargained & Sold & that he hath Good Power & Lawfull & Absolute Authority to Grant & Convey the Same to the said Thomas Lumpkin in manner & form aforesaid, & that the said Premises are and so forever hereafter shall Remain & be Free & Clear of and from all forms & other Gifts, Grants Bargains, Sales, *Dower Right & Title of Dower*, Judgments, Executions, Titles, Troubles, Charges & Encumbrances whatsoever made done Committed or Suffered by the said Jessee Mills

The wording of the document is extreme, suggesting that the purchaser had doubts about the validity of the title. In that context, it is particularly relevant that the buyer, Thomas Lumpkin, was not a resident of Amherst County. According to a 1789 Bedford County road order, he lived

¹¹⁸ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 121 citing Amherst Deed Book C: 78.

¹¹⁹ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 127; citing Amherst Deed Book C: 178.

directly across the Otter River from “Mrs. Witts’ Ford”—a reference to Jesse’s sister Anne, widow of Lewis Witt.¹²⁰

The reference to the “Good Sure Perfect ... Estate of Inheritance in Fee simple” seems to suggest this was land he anticipated inheriting at his mother’s death—a conclusion supported by the further statement that dower rights were not involved (i.e., the rights of Jesse’s wife to land acquired during their marriage but not to any inheritance of his). If so, then it appears that his 1769 purchase was financed by and intended to be a residence for his widowed mother. No other land purchase has been found for her and no other place of residence has been identified for her and the enslaved people she inherited from William Mills Sr..

It should also be noted that the same day that Jesse had funds to buy this piece of land, his sister’s husband also had funds to buy his first tract of land, adjacent to Jesse.

5 JULY 1771
AMHERST COUNTY, VA
Mortgage

“**Jesse Mills** to Alex. Spiers, Jno. Bowman & Co., Deed of Trust – 5 sh. 297 acres which Mills bought of Lunsford Lomax. Also one Va. born negro wench named **Phoebe**; stock, tobacco. Wit: Thos. Jones, Jas. Pendleton, Martin Bibb.”¹²¹

COMMENT:

Jesse is almost certainly mortgaging the same land that he had already sold to Lunsford. He also failed to pay the mortgage. “Spiers & Co.” sued and won a judgment against the enslaved woman. That woman, Phoebe, had come to Jesse and Lucy from the estate of Lucy’s maternal grandfather Daniel Hix. Lucy and siblings would later allege that Phoebe was “lent” to Jesse by her parents, Thomas and Lucy (Hix) Tilman. The heirs of Phoebe’s purchaser would counter that when Tilman gave his daughter Lucy in marriage to Jesse, Phoebe was given with her.¹²² See subsequent notes under date 1810–17 for a transcript of the surviving case papers.

20 SEPTEMBER 1771
AMHERST COUNTY, VA
Mortgage

“**Jesse Mills** to Thos. Mitchell, Factor for Jas. & Ro. Donalds & Co., Glasgow merchants – all household furniture, stock and all book debts after paying Wm. Watson his demands vs. me. Memo: Trunk and

¹²⁰ Bedford Co., VA, Order Book No. 9, 1786–1790, p. 337–38; Bedford Co. Reel 41, Library of Virginia. “A Report of a road from Mrs. Pratts to Mrs. Witts’ Ford on Otter River, thence across the River to Thomas Lumpkins from thence into the Road by Richard Lees. Retd & Established ans. to Report [:] Ord[ered] that Richard Deason be appd Surv[eyor] of Sd Rd from Mrs. Pratts to Jos. White’s Old Place & [to work] with the List of Hands filed[;] & Roger Williams app[ointe]d Sur[veyor] of Sd Road from Joseph Whites old Place to Otter River & the Hands as p[r] List Filed.”

¹²¹ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 134; citing Deed Book C: 252.

¹²² Augusta Co., VA, Chancery Causes, file 1817-084, Daniel Tilman [et al] vs. Elizabeth Christian, widow, etc., for Complaint of Tilman’s Heirs, filed shortly before 10 March 1810 (date first subpoenas were issued); “Chancery Record Index [with images],” Library of Virginia, *Virginia Memory* (https://www.lva.virginia.gov/chancery/case_detail.asp?CFN=015-1817-084 : accessed 16 May 2018), particularly images 1–5 of 29. Jesse and Lucy were parties to this suit. The case was filed in Augusta because that was the site of the district chancery court, not because the parties actually lived within Augusta Co.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

table mentioned in fifth line delivered in lieu of the whole. Wit: Edmd. Wilcox, Nathl. Tilman.”¹²³

COMMENT:

Many Amherst planters of this era are indebted to several Glasgow merchants: principally Donalds & Co., Spiers, Bowman & Co., and Geo. Kippen & Co.

8 OCTOBER 1771
AMHERST COUNTY, VA
Mortgage

“**Jesse Mills**, AC, to Edwd. Tilman, for £12, stock. Wit: Ann NBAS(?) JONES, Lede Jones.”¹²⁴

COMMENT:

- The garbled Jones name should be that of Jesse’s male neighbor *Ambrose* Jones.
- Jesse’s debt is seriously increasing. Having already sold his land and mortgaged his enslaved woman, crops, and household furnishings, he now mortgages the livestock he’ll need for future crops.
- Apparently, his return on his 1771 crop and the seizure and sale of Phoebe in 1772 sufficed to pay off the 1771 mortgages. In the next document below, he begins the debt cycle again for funds to work the new year’s crop.

16 NOVEMBER 1771
AMHERST COUNTY, VA
Association

“Thos. Wortham & wife Eliz., AC, to Thos. Griffin, AC, for £20, 179 acres branch of **Rucker’s Run**. Lines: Barnes, King, Jas. Stephens. Part of 6134 acres conveyed by Benj. Waller, atty. for Walter King, British merchant, and Thos. Mann Randolph and rec. in General Court to Lunsford Lomax Sr and by him and wife Judith to Lunsford Lomax Jr., 13 Jan 1767, and by Jr. to Wortham on 7 Apr 1770. Wit: Zach. Taliaferro, Jas. Stevens, **Jesse Mills**, Wm. Haregrove. margin: Orig. delivered to Griffin March 1785.”¹²⁵

7 MARCH 1772
AMHERST COUNTY, VA
Mortgage

“**Jesse Mills** Deed of Trust to Alex. Spiers, Jno. Bowman & Co., Dect [Debt] of £255-8-2 – 5 sh – one negro girl, *Letty*, about 30; one boy *Harry*, about 12; other slaves, stock, tobacco-land on **head of Tye** – 200 acres [should be 217 acres unless he forfeited 17 acres to clear earlier debts]. Wit: Geo. Walker, Jr., Geo. Weir, Thos. Wright, Thos. Reid.”¹²⁶

¹²³ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 134; citing Deed Book C: 254.

¹²⁴ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 137; citing Deed Book C: 316.

¹²⁵ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 135; citing Deed Book C: 284.

¹²⁶ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 136; citing Deed Book C: 298.

1 JUNE 1772

AMHERST COUNTY, VA

Mention

“Thos. Lumpkin, AC, to Lucas Powell for £133-10, 297 acres on branch of **Rucker’s Run**. Bought by Lumpkin from **Jesse Mills**. Wit: Wm. Wilson, Thos. Powell Jr., Alex Reid. Ordered del. to Thomas Hawkins for Powell 19 Apr 1791.”¹²⁷

11 DECEMBER 1773

AMHERST COUNTY, VA

Land sale

“**Wm. Lavender & wife Mildred**, AC, to Edmd. Wilcox, AC, for £100 546½ acres bought by Wm. Lavender from exrs. of Philip Grymes & Lunsford Lomax, Jr., 17 April 1770. On **branch of Tye**. Lines: **Mills**, Allcock, King. Wit: Patrick Hart, Benj. Taliaferro, Wm. Powell, **Gabl. Penn**, Aaron Campbell, Rich. Alcock.”¹²⁸

COMMENT:

The adjacent Mills land was the tract Jesse purchased from Lomax. By February 1776, William Lavender had died.¹²⁹ Where they lived in the meanwhile is unknown.

JULY 1776

AMHERST COUNTY, VA

Probate

Ambrose Mills, as “heir at law” of the estate of **William Mills** was summoned by the Amherst County Court to appear and declare whether he would administer the estate of **Mary Mills, dec’d**.¹³⁰

COMMENT:

This is the only known record providing a death period for Jesse’s mother.

10 SEPTEMBER 1776

AMHERST COUNTY, VA

Mortgage

“**Jesse Mills**, AC, to Edmd. Wilcox, AC, for £12-8-11, debt. Deed of Trust. 5 sh. Two slaves, Moll and Bristol and descended to me at death of my mother; stock, etc. Wit: Geo. Gillaspie, Jas. Higginbotham, Jos. Cabell.”¹³¹

22 OCT 1776

AMHERST COUNTY, VA

Petition

“To the honourable, the Delegates & Representatives, of the several Counties & Corporations of Virginia

¹²⁷ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 137; citing Deed Book C: 331.

¹²⁸ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 153; citing Amherst Deed Book D: 119.

¹²⁹ Amherst Co., Court Order Book 1773–1782, p. 147; imaged, *Family Search* digital film 8151599 > image 382.

¹³⁰ Amherst Co., VA, Order Book 1773–82, for July 1776 term of court summoning Ambrose Mills to administer Mary’s estate.

¹³¹ Bailey Fulton Davis, *The Deeds of Amherst County, VA (1762–1852) & Albemarle County, VA (1948–1807)* (Greenville, SC: Southern Historical Press, 1979), 167; citing DB D: 397.

in Convention assembled in the City of Williamsburg.

“The Memorial & Declaration of the Dissenters from the Church of England in the Counties of Albemarle, Amhurst & Buckingham, Virginia, humbly sheweth, That your Memorialists have never been on an equal footing with the other good people of this colony in Respect of Religious Privileges, having been obliged by law, to contribute to ye support of ye Established Church, while at the same time, they were moved from a Principal of Conscience To support that Church of which they called themselves members ...

... William Clark, Michael McNeely, Samuel Dinwiddie, Sam’l Miller, Ben Carpenter, Thos. Carpenter, John Hardie, David Clarke, John Bording, John Dinwiddie, Thos. Kallan, Alex’ar Henderson, John Shields, W’m Barnett, Charles Brooks, Lindsey Coleman, **Drury Tucker**, W’m Johns, **John Penn**, **Jesse Mills**, John Christian Buston [*Buster*], Thomas Ballen [*Ballew*], David Woodroof, Thomas Matthews, Benjamin Noel, William Hill, Christian Henderson, John Scott, Charles **Reynolds**.”¹³²

COMMENT:

Ballew (*var.* Ballow) was an in-law of Jesse and Lucy through Lavenders and Tilmans; he also lived in the Tye River region.

John Buster from 1758–1764 was an associate of Charles Lambert,¹³³ whose son George penned the 1786 age certification and consent form for the issuance of a marriage license to Robert Burton and Elizabeth Mills “at the request of the Young Lady.”

Drury Tucker in September 1779 purchased part of Matt Tucker’s land on the Buffalo River which adjoined **John Penn** and **William Burton**, “deceased.”¹³⁴

John Penn was part of the family of **Gabriel and George Penn** who appears in this collection of research notes as associates and next door neighbor of Jesse Mills and his Lavender sister and brother-in-law.¹³⁵

3 FEBRUARY 1777 **AMHERST COUNTY, VA**

Court order

“A Deed Indented from **Jesse Mills** to Edmund Wilcox was proved by the Oath of George Gillespie, James Higgenbotham, and Joseph Cabell, the witnesses thereto and ordered to be Recorded.”¹³⁶

¹³² “Virginia Legislative Papers: Petition of Dissenters of Albemarle, Amherst and Buckingham, Oct. 22d, 1776,” *Virginia Magazine of History & Biography* 18 (1910): 140–43, citing “originals in the Virginia State Archives.”

¹³³ In 1764, John Buster and Charles Lambert witnessed the purchase by Claudius Buster of land at North Garden; Albemarle Deed Book 3: 419. In 1759 John Buster and Charles Lambert cowitnessed a sale of land at Yellow Mountain; Albemarle Co., VA, Deed Book 2:84. (Charles Lambert’s son George is the man who penned the marriage “consent” for Elizabeth Mills in 1786.) John also witnessed a 1759 deed between John Lockhart and Davis Lewis for land on Ivy Creek; DB 2:172. At this time, the Busters and Lamberts clustered along the Rockfish River at what is now the dividing line between Albemarle and Nelson (formerly Amherst). The Tye River land of Jesse Mills and his sister Milly Lavender was a few miles to the southwest, in present Nelson County.

¹³⁴ Amherst Co. Deed Book E: 170–71 (2 Tucker deeds).

¹³⁵ All the numerous Penns of Amherst appear to be related. In 1776 William Penn, a bachelor, drafted a will prior to joining the Continental Army, naming his heirs as his brothers *George, Philip, Gabriel, and Abraham*; in 1814 his estate still was not settled and John Penn posted an administration bond (Amherst Will Book 1: 355). John Penn is also mentioned as an account holder in the 1774 settlement of the estate of George and Gabriel’s brother Moses, also a bachelor (Will Book 1: 268 and 2: 91) and in 1792 was guardian of the intestate estate of Joseph Penn who died before 1769 leaving a daughter Lucy (Will Books 1: 133 and 3: 427). John is not named as a son in the will of Gabriel or George.

¹³⁶ Amherst Co., VA, Order Book, 1773–1782, p.171; imaged *Family Search* digital film 8151599 > image 394.

4 MARCH 1777

AMHERST COUNTY, VA

Court order

“To **Jesse Mills** for Guarding James Arnold in Gaol 13 Days Committed for Felony at 25# Grose Tob^o pr Day ... 1.18.0.” Same entry for Richard Tankersley Junr.¹³⁷

4 AUGUST–7 SEPTEMBER 1778

AMHERST COUNTY, VA

Court order

“The Petition brought by **Jessee Mills** against James **Shannon** is Continued.”¹³⁸

15 OCTOBER 1779

AMHERST, ALBEMARLE & BUCKINGHAM COUNTIES, VA

Petition

“Petition of freeholders and inhabitants of the counties of Amherst, Albemarle, and Buckingham counties to repeal the act ‘for laying a tax payable in certain enumerated commodities,’ as thereby the poorest man in the state is compelled to pay as much as those of the most opulent fortunes for the conduct of the present war with Great Britain. ... [skip 14 names] **Thomas Jopling** Junr., [skip 21] **John Tinsley, Jessee Mills, Jas Rouse, Jno Thurmond, Bolinger Wade [skip 11] Isaac Tinsley, Richard Powel, Jerah Whitney** [Jeremiah Whitten, whose son William subsequently married Milly Witt, Jesse Mills’s niece), Isaac Staples,” and about 200 more.¹³⁹

15 DECEMBER 1779

AMHERST & BUCKINGHAM COUNTIES, VA

Petition

“Petition of freeholders and inhabitants of the counties of Amherst and Buckingham requesting appeal of a recent act requiring a fee of twelve shillings per hogshead of tobacco per month stored in the public warehouses above twelve months. ... Richd Shelton, David Woodroof, William Allen, Notley Mattocks, **Richard Tankersley, [skip 9], Thos Jopling** Junr., [skip 26], John Tinsley, **Jesse Mills, Benja Briand, Isaac Tinsley, Thomas Joblin,**” and about 200 more.¹⁴⁰

COMMENT:

Jesse is still in the Tye River area. Notley Mattocks, who signed near him, was a landowner on Rutledge Creek of the Buffalo (see Map 2), which branched from the lower Tye. The Joplings/Joblins owned land on many waterways: principally Pedlar and Rockfish. Isaac Tinsley

¹³⁷ Amherst Co., VA, Order Book, 1773–1782, p.177; imaged *Family Search* digital film 8151599 > image 397.

¹³⁸ Amherst Co., Court Order Book 1773–1782, pp. 261, 308; imaged, *Family Search* digital film 7856348 > images 15, 38.

¹³⁹ Jean Pickett Hall, “Legislative Petitions from Virginia Counties with Significant Record Losses: 1. Buckingham County,” *Magazine of Virginia Genealogy* 28 (May 1990): 87–114, specifically 91. For the fact of the Whitten-Witt union, see the will of Anne (Mills) Witt, Bedford Co., VA, Will Book 4: 276–77. Milly Witt in 1789 was living with William Whitten when she was charged for bearing a child out of wedlock and he was charged “for keeping Milly Witt.” Milly did not appear in court to answer the charges and was fined “acc[ordin]g to law.” The charges against Whitten were dismissed. See Bedford Co., VA, Order Book No. 9, 1786–1790, p. 259; Bedford Co. microfilm reel 41, Library of Virginia.

¹⁴⁰ Jean Pickett Hall, “Legislative Petitions from Virginia Counties with Significant Record Losses: 1. Buckingham County,” *Magazine of Virginia Genealogy* 28 (May 1990): 87–114, specifically 93. Jesse did not sign any petitions in this series that were exclusively from Buckingham.

and Richard Tankersley both were Tye River landowners.¹⁴¹

Richard Tankersley Jr. supposedly married Elizabeth Learwood, daughter of Jesse Mills's sister Elizabeth (Mills) Learwood Ripley.¹⁴²

25 DECEMBER 1779
AMHERST COUNTY, VA
Mention

“Abraham Warwick & wife Amy, AC, to Jno. Bibb, AC, for £1500, 382 acres on **N branch of Rucker's Run**. Warwick bought it from Jno. Depriest 1 Jun 1772. **Lines:** Harmer (Hamner?), Wm. Furbush, **Thos. Hawkins**, but formerly **Mills-Lomax old line**. Wit: Jesse Martin, Micajah Becknall.”¹⁴³

10 APRIL 1782
AMHERST COUNTY, VA
Personal tax list

COMMENT:

Tax rolls for the state of Virginia begin in this year and exist annually thereafter, with the exception of 1808. In searching these rolls for Jesse, I will be noting surrounding entries to get a sense of the community to which he belonged each year.

In this year, Amherst had only one tax district, for which some sections are semi-alphabetized while others are not. The unalphabetized sections may be listed according to the date the individuals turned their lists into the county court, rather than a systematic canvass being made of each neighborhood. A study of landholders surround Jesse Mills does not yield a lucid pattern.

The category headings on this tax list are

1. White males [the preface says “tithables above the age of twenty one”]
2. Negroes
3. Cattle
4. Horses &c [the preface says “horses, mares, colts & mules”]
5. Wheels for R[iding] carriages
6. Billiard tables
7. Ordinary licenses

Note that this tax list covers only personal property. The land tax rolls have not been digitized by Binns, and I have not yet had sufficient onsite time at the Library of Virginia to gather and analyze the tax data on microfilm.

¹⁴¹ These landholdings are easily tracked using Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979).

¹⁴² James Larwood, “Morphology of Larwood Genealogy” (MS 1933), 19 pp.; imaged as “Morphology of Larwood Genealogy ...,” *Ancestry* (<http://search.ancestry.com/cgi-bin/sse.dll?db=genealogy-glh47066928&h=6&ti=0&indiv=try&gss=pt> : accessed 23 May 2016), from a copy deposited in Sutro Branch of San Francisco Public Library, California State Library System. This skeletal compilation provides no evidence for any of its assertions.

¹⁴³ Bailey Fulton Davis, *The Deeds of Amherst County, VA (1762–1852) & Albemarle County, VA (1948–1807)* (Greenville, SC: Southern Historical Press, 1979), 189; citing DB E:220.

page 10, image 8

[skip 8]

Jamestown? Pattersons Est.

John Patterson

George Campbell junr. [Robert Mills, Jesse's proposed youngest son, married Sally Campbell in 1806]

George Campbell [1764 bought land on **head br** of **Rockfish** (DB A: 183); 1771 land on N side of **Piney** (DB C:134)]

Richard Tankersley 1 white male, 1 Negro, 5 cattle, 5 horses &c
[Richard Jr. supposedly m. Jesse Mills's neice Mary Learwood¹⁴⁴]
[bought land **N side of Tye opposite mouth of Piney** 1767 (DB B: 170); sold part to Richard Jr. (B: 388); this tract should be just north of the town of Arrington and a bit west of the town of Roseland, along the current Amherst-Nelson Co.]

James Thompson

John Hight

George Hight

James Thompson "(Son of John)"

Benjamin Wright

[skip 4]

William Davis [None of this cluster of Davises reported enslaved people. This is a different family from the Davies/Davis family that neighbored the Millses on Pedlar River]

Phillip Davis [Land adj. Hugh Rose, upper **Davis/Davy's Creek of Rockfish R**, now Nelson Co. DB D: 298]

Margaret Davis

Mary Davis

Willey Davis

Jane Davis

Moses Wright [land on **Harris Cr.** of James R. (DB D: 422); Harris is immediately W of **Stovall Cr.**, below. In 1789 he sold this land, with wit. being Benjamin White (DB F: 45). Benjamin in 1787 had married here in Amherst to Ann Goodwin, daughter of Micajah, then moved to Montgomery Co. where he and his father John make their first tax-roll appearance. In 1792, his father John married in Montgomery, one Frankey Mills, of unproved parentage.]

Thomas Parrock [adj. Rev. Rose 1779, 1787, apparently on waters of **Tye** near Roseland (D.B. E: 49; F: 223). Parrock's daughter in 1790 married John Lancaster Jr.¹⁴⁵ In 1795 either Lancaster Jr. or Sr. penned the consent for marriage of **Jesse Mills's daughter**, saying she had lived in his home for "some Time."]

Martin Bibb 1 white male, 1 Negro, 0 cattle, 1 horse &c
[wit. Jesse Mills's 1771 mortgage of Phoebe; owned various lands; one tract was 1 farm west of the short **Stovall Cr** of **James R** and another between Stovall and **Porridge Cr** of James R (DB C: 252; F:70, 456).]

Jesse Mills **1 white male, 2 Negroes, 3 cattle, 1 horse &c**

Phillip Going [no landholdings found for him in Amherst deed records]

¹⁴⁴ James Larwood, "Morphology of Larwood Genealogy" (MS 1933), 19 pp.; imaged as "Morphology of Larwood Genealogy ...," *Ancestry* (<http://search.ancestry.com/cgi-bin/sse.dll?db=genealogy-glh47066928&h=6&ti=0&indiv=try&gss=pt> : accessed 23 May 2016), from a copy deposited in Sutro Branch of San Francisco Public Library, California State Library System. This skeletal compilation provides no evidence for any of its assertions. The numerous associations between the Mills-Lavender clan and the two Richard Tankersleys do suggest the likelihood that this claimed marriage is correct.

¹⁴⁵ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 46.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

Phillip Ryan [unspecified land from his father John (DB H: 21), who owned land on **Tye R, Coffee Cr.** (aka **Rakon**) & S side of **Rockfish** on both sides of **Corbins Creek** (DB C: 127, E: 59, tracking back to B: 331); **father John Ryan** in 1779 gave ½ acre on **Tye R** to “**Society of Baptists**” (DB E: 115), ostensibly a church-cemetery site]

William Hambleton
Henry Harper [1772 bought land, waterway unstated, with Martin Bibb (above) and Geo. Campbell (above) as witnesses (DB C:454); 1784, wit. deed for land adjacent to **William Burton, John Penn, Philip Penn** (DB E: 1462; also wit. deeds on **Bolling, Buffalo, Cedar, Irish & Piney Cr**)

Ann Garland 0 white male, 5 Negroes, 16 cattle, 4 horses &c [no land or spouse yet identified]

James Call

Solomon Levy

Thomas Durham

James Murrah

John Barnett 1 white male, 4 Negroes, 13 cattle, 5 horses &c

Moses Martin 1 white male, 2 Negroes, 6 cattle, 4 horses &c

James Fitzjarrell

William Hooker

James Hambleton

Col^o John Rose 3 white males, 109 Negroes, 113 cattle, 23 horses &c

Edmund Wilcox 3 white males, 18 slaves, 92 cattle, 21 horses [county official with land on **Tye R**]

Duncan Cammeron

Duncan Cammeron Junr.

John Majore

James Moore

[*end of page*]

7 OCTOBER 1782
AMHERST COUNTY, VA

Court order

“Carter & Trent, Assignee of Robert Barnett Pltfs against **Jesse Mills** and Matthew Nightingale Defts. In Debt. Came the Plaintiffs by Thomas Miller their Attorney, whereupon John Merry Griffin personally appeared in Court and undertook for the said Defts. that in Case they were Cast in this Action, they shall pay the Costs and Condemnation of the Court, or Render their Bodys to prison in Execution for the same, or that the said John Merry Griffin will pay the Condemnation for them, Whereupon the said Defendants by George Marten? their Attorney, saving and Reserving to themselves all advantages as well as to the Writ Declaration & Bond, prays and has Leave to Imparle here till the Next Court, and then to plead.”¹⁴⁶

COMMENT:

This is the first association I’ve seen between Jesse and John Merry Griffin. However, Griffin and Charles Irving were (in 1782) administrators of Samuel Staples, Decd. (p. 51, this vol.)—Staples being an old neighbor of the Mills’s on Pedlar Creek, where John Staples in 1755 had served as witness to Jesse’s father’s will.

¹⁴⁶ Amherst Co., VA, Order Book, 1782–1784, p.25; imaged *Family Search* digital film 7856348 > image 187.

“**Jessee Mills** Pltf. against *Milley Ship* Deft. Trespass Assault & Battery. The Plaintiff altho thrice Solemnly Called failing to appear, On the Motion of the Defendant by James Reid her attorney this Suit is Dismis’d at the Plaintifs Costs.”¹⁴⁷

“The Commonwealth Pltf against *Milley Ship* Deft. Presentment of the Grand Jury for having a Bastard Child, The Defendant being duly Summoned & thrice Solemnly Called failing to appear, On the Motion of Thomas Miller Gent, Attorney for the Commonwealth, It’s Considered that the said Ship make her fine by the payment of Twenty shillings to the Church wardens of Amherst Parish for the use of the poor of said Parish, and that she pay the Costs of this presentment. [Marginal note] Costs 127# Tob. & 4%.”¹⁴⁸

“The Commonwealth Pltf against George Blaine Deft. Presentment of the Grand [Jury] for Living in Fornication with Milly Ship. The Defendant being Duly Summoned & thrice Solemnly Called failing to appear, On the Motion of Thomas Miller Gent. Attorney for the Commonwealth It’s Considered that the said Blaine make his fine by the payment of five hundred pounds of Tobacco and Costs to the Church wardens of Amherst Parish for the use of the poor of the said Parish, and that he pay the Costs of this presentment.” [Marginal note] costs 127 # Tob. & 4%.”¹⁴⁹

“The Commonwealth Pltf. against George Blaine Deft. Presentment of the Grand Jury for permitting Unlawfull Gaming in his House [his ordinary]. The Defendant being duly Summoned & thrice Solemnly Called failing to appear, On the Motion of Thomas Miller Gent. Attorney for the Commonwealth It’s Considered that the said Blaine make his fine by the payment of five pounds to the Churchwardens of Amherst Parish for the use of the Poor of said Parish & pay the [same] Costs of this presentment.”¹⁵⁰

COMMENT:

- George Blaine had previously been granted an ordinary license in Amherst.¹⁵¹ Whether it was still in effect at this time is a point I failed to note while reading these orders.
- In 1785, the suit of George Blaine against Jesse Mills (charge not stated) was dismissed by the court after juror William Walton (Jesse’s brother-in-law) failed to appear.

1783 (CERTIFIED 2 MAY 1784)

FRANKLIN COUNTY, VA

Personal tax list

COMMENT:

Only one district. Semi-alfabetized.

(page 2, image 3)

William Davis 1 white male 21+, 0 slaves16+, 0 slaves total, 0 cattle, 1 horse

[skip 24]

John Josling

John Josling Jun.

William Loving

¹⁴⁷ Amherst Co., Court Order Book 1782–1784, p. 42; imaged, *Family Search* digital film 7856348 > image 196.

¹⁴⁸ Amherst Co., Court Order Book 1782–1784, p. 43; imaged, *Family Search* digital film 7856348 > image 196.

¹⁴⁹ Amherst Co., Court Order Book 1782–1784, p. 44; imaged, *Family Search* digital film 7856348 > image 197.

¹⁵⁰ Amherst Co., Court Order Book 1782–1784, p. 44; imaged, *Family Search* digital film 7856348 > image 197.

¹⁵¹ Amherst Co., Court Order Book 1773–1782, p. 236; imaged, *Family Search* digital film 8151599 > image 429.

John Loving Junr.

William Lavender 1 white male 21+, 0 slaves 16+, 0 slaves total, 0 cattle, 1 horse, etc.

[skip 18 to end of page, amid letter "R"]

COMMENT:

Jesse Mills and **Charles Lavender**, brother of William and son of Milly (Mills) Lavender, are both missing from this roll of 1783.

The Loving community spawned Lovingson, the county seat of Nelson.

5 MARCH 1783

AMHERST COUNTY, VA

Court order

Jessee Mills served on jury in the case of Samuel Ferguson against John West.¹⁵²

George Blaine Pltf against **Jessee Mills** Deft. Trespass Assault & Battery. Came as well the Plaintiff by James Reid his Attorney as the Defendant in his proper person, and by Consent of the parties, this Suit is Dismiss'd at the Defendant's Costs. [Marginal note:] Costs 210# tobacco and 15 / F. Fa. 24 July 1783.¹⁵³

COMMENT:

The issuance of the "F. Fa." (fieri facias) in 1783 indicates that Jesse had not paid the costs of court and a writ was issued authorizing the sheriff to seize and sell enough of his property to cover the levy against him.

4 MAY 1784

AMHERST COUNTY, VA

Court order

"Carter & Trent Assee. of Robert Barnett Pltfs against **Jesse Mills** and Matthias Nightingale Defts. In Debt. Came the parties by their attorneys aforesaid and Came also a Jury ... [who] Considered that the Pltfs Recover against the said Defendants the Sum of Sixteen pounds the Debt in the Declaration mentioned and also their Costs by them in this behalf Expended, But this Judgment (the Costs Excepted) is to be Discharged by the payment of Eight pounds with five pr Cent pr Annum Interest thereon from the first Day of October One thousand Seven hundred and **Seventy two** till paid, and the said Defts. in Mercy &c."¹⁵⁴

5 JULY 1784

AMHERST COUNTY, VA

Witness

"Augustin Shepherd, Jno. Shepherd, & Debartus Shepherd to Jas. Calaway, AC [Amherst Co.], for £800, 554 acres. Property of David Shepherd and by his will devised to his three brothers above; ref. to AC will and deeds. Line of Carter Braxton. On 22 Mar 1775 for "300 or 4 acres". Also deeds of Ezek. Gilbert, 1

¹⁵² Amherst Co., Court Order Book 1782–1784, p. 102; imaged, *Family Search* digital film 7856348 > image 226.

¹⁵³ Amherst Co., Court Order Book 1782–1784, p. 102; imaged, *Family Search* digital film 7856348 > image 226.

¹⁵⁴ Amherst Co., VA, Order Book, 1782–1784, p.241; imaged *Family Search* digital film 7856348 > image 296.

Feb 1779, for 40 acres; 1780, for 50 acres. Tracts adjoining. Wit: Wm. Powell, **Jesse Mills.**¹⁵⁵

COMMENT:

Jesse Mills is landless at this time—raising obvious questions:

- Where did he live?
- How did he support himself and his family?

The fact that he appeared as witness for the sale of land by the Shepherd brothers to James Callaway suggests that he was in the employ of the Shepherds or Callaway. All were prominent figures in Amherst.

Most deed references to David Shepherd prior to 1775 show him acting as a witness to mortgages executed in favor of James & Robert Donalds & Co. of Glasgow. On one such instance, he was identified as factor for the company. On 23 Sept. 1779, Shepherd, Esqr. summoned “the Committee ... Concerning Escheats and Forfeitures from British Subjects” re a debt of Jno. Harmer. (E: 183)

His purchase deeds (and others that mentioned him as adjacent owner) are as follows:

- 22 Mar 1775, 304a S side **Tribulation Cr.** adj. Gabriel Penn, James Gatewood, Henry Gilbert, bridge, Parker’s road. (DB D: 260)
- 27 Apr 1776, James Gatewood sold land adj. Shepherd and **Buffalo River.** (DB D: 369)
- 6 Nov 1777, James Robertson sold land adj. Shepherd on N side **Buffalo.** (E: 7)
- 1 Feb 1779, Ezekiel Gilbert sold Shepherd 400a “N side and joining **Tribulation Cr.**” (E: 98)
- 1 Nov 1779, Ezekiel Gilbert sold Shepherd 160 acres on both sides of **Tribulation Creek.** “Orig. del. to Gabl. Penn July 1784.” (E:189)
- 16 Mar 1780, Jno. Wiatt Gilbert sold 50 acres to Shepherd, purchased from Ezekiel Gilbert, no N fork of **Tribulation Creek.** (E:259)

Regarding Jesse’s fellow witness: Powell was a natural for witness service, given that he was the adjacent landowner.

The likeliest possibility for Jesse’s employer would be the Shepherds. Given that David Shepherd was a factor for the Donalds firm and an escheator for the new commonwealth (D: 602), as well as a man without wife and children, it is unlikely that he managed his lands as a plantation and much more likely that he hired a farm manager.

Modern topo maps show Tribulation Creek as a branch of Buffalo, about two miles North of the present city of Amherst. The North Fork of Tribulation ends at approximately Berry Hill. The Gatewood deed of 1776 tells us that Shepherd’s land was on the easternmost part of Tribulation, very near Buffalo.

5 JULY 1784
AMHERST COUNTY, VA
Mortgage

¹⁵⁵ Bailey Fulton Davis, *The Deeds of Amherst County, VA (1762–1852) & Albemarle County, VA (1948–1807)* (Greenville, SC: Southern Historical Press, 1979), 213; citing DB E: 551.

“**Jesse Mills**, AC, to **Tilman Walton**, AC, for £21-10, Deed of Trust – 1 sh. – slave, stock, etc. Wit: Ro. Wright, Jno. Swanson, **Wm. Walton**.”¹⁵⁶

3 AUGUST 1784

AMHERST COUNTY, VA

Court order

“**Jesse Mills** Acknowledged his Deed of Trust to **Tilman Walton** to be his Act and Deed, and Ordered to be Recorded.”¹⁵⁷

1784 (CERTIFIED 5 AUGUST 1785)

AMHERST COUNTY, VA

Personal tax list

LIST A (page 2, image 3)

COMMENT:

Semi-alphabetical, same list with Cabells.

David Montgomery Jun.

John Montgomery

Jessee Mills **1 white male 21+, 1 slave 16+, 0 slaves under 16, 3 horses &c, 5 cattle**

Benjamin Martin

Joseph Mays

James Mays

John Mays

Samuel Meggenson

Jessee Martin

Notley Warren Maddox

COMMENT:

Jesse has lost one of his slaves since 1782. Because he is still landless, he would be living on land of others as either an overseer, renter, or share-cropper. The adjacent lands of his brother-in-law William Walton and son Tilman Walton would be a likely possibility.

1785

AMHERST COUNTY, VA

Personal tax list

COMMENT:

- **Jesse Mills** is missing.
- **William Lavender** is missing.
- Joshua Hudson, whose daughter married Jesse Mills Jr. in 1793, is in the same tax district as the William Burton family from which Elizabeth Mills appears to have married the “natural son” of William Burton Sr. in 1786.

¹⁵⁶ Bailey Fulton Davis, *The Deeds of Amherst County, VA (1762–1852) & Albemarle County, VA (1948–1807)* (Greenville, SC: Southern Historical Press, 1979), 212; citing DB E: 539.

¹⁵⁷ Amherst Co., VA, Order Book, 1782–1784, p.396; imaged *Family Search* digital film 7856348 > image 379.

MAY TERM 1785
AMHERST COUNTY, VA

Court order

“George Blaine against **Jesse Mills**, came the Plaintiff by his Attorney aforesaid, whereupon Came a Jury to wit **William Walton**, William Coffey, Jesse Woodruff?, John Mathews, Joseph Conner, Thomas Powell, Gideon Cones?, Samuel Meggenson, James Pamplin, Nicholas Pryor, _____ Horn and John Still, who being Sworn to Enquire of Damages in the Cause, whereupon the said Jury being Called and **William Walton one of the Jurors failing to appear** the said Jury is Discharged.”¹⁵⁸

COMMENT:

George Blaine was concurrently prosecuting a suit against Allen Lavender, son of Jesse’s sister Mildred (Mills) Lavender.

7 JUNE 1785
AMHERST COUNTY, VA

Court order

“The Action of Trespass brought by George Blaine against **Jesse Mills** is Continued till the Next Court.”¹⁵⁹

SEPTEMBER TERM 1785
AMHERST COUNTY, VA

Court order

“Helen? Halley Burton [Halliburton?] Executor of James Halley Burton Decd., Pltff, against **Jessee Mills** and **Tilman Walton**, Defts., in debt. Came the Pltf by James Reid Gent., her Attorney, whereupon Thomas Lee personally appeared and became Special Bail for the Defendant Walton, whereupon the Defendant Walton by Edmund Winston Gent., his Attorney prays and has Leave, till the Next Court to plead, and the Deft. **Mills** not being Arrested on the Motion of the Plaintiff by her Attorney referd an Attachment is awarded her against the said Deft. **Mills’s** Estate for the Sum of Forty three pounds and Costs Returnable to the Next Court.”¹⁶⁰

COMMENT:

Tilman was Jesse’s nephew, son of William Walton Sr. and Elizabeth Tilman. After Elizabeth’s death, her widower then married Jesse’s sister Mildred, the widow Lavender. Note that in 1787 and 1788, below, a young “William Mills” aged 16–21 is a tithable in Tilman Walton’s household; and in 1786 he made two trips to the community store to buy goods for Tilman and his father.

The use of the term “estate” above, in the passage “Deft. **Mills’s** Estate,” does not indicate his death. The estates of living people were seized for debt. If Mills had been deceased, that word would have appeared immediately after his name, before the word “estate.”

NOVEMBER TERM 1785
AMHERST COUNTY, VA

Court order

¹⁵⁸ Amherst Co., Court Order Book 1784–87, p. 148.

¹⁵⁹ Amherst Co., Court Order Book 1784–87, p. 231.

¹⁶⁰ Amherst Co., Court Order Book 1784–87, p. 291.

[Widow] Halley Burton vs. **Mills**. “Came the Plaintiff by her Attorney aforesaid, Whereupon the Sheriff having Returned on the Attachment award against the Deft. **Mills’s** Estate, whereupon the said Deft. **Mills** be Solemnly Called failing to appear, On the Motion of the Pltf by her Attorney aforesaid, Judgment is granted her against the s^d Deft. **Mills** for the Sum of Forty three pounds the Debt In the Declaration granted and Costs. But this Judgment (the Costs Excepted) is to be Discharged by the payment of Twenty ___ pounds Ten Shillings with Legal Interest thereupon the Seventh Day of June One Thousand Seven Hundred & Eighty Six? ___ paid, and the Attachd Effects is Released, and the Deft. **Walton** by _____ Winston Gent his Attorney saith Both hath paid the Debt in the Declaration mentioned, and of that he puts himself upon his Country and the Pltff doth the same therefore the Tryal of the Issue between them is Referred till the next Court.”¹⁶¹

COMMENT:

In “put[ting] himself upon his Country,” Tilman Walton was asking for a jury trial.

8 DECEMBER 1785
AMHERST COUNTY, VA

Store charge

“Allen Lavender P[er] **Jno. Mills** Dr [Debtor]. to Sundries

To 2 oz. thread 2/1 To 1 yd Linen 2/4 = 4/4”¹⁶²

COMMENT:

This cryptic entry follows the pattern used by the store’s clerk for all other entries. It tells us that Jno. Mills went to the store and picked up thread and a yard of linen on behalf of Allen Lavender who was charged with the purchase.

Allen was the brother of Jesse’s late brother-in-law William Lavender; Allen’s wife was Agatha Witt, daughter of Jesse’s sister Anne.¹⁶³

Note, below, that in 1787 and 1788, Jesse and Lucy’s nephew Tilmon Walton also had a young Mills male living in his household and charged to him as a tithable. Like Jesse’s daughter Susannah who was sent to live with the John Lancaster family as per her 1795 marriage record, and like Mary Mills who in 1795 witnessed a neighbor’s will in company with Tilmon Walton—it is highly probable that John and William Mills were “farmed out” to kinfolk due to the poverty of their parents.

7 MARCH TERM 1786
AMHERST COUNTY, VA

Legal suit

“George Blaine against **Jesse Mills**. In Case. “Came the Plaintiff by James Reid, Gent. his Attorney,

¹⁶¹ Amherst Co., Court Order Book 1784–87, p. 335.

¹⁶² Amherst County Business Records, Thompson and Teas Company Journal for Ledger C, 1785–1788, p. 99; Amherst Co. microfilm 132; Library of Virginia, Richmond.

¹⁶³ For the assembly of evidence that proves Allen’s placement in the Lavender family (correcting the prevalent claim that he was a son of Mildred (Mills) Lavender, see my previously cited “Mills & Associates: Amherst County, Virginia: Court Orders,” report to file, 28 October 2019 (updated 25 April 2022), pp. 4–5, 42.

whereupon Came a Jury to witt: William Meredith, foreman, William Ware, William Oglesbey, Thomas Locas, John Christian, George Hylton, James Mathew, Caleb Higginbotham, Stephen Watts, Thomas West, **Tilman Walton** and Jonathan Willson who being Sworn well and truly to Enquire of Damages between the parties, upon their Oath do say that the Pltf hath? [ink blob] damages by Reason of the Nonperformance of the promise? [ink blob] of the said Deft in the Declaration mentioned [ink blob] fifteen Shillings and Six pence half penny, Therefore? [ink blob] Considered that the Plaintiff Recover against the said Defendant and **William Walton** his Common Bail the aforesaid Sum of Nine pounds fifteen Shillings and Six pence half penny Damages aforesaid by the Jurors aforesd. Assessed and also his costs by him in this behalf Expended." Marginal notation: "Costs 440, Tob^o £15/. F. Fa. 15 Mar 1786"¹⁶⁴

COMMENT:

At this point within the microfilmed order book, the damage appears to be an ink blob. As one reads further into the book, the growing extent of damage suggests that the register was more likely worm-eaten.

APRIL-JUNE 1786 [CERTIFIED 8 JUNE 1787]

AMHERST COUNTY, VA

Personal tax list

COMMENT:

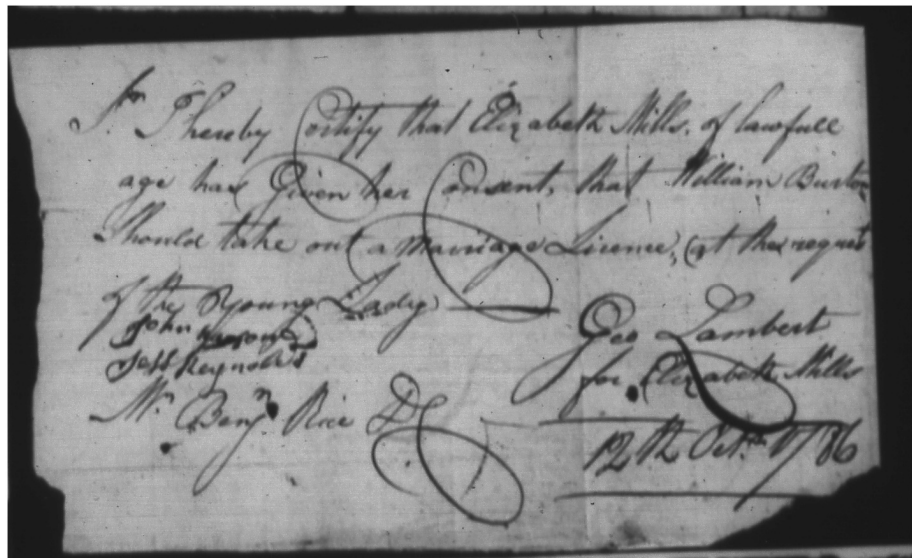
Jesse is again missing. William Burton, "natural son of William," has not yet gone onto the rolls.

12 AUGUST 1786

BEDFORD COUNTY, VA

Marriage consent

"S^r I hereby Certify that **Elizabeth Mills**, of lawfull age has Given her Consent that **William Burton** Should take out a Marriage License, (at the request of the Young Lady. [Signed] **Geo. Lambert for Elizabeth Mills** 12th Oct^{br} 1786. [Witnesses:] John Moran, Jess Reynolds. [To] Mr. Benjⁿ Rice, DC."¹⁶⁵



COMMENT:

Lambert, a Revolutionary War captain, was the son of the wealthy Charles Lambert of Bedford's Reid Creek, who also owned land in Amherst. George himself appears occasionally in Amherst

¹⁶⁴ Amherst Co., Court Order Book 1784–87, p. 457–58.

¹⁶⁵ Bedford Co., VA, Marriage Bonds, 1755A–1787B, for "B" section, date of 12 October, 1786, William Burton; imaged, Bedford Co. microfilm 176, Library of Virginia, Richmond.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

records, witnessing deeds for landowners along both the Pedlar River (where Jesse Mills grew up) and the Tye River (where Jesse and his sister Mildred Mills Lavender settled adjacent tracts). In both locales, he associated with neighbors and in-laws of Jesse and Mildred.¹⁶⁶

The Reid Creek location of the Lamberts place them many miles north of the neighborhood of Jesse's sister Anne (Mills) Witt, who owned a ford across Otter River in East-Central Bedford. See Map 4. Given that prior to the 1795 marriage of Jesse and Lucy's proved daughter Susannah to James Brown, consent and attestation of age was given by a planter on Tye River who said that Susannah ("daughter of Jesse") had lived in his household for some years, it is likely that Lambert, a Bedford resident, was acting in that same capacity.

12 OCTOBER 1786
BEDFORD COUNTY, VA
Marriage bond

"Know all Men by these presents that we **William Burton & Jesse Reynolds** ----- of Bedford County are held & firmly bound unto Patrick Henry, Esquire, Governor or the Magistrates of the St^{te} of Virginia in the sum of Fifty Pounds Current Money for the Paiment well & truly to be made to the said Patrick Henry or to his Successors, we bind ourselves and each of us, our & each of our joint & Several Heirs Exors, Admrs firmly by these Presents, Sealed with our Seals & dated this 12th day of Oct' 1786.

"The Condition of the above Obligation is such that whereas there is a Marriage shortly intended to be had & Solemnized between the above bound **William Burton** and **Elizabeth Mills**, now if there shall be no lawful Cause to obstruct the said Marriage then the above Obligation to be Void, otherwise to remain in full force & Virtue.

Sealed & delivered in the presence of: William Burton {LS} and Jesse Reynolds {s}.¹⁶⁷

¹⁶⁶ For example, see Amherst Co. Deed Book C: 499, Geo. Lambert as witness to Bell-McCaul deed for land on Pedlar River and Buck Branch, **adjoining Nathaniel Davis** [Davis's land adj. Jesse Mills's parental farm]; a fellow witness was Jno. Stratton, whose daughter Sarah would marry William Lavender, son of Jesse's sister Milly (Mills) Lavender. Also see Amherst Co. Deed Book D: 1, Geo. Lambert as witness to mortgage from Jno. Thompson to Jos. Cabell and Jas. Higginbotham, all of Amherst, for land on Tye River **adjoining James Brown**, 17 Oct. 1772; note that Jesse Mills's daughter Susannah in 1795 would marry a younger James Brown from this Tye River family. For Nicholas Davis as adjacent neighbor to Jesse's father, see Albemarle Co., VA, Surveyors' Plat Book 1: 277; imaged as Albemarle Co. microfilm 144, Library of Virginia, Richmond. For the Brown-Mills marriage, see this set of research notes, under 1795.

¹⁶⁷ Bedford Co., VA, Marriage Bonds, 1755A–1787B, for "B" section, date of 12 October 1786, William Burton; imaged, Bedford Co. microfilm 176, Library of Virginia, Richmond.

Know all men by these presents that We William Burtov
& Jesse Reynolds _____ of Bedford County are
Sole & jointly bound unto Patrick Henry Esquire
Governor of the Colony of the State of Virginia
in the presence of the following witnesses
Dismant well & truly to be made to the said
Henry or to his Successors we bind ourselves and each
of us, our Vexch of our joint & several heirs Executors
& Admin. firmly by these presents, Sealed with our Seals
& dated this 12th day of Octbr 1786.

The Condition of the above Obligation is such that whereas
there is a Marriage shortly intended to be had & solemnized
between the above bound William Burtov _____ and
Elizabeth Mills _____ now if there shall be no lawful
cause to obstruct the said Marriage then the above Obliga-
tion to be void else to remain in full force & Virtue.

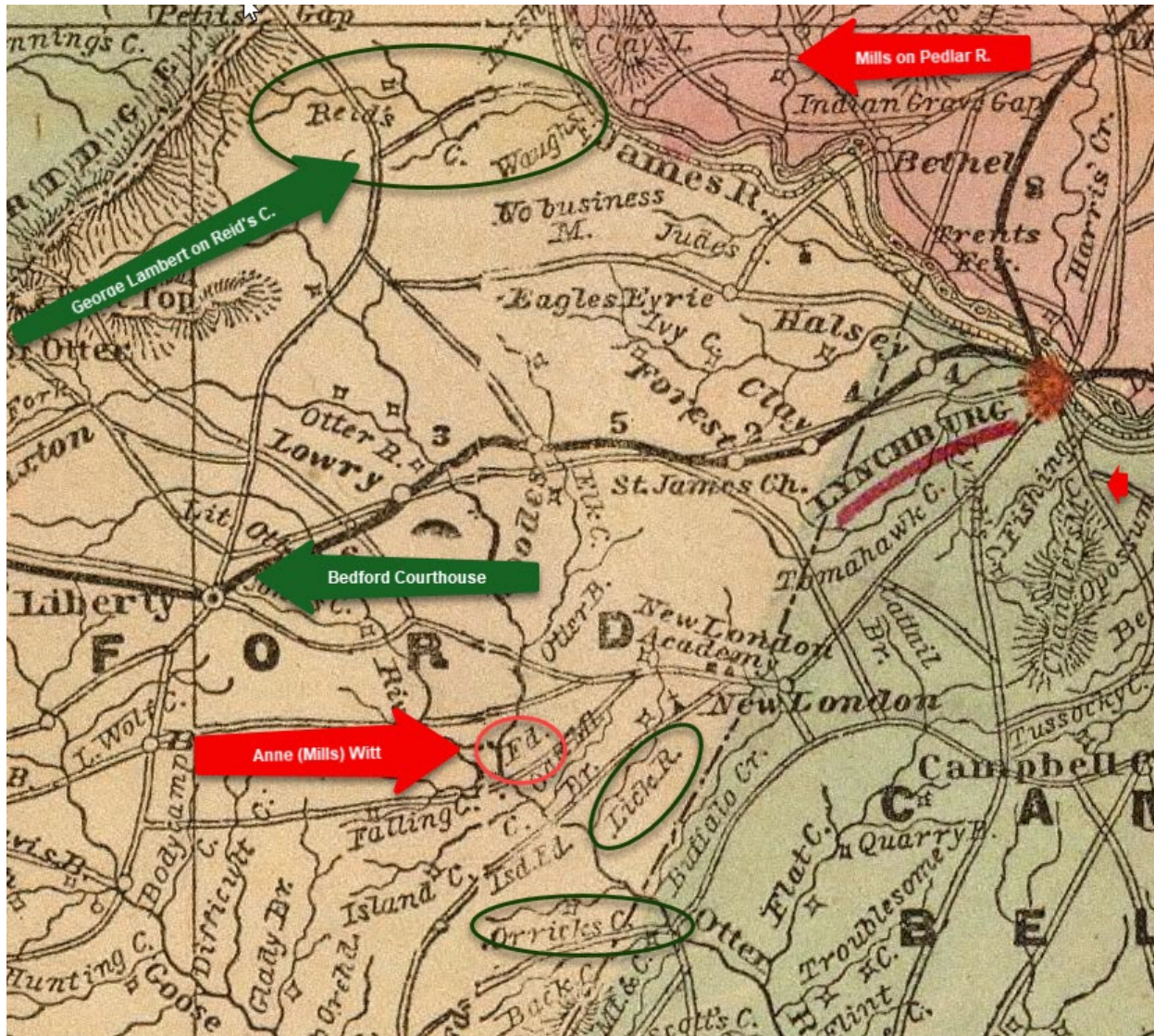
Sealed & delivered }
in the presence of }
William Burtov [Signature Box]
Jesse Reynolds [Signature Box]

Map 4

Otter River Ford: Location of Anne (Mills) Witt

Reid's Creek: Location of Charles Lambert & son George who penned Elizabeth Mills's marriage consent

Pedlar River: Site of Land Jesse Mills inherited from father William¹⁶⁸



COMMENT:

Map 4 shows key locations for the Burton-Mills marriage:

¹⁶⁸ Snipped from J. T. Lloyd, *Lloyd's Official Map of the State of Virginia* (New York: J. T. Lloyd, 1862); imaged online at *David Rumsey Map Collection* (<https://www.davidrumsey.com>). The site of the ford was likely different in 1862 when the map was created; but Anne's residence in that area is established by the previously cited road order naming prominent community landholders whose lands can be identified from Bedford deeds.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

- Lambert’s locale, Reid’s Cr., enters the James 5–6 miles west of the Mills land on Pedlar River.
- Anne (Mills) Witt’s ford was on Otter River in the road district of east-central Bedford that took in John Thompson of Lick Creek and Richard Dearen of Orrick’s Creek. Lick and Orrick are marked on Map 4.
- If Elizabeth Mills resided with her aunt Anne, southeast of the courthouse, it would not be logical for her to journey a dozen or so miles north of the courthouse to find someone to write a permission for her. Logically, if she lived with her aunt, that aunt would have called in a neighbor or her neighborhood j.p., or had one of her sons write it.
- It is more logical that Anne was living with and working for George Lambert’s family—either in Amherst or Bedford—hence his writing the consent “at the Young Lady’s request,” just as John Lancaster did several years later for Jesse’s daughter Susanne who lived in his household.
- Coming out of Amherst to marry in Bedford, William Burton, Elizabeth Mills, and their surety Jesse Reynolds (who also witnessed the consent form at Lambert’s home) would have crossed the James River at Waugh’s Ford on Reid’s Creek, obtained the consent form at Lambert’s (if they did not already bring it from Amherst), and then proceeded on to the courthouse at Liberty to post the bond and obtain the license.
- The reason for the apparent elopement remains unknown.

MAY TERM 1787

AMHERST COUNTY, VA

Court order

“**Thomas Tilman** against **Elizabeth Upshaw Exorx of Drury Christian** Dec’d. In Chancery. On the motion of the Defendant and on Affidavit a Commission is awarded her to Take the Deposition of **William Walton Debencessee?** on Giving the Plaintiff Legal notice of the time and place appointed for Takeing the Same.”¹⁶⁹

COMMENT:

This Tilman vs. Upshaw/Christian case was a precursor of the Tilman vs. Christian chancery suit launched in 1810. See notes under that date below.

MAY 1787

AMHERST COUNTY, VA

Court order

“**Thomas Tilman** against Charles Christian. In Debt. Came the Plaintiff by John Breckenridge Gent his Attorney Whereupon Jeremiah Taylor personally appeared and Became Special Bail for the Defendant.”¹⁷⁰

MAY 1787

AMHERST COUNTY, VA

Personal tax list

¹⁶⁹Amherst Co., Court Order Book 1787–90, pp. 6.

¹⁷⁰Amherst Co., Court Order Book 1787–90, pp. 6.

List A: Amherst Parish [included what became Nelson County]

COMMENT:

Semi-alpha by last name; includes Cabells, Fortunes, Henry Harper, Keziah Hansbourough, Joplings, Keys.

FamilySearchWiki, “Amherst Parish, Amherst County, Virginia, Genealogy,” reports:

- Amherst Parish was cut 1778 from St. Mark’s Episcopal Church at Clifford (formed 1747); on Lloyd’s 1862 map of Virginiam the site appears to be in the Buffalo Springs area, a bit WNW of New Glasgow.
- Amherst Parish served both Amherst and Nelson Counties.
- The colonial vestry book has been lost.

(image 9)

7 April

Lavender, Milley 0 white male 21+, 0 wm 16-21, 2 blacks 16+, 2 blacks -16, 2 horses &c, 2 cattle

(image 14)

27 March

Witt, David & 1 white male 21+, 1 wm 16-21, 0 black 16+, 0 blacks -16, 4 horses &c, 11 cattle
Demmit Abney

Walton, William & 2 white male 21+, 0 wm 16-21, 3 black 16+, 0 blacks -16, 3 horses &c, 10 cattle
William Downing

Walton, Tillman & 1 white male 21+, 3 wm 16-21, 1 black 16+, 0 blacks -16, 2 horse &c, 0 cattle
Will^m Mills & Sam^l Guttridge & William Wash

Witt, George 1 white male 21+, 0 wm 16-21, 0 black 16+, 1 blacks -16, 1 horse &c, 5 cattle

COMMENT:

- Tilman and William Walton both appear in concurrent court orders as “masters” of various white servants whose time they had bought. Not being free, those servants, male and female, would not be (and were not) listed as tithes in the Walton household. The young men who *were* listed as tithes—Mills, Guttridge, and Wash—were free workers living with the Waltons, who had left the Tye and settled on Rucker’s Run 5–10 miles N to NE of Jesse Mills’s land.
- This William Mills beyond reasonable doubt was a son of Jesse, living here with his first-cousin Tilman. There is no other Mills family in the county. William, as one of the tithable males aged 16–21, would have been born between 1766 and 1771.
- “**Guttridge**” is a local variant of **Goodrich**. The court order books show a variety of interactions between the Waltons and the Guttridge/Goodrich family. Two years later, on Christmas Day 1789, William Walton would pen a consent for his daughter Elizabeth to marry “Samuel Eliot Goodrich” (Guttredge), with permission of his father James; surety was Landon Carter (not the burges of that name, who was already deceased).¹⁷¹

¹⁷¹ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763-1800* (Baltimore: Genealogical Publishing Co., 1980), 33. In 1785 the Amherst Co. grand jury charged **Mary Carter, wife of Solomon Carter**, for living in adultery

- A 1788 road order places this **John Goodrich, John Byas** (brother of **Obediah** who moved to Montgomery Co., and **Jeremiah Whitten** (whose son William set up housekeeping in this decade with Jesse Mills' niece Milly Witt), as neighbors on the stretch of "Thomas's Road that leads to Davis's ferry at Thomas Waugh's."¹⁷² (See Map 4 for Waugh's Ford on James River.) Jeremiah Whitten was also the father-in-law of Obediah Bias' brother, James Bias Jr.¹⁷³
- Jesse Mills does not appear anywhere on this roll.
- I have read the county court orders through mid-1787 and have not yet found a notation that Jesse Mills has asked to be dropped from the tax roll because of infirmities or age.

List B: Lexington Parish

[Semi-alpha by last name; includes Callaways, Davises, James Goldsby Jr., Gillespies, William Hix Sr & Jr, Hudsons, and Tuleys. Also Ralph, Abraham, John, and Eleazer Lemaster.]

TO DO:

University of Virginia has this parish's vestry book, 1779–1880, WorldCat record id: 32672103.

(image 3)

7 April

William Burton 1 white male 21+, 0 wm 16-21, 3 blacks 16+, 4 blacks -16, 1 horse &c, 7 cattle

9 July

William Burton 1 white male 21+, 0 wm 16-21, 1 black 16+, 2 blacks -16, 2 horses &c, 4? cattle
“(son nat) W Burton”

(image 5)

31 March

Philip Burton 1 white male 21+, 0 wm 16-21, 7 black 16+, 10 blacks -16, 5 horses &c, 17 cattle

COMMENT:

The William Burton who owned 7 slaves was a brother of Philip Burton; they and brother Jesse were heirs to the estate of William Sr., administered by William's widow Rebecca (née Cobbs).¹⁷⁴

The William Burton identified as natural son of William Burton would not have been an heir to the estate unless the father specifically left him something in his will. His ownership of one adult

with **John Guttridge**. In 1786 and 1788 the presentment was repeated, each time worded as "John *Goodrich* & Mary Carter the wife of Solomon Carter." Amherst Co., Court Order Book 1784-87, pp. 480, 572; Order Book 1787–90, 290. Solomon wrote his will in February 1784 (proved 2 October 1786) leaving 1 shilling to wife Mary Ann "as she has left me and co-habitates with another man." He named his children as Milla Davis, Peter Carter, Elisha Carter (to get one year of school) and Salla Carter, Pattey Carter, and Nancy Carter ("to be educated"); executors were to be his brother Peter Carter and son Abraham Carter. A bond of Edward Carter and **Landon Carter** are mentioned. See Amherst Will Book 3: 23, 61. The Landon of 1789 is likely the Landon Carter who witnessed the 1779 will of Job Carter that named Solomon as his son; Will Book 2: 88. In 1785, Landon Carter and Mary Carter witnessed the will of Mrs. Martha Hudson (*note*: Jesse Mills Jr. married Rachel Hudson, daughter of Joshua Hudson, in 1793); by that will Landon was to receive 178 acres "where he lives and his son James Carter, when twenty-one." This Hudson inventory was made by *James Goodrich*, Abraham Carter (son of Mary and Solomon), William Ware, and Henry Brown. See Will Book 2:179–80, 199; 3:145–46. I have not yet worked out most relationships within the prolific Carter family, but need to do so; the Amherst records I've examined to date include numerous ties between Jesse Mills's clan and these Carters.

¹⁷² Amherst Co., Court Order Book 1787-90, 276-77.

¹⁷³ Amherst Co., Deed Book K, 1803–1807, 399, imaged Amherst Co. microfilm reel 5, Library of Virginia.

¹⁷⁴ As a starting point for the tangled affairs of the Burton family, see the affidavit and release that Rebecca made to her son Jesse Burton on 3 January 1783, so that the will of his father (her husband) William Burton could be probated amid a chancery suit over the estate of her father John Cobbs; Amherst Deed Book I: 497.

slave and two children implies that the father did leave him that bequest or else gave him funds or property prior to death.

TO DO:

The William Burton estate records need to be fully worked, including the intertwined records of the chancery suit over the estate of John Cobbs, father of the widow Burton.

1788 (“ENTERED 28 JULY 1788”)

AMHERST COUNTY, VA

Personal tax list

List A

COMMENT:

Semi-alpha by last name; includes Cabells, Thomas Fortune & “son Zachariah,” Richard Fortune, Sarah Fortune, Phillip Going, Goolsbys, Hansboroughs, and Joplings. Richard Fortune married Mary Lavender, daughter of Jesse’s sister Milly (Mills) Lavender in 1786. Jesse Fortune married Mary’s sister Betsy Lavender in 1793.¹⁷⁵

(image 10)

8 April

Lavender, Allen 1 white tithable, 0 slaves 16+, 0 slaves 12-16, 8 horses
[Young John Mills in 1785–86 charged goods to Allen]

[skip 8]

2 June

Lavender, Milley & 1 white tithable, 2 slaves 16+, 0 slaves 12-16, 2 horses
“son Winston”

(image 16)

1 April

Walton, William 1 white tithable, 3 slaves 16+, 0 slaves 12-16, 4 horses
Woody, Henry

Walton, Tilmon &

William Mils [*sic*] &

William M^d Brooks &

Samuel Guttridge 4 white tithables, 2 slaves 16+, 0 slaves 12-16, 2 horses

COMMENT:

- Jesse Mills is again missing.
- William Burton (the legal son) has sold his inherited land and moved to Bedford County, where he died in 1811 leaving a widow Frances and numerous heirs.
- William Burton (the natural son) is, like Jesse Mills, missing.

COMMENT:

¹⁷⁵ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 30, 52.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

Between 1785 and 1788, parts of at least two Amherst families—both associates of Jesse’s clan in Amherst—moved to the Walker’s Creek area of Montgomery County. Possibly, one of those two, either the Napiers or the Biases, took with them Jesse’s daughter Sarah. I have combed the court orders of both Amherst and Montgomery—where young unwed mothers were being charged with bastardy—and found no such charge for Sarah. Ditto for Franklin County where young William Mills (of the Witt Y) first emerged as a young tithable in 1806.

1789

AMHERST COUNTY, VA

Personal tax list

List A

COMMENT:

Semi-alpha by last name; includes Cabells, Fortunes, Phillip Going (who had been listed consecutively with Jesse Mills in 1782), and Joplings.

(image 10)

6 July

Lavender, Milley	1 white tithable, 2 slaves 16+, 0 slaves 12-16, 2 horses
Lavender, William & Richard Stratton	2 white tithables [var. Stratton &c, inlaw of William Lavender who married Sarah Stratton]

(image 17)

30 March

Walton, Tilman & Saml. Guttridge & Wm. M. Brooks & Thos. Guthridge	4 white tithable, 3 slaves 16+, 0 slaves 12-16, 2 horses [In Dec. of this year, he would marry Tilman’s sister, as previously noted]
---	---

(image 18)

6 April

Walton, William & “son William”	2 white tithable, 3 slaves 16+, 0 slaves 12-16, 2 horses
--	--

COMMENT:

- Jesse Mills and William Burton (the natural son) are again missing.
- The young William Mills is no longer in the household of Tilmon Walton—or elsewhere in the county. I have not found him in any of twenty or so surrounding counties whose records I have studied to date.

1791

AMHERST COUNTY, VA

Personal tax list

COMMENT:

Semi-alpha by last name. Jesse Mills is still missing.
His daughter Sarah emerged this year in Montgomery Co., where she married Elijah Sartain.

7 APRIL 1791
MONTGOMERY COUNTY, VA

Marriage bond

“Know all men by these presents that we **Elijah Certain** and **Joel Certain** are held and firmly bound unto the Governor of Virginia for the time being and his Successors [for] the Just Sum of £50 current money of Virginia to the which payment well and truly to be made we bind ourselves our Heirs &c Jointly &c by these presents Sealed with our Seals and Dated this 7th day of April 1791. The Condition of this obligation is Such that whereas the above-bound Elijah hath this day obtained License for his marriage with **Sarah Mills**, now if there should be no Just cause to obstruct s^d Marriage then this obligation to be Void else to remain in full force force [sic]. [Signed] Elijah (L his mark) Sertain; and Joel (J his mark) Sertain. Teste: Wm. Trigg”¹⁷⁶

Know all men by these presents that we Elijah Certain and Joel Certain are held and firmly bound unto the Governor of Virginia for the time being and his Successors the Just Sum of £50 current Money of Virginia to the which payment well and truly to be made we bind ourselves our Heirs &c Jointly &c by these presents Sealed with our seals and Dated this 7th day of April 1791 The Condition of this obligation is such that whereas the above bound Elijah hath this day obtained License for his marriage with Sarah Mills now if there should be no Just cause to obstruct s^d marriage then this obligation to be Void else to remain in full force force

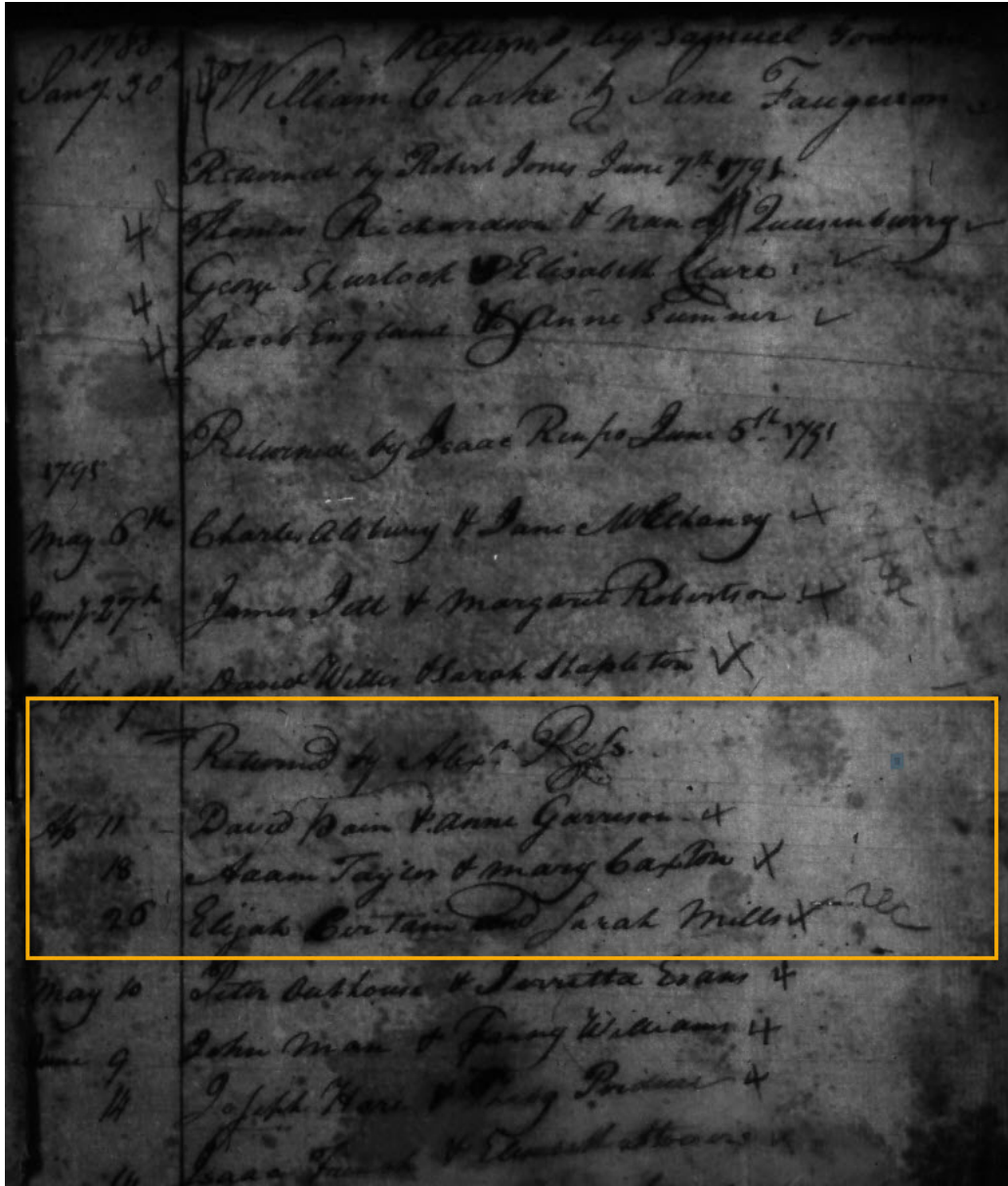
Teste
Wm. Trigg

Elijah } Sertain
Joel } Sertain
mark

¹⁷⁶ Montgomery Co., VA, Marriage Bonds, 1789–1796, unnumbered documents in chronological order; Montgomery Co. microfilm reel 38, Library of Virginia, Richmond.

26 APRIL 1791
MONTGOMERY COUNTY, VA
Marriage return

“Returned by Al^r Ross ... Ap. 26 Elijah Certain and Sarah Mills.¹⁷⁷”



¹⁷⁷ [Untitled small register, unpaginated, chronological order; Montgomery Co., microfilm 52 Item 2 labeled “Marriage Records, 1785–1803.”]

1792

AMHERST COUNTY, VA

Personal tax list

List A

[semi-alphabetical by last name]

COMMENT:

- **Jesse Mills and William Burton (the natural son) are still missing**
- Milley Lavender and sons William, Allen, and George all appear.
- Tilman Walton still has a Guttridge in his household (Thomas this year, rather than Samuel) and two new young men, but no William Mills.

MARCH-APRIL 1793

AMHERST COUNTY, VA

Personal tax list

List A

COMMENT:

List is semi-alphabetical by last name.

- Jesse Mills Sr. and William Burton (natural son) are still missing.
- Milley (Mills) Lavender is dropped; she is now married to William Walton and her slaves are charged to him.
- Allen, William, George, and Charles are taxed, along with Charles' son Allen
- Tilmon Walton is taxed for no young men.
- Jesse Mills Jr., newly wed, has emerged as a taxable on List B, Lexington Parish.
- The court orders of 1788–93 indicate that both Tilman and William Walton were being sued for debts they did not have the funds to pay the debts or hire an attorney to defend them.

List B: Lexington Parish

(image 6)

15 April; adjacent entries

Massie, John 1 white tithable, 1 slaves 16+, 0 slaves 12-16, 1 horse

Mills, Jesse [Jr.] 1 white tithable, 1 slaves 16+, 0 slaves 12-16, 1 horse

21 MAY 1793

AMHERST COUNTY, VA

Marriage consent

“Sir. You will be pleased to Issue licence for **Jesse Mills** to Marry my daughter **Rachael**, given under my hand and [seal] the 21st of May 1793. [Signed] Joshua Hudson. Teste: Reubin Hudson, Rush Hudson.”¹⁷⁸

¹⁷⁸ Amherst Co. Marriage Bonds and Consents, 1793–1796, chronological sequence; imaged on Amherst Co. microfilm 108, Library of Virginia, Richmond.

Know
you will be pleased to find because
Jesse Mills to me my daughter Rachael
given under my hand and seal this
21st of May 1793
Reuben Hudson Joshua Hudson
Rufus Hudson

21 MAY 1793
AMHERST COUNTY, VA
Marriage bond
“Know all men by these presents that we **Jesse Mills & Reuben Hudson** are held and firmly bound unto Henry Lee Esquire Governor of the Commonwealth of Virginia in the sum of Fifty Pounds Current Money of [Virginia] to be paid to the Said Lee, Esquire, Governor aforesaid or to his Successors for the use of the Said Commonwealth, which payment will and truly to be Made, we bind ourselves Jointly and Severally our Joint and Several Heirs firmly by these presents. Sealed with our Seals and Dated this 21st day of May 1793—

Know all men by these presents that we Jesse Mills & Reuben Hudson
are held and firmly bound unto Henry Lee Esquire Governor of the
Commonwealth of Virginia in the sum of Fifty Pounds Current
Money of) to be paid to the Said Lee Esquire Governor as aforesaid
or to his Successors for the use of the Said Commonwealth which
payment will and truly to be Made we bind ourselves Jointly
and Severally our Joint and Several Heirs firmly by these
presents sealed with our Seals and Dated this 21st day
May 1793 — The Condition of the above Ob-
-ligation is such that whereas there is a Marriage Contract
to be solemnized between the above bound Jesse Mills Bachelor
(Bachelor) and Rachael Hudson Spinster each of Amherst
County and Clerk of Amherst County If Therefore there be no lawful
Cause to obstruct the said Marriage then the above Obligation
be Void or else to remain in full force and Virtue
Test
Casson Hastings
Jesse Mills
Reuben Hudson

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

The Condition of the above Obligation is Such that whereas there is a Marriage Shortly Intended to be Solemnized between the [a]bove bound **Jesse Mills** (Bachelor) and **Rachael Hudson spinster**, each of Amhurst County and Parish of Lexington. If Therefore there be no Lawful Cause to obstruct the Said marriage then the above Obligation to be Void or else to Remain in full force and Virtue. [Signed] Jesse Mills [his mark]; Reubin Hudson {seal}. Test: Owen Haskins [county clerk].¹⁷⁹

21 MAY 1793
AMHERST COUNTY, VA

Marriage

“**Mills, Jesse**, bachelor, and Rachel Hudson, Spinster. ... Reuben Hudson, surety. Consent of her father, Joshua Hudson. Certificate of marriage by the Rev. Mr. Crawford. (M.R.)”¹⁸⁰

COMMENT:

Note that the marriage bond identifies Jesse as a bachelor. He is clearly *Jesse Jr.*, not the father who had been married since 1765 and would still be married to his wife Lucy Tilman in 1810.

Rachel would bear Jesse one child: Rachel Hudson Mills, who is named in the will of her grandfather Joshua Hudson, by which she received her mother’s share of the parental estate.¹⁸¹

In October 1802, “Jesse Mills, of Green County, Kentucky” was party to a suit in Albemarle Co. by administrators of Joshua Hudson, with Anderson Moss (administrator of the Hudson estate) as Jesse’s bondsman.¹⁸²

15 JULY 1793
AMHERST COUNTY, VA

Marriage

Jesse **Fortune** and Betsy **Lavender**. Parents: Thomas and Elizabeth Fortune. **Milley Walton** “mother of Betsy.” Bondsman: **Jesse Mills**. Witnesses Jas. Callaway, Joel Ponton, Tado. Fortune.¹⁸³

COMMENT:

This bondsman would be Jesse Mills Jr. *If* Jesse Sr. were still in the county, his lack of property, absence from tax rolls, and history of debt would make it extremely unlikely that he would be allowed to serve as a financial surety for anyone.

1794
AMHERST COUNTY, VA
Personal tax list

¹⁷⁹ Amherst Co. Marriage Bonds and Consents, 1793–1796, chronological sequence; imaged on Amherst Co. microfilm 108, Library of Virginia, Richmond.

¹⁸⁰ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 52.

¹⁸¹ Bailey Fulton Davis, *The Wills of Amherst County, Virginia, 1761–1865* (1985; reprint, Greenville, SC: Southern Historical Press, 1998), 184; citing Amherst Deed Book 4: 6.

¹⁸² Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 389; citing Amherst Deed Book I: 497.

¹⁸³ Amherst Co. Marriage Book 1: 85; imaged Amherst co. reel 37, Library of Virginia. This marriage register is a modern compilation, apparently made from the bonds and consents that were being moved at that time to the State Archives.

List A

(image 12)

COMMENT:

List is semi-alpha by last name; landmarks include Green Mountain, Hat Creek, Rockfish Gap & Tye River]—i.e., the part of Amherst Parish that became Nelson Co.

- George Lavender, Charles Lavender “and Son Allen” still appear
- Tilman Walton still appears; William Walton and new wife Milly (Mills) Lavender moved to North Carolina about this time.

List B: Lexington Parish

(Image 6)

10 April

Massie, John 1 white tithables, 0 slaves 16+, 0 slaves 12-16, 1 horses

COMMENT:

In the prior year, Massie was listed consecutively with Jesse Jr., who is no longer in this position.

19 May

Mills, Jesse 2 white tithables, 0 slaves 16+, 0 slaves 12-16, 1 horses

COMMENT:

The two tithables in this Jesse Mills household suggests that either (a) Jesse Sr. is living with Jesse Jr. this year and has been added back to the tax rolls; *or* (b) Robert Mills who married in Amherst in 1806 has arrived at tithable age, at least sixteen. The latter is more likely, given Jesse Sr.’s age and continued lack of community involvement.

As context: Virginia’s state tax law in the 1790s did not require men of taxable age to actually pay the tithe (“head tax”) on themselves, although they paid tithes for their enslaved people of certain ages. However, each county’s tax assessor was authorized to tax tithable white males if they chose. Many simply listed the males without charging them. Some included males who were tithable under pre-1782 law (16 or older), while some limited their roles to males 21 or older. The headers to the tax rolls do not always state what the tithes represent, thereby creating considerable problems in (a) estimating ages from the time young men came onto the tax rolls and (b) determining residence from appearance or nonappearance as a tithable.¹⁸⁴

30 MAY 1795

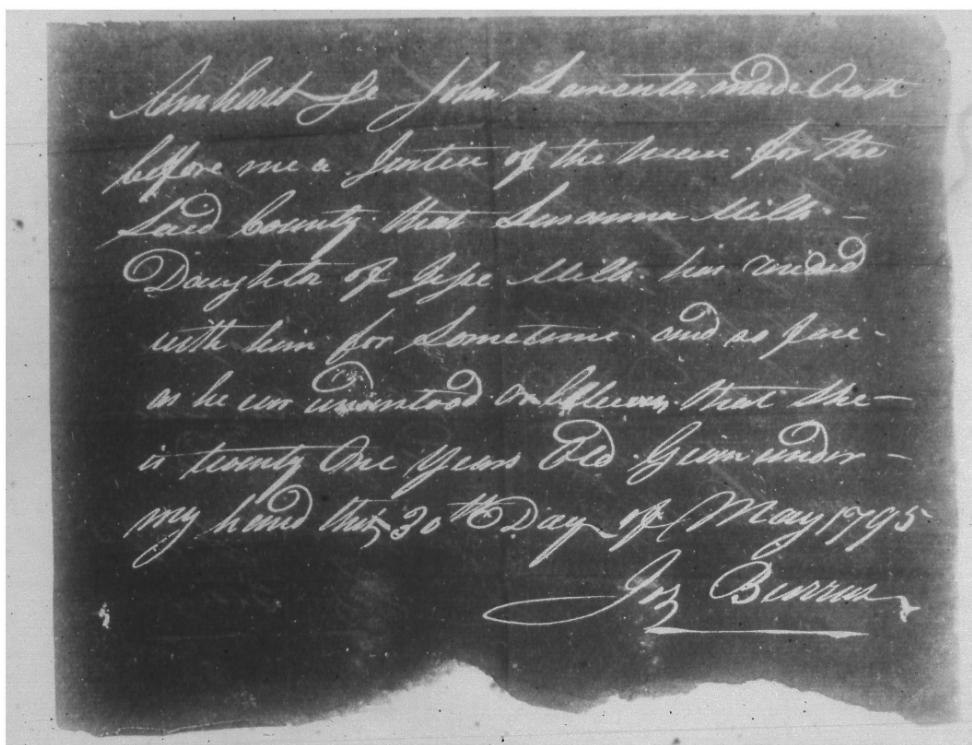
AMHERST COUNTY, VA

Marriage consent

“Amherst. **John Lancaster** made Oath before me a Justice of the Peace for the Said County that **Susanna Mills**, Daughter of **Jesse Mills**, has resided with him for Some time and as far as he ever understood or

¹⁸⁴ Robert W. Baird, “Tithables: Everything You Wanted to Know,” *Bob’s Genealogy Filing Cabinet* (<http://www.genfiles.com/articles/tithables/> : accessed 13 June 2016). Also Conley L. Edwards, *A Political History of the Poll Tax in Virginia, 1900–1950* (M.A. Thesis, University of Virginia, August 1973), 1; archived at University of Richmond, “UR Scholarship Repository (<https://scholarship.richmond.edu/masters-theses/452/> : 2 May 2014).

believe that she is twenty One years Old. Given under my hand this 30th Day of May 2795. Jos. Burrus.”¹⁸⁵



Amherst Co. John A. ...
before me a Justice of the Peace for the
Said County that Susanna Mills -
Daughter of Jesse Mills has cohabited
with him for sometime and as far
as he can ascertain or believe that she
is twenty One years Old Given under
my hand this 30th Day of May 1795
Jos Burrus

COMMENT:

This James Brown is not James M. Brown of Amherst, as asserted in numerous online trees. On 20 December 1793, James M, as a “bachelor,” married Rhody Powell, spinster, daughter of Wiatt Powell, with Samuel White as surety.¹⁸⁶

The court order books of Amherst c1770–90 place several James Browns in the county. The Thompson & Teas account book of 1783–86, which includes the Lavenders, Waltons, and the Millses (Jesse, William, and John), explicitly places one of the James Browns on Tye River. This was an older man who opened an account with his grown son John as his surety. A final list of “cash bonds” owed to the store in 1786 couples “Samuel Denny & Jas Brown” and notes that the debt was paid.¹⁸⁷ Denny was a Mills-Lavender-Learwood in-law..

¹⁸⁵ Amherst County Marriage Bonds & Consents, 1793–1796, James Brown-Susannah Mills, 30 May 1795; imaged Amherst Co. microfilm 108, Library of Virginia, Richmond. For a published abstract (no transcript), see William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 12.

¹⁸⁶ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 20.

¹⁸⁷ “Amherst County Business Records, Thompson and Teas Company Journal for Ledger C, 1785–1788, pp. 99 and 296; Amherst Co. microfilm 132, Library of Virginia, Richmond. **The Dennys are alleged to be inlaws of the Millses.** Jesse’s niece Elizabeth Learwood supposedly married Samuel’s son Charles of Albemarle > Amherst. See Joey67, “Denney Family,” *Missouri Family Trees* (<http://missourifamilytrees>)

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

Davis's published deed and will abstracts of Amherst offer several deeds that place John Lancaster in the *Rockfish* area in which the Joplins lived. In 1790, John Lancaster Jr. married Lucy Parrock, spinster, with consent of her father Thomas Parrock.¹⁸⁸ The 1782 personal tax roll, which is not alphabetized, places Thomas Parrock two entries from Susannah's father Jesse.

20 JULY 1795
AMHERST COUNTY, VA

Witness

Jno. Norman Kidd's will witnessed by Tilman Walton, **Mary Mills**, Obedience Kidd.¹⁸⁹

COMMENT:

Regarding candidates for this Mary Mills:

- Mary Mills, allegedly Walton, widow of William Mills, died by July 1776.
- The wife of Jesse Mills, son of Mary and William, was *Lucy*.
- William Mills, son of Mary and William—i.e., brother of Jesse—moved to N.C. before 1750; his wife has been traditionally identified as Rebecca Walton.
- Ambrose Mills, son of Mary and William, died N.C. in 1780 leaving a widow Ann (née Brown)
- Thomas Mills, son of Mary and William, died 1755 leaving two children, wife unidentified but likely *Eleanor* of 1769 who co-witnessed a neighborhood deed with William Walton.¹⁹⁰

This leaves us with no otherwise identified candidate for the Mary Mills of 1795. Almost certainly, this Mary belongs in the family under study, given her presence with Tilman Walton, nephew of Jesse and Lucy Tilman, and the lack of any other way for her to fit into this family. This Mary should be considered further as another likely daughter of Jesse and Lucy (Tilman) Mills.

Someone in this era clearly provided a home for Jesse and Lucy Mills. Lucy's sister Elizabeth Walton, her husband William, and their son Tilman were the most financially able of the kin. In the 1780s, apparently, Elizabeth (Tilman) Walton died. Her widower in 1793 married Jesse's sister, the widowed Milly (Mills) Lavender. In June 1793, Milly and William sold the last of his land on Rucker's Run; in July she and her son William Lavender sold the Amherst land they had jointly inherited from her first husband,¹⁹¹ and neither Milly nor William appear thereafter on the tax rolls of Amherst. William had settled the debts that plagued him in the 1780s and, even though his status in the community seemed little affected by those debts (the court order books show William repeatedly serving, more than anyone else, as foreman of the grand jury), he and

[.blogspot.com/2010/03/denney-family.html](http://blogspot.com/2010/03/denney-family.html) : accessed 23 May 2016). Ann Larwood Denny is said to be the mother of Benjamin Denney (b. c1780 in VA; d. January 1842 in Pulaski, MO; and Charles Denney Jr. who died 1841 in Pulaski. Charles Denney's parents are said here to be Samuel Denney and Sarah Suddarth, whose parents were William Suddarth and **Parlow Mills**. No sources are cited.

¹⁸⁸ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 46.

¹⁸⁹ Bailey Fulton Davis, *The Wills of Amherst County, Virginia, 1761–1865* (1985; reprint, Greenville, SC: Southern Historical Press, 1998), 205, citing Book 3: 338.

¹⁹⁰ Bailey Fulton Davis, *The Deeds of Amherst County, Virginia, 1761–1807; and Albemarle County, Virginia, 1748–1763* (Greenville, SC: Southern Historical Press, 1979), 115; citing Amherst Deed Book B: 431.

¹⁹¹ Amherst Co., Deed Book G: 233, 254.

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

Milly left Amherst for Burke County, North Carolina. There the aging William died in 1806.¹⁹² By 1810, his son Tilman Walton and Tilman's family had also migrated to Burke.¹⁹³

Milly (Mills) Lavender Walton did not remain in Burke after her husband's death. By 1808 she was living in Maury Co., TN, where she appeared at the estate sale of **John McDonald**, being the only other woman there aside from McDonald's widow **Elizabeth**,¹⁹⁴ a situation that suggests Milly was close family. In 1810, her son George Lavender penned a legislative petition from Nelson County, VA, stating that his mother "in Tennessee" was holding a slave from his father's estate—one he wanted to bring back into Virginia but could not under Virginia's existing laws.¹⁹⁵ Milly has not been found on the 1820 census, but a probate was opened for her in Maury County, TN, in 1822.¹⁹⁶ It seems doubtful that her brother Jesse and sister-in-law Lucy moved with her to Tennessee, given that they were 1810 participants in the chancery suit filed in Virginia by Lucy's brother.

1795 "FOR 1796"

AMHERST COUNTY, VA

Personal tax list

List B: Lexington Parish

(Image 6)

11 April

Mills, Jesse [Jr.]	2 white tithables, 0 slaves 16+, 0 slaves 12-16, 1 horse
McCloud, Angus	1 white tithable, 0 slaves 16+, 0 slaves 12-16, 4 horses

24 April

Massie, John	2 white tithable, 0 slaves 16+, 0 slaves 12-16, 3 horses
---------------------	--

1796

AMHERST COUNTY, VA

Personal tax list

COMMENT:

Jesse Mills Sr. and Jr. and John Massie are all missing from the 1796 roll. About 5 April 1799, Jesse Jr. married the widow Anne Phillips in Louisa County.¹⁹⁷

¹⁹² *Find A Grave* (<http://www.findagrave.com> : accessed 22 May 2016), "William Walton Sr.," memorial page 7323283, created 2 April 2003 by "Armantia."

¹⁹³ 1810 U.S. census, Burke Co., NC, p. 45, line 1.

¹⁹⁴ Jan Grant, transcriber, "Maury County, Tennessee, Wills and Settlements Book A Vol. 1, 1807–1824," compiled by Jill K. Garrett and Marise P. Lightfoot, March 1964; citing p. A: 4; HTML file, *Tennessee Genealogy Trails* (<http://genealogytrails.com/tenn/maury/willssettlements.html> : accessed 24 May 2016).

¹⁹⁵ Library of Virginia, "Legislative Petitions Digital Collection," database with images, *Virginia Memory* (www.virginiamemory.com/collections/petitions : downloaded 22 May 2016), George Lavender petition 13 December 1810; citing Legislative Petitions of the General Assembly, 1776–1856, accession number 36121, box 177, folder 10.

¹⁹⁶ Byron and Barbara Sistler, *Index to Tennessee Wills & Administrations, 1779–1861* (Nashville: Byron Sistler & Associates, 1990), 377.

¹⁹⁷ "Virginia, Select Marriages, 1785–1791," database, *Ancestry* (<https://www.ancestry.com> : accessed 1 March 2018), citing FHL microfilm 32190 and [Register of Marriages, Louisa County, Virginia, 1766–1861], p. 89. The database gives an exact date, but does not indicate whether that was the date of the bond or the marriage return.

1797

AMHERST COUNTY, VA

Personal tax list

COMMENT:

Jesse Mills Sr. and Jr. and John Massie are all missing from the 1797 roll.

1798

AMHERST COUNTY, VA

Personal tax list

COMMENT:

Jesse Mills Sr. and Jr. are missing from the 1798 roll. John Massie appears.

1799 [CERTIFIED 29 NOVEMBER 1799]

AMHERST COUNTY, VA

Personal tax list

COMMENT:

Jesse Mills Sr. and Jr. are missing from the 1799 roll.

1800 [CERTIFIED 5 DECEMBER 1800]

AMHERST COUNTY, VA

Personal tax list

COMMENT:

Jesse Mills Sr. and Jr. are missing from the 1800 roll. As seen below, Jesse Jr. is now added to the tax roll of Louisa County.

1800

LOUISA COUNTY, VA

Personal Tax List

(image 11)

Maddison, John

McDaniel, James

Minor, C. Thomas

Meade, Thornton, E____t

May, Saml.

Martin, Wm.

McGehee Wm S.

Stovers Fr.

Mallory, Wm. / son

Mitchell, Charles

Mills, Jesse / over^r 2 white tithables, 2 slaves 16+, 6 slaves 12-16, 7 horses, 1 stud horse, \$11. tax

McGehee, John Junr. 2 sons

Mathews, John

Meriwether, Thomas / over^{sr}

[skip 16 to below]

Jesse Mills Sr. (c1743–aft1810)
Spouse Lucy Tilman

COMMENT:

Note the identification of Jesse Jr. as an overseer. His uncle Ambrose Mills had followed that occupation when he came of age in the 1740s.¹⁹⁸

In 1799, Jesse Jr. married a widow with slaves and property. There is no data to inform us whether the second tithable in his household is his father, brother, or a member of his new wife's family.

Note, below, that Louisa County was also the home of another family of Millses. This Nicholas and William were descendants of the immigrant Nicholas Mills who settled New Kent County in the 1680s, from which his offspring spread into Hanover, Louisa, Orange, Albemarle, Caroline, Halifax, Pittsylvania, and Henry.¹⁹⁹

(image 12)

Mills, Nicholas, Estate	0 white tithable, 0 slaves 16+, 2 slaves 12-16, 1 horses, \$1.00 tax
McGehee, Edward	
McGehee, John Senr.	
Maury, Benjn.	
McCallister, Wm / son	
Mathews, Elizabeth	
Meade, Wm.	
Mantaloe, Richd.	
Moss, Benjn./ overs ^r	
Mills, W^m / son	2 white tithable, 1 slaves 16+, 9 slaves 12-16, 8 horses, \$5.36 tax

1801–1803

AMHERST COUNTY, VA

Personal Tax Lists

COMMENT:

I have not taken notes for these last three years of available personal-tax rolls for Amherst. I did skim for Mills. None were found. In 1799, Jesse Jr. remarried in Louisa County, in 1802 he moved his new family to Greene County, KY, where he remained through 1811.

Jesse Sr. appears to have lived until at least 1810–11 when the legal suit over slaves was launched by his in-laws, with him as a principal party. By 1817, he had died or left Virginia, according to a declaration filed by their attorney in the suit.

1801–1804

LOUISA COUNTY, VA

Legal suit

¹⁹⁸ Landon C. Bell, *Sunlight on the Southside: List of Tithes, Lunenburg County, Virginia; 1748–1783* (Baltimore: Genealogical Publishing Co., 1974), 144–47, particularly p. 145 (1750); also 202–8 (1752), for Ambrose Mills as overseer for the absentee landowner John Payne of Goochland; no source cited.

¹⁹⁹ Mrs. P. W. Hiden, "Nicholas Mills of Hanover County," *Tyler's Quarterly Historical and Genealogical Magazine* 14 (1933): 237–42; 15 (1933): 38–64; reprinted as *Genealogies of Virginia Families; From Tyler's Quarterly Historical and Genealogical Magazine*, Gary Parks, ed. 4 vols. (Baltimore: Genealogical Pub. Co., 1981), 2: 657–701.

Anne Mills and **Jesse Mills** [Jr.] vs. George Phillips &c. Witnesses in this suit over a title to land, whose purchase Anne negotiated as Widow Phillips, stated that (1) Anne & Jesse, shortly after their marriage, announced an intent to move to Green Co., KY; and (2) Jesse was a “difficult” and volatile man who threatened to kill one of the Phillips brothers if he set foot on the land. They also reference a suit pending in Hanover Co.²⁰⁰

COMMENT:

By October 1802, Jesse Jr. and wife Anne had removed to Green County, Kentucky. Their activities in Green are currently under study. Some notes from there have been added to Jesse Jr.'s biographical sketch at the beginning of this paper. When the Green County research is complete, that research report will also be posted at *Historic Pathways*.

10 NOVEMBER 1806
AMHERST COUNTY, VA
Marriage bond

“Know all men by these presents that we **Ro: Mills** and **Francis Campbell** are held and firmly bound unto William H. Cabbell esq: the Governor of Virginia and to his successors in office for the use of the said Commonwealth in the sum of one hundred and fifty dollars current money to which payment well and truly to be made, we bind ourselves & each of us jointly and severally firmly by these presents Sealed with our Seals and dated this 10th day of November 1806. The Condition of the above obligation is such that whereas there is a marriage intended shortly to be had and solemnized between the above bound **Robt. Mills** and **Sally Campbell (spinster)**. Now if there should be on legal cause to obstruct the said marriage, then the above obligation is to be void or else to remain in full force & virtue. [Signed] Robert Mills {his seal}; Francis his + mark Campbell; Teste: S.

The image shows a handwritten document on aged paper, likely a marriage bond. The text is written in cursive and matches the typed transcription on the left. At the bottom, there are two signatures: 'Robert Mills' and 'Francis Campbell'. There is also a small mark or seal next to the name 'Francis Campbell'.

²⁰⁰ Louisa County, VA, Chancery Causes, case 1804-017, Anne Mills and Jesse Mills vs. George Phillips &c., 1800–1804; imaged in "Chancery Record Index [with images]," Library of Virginia, *Virginia Memory* (https://www.lva.virginia.gov/chancery/case_detail.asp?CFN=109-1804-017 : downloaded 16 May 2019), 53 images.

1810–1817

AMHERST COUNTY, VA

Legal suit

Daniel Tilman et al vs. Elizabeth Christian at al.²⁰¹

[images 2–4]

1810 [undated]

Bill of complaint

“To the honorable John Brown, Judge of the Superior Court of Chancery for the Staunton District.

“Your Orators & Oratresses, **Daniel Tilman**, eldest Son & Heir at law of **Lucy Tilman**, Wife of **Thomas Tilman** (the elder), her Husband, and ~~Lucy his wife~~ who was formerly **Lucy Hix**, Daughter of Daniel Hix, decd., **Thomas Tilman** (the Younger), **Rich^d Marr** [Moon?], and Winifred his wife, formerly **Winifred Tilman**, **Jesse Mills** & Lucy his Wife, formerly **Lucy Tilman**, and the Heirs & legal Representatives of **William Walton** & Elizabeth his wife, formerly **Elizabeth Tilman**, which said Thomas, Winifred, Lucy, and Elizabeth are also Children & Heirs of the said Lucy, by the said Thomas Tilman her husband and ~~Lucy his wife~~ lawfully begotten.

“Your Orators, and Oratresses represent that their Grand Father (on the side of the Mother) the said **Daniel Hix**, by his last will & Testament in writing, duly published, and Recorded in the County Court of **Goochland** (a Copy of which is hereto annexed, and to be taken as part of this bill) did devise, to their said Mother and the Heirs of her Body lawfully begotten, One Negro Girl called *Ami* (or Amy) and her issue if she ever had any—which devise, was to take effect, whenever the Wife of their said Grandfather (**Joan Hix**) should die, or get married.

“Your Orators and Oratresses expressly state that by virtue of said Divise, and after the death of their said Grand Mother (which happened [illegible word] the year 1762 or 63) the said Thomas Tilman (the elder) and his said wife Lucy, became legally possessed of the said Negro Girl *Amy* and her issue (p. 2) one of whom was a female named *Phebe*, which said female slave Phebe, the said Thomas Tilman (the elder) loaned to the said **Jesse Mills**, who had intermarried with his Daughter Lucy.

“Your Orators, and Oratresses, furthermore state that whilst the said Negro Girl Phebe was in the possession of said **Jesse Mills** the Sheriff of [blank] County (wherein the said Mills resided) levied an Execution on her which said Execution emanating from a Judgment recovered against said **Mills** by the Court of said County by [blank space] and the sale of said Girl being advertised by said Sheriff, the said Thomas Tilman (the elder) gave legal Notice that he should forbid the sale of said Girl, stating the title by which she was held, and that the said **Mills** had not been in the possession of said ~~Mills~~ five year but? so

²⁰¹ The 29 images transcribed from this point through the next several pages are from Augusta County, VA, Chancery Causes, file 1817-084, Daniel Tilman [et al] vs. Elizabeth Christian, widow, etc., for Complaint of Tilman's Heirs, filed 29 July 1811; "Chancery Record Index [with images]," Library of Virginia, *Virginia Memory* (https://www.lva.virginia.gov/chancery/case_detail.asp?CFN=015-1817-084 : downloaded 16 May 2018). This case was heard in the Staunton District court seated in Augusta County, but most documents were created in Amherst.

In the transcriptions that follow, interlining and parentheses are shown exactly as they appear in the original. All clarifications that I have added amid text are placed in square editorial brackets []. Italics and boldface are my own conventions for emphasizing names of parties involved in the suits and the people they enslaved. **To better understand the case, I am rearranging the images in chronological sequence but identifying each by the image number under which they were filmed by the Library of Virginia.**

it termed out may it please your Honor, although the sale was actually forbid as aforesaid, one [blank space] Gent, the Plt (or in some way interested in said Judgment) came forward, and indemnified the said Sheriff, in proceeding to the sale of said Girl, which he did, and one **Drury Christian** (now dec^d) became the purchaser, and so the matter rested until after the death of said Lucy in 1762 or 63 and the dath of said Thomas in 180 [no last digit].

“Your Orators, and Oratresses, furthermore state that the said Negro Girl Phebe, after said Sale, and while in the possession of said Drury Christian, had eight Children, Six Males, namely *Austin, Bob, Ratler, Caleb, Clary, Burton & Ralph*, and two Females, *Maria & Clary*, which said Slaves (either by gift on the part of said Drury Christian or by his last will, or by descent) have been disposed of in the following manner, viz, *Phebe (the Mother), Austin, Bob*, and *Maria*, to **John Christian** (now also decd) and at this time in the possession of **Elizabeth Christian, his Widow**, and Administratrix, and Guardian to their children & Heirs of said John, all of whom, namely [blank space] are Infants of tender years. *Rabter [Ratler], Caleb, and Clary* to **Pleasant Dawson**, who intermarried with [blank space] Christian, Daughter to Drury—*Burton & Ralph* to **Henry Moorman**, who intermarried with [blank space] Christian, another Daughter to said Drury.

“Your Orators, and Oratresses, furthermore state that the Female Slave *Clary* aforesaid has had several Children (to the number of five, or more) whose names to your Orators & Oratreses are unknown and that they are at this time, or have been held in possession by the said Pleasant Dawson. They are also advised and believe that the Female Slave *Maria*, her Children, and that they are at this time, or have been held in possession by the said Elizabeth Christian Widow to aforesaid.

“Your Orators, and Oratresses, furthermore state that *Amy*, had a son called *Bobb* after she came into the possession of said Thomas Tilman (the elder) and Lucy, his wife, and that he (the said Negro Man *Bobb*) is now in possession, and claimed by a certain **Elisha Perkins**.

“Your Orators, and Oratresses, are advised, that by virtue of said Devise, and being the Heirs of said Lucy Tilman (formerly Lucy Hix) lawfully begotten they are entitled to all the slaves abovementioned and such as have descended from them, on the part of the Females, but owing to the dispersed situation of said Slaves, a Want of knowledge as to their names and the persons by whom they are held (and their inability to Sue until after their Father’s death) has unavoidably prevented your Orators, and Oratresses, from setting up their just right, until this late period. In tender consideration whereof, your Orators, and Oratresses, pray that the said Elizabeth Christian, widow &c, as aforesaid, Pleasant Dawson and [blank] his Wife, Henry Moorman, and [blank] his wife, and the said Elisha Perkins, may be made parties Dfts, to answer this bill and to the end that your Honor may be enabled to make such devise in the premises as shall be just, and equitable. Let the said Dft (Elizabeth) in a special manner, upon her Corporal Oath set forth, & State, the number of Children, which have been born of the Female Slave *Maria*, abovementioned, their names and probable Ages & Sexes as nearly as She is advised—Let the said Dft Pleasant, upon his Corporal Oath, in a special manner, set forth & State the number of Children, which have been born of the Female Slave *Clary*, aforesaid, with a particular description of their names, Ages & Sexes, as nearly as he is advised. Let the Dft. Elisha, upon his Corporal Oath, in a special manner set forth & state by what Title he holds the Negro *Bobb*, aforesaid, and whether he is not the Son of *Amy*, herein before described, so far as he is advised.

“Your Orators, and Oratresses also pray that such assessment of the hire, and profits of said Slaves may be taken, as to your Honor may seem reasonable. And finally Your Orators & Oratresses, pray that your

Honor, will grant unto them all such other & further aid, and relief herein, as the same may be consistent, with the principals of equity & good conscience, and they will ever pray &c &c. [Signed] Hudson M. Garland Att^o for the Complainants.”

[image 5]

Backside of bill of complaint:

“Tilmans Heirs vs. Dawson & c } Bill. Filed the 29 July 1817

[image 23]

10 March 1810

Summons

[Printed form]

“The Commonwealth of Virginia, to the Sheriff of *Amherst County* Greeting: You are hereby commanded to Summon *Elizabeth Christian admx of John Christian decd and [blank] Infant children & heirs of said John Christian Dec^d Pleasant Dawson & [blank] his wife, Henry Moorman & [blank] his wife, and Elisha Perkins*

To appear before the Judge of the Chancery District Court, holden at Staunton on the *first day of the next term*, to answer a bill in Chancery exhibited against *them by Daniel Tilman, Thomas Tilman, Richard Moon & Winifred his wife, Jesse Mills & Lucy his wife, and the Heirs & Legal Representatives of William Walton & Elizabeth his wife, decd.*

And this *they* shall in no wise omit under the penalty of 100£ *each* And have then there this writ. Witness Henry James Peyton, Clerk of our said Court at Staunton, the *10th day of March 1810* and in the *34th* year of the Commonwealth. *Henry J. Peyton.*”

[image 24]

Backside: “Tilman &c vs. Christian &c Admx PQ? } Sp^a

“Executed on Pleasant Dawson, Nicholus Harrison DS for Thomas Moon [Moore?] Shff”

[image 19]

20 May 1810

Summons

[Printed form]

“The Commonwealth of Virginia, to the Sheriff of [Blank] County Greeting: You are hereby commanded to Summon *Elizabeth Christian admx of John Christian decd and infant children & heirs of said John Christian Pleasant Dawson & [blank] his wife, Henry Moorman & [blank] his wife, and Elisha Perkins* to appear before the Judge of the Chancery District Court, holden at Staunton on the *first day of the next term*, to answer a bill in Chancery exhibited against *them by Daniel Tilman, Thomas Tilman, Richard Moon & Winifred his wife, Jesse Mills & Lucy his wife, and the heirs & Legal Representatives of William Walton & Elizabeth his wife, decd.* And this *they* shall in no wise omit under the penalty of 100£ *each* And have then there this writ. Witness Henry James Peyton, Clerk of our said Court at Staunton, the *20th day of May 1810* and in the *34th* year of the Commonwealth. *Henry J. Peyton.*

[image 20]

Backside of subpoena:

“Tilman & H^{on} G [Hudson Garland; notation as to the identify of their attorney] vs Christian &c This subpoena is not to be served on P. Dawson. H. J. Peyton CC. in pe^d?”

[image 27]

16 November 1811

Proceedings

“Virginia. At a Superior Court of Chancery held in Staunton the 16th day of November 1811. Between Daniel Tilman &c Plaintiffs and

John Christian’s heirs &c. Defendants

The Defendant Pleasant Dawson who has been served with a subpoena three months not having answered the Plaintiffs bill, which has been filed more than three months, The Court on the motion of the Plaintiffs by their Counsel doth take their bill for confessed as to that Defendant and will proceed at a future day to decree the matter thereof unless said Defendant on or before the tenth day of the Term next after he shall have been served with a copy of this order shew cause to the contrary. A Copy Teste Henry J. Peyton CCC.”

[image 28]

Backside of summons: “Tilman &c (H.G. vs. Christian &c } Copy Dnist? August 11th 1812 Executed John Garland DS for Nelson Crawford Shff.”

“Amherst County Court. John Garland D Shff for Nelson Crawford Shff. personally appeared before me David S Garland a Justice of the Peace for the afores^d County and make Oath that on the 11th of August last he served the within intelocetary Decree on the within named Pleasant Dawson. Given under my Hand this 28th day of Octo. 1812. “

[image 21]

31 December 1811

Summons

[Printed form]

“The Commonwealth of Virginia, to the Sheriff of [Blank] County Greeting: You are hereby commanded to Summon *Elizabeth Christian admx of John Christian deceased and [blank] infant children & heirs of said John Christian Pleasant Dawson & [blank] his wife, Henry Moorman & [blank] his wife, and Elisha Pekins [sic] to appear before the Judge of the Chancery District Court, holden at Staunton on the first day of the next term, to answer a bill in Chancery exhibited against them by Daniel Tilman, Thomas Tilman, Richard Moon & Winifred his wife, Jesse Mills & Lucy his wife, and the heirs & legal representatives of William Watson [sic] & Elizabeth his wife, decd. And this they shall in no wise omit under the penalty of 100£ each And have then there this writ. Witness Henry James Peyton, Clerk of our said Court at Staunton, the 31st day of December 1811 and in the 36th year of the Commonwealth. Henry J. Peyton.”*

[image 22]

Backside of subpoena:

“Tilman &c (HG) vs Christian &c This subpoena is not to be served on Deft Dawson, he having been served with a pd? Henry J. Peyton CC. in pe^d?”

[image 25]

8 May 1812

Summons

[Printed form]

“The Commonwealth of Virginia, to the Sheriff of [Blank] County Greeting: You are hereby commanded to Summon *Elizabeth Christian admx of John Christian, Drury Christian, Sally Christian & Mary Ann Christian, infant children & heirs of said John Christian dec^d Pleasant Dawson & [blank] his wife, Henry Moaman & his wife, and Elisha Pekins [sic]*

To appear at the Clerks Office of our Superior Court of Chancery, holden at Staunton on the first Monday in Oct^r next, to answer a bill in Chancery exhibited against them by *Daniel Tilman, Thomas Tilman, Richard Moon and Winifred his wife, Jesse Mills, & Lucy his wife and the heirs & representatives of William Watson [sic] & Elizabeth his wife.*

And this *they* shall in no wise omit under the penalty of 100£ each And have then there this writ. Witness Henry James Peyton, Clerk of our said Court at Staunton, the 8th day of May 1812 and in the thirty 6th year of the Commonwealth. *Henry J. Peyton.*

[image 26]

Backside of summons

“Tilman &c R.G. \ B vs. Christian &c In spa. This spa. is not to be executed on the deft Dawson, he having already been served with one. H. J. Peyton.

“August 14th 1812 Executed on Elizabeth Christian admx of John Christian, Drury Christian, Salley Christian & Mary Ann Christian. Henry Moaman & his wife & Elisha Perkins No Inhabitants of this County. John Garland D.S. for Nelson Crawford Sheriff.”

[images 6–8]

Response of Defendant

30 September 1812

“The answer of Elizebeth Christian widow and administratrix of John Christian dec^d (for herself and as next friend, and guardian ad litem to the infant children of the said John Christian) to the bill of complaint of ~~Denial~~ Exhibited against her and others, in the Staunton Chancery Court, by Daniel Tilman and others, heirs at law of Thomas Tilman and Lucy his wife –

“This respondent, for herself and the said infant children, in answer to the said bill saith—She admits the devise of Daniel Hix, to his daughter Lucy, as appears in his last will and testament a copy whereof is exhibited with the plaintiffs bill. She is also willing to admit, though she does not know the fact, that the said Lucy and her husband Thomas Tilman became possessed of the Slave *Amy* so devised, after the death of the widow of said Daniel Hix. This respondent does not know that the sd slave *Amy* had a daughter named *Phobe*, but she has been so informed and does not wish to controvert the fact.

“She does not admit that the girl *Phoebe* was lent to **Jesse Mills** as stated in the bill. She has no knowledge of that fact. She has been informed and believes, however, that the said **Jesse Mills** was thirteen years²⁰² in the peaceable possession of s^d girl *Phoebe*, before (p. 2) she was taken from him and sold by the Sheriff as mentioned in the plaintiffs bill. This respondent does not admit that Thomas Tilman gave notice of his claim or forbid the sale as mentioned, in the pl^tfs bill, she has no knowledge of the fact. She is informed and believes that Drury Christian the father of her late husband, did purchase the s^d slave *Phoebe* at a Sheriffs [sale] as the property of s^d Mills, in the month of August 1772. The bill of sale executed by the Sheriff is herewith exhibited as part of this answer, being dated the **5th day of August 1772.**”

“This respondent admits that Lucy Tilman and her husband Thomas Tilman are both dead. She is informed and believes, however, that Thomas Tilman the survivor died ~~fourteen or fifteen~~ twelve or thirteen years ago, much more than five years before the commencement of this suit.

“This respondent is in possession of three slaves of the name of *Austin, Bob, and Caleb*, which she believes her husband obtained from his father Drury Christian, And although she does not know, from whom these slaves are descended, she is willing to admit that they have descended from the woman *Phoebe* aforesaid. She has heard that it is the fact, and believes it to be true[;] the woman *Phoebe* this respondent never saw. She has heard and believes that she is long since dead. The girl *Maria* died young without having any children at all.

“This respondent is informed and believes that the plaintiffs have no color of right to recover these slaves even according to their own shewing in the bill.

“She is advised that the devise to Lucy Hix gave her an absolute estate in the slave *Amy*, after the death of Daniel Hix’s widow—that this slave not being attached to land would not be entailed. But that if entailed the act of 76 converted the estate into a fee simple interest in the hands of the person then entitled to the estate tail.

“This respondent insists that in any view of the title the plaintiff whatever it might have been is barred by the Statute of Limitations of which she hopes to have the [illegible word] benefit as if it were formally pleaded in lieu of the pl^tfs suit.

“But this respondent further alleges that Thomas Tilman in his life time instituted a suit in the County Court of Amherst against Elizabeth Upshaw, the ~~widow and~~ executrix of the s^d Drury Christian, for the recovery of three slaves or such of them as were then in brief? – To the proceedings and final decision of this suit, now of record, in the s^d County Court of Amherst, this respondent by (p. 4) leave to refer – She relies upon these as a [complete bar?] to the plaintiff’s action here –²⁰³

“This respondent is not the guardian of the children of Jn^o as mentioned in the plaintiffs bill—Though she willingly acts as their guardian in defence of this suit.

“Amherst County &c

²⁰² If Phoebe was seized and sold in 1772, as stated, then she would have been in Jesse’s possession no more than 7 years, that being the length of time that had passed since Lucy married Jesse and (as alleged) brough Phoebe with her into the marriage.

²⁰³ Thomas Tilman filed two suits in Amherst court in the May term of 1787, one against “Elizabeth Upshaw Exorx of Drury Christian, Dec’d.” and the second, a debt suit, against Charles Christian. See Amherst Co., Court Order Book 1787–90, pp. 6.

“This day Elizabeth Christian administratrix of John Christian deceased made oath before me, a justice of the peace for said County, that the statements in the foregoing answer made as of her own knowledge are true and that those made from the information of others, she believes to be true.

“Given under my hand this 30th day of September 1812. [Signed] James Franklin, J.P.

Case label

“Christian admx ads Tilman } Answer. Filed 9th October 1812 ...”

[images 12–13]

Augusta County

7 July 1815

[Attorney affidavit]

“This day Hudson M. Garland came before me a magistrate for said County & made Oath, that in the case of ‘Tilmans heirs vs. Christian Admx &c’, **Dan^l Tilman**, the only one of the Plts attending to said cause, and as *he believes the only Plt. residing in this Country*, is too old or [infirm?] to attend to notices & taking depositions, that he has employed a certain James Harris of Albemarle to do the lawsuits for heirs – that he promised said Harris to attend to the business in Amherst, where the principal witnesses reside – That he rec^d a communication from Harris, some time in the Month of January last, to give notice and take the depositions of certain Witnesses, at which time he was too ill to attend to such business – that said Harris’s Letter was thrown by with other papers, and not again thought of – That previous to that time various efforts were made to procure the testimony of the Witnesses, but uniformly failed either in consequences of the non attendance of the witnesses, or want of Magistrates. Given under my hand this 7th day of July 1815. [Signed] Jno. Wayd?”

[backside]

“Tilmans heirs vs. Christian &c} aff^t

Not. for cont.

49”

[images 9–10]

1 October 1817

“The answer of Pleasant Dawson to the bill of complaint exhibited against him and others in the Staunton Court, by Daniel Tilman and others, the heirs of Thomas Tilman & Lucy Tilman.

“This respondent leaving? all exceptions to the plaintiffs bill, for answer thereto, saith

“He admits that he is in possession of one of the slaves mentioned in the plaintiffs bill, to wit: *Ratler*. He is also in possession of another slave, a girl of about 7 years old, named *Aggy*, a child of the woman *Clary*, mentioned in the plaintiff’s bill. Clary herself was in the possession of this respondent, but she is dead. This respondent is in possession of none other of the slaves mentioned in the plaintiffs bill, and never owned any other of them. The man *Caleb* is in possession of Elizabeth Christian as she has acknowledged in her answer.

“This respondent admits that these negroes are descended from the woman *Phoebe*, who was a daughter of the woman *Amy*, mentioned in the plaintiff’s bill. He admits the devise to Lucy Hix, of the woman Amy, as appears by the copy of the will of Daniel Hix, which is exhibited with the plaintiffs bill.

He admits too that the devisee Lucy, and her husband Thomas Tilman, were in possession of the woman *Amy* and her daughter *Phoebe*, after the death of the s^d Daniel Tilman's widow.

"He does not admit, however, that the woman *Phoebe* was lent to **Jessee Mills**, as stated in the Pltfs bill. On the contrary, he has understood and believes that the s^d girl *Phoebe* was given by the s^d Thomas Tilman, with his daughter to the s^d **Jesse Mills** at their marriage.

"This respondent admits that the woman *Phoebe* was taken out of the possession of s^d Mills under an execution against him and sold at Public Auction as his property, at which sale Drury Christian ~~Christian~~, under whom this respondent claims[,] became the purchaser. But he does not admit either that the s^d Thomas Tilman forbade the sale, or that this transaction took place, before the s^d Mills had been five years in possession of the said slave *Phoebe*. He does not know either of these statements to be true. On the contrary he has been informed and believes that the s^d Mills had been twelve or thirteen years in the peaceable possession of this woman, previous to the sale aforesaid.

"This respondent admits that Lucy Tilman and Thomas Tilman her husband are dead. The former many years ago. The latter who survived her, this respondent believes has been informed and he believes died more than five years, before the institution of this suit.

"This respondent is advised that the estate which Lucy the devisee took in the slave *Amy* and her increase was an absolute estate in fee simple after the death of the widow of the testator, and that the estate on her marriage became vested absolutely in her husband.

"This respondent finds on examination of the records of Amherst County Court, that many years ago a suit was instituted by the s^d Thomas Tilman, against the administratrix of the s^d Drury Christian, for the purpose of recovering such of these negroes as is supposed to have been then in existence. The bill in that case after depending for many years, appears to have been dismissed for want of a replication to the defts answer. The papers in that case cannot now be found[;] if they should hereafter be this respondent will beg leave to exhibit a copy of these as part of this answer.

"Except for this claim of title this respondent believes, that Drury Christian and those claiming under him have been in the peaceable possession of these slaves ever since the year 1772, the date of the sheriffs sale aforesaid. This date is evidenced by the bill of sale executed to the s^d Drury by Alexander Gordon the agent for **Spiers & Co.**, the pltfs in the execution, by which the said *Phoebe* was sold. This bill of sale is exhibited with the answer of the other defendant Elizabeth Christian, and there by mistake called a bill of sale executed by the sheriff.

"This respondent saith that the plaintiffs cause of action in this case, if any they have, hath accrued more than five years before the exhibition of the plaintiffs bill and more than five years before the suit out of the original subpoena in this cause, and that therefore the s^d plaintiffs [an illegible lined-through word] action is barred by the Statute of limitations, of the provisions of which statute this respondent prays that he may have the full benefit.

"This respondent denies all fraud and interaction? and prays to be dismissed with his costs.

"Amherst County, &c

This day Pleasant Dawson made oath before me, a justice of the peace for said County, that the statements in the foregoing answer made as if his own knowledge are true, and that those made from

the information of others he believes to be true Given under my hand this 1st day of October 1817.
[Signed] James Franklin, J.P.”

[image 11]

Case label “P. Dawson ads. Tilman’s heirs } Answer”

[image 20]

Notations:

Nov 1811 Heirs? vs Dawson

1812 No ___? defts except Dawsons

Defts Co \$73.70

1814 June Rules set for hearing by Defts counsel

Nov 1817 Term Decree:

Plts have failed to establish the material charges in their Bill, the Statute of Limitation protects the Defts.

[illegible word] **dism’d with costs Novr 25th 1817.”**

[image 29]

Wrapper: “Tilman, Thomas Heirs vs. Dawson } Papers No. 259”²⁰⁴

(Documents Used as Exhibits in the Case)

(1.)

[images 14–15]

26 November 1734

Will of Daniel Hix

Filed 15 July 1735, Goochland County, VA

Transcript dated 27 January 1793

“In the name of God Amen. I **Daniel Hix** being very sick & weak of Body but in perfect Mind and Memory, thanks be to ~~God~~ almighty God, I do appoint this my last Will and Testament. First, I give & bequeath my Soul to God that gave it in sure & certain hope of a glorious ~~Life~~ resurrection through the Merits of Jesus Christ. Next, I give my body to be decently interred at the discretion of My Exc^{ts}. **(1) Item.** I leave all my Movable estate to my well beloved Wife **Joan** Hix at her discretion, and at her disposal during her Widowhood but in case she should Marry, then to be equally Divided between her, my s^d well beloved Wife & my two well beloved Daughters, **Lucy Hix & Winifred Hix.** **(2) Item.** I leave my two Negroes *Bob* and *Annie* to my s^d well beloved wife to be kept at her discretion during her Widowhood but in case she my said ~~my~~ Wife should Marry or die, then I give & bequeath My Negro Girl called *Anne* and her issue if ever she has any to my eldest Daughter Lucy Hix, to her & the Heirs of her body Lawfully begotten. **(3) Item.** I give to & bequeathe to my well beloved Cousin **Archer Hix**, my whole sett of Troopers Arms. **(4) Item.** I give & bequeathe to my eldest daughter **Lucy Hix**, my plantation whereon I now live and such part of the Land adjoining to it lying on **Tuckahoe & my Spring Branch** runing up the

²⁰⁴ The 29 images transcribed above are from Augusta County, VA, Chancery Causes, file 1817-084, Daniel Tilman [et al] vs. Elizabeth Christian, widow, etc., for Complaint of Tilman's Heirs, filed 29 July 1811; "Chancery Record Index [with images]," Library of Virginia, *Virginia Memory* (https://www.lva.virginia.gov/chancery/case_detail.asp?CFN=015-1817-084 : downloaded 16 May 2018).

Spring branch to the Spring from thence to the head of the **Cotton patch branch**, and so down the s^d Branch (p. 2) to my Lon__ [*torn*] Lane? which part of my Lands and plantation, I do give to my s^d Daughter, to her and her here [*sic*] Heirs for ever.

Item 5. I give and bequeath to my s^d Daughter Lucy Hix one Hundred and fifty Acres of Land on the **Durpen branch** to her & her Heirs for ever.

Item 7 [*sic, for Item 6, see below*] I do appoint my well beloved wife Joan Hix sole Executrix of this my Last Will and Testament during her life and in case she my s^d Wife should die before my s^d Daughters should marry or be of lawful age, in such case I do appoint **Capt. James Holman** to do and act as Executor of my Estate according to this my last will and Testament this **XXVI day of Nov^r one thousand seven Hundred & thirty four**. [Signed] **Daniel Hix {seal}**. Signed & Seated in presents [*sic*] of us Williamson, Henry Holman, Wilmington his mark H Harris.”

“At a Court held for Goochland County **July 15th 1735**, This will was proved by the oaths of John Williamson and Henry Holman and was therefore admitted to Record. Test. H Wood Cl. Court.

“**Item 6.** I give & bequeathe to my youngest Daughter Winifred Hix, the remaind part of my Land I now live on and all the appertenances thereunto belonging to her & Heirs for ever, and in case both should die without issue, then all the Land fall to fall [*sic*] to **Archer Hix**.”

[image 16]

“This **27th Jany 1793**,

Certification by clerk of Goochland Court

“I do certify that Thomas Tilman & Lucy his wife executed a Deed to John Woodward for land which is acknowledged by the said Thos. & recorded in the C_____ of this County, but do not find that the said Lucy ever was privately examined—Given under my hand this 27th Jany 1793. Wm. Miller CC. The above Deed is for one hundred acres of Land. Wm. Miller.”

Document 2.

[image 17]

5 August 1772

Bill of Sale

“Know all men by these presents that I Alexander Gordon of the County of Amherst, have bargained sold and delivered and by these presents do bargain sell and deliver unto **Drury Christian** One Negroe Wench named *Phoebe* and her Child *Chloe* to have and to hold the said Negroe Wench and Child unto the said Drury Christian his Executors Administrators and Assigns for ever and I the said Alexander Gordon for myself my Executor and Administrators the said Negroe Winch and Child unto the said Drury Christian his Executors Administrators and Assigns, against all Persons, shall and will warrant and for ever defend by these premises—in Witness whereof I have hereunto sett my hand and Seal this **fifth Day of August in the year one thousand seven hundred and seventy two**. [Signed] Alex^r Gordon for **Spiers & Co**. Sealed and delivered in presence of Peter Hart, James Ware.”

[image 18]

Backside of bill of sale: "Alexander Gorden Bill of Sale for Pheby and Child"

26 FEBRUARY 1818
GALLIA COUNTY, OHIO

Marriage return

"John William and Lucy Tilman Sartain:

The State of Ohio, Gallia County, SS. I hereby certify that on the 26th day of February last by the authority of a License obtained from the Clerk of the Court of Common Pleas of the County aforesaid, I joined together in the holy state of Matrimony **John Williams and Lucy Tilman Sartain** both of Lawful age. Given under my hand and seal ths second day of March, 1818. [Signed] Timothy Hobb, J.P."²⁰⁵



²⁰⁵ Gallia County, Ohio, Marriage Book 1:74; imaged at FamilySearch (<https://www.familysearch.org> : accessed 3 July 2019) > Ohio, County Marriages, 1789-2013 > Gallia > Marriage records 1803-1843 vol. 1, image 41 of 240.

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Elizabeth Shown Mills, “Jesse Mills Sr. (c1743–*aft* 1810) of Albemarle & Amherst Counties, Virginia; Spouse Lucy Tilman: Research Notes,” a working file last updated 28 April 2022, p. ____.

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