

Jesse Mills Sr. (c1740–aft1811) of Albemarle & Amherst Counties, Virginia

Spouse:
Lucy Tilman

Research Notes

Jesse Mills Family Summary:¹

Born: c1740–43, Goochland County, VA²
Parents: William Mills (c1695–1766) and Mary (allegedly Walton)
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 1783–84, 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. 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. A cousin of Lewis Witt (Robert Whitt of Montgomery) married Franky's new stepdaughter two months later. 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: 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: Southside Virginia: Initial Survey of Published Resources for Brunswick, Goochland, and Counties Cut from them ... with Peripheral Research in South Carolina and Tennessee to Pursue Leads," report to file, 28 May 2016 (updated 1 July 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. c1783–88; d. c1863); 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.

³ Amherst 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.

THE RECONSTRUCTED FAMILY OF JESSE MILLS SR. & LUCY TILMAN:

No one record conveniently identifies all the children of Jesse and Lucy. The 1783 census of Amherst, taken eighteen years after Jesse and Lucy's marriage, tallies eight "white souls" in their household.⁶ Ostensibly, six children remained at home. A page-by-page examination of all surviving records in the Amherst courthouse from its creation to the end of the century—coupled with the extraction of all Mills records from surrounding counties, in order to reassemble those families and disambiguate their offspring from those of Jesse and Lucy—suggests that the Amherst couple had eight children who lived to maturity.

However, the poverty that Jesse and Lucy lived through in the 1780s and 1790s fractured the family. Direct evidence tells us that one adolescent daughter went to live with a neighboring family. Indirect evidence suggest that several others were farmed out also.

1. **ELIZABETH MILLS**, born c1765–66, married **William Burton** in adjacent Bedford County in October 1786.⁷ Under Virginia's marriage laws, the bond and license was to be secured in the county in which the bride lived, and individuals under the age of twenty-one had to have parental consent.⁸ In this case, a middle-aged planter and former Revolutionary War captain George Lambert 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."⁹

No other Mills family lived in Amherst or Bedford at this time.¹⁰ Elizabeth's aunt Anne (Mills) Witt was a permanent resident of Bedford from the 1760s until her death c1816, but she a widow of limited means and large family.¹¹ George Lambert, who penned Elizabeth's marriage consent, lived on parental property on Reid Creek of the James River along the Amherst line (see Map 4), five to six miles upstream of Pedlar River, suggesting that Elizabeth may have lived with and worked for the Lamberts. Lambert's penning of the consent and age verification parallels that of 1795 when Jesse and Lucy Mills's documented daughter Susannah married via a "consent" penned by another planter

⁶ U.S. Bureau of the Census, *Heads of Families at the First Census of the United States Taken in the Year 1790: Records of the State Enumerations: 1782 to 1780* (Washington: Government Printing Office, 1908), 83–84. The header used for column 1, "white souls," tells us that this was likely a parish-oriented census.

⁷ 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.

⁸ 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.

⁹ 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.

¹⁰ 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.

¹¹ 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).

John Lancaster, attesting that she was Jesse's daughter, she had lived in his home for "some time," and he believed her to be of age. Like Lancaster, this George Lambert—and his father Charles as well—created documents placing them within the Mills network. While the Lamberts lived on the Bedford side of the James, they are found in Amherst deeds—each time as a witness for or with Mills neighbors on Pedlar River and their neighbors and in-laws on Tye River.¹²

The surety for the Burton-Mills marriage bond, Jesse Reynolds, remains unidentified.¹³ The 1776 petition of Amherst nonconformists that 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*.¹⁴ 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,¹⁵ adds a **new William Burton**. At this first appearance on the Amherst roll, he is labeled "**natural son of William**"¹⁶ 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.¹⁷ 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

¹² For example, see Amherst Co. Deed Book C: 499, Geo. Lambert as witness to a Bell-McCaul deed for land on Pedlar River and Buck Branch, **adjoining Nathaniel Davis** (whose land adjoined Jesse Mills's parental homestead). A fellow witness was Jno. Stratton, whose daughter Sarah would marry William Lavender Jr., son of Jesse's sister Milly Mills. Also see Amherst Co. Deed Book D: 1, Geo. Lambert as witness to Jno. Thompson's mortgage in favor of Jos. Cabell and Jas. Higginbotham, all of Amherst, for land on Tye River **adjoining James Brown**, 17 Oct. 1772; Jesse Mills's daughter Susannah would later marry a younger James Brown from this family. For Nicholas Davis as adjacent neighbor to Jesse's father, see Albemarle County, Virginia 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.

¹³ As clues to pursue for the bondsman: one Jesse Reynolds (aka Runnalds) 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 one Jesse Reynolds 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. For these rolls, see images at *Binns Genealogy* (<http://www.binnsgenealogy.com>), accessible by subscription.

¹⁴ 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 sons Obediah, Archelaus, and John, and a grandson Isaac, but did not include a living son Jesse.

¹⁵ 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.

¹⁶ 1787 Amherst Tax List, Lexington Parish, image 3, for both half-brothers William Burton; imaged at *Binn's Genealogy* (<https://www.binnsgenealogy.com>), accessible by subscription.

¹⁷ Amherst Deed Book E: 377 for declaration of the widow Rebecca Burton; also see DB I: 477). This family of Burtons were in-laws of Jesse's in-laws. Rebecca Burton was the daughter of John Cobb(s) of Goochland. William Walton, Jesse's brother-in-law, was the son of William Walton and wife Susannah Cobb, daughter of John and Susannah (Hughes) Cobb of Goochland; see Wilmer L. Kerns, *Waltons of Old Virginia* (Westminster, MD: Heritage Books, 2009), 13.

George who—together with Jesse Mills and his brother-in-law William Walton in 1767—were co-securities for the incoming sheriff, George Stovall.¹⁸

The legitimate William Burton Jr. in 1780 married his neighbor Frances Penn,¹⁹ 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.²⁰) 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 only (one adult and two children) and only in 1787. Both William Burtons drop from Amherst taxation in 1788. William and Frances moved to Bedford County where he died in the winter of 1810–11.²¹ William and Elizabeth have not been found after 1788.²²

2. **WILLIAM MILLS**, born c1767–68, was taxed 1787 and 1788 as a tithable aged 16–21 in the home of Jesse and Lucy's newlywed nephew, Tilman Walton (son of Elizabeth Tilman and husband William Walton).²³ 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.²⁴ William has not been found after his listing on the tax roll compiled in March and 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

¹⁸ Amherst Deed Book B: 261–62.

¹⁹ 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.

²⁰ Amherst Deed Book C: 78; D: 119 for the two tracts purchased by Jesse Mills and William Lavender, with Penn involvement in each.

²¹ 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.

²² 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.

Regarding that Burton neighborhood in Montgomery: In 1848, the aging William Mills of Franklin Co.—b. 1783–84 as, possibly, the son of “widow” Frances “Franky” Mills (see end of the children's list, below)—lost the land his wife had inherited and moved his family to Floyd Co. There they settled in a neighborhood that previously had been in Montgomery. His immediate neighbors were **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 Mills 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 Gordon Cloyd Jr. Cloyd's father had acquired the land in the 1790s *adjacent to the Montgomery farm of Franky Mills and her husband John White*.

²³ 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.

²⁴ “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.

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.

3. **SARAH “SALLY” MILLS**, born c1768–70, married **Elijah Sartain** (*var.* Certain, Sartin) about 7 April 1791, in Montgomery Co., VA, with no parental permission required;²⁵ 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 as “**Lucy Tilman Sartain**” when she married **John Williams** at the age of fifteen in March 1818.²⁶ No document has been found that explicitly names Sarah (Mills) Sartain as the daughter of Jesse Mills and Lucy Tilman. However, the documented fact that Sarah named a daughter *Lucy Tilman* Sartin does strongly suggest she was Lucy Tilman’s daughter.

Sarah was possibly the mother of an older daughter born during the year prior to her marriage. Descendants assert that this child, **Elizabeth Mills**, was born 1785–86.²⁷ However, when Elizabeth married the Sartain neighbor **Archibald Chapman** on 26 March 1811, Sarah’s husband Elijah Sartain had himself declared her guardian, gave consent for the marriage, and then served as bondsman. The legal necessity for Elizabeth to have a guardian and consent tells us that she was underaged—i.e., born no earlier than 26 March 1790. The 1810 Giles Co. household of Elijah and Sarah contains a female in this age bracket.²⁸ The 1860 census of Gallia County, OH, places Elizabeth’s widower, Archibald Chapman, next door to Lucinda “Lucy” Tilman Sartin and her husband John Williams.²⁹ (As an alternate possibility for Elizabeth’s mother, see the discussion of Frances “Franky” Mills immediately following this list of Jesse and Lucy’s children.)

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: **Obediah Bias**, the aging **Patrick Napier**, and the latter’s bachelor son **Edmund Napier**. The Bias family of Amherst was notably a member of the Mills-Lavender-Walton family network.³⁰ **Obediah** himself left Amherst c1785, apparently leaving behind a wife Lucy,³¹ and settled Sugar Run, on the

²⁵ 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.

²⁶ 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.galliagenealogy.org/Obituaries/obits-I-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).

²⁷ Elizabeth “Betsy” (Mills) Chapman’s 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, although that death year might be calculated from the supposed birth year and her tombstone which 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 1850 census. 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.

²⁸ 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 “Elizah” Sartin.

²⁹ 1860 U.S. census, Gallia Co., OH, population sch., Gallipolis p.o., Guyon Twp., p. 250, dwellings 1670 and 1671, families 1629 and 1630.

³⁰ 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*.

³¹ 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

north side of Montgomery County's Walker Creek. He appears on the 1788 and 1791 tax rolls (but not 1789–90) and, on 28 February 1789, had two tracts of land surveyed in the Napier neighborhood.³² (Obediah will be discussed again under Frances "Franky" Mills, at the end of this children's list.) **Edmund Napier**, who also settled on Walker's Creek, was in Montgomery County by December 1786 when he took out a bond to marry—using as surety the same man, Milliton Atkins, who served in 1788 as surety for the above-referenced Frances "Franky" Mills.³³

When Giles Co., VA, was cut from Montgomery in 1806, the Sartin-Bias-Napier farms fell into Giles (though Bias and some Napier land would soon be split away into Cabell County). In 1809 Elijah Sartin purchased, from other heirs of his father Joel Sartin Sr., the family land on Stoney Creek of Giles. That waterway lay on the east of New River, opposite Walker Creek (the site of the church whose minister Sarah and Elijah used for their marriage).³⁴ In 1815, Giles, "Elijah and Sally Sartin" sold the family land, noting that the tract was adjacent to John Sartin, "Roberts," and Nathan **Marr**.³⁵ They moved then to Gallia County, OH, where their daughter Lucy married in March 1818. The 1820 census places 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 Sally; but in 1850 he lived alone, still adjacent to their daughter Lucy Tilman (Sartin) Williams.³⁶

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."

³² Montgomery Co., VA, 1787–1791 Personal tax rolls; imaged at *Binns Genealogy*. Obediah's lands adjoined John White (1792–93 husband of **Franky Mills**), John Hammons, and Thomas Farley. One tract was purchased from Thomas Shannon. See Virginia, Land Office Grants No. 32, 1794–1795: 328–29 (1796 patent), and vol. 40, 1797–1798: 590 (1798 patent); Library of Virginia, Richmond. Both Shannon and Farley had been Amherst residents earlier in life.

³³ 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. Also Montgomery Co Marriage Bonds, John Abram Glymph and "Fanny" [Franky] Mills, widow," 9 November 1788 (microfilm 38). The Glymph-Mills marriage fell through, and Franky eventually married in 1792 to Obediah Bias's next-door neighbor, another middle-aged man named John White Sr. Also, when Margaret Napier married Alexander Montgomery in 1798, she used the same rural minister who wed Sarah Mills in 1791 and Franky Mills in 1792; 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.

³⁴ 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.

³⁵ Giles Co. Deed Book 1: 349, 1815. For Marr(s) as neighbor to Sartin/Certain land, see Deed Book 1: 331 (Sartin heirs of Joel, to Elijah Sartin, 1809), Deed Book 1: 181 (Joel Sartin [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 Sartin and Nathan Mars, 1814.) **Members of this Marr(s) family also appear in association with the younger William Mills-Witts, born c1783–84 of unknown parents, 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 Barbee 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 Sartins 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.

³⁶ 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

4. **JESSE MILLS JR.**, born c1771–72, who married (1) **Rachael Hudson**, c21 May 1793 in Amherst Co., VA, via a marriage bond that called him “bachelor.” No parental consent was given for him, implying that he was of age. 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 January 1799 leaving a small daughter Rachel Hudson Mills.³⁸ Jesse married (2) Widow **Anne [Murray?] Phillips**, by bond dated 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 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 preparation for the family move.⁴¹ He filed his mark-and-brand in Green County 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 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 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.”⁴⁴ The trust placed in Jesse by multiple

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., Gugin 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.

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

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

heirs suggests that his wife (the Widow Phillips) may have been one of the heirs.⁴⁵ (Fluvanna County 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, Jesse and Anne were back in Green County, where they confirmed the title to the land they had sold in 1806 to Pulliam Sandidge.⁴⁶ On 20 May 1811, Jesse Mills (s) and wife Ann (s) of Green County sold for \$446 to Pulliam Sandidge, a tract of 373 acres "being part of Julius Colean's one thousand acre survey" in Ohio County, Kentucky, on Rough Creek, Waters of Green River, along "Coleman's line" and a dividing line between Jesse and Joshua Gipson. Ann relinquished her dower the same day.⁴⁷ No record has been found of Ann past that point.

Between 17 November 1804 and 6 May 1819, Jesse traveled annually more than one hundred miles to the State House in Frankfort or the courthouse in Lexington, where he made 28 purchases of land being auctioned for delinquent taxes, totalling over 13,000 acres scattered across 23 counties. Each was a conditional purchase (at bargain rates as low as 32 cents for 14 acres and \$1.18 for 1000 acres), requiring Jesse to keep the taxes current on the land while allowing the owner two to six years to redeem the land by paying the back taxes and penalties. Few did so. At each auction, Jesse received a certificate that would be converted to a full title if the land was not redeemed. In some cases, Jesse sold his certificate prior to receiving the title. Most of the land he kept until he received the title; and, in the 1820s appears to have made his livelihood from the sales of those land. His last taxation in Green Co., 1823, assessed him for more than 10,000 acres in both Green and other counties. (See Appendix for abstracts of all these records.)

Jesse Mills Jr. last appears on record in 1828–1830, in Kentucky's Todd County. There, on 31 January 1828, his daughter "Rachel H. Anderson" gave him power of attorney to represent him in the settlement of estates in which she held interest.⁴⁸ On 18 October 1830, she and her new husband "John Smith Jr." gave him a new power of attorney to sell property coming to her from the estate of her minor son Jesse M. Anderson.⁴⁹ The aging Jesse Jr. has not been found past this point. The 1824–33 tax rolls of both Todd and Green Counties do not include him. Neither Green nor Todd have a probate record for him.

5. **JOHN MILLS**, born c1773–74, 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. In February 1786, John picked up a yard of cloth, some tape, a dozen metal buttons, and an ounce of thread at the same store (Thompson & Teas), again charging it to Allen's account.⁵⁰ This store closed its doors a few months later. As an older teen, John *might* have sought employment in Albemarle. On 2 August 1791, amid Thompson & Teas's legal efforts to clear the debts owed them

⁴⁵ Also see, under the discussion of Jesse's brother William, the widespread assertion that Tilmon Walton married Judith Murray Jr.

⁴⁶ Green Co., Deed Book 6: 176.

⁴⁷ Ohio County, KY Deed Book BB, pp. 602–3; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTF-QC6V> : accessed 20 August 2024) > image 463 of 621.

⁴⁸ Todd Co., KY, Deed Book F: 1829–31, pp. 82–83; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSRK-3QCT> : accessed 20 August 2024) > image 82–83 [*sic*] of 593.

⁴⁹ Todd Co., KY, Deed Book F: 1829–31, pp. 459–60; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSRK-3QMT> ; accessed 20 August 2024) > image 279 of 593.

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.

by their former customers, a defendant John Bradshaw was ordered by the Amherst Court to pay one John Mills for nine days of attendance as a witness for Bradshaw as well as “for Traveling once Twenty six miles from Albemarle County.” The identity of the witness John is not proved.⁵¹

After 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.⁵² The 1850 census states “Amherst County” for Tilman’s birth and places two young adults in his household: Joseph Mills, 24, and Elizabeth Ponton, 21.⁵³ 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,⁵⁴ 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 Co., VA (now WV) 1830–40.⁵⁵ After Frances’s death, Jesse then remarried, 1864, Mary Cart. In that 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 unidentified John Mills in Virginia. Nelson County tax rolls, which are not available online, need 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.⁵⁶ Susannah and James are said to be the James Brown family on the 1820 census of Crawford County, Indiana, where that

⁵¹ Amherst Co., Court Order Book 1790–94, 254. Albemarle personal tax rolls show a John Mills first taxed annually from 1785 at least until 1792 with multiple male tithables. This does not rule out a possibility that a younger, propertyless John might be laboring in another household.

⁵² “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.

⁵³ 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.

⁵⁴ “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.

⁵⁵ “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.

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.

⁵⁶ 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.

James married secondly, 19 November 1828, **Mason Dearing**. James supposedly died in Crawford County on 8 June 1853.⁵⁷ 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 1795.⁵⁸
8. **ROBERT MILLS**, born by 1783. By bond dated 10 November 1806 he married, in Amherst, **Sally Campbell**.⁵⁹ 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 *might* be the Robert Mills who made a one-off appearance the next year on the tax roll of Franklin County.⁶⁰ The Amherst tax rolls have been searched for him through 1812.

BIOGRAPHICAL OVERVIEW

Born c1740–43, Jesse Mills Sr. was named in his father's 1755 Albemarle County will as heir to a "proportionable part" of the father's estate, in addition to the land his father lived on. He 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 man.⁶¹ About 6 August 1765, in Amherst (the county in which the family land fell after Albemarle was divided) Jesse married **Lucy Tilman**, daughter of Thomas and Lucy (Hix) Tilman.⁶² After Jesse's father died in 1766 and the named executor of his will, Thomas Joplin, declined to accept that role, Jesse served as surety for his mother's bond as administratrix of his father's estate.⁶³ He and Lucy then sold the land he inherited on

⁵⁷ 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.

⁵⁸ Amherst Co. Will Book 3: 338.

⁵⁹ Amherst Co. Marriage Bonds and Consents, 1793–1796, chronological sequence; imaged on Amherst Co. microfilm 108, Library of Virginia, Richmond. **The only Mills marriages recorded in Amherst prior to 1815 were those of Jesse Sr., Jesse Jr., Susannah, and Robert.**

⁶⁰ 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 tax rolls.

⁶¹ 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.

⁶² 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).

⁶³ Amherst Co. Will Book 1: 73 (will); Book 1: 75 (administrator's bond); 1: 104 (inventory). *Note: For Amherst registers that I have personally examined, I am citing the original register rather than published abstracts.*

Pedlar River and bought a tract on the Tye near Lucy's family.⁶⁴ In 1767, he and his new brother-in-law William Walton (husband of Elizabeth Tilman) cosigned a performance bond for the new sheriff,⁶⁵ suggesting that Jesse was at the time well regarded in Amherst society—or at least socially ambitious. By 1768, however, he was placing mortgages against his land to furnish each year's tobacco crop.

By 1771–72, Jesse was seriously in debt. A judgment issued against him in a suit by Spiers & Co. resulted in the seizure and sale of the enslaved *Phoebe*, a young woman Lucy had brought into their marriage.⁶⁶ By 1776, he was mortgaging personal property, for want of land.⁶⁷ He was still on Tye River that year, where he signed a petition of religious dissenters from Albemarle, Amherst, and Buckingham—two signatures from Thomas Ballew of the Tye,⁶⁸ whose daughter would marry the son of Jesse's sister Milly (Mills) Lavender.⁶⁹ 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.⁷⁰ In 1784, still in Amherst, he mortgaged a slave (inherited from his mother) and livestock to his nephew-in-law Tilman Walton, with Tilman's father William as witness.⁷¹ In June 1785 more debt suits were brought against him in Amherst by George Blaine and the widow of James Halley Burton.⁷²

Jesse's life past 1785 is a cypher. In the fall of 1786, he was named amid “cash bonds” held by a community store that served the Mills-Lavender-Walton clan. The 11 pounds, 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.⁷³ The creditor, Thompson, Teas & Company, proceeded to sue many locals who had not cleared their accounts, but they launched no suit against Jesse. The tax rolls that begin in 1782 include Jesse only in 1782 and 1784. At that point he was dropped from Amherst tax rolls, but no request for relief from the payment of a tithe has been found in subsequent county court orders that have been read through 1791. 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,⁷⁴ Elizabeth going the

⁶⁴ Amherst Co. Deed Book B: 128, 203.

⁶⁵ Amherst Co. Deed Book B: 261–62.

⁶⁶ 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.

⁶⁷ Amherst Co. Deed Book C: 252, 254, 316, and 397.

⁶⁸ “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.”

⁶⁹ 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).

⁷⁰ 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.

⁷¹ Amherst Co. Deed Book E: 539.

⁷² Amherst Co. Court Order Book 1784–87, pp. 291 and 335.

⁷³ “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.

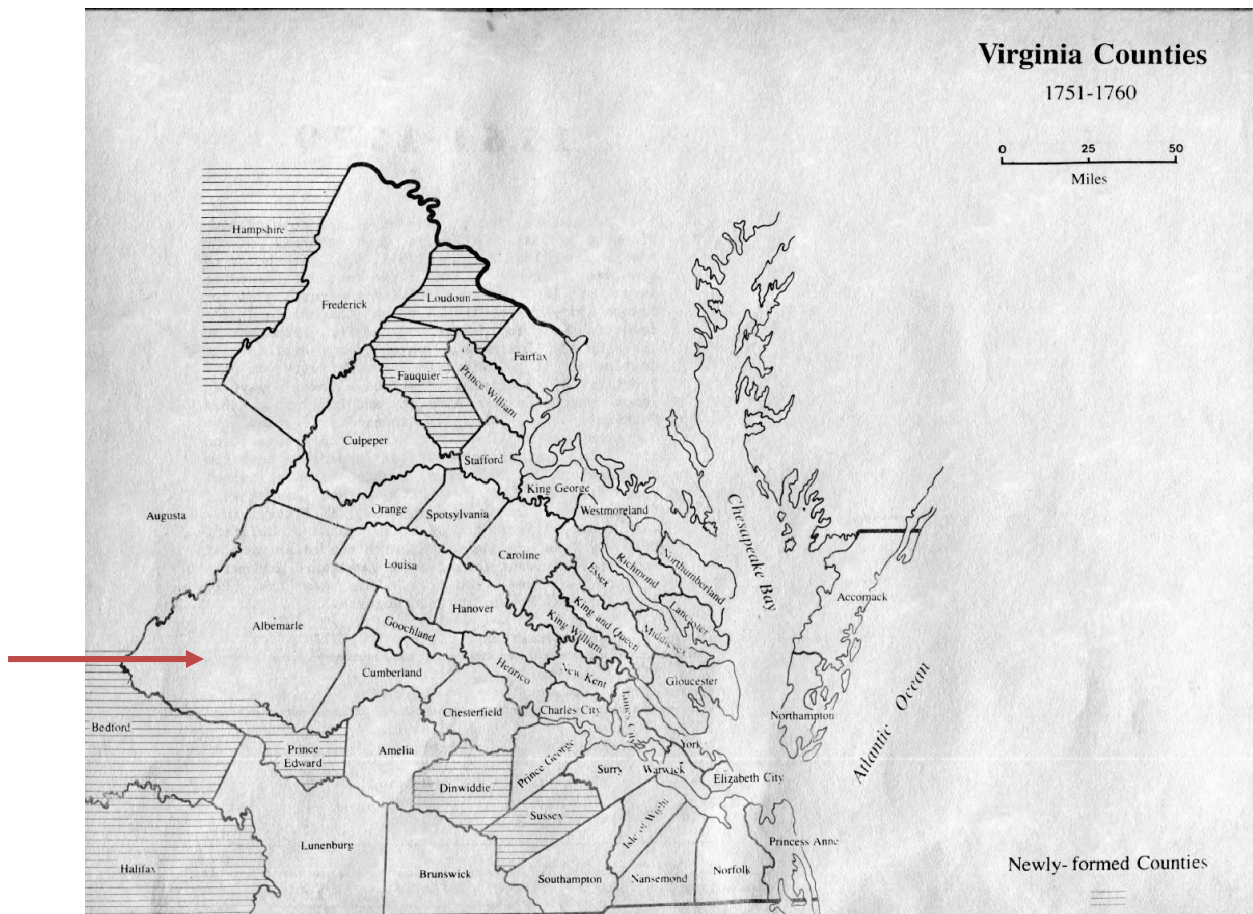
⁷⁴ Five years before Susannah's marriage, John Lancaster Jr. married the daughter of Thomas Parrock who appears two entries from Jesse Mills on the unalphabetized 1782 tax roll. Whether Susannah lived with the family of John Jr. or John Sr. is not evident in the record. For the Lancaster-Parrock marriage, see William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 46.

household of Charles Lambert of Bedford whose unmarried adult son penned her marriage “consent” at her request; and Sarah going to a family that moved to Montgomery County—possibly that of Amherst’s Patrick Napier or Obediah Bias.

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. Tilman heirs alleged 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.

RESEARCH NOTES

Map 1
Virginia Counties, 1751–1760⁷⁵



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.

⁷⁵ Michael F. Doran, *Atlas of County Boundary Changes in Virginia, 1634–1895* (Athens, GA: Iberian Publishing Co., 1987), 23.

“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.

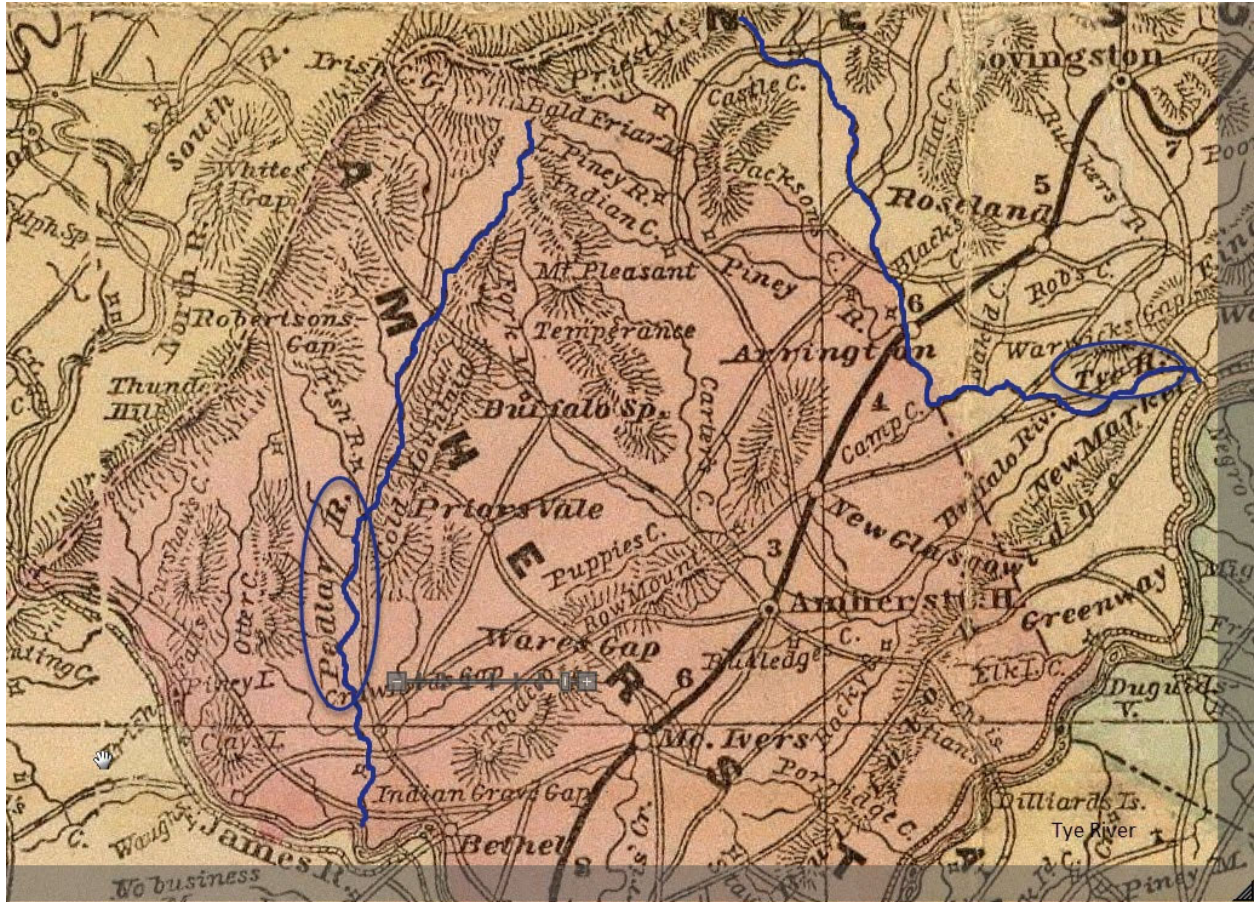
“Item, I give & bequeath to my son **Thomas Mills’s children (Viz^t) Ambrose Mills Jun^r & Elizabeth Mills** (the son & daughter of the Decd. Thomas Mills) a proportionable part of all my Estate Excepting my lands, to be Equally Devided Between them to have & to hold forever, to be paid to them after 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.**⁷⁶

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

Map 2
Pedlar & Tye Rivers of Albemarle > Amherst Counties⁷⁷



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."⁷⁸

COMMENT:

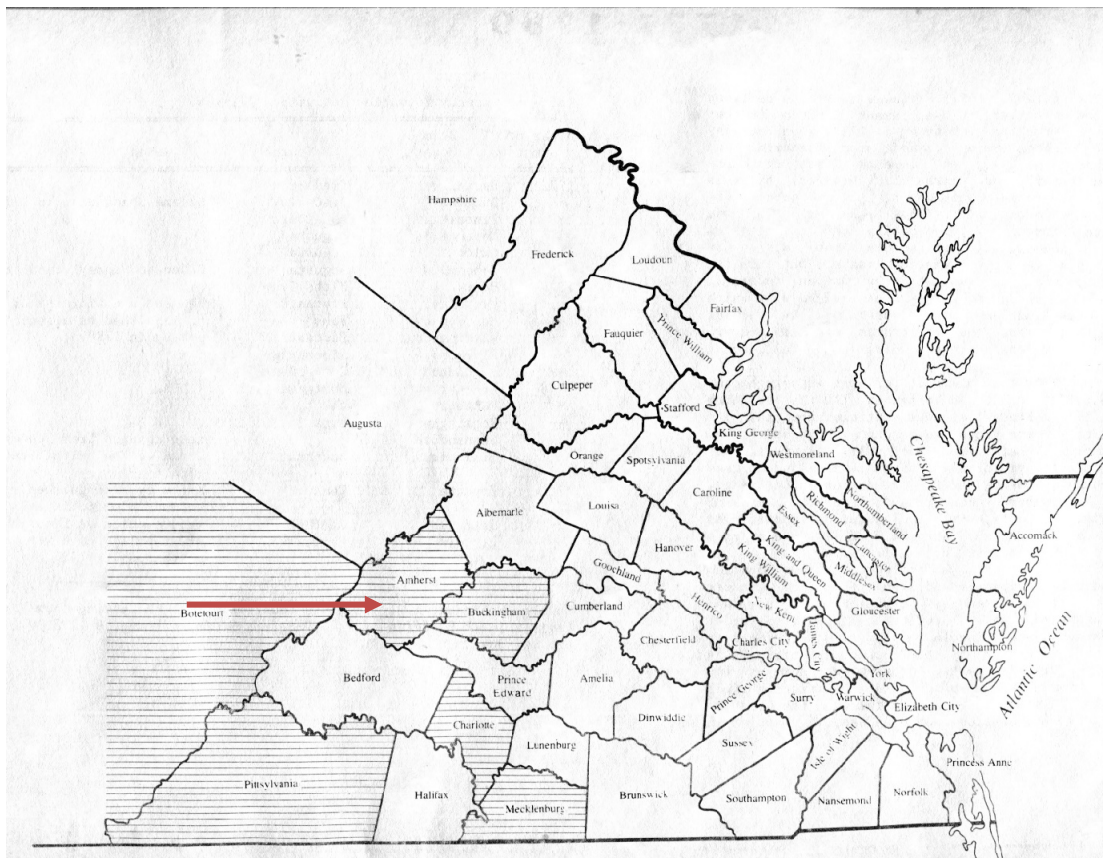
This is the first reference I've found to the adult Jesse, who likely came of age about 1761–63.

⁷⁷ 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>).

⁷⁸ 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.

Horseshoe 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 1810.⁷⁹ Jesse and Lucy have not been found there in the records searched to-date.

Map 3
Virginia Counties, 1761–70⁸⁰

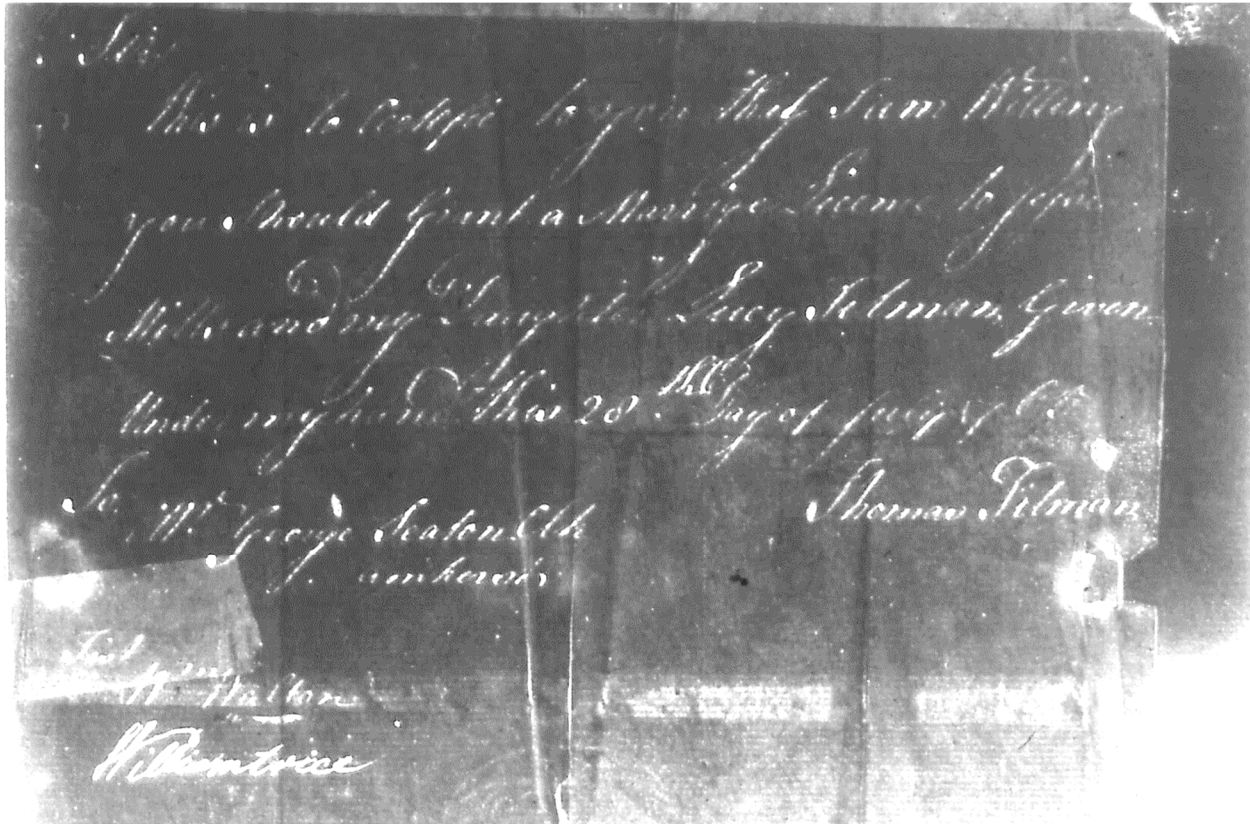


20 JULY 1765
AMHERST COUNTY, VA
Marriage consent

⁷⁹ 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.

⁸⁰ Michael F. Doran, *Atlas of County Boundary Changes in Virginia, 1634–1895* (Athens, GA: Iberian Publishing Co., 1987), 27.

"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**." ⁸¹



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 &c 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.

⁸¹ Amherst Co. Marriage Bonds and Consents, 1763–1783, chronological sequence; imaged on Amherst Co. microfilm 104, Library of Virginia, Richmond.

Whereas there is a marriage suddenly 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." ⁸²

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 &c. 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 intend
ed 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

Jesse Mills
John Fraser

4 AUGUST 1766
AMHERST COUNTY, VA

⁸² Amherst Co. Marriage Bonds and Consents, 1763–1783, chronological sequence; imaged on Amherst Co. microfilm 104, Library of Virginia, Richmond.

Will probate.

Thomas Joplin declined his appointment as executor of the will of William Mills, deceased. An administrator's bond was then filed by the widow **Mary Mills**, with son **Jesse Mills** and son-in-law **Wm. Lavinder** as her sureties.⁸³

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.⁸⁴

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 1756.⁸⁵ 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 in what is now Fairfield County, SC. 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.⁸⁶

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

⁸³ Amherst Co. Will Book 1: 73 (will), 75 (administrator's bond), 104 (inventory).

⁸⁴ 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.

⁸⁵ 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)."

⁸⁶ 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.

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

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.”⁸⁷

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, at which time the deed referred to the adjacent landowner as “Mills,” without a given name. 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 1758.⁸⁸ Like Walton, Jesse’s parents had come to Albemarle > Amherst from Goochland.⁸⁹

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.”⁹⁰

COMMENT:

In 1780 Gabriel Penn’s neice 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.

⁸⁷ 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.

⁸⁸ 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.

⁸⁹ E. S. Mills, “William Mills (c1695–1766) of Goochland, Albemarle & Amherst Counties, Virginia; Spouse Mary (Walton?): Research Notes,” a work-in-progress last updated 1 June 2019; archived at *Historic Pathways* under the “Research” tab.

⁹⁰ 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.

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.⁹¹

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.*"⁹²

COMMENT:

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.

The document appears to be a mortgage rather than a sale as the abstract indicates, given that Jesse twice thereafter mortgaged 297 acres of this tract. There should also be a document by which Jesse conveyed 99 or 100 acres of this to someone else. Possibly this abstract represents that, in which case it should say that he conveyed 99 or 100 acres that were *part of his 396 acres.*"

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

TO DO:

Get the original deed to verify or correct the published abstract.

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."⁹³

14 JUNE 1770
AMHERST COUNTY, VA
Land sale.

"Jesse Mills, AC [Amherst County], to Thos. Lumpkin, AC, for £100, 297 bought by TL [sic, but the sense of the document suggests that the abstractor should have said JM] of Lunsford Lomax Jr. and rec. in AC. Wit: **Geo. Penn,** Isaac Tinsley, Geo. McDaniel, Geo. Galaspie."⁹⁴

⁹¹ 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.

⁹² 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: 264.

⁹³ 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.

⁹⁴ 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.

COMMENT:

Again, this document would have been a mortgage rather than an outright sale, given that Jesse mortgaged the land again in 1771, below.

Thomas Lumpkin, according to a 1789 Bedford County road order, lived directly across the Otter River from “Mrs. Witts’ Ford”—a reference to Jesse’s sister Anne, widow of Lewis Witt.⁹⁵

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.”⁹⁶

COMMENT:

Jesse failed to pay the mortgage. “Spiers & Co.” sued and won a judgment—apparently against both the land and 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.⁹⁷ See subsequent notes under date 1810–17 for a transcript of the case.

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 table mentioned in fifth line delivered in lieu of the whole. Wit: Edmd. Wilcox, Nathl. Tilman.”⁹⁸

COMMENT:

This Nathaniel Tilman is said to be Jesse’s brother-in-law; I have not found proof of that.

COMMENT:

⁹⁵ 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.”

⁹⁶ 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.

⁹⁷ 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.

⁹⁸ 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.

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.”⁹⁹

COMMENT:

- The garbled Jones name should be that of Jesse’s male neighbor *Ambrose* Jones.
- Jesse’s debt is seriously increasing. Having already mortgaged his land, 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.”¹⁰⁰

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.”¹⁰¹

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

⁹⁹ 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.

¹⁰⁰ 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.

¹⁰¹ 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.

for Powell 19 Apr 1791.”¹⁰²

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.”¹⁰³

COMMENT:

The adjacent Mills land was the tract Jesse purchased from Grimes and Lomax.

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**.¹⁰⁴

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.”¹⁰⁵

22 OCT 1776
AMHERST COUNTY, VA
Petition

“To the honourable, the Delegates & Representatives, of the several Counties & Corporations of Virginia in Convention assembled in the City of Williamsburg.

“The Memorial & Declaration of the Disenters 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 ...

¹⁰² 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.

¹⁰³ 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.

¹⁰⁴ Amherst Co., VA, Order Book 1773–82, for July 1776 term of court summoning Ambrose Mills to administer Mary’s estate.

¹⁰⁵ Bailey Fulton Davis, *The Deeds of Amherst County, VA (1762–1852) & Albemarle County, VA (1748–1807)* (Greenville, SC: Southern Historical Press, 1979), 167; citing DB D: 397.

... 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**."¹⁰⁶

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,¹⁰⁷ 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."¹⁰⁸ This William Burton was the father of the illegitimate William Burton who married Elizabeth Mills.

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.¹⁰⁹

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 neice), Isaac Staples," and about 200 more."¹¹⁰

¹⁰⁶ "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."

¹⁰⁷ 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 Buster 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.

¹⁰⁸ Amherst Co. Deed Book E: 170–71 (2 Tucker deeds).

¹⁰⁹ 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.

¹¹⁰ 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

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.¹¹¹

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 Joplins/Joblins owned land on many waterways: principally Pedlar and Rockfish. Isaac Tinsley and Richard Tankersley both were Tye River landowners.¹¹²

Richard Tankersley Jr. supposedly married Elizabeth Learwood, daughter of Jesse Mills’s sister Elizabeth (Mills) Learwood Ripley.¹¹³

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.”¹¹⁴

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

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, apparently because he was not a resident of Bedford Co.—rather, a resident of Amherst. See Bedford Co., VA, Order Book No. 9, 1786–1790, p. 259; Bedford Co. microfilm reel 41, Library of Virginia.

¹¹¹ 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.

¹¹² 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).

¹¹³ 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.

¹¹⁴ Bailey Fulton Davis, *The Deeds of Amherst County, VA (1762–1852) & Albemarle County, VA (1748–1807)* (Greenville, SC: Southern Historical Press, 1979), 189; citing DB E: 220.

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.

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.

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 niece Elizabeth “Betsy” Learwood¹¹⁵]

[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]

¹¹⁵ 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.

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

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]
Thomas Parrock	[adj. Rev. Rose 1779, 1787, apparently on waters of Tye near Roseland (DB E: 49; F: 223). Parrock's daughter in 1790 married John Lancaster Jr. ¹¹⁶ In 1795 either 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. to 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 [At this time Jesse owned no land. He was more likely managing or overseeing someone else's farm. The likeliest candidate in this neighborhood would be Martin Bibb who owned multiples pieces of land.]
Phillip Going	[no landholdings found for him in Amherst deed records]
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 witnesses Martin Bibb (above) and Geo. Campbell, above (DB C: 454); 1784, wit. deed for land adjacent to William Burton , John Penn , Philip Penn (DB E: 462; 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]	

¹¹⁶ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 46.

1783 (CERTIFIED 2 MAY 1784)

FRANKLIN COUNTY, VA

Personal tax list

COMMENT:

Only one district. Semi-alphabetized.

(page 2, image 3)

William Davis 1 white male 21+, 0 slaves 16+, 0 slaves total, 0 cattle, 1 horse

[skip 24]

John Josling

John Josling Jun.

William Loving

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.

1783

AMHERST COUNTY, VA

State census

Next to last list, end of list in non-alpha order:

Evans, Elizaeth

Evans, James

Laine, James

Largen, Thomas

Welch, William

Laine, William

Wright, Jesse

Wilsher, Thomas

Lavender, Charles 8 whites, 0 blacks

Arrington, Samue.

Page, William

Oglesbey, Richard

Henderson, Alexander

Harlow, Nathaniel¹¹⁷

COMMENT:

Jesse Mills is missing. The last list carries the "Mays" heads-of-household who surrounded him

¹¹⁷ U.S. Bureau of the Census, *Heads of Families at the First Census of the United States Taken in the Year 1790: Records of the State Enumerations: 1782 to 1780* (Washington: Government Printing Office, 1908), 47–49.

on the 1785 census.

Jesse's absence from both the tax list and the census of Amherst, this year, raises the possibility that he moved out of the county in search of opportunity elsewhere now that he was landless. The fact that the Napiers, Walkers, Shannons, and other Amherst families were moving out to Montgomery in this period raises the possibility that he may have moved with them. That possibility might explain the later presence there of his daughter Sarah as a young and unmarried woman. *This compilation has no Montgomery County census.*

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 Feb 1779, for 40 acres; 1780, for 50 acres. Tracts adjoining. Wit: Wm. Powell, **Jesse Mills**."¹¹⁸

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)

David Shepherd's 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)

¹¹⁸ 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.

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 Sheppards. Given that David Sheppard 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 Creek, 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

"**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**."¹¹⁹

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 or renter. It is unlikely that he was a sharecropper, given that he was still paying taxes on one enslaved person.

¹¹⁹ 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.

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.

MAY TERM 1785

AMHERST COUNTY, VA

“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.”¹²⁰

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

“The Action of Trespass brought by George Blaine against **Jesse Mills** is Continued till the Next Court.”¹²¹

1785

AMHERST COUNTY, VA

Parish census

List 1, beginning with Samuel Allen ... “L” and “M” section:¹²²

Ludwick, Issamon

Lovely, Joseph

Landrum, Young

Lavender, Charles 9 “white souls,” 0 other dwellings, 0 fpc

Lavender, Mildred 2 white souls, 0 dwelling, 0 other buildings

Mitchell, — [*sic*]

Meggison, Samuel

Mattox, Northy

Mays, Lige

¹²⁰ Amherst Co., Court Order Book 1784–87, p. 148.

¹²¹ Amherst Co., Court Order Book 1784–87, p. 231.

¹²² U.S. Bureau of the Census, *Heads of Families at the First Census of the United States Taken in the Year 1790: Records of the State Enumerations: 1782 to 1780* (Washington: Government Printing Office, 1908), 83–84. The header used for column 1, “white souls,” tells us that this was likely a parish-oriented census.

Martin, Jesse
Mays, Joseph, Jun.
Mays, John
Mills, Jesse,
Mays, James
Mays, Joseph
Meredith, William

8 white souls, 0 dwelling, 0 other building

“W” section
Wood, William
Ware, John
Watts, Stephen
Whettle, John
Walters, James
Warwick, William
Walton, William
Walton, Tilman
Warwick, Abraham
Wright, Jesse
Wisher, Thomas
Wright, Kills
Wright, Menos

8 white souls, 1 dwelling,) other buildings

3 white souls, 2 dwellings, 6 other buildings

14 white souls, 1 dwelling, 2 other buildings

SEPTEMBER TERM 1785

AMHERST COUNTY, VA

“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.”¹²³

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 (property holdings) 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.”

¹²³ Amherst Co., Court Order Book 1784–87, p. 291.

NOVEMBER TERM 1785

AMHERST COUNTY, VA

Legal suit.

[Widow] Halley Burton vs. **Mills** [and **Walton**]. “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.”¹²⁴

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”¹²⁵

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 nephew of Jesse Mills. 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, 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

¹²⁴ Amherst Co., Court Order Book 1784–87, p. 335.

¹²⁵ Amherst County Business Records, Thompson and Teas Company Journal for Ledger C, 1785–1788, p. 99; Amherst Co. microfilm 132; Library of Virginia, Richmond.

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”¹²⁶

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 Mills is again missing. William Burton, “natural son of William,” has not yet gone onto the rolls.

12 AUGUST 1786

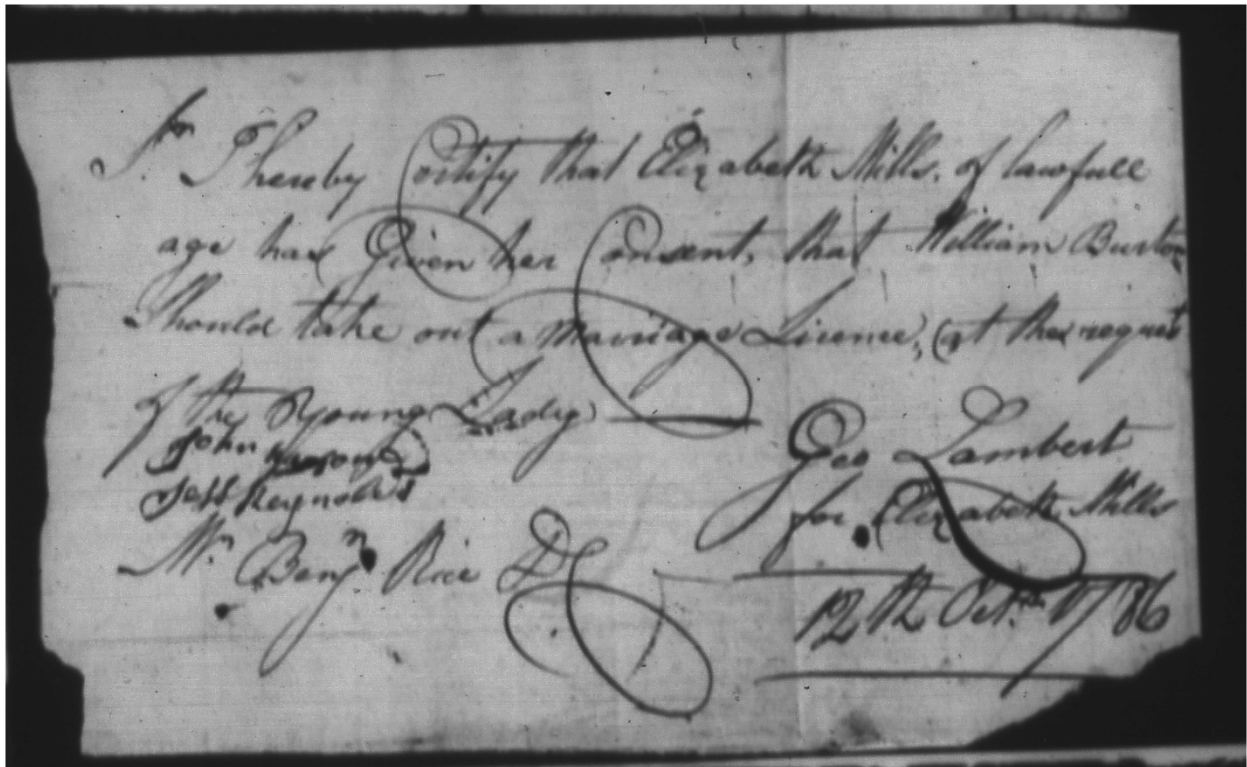
BEDFORD COUNTY, VA

Marriage

“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.”¹²⁷

¹²⁶ Amherst Co., Court Order Book 1784–87, p. 457–58.

¹²⁷ 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.



COMMENT:

Lambert's statement does not appear to have penned by him; the capital C that appears throughout is distinctive to the signature of the Deputy Clerk. Apparently, he accompanied Burton and Reynolds to the courthouse where Reynolds witnessed the age statement and then served as bondsman for Burton.

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 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.¹²⁸

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

¹²⁸ 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.

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.

The first witness to the consent penned by Lambert has not been identified. As seen in the image below, a clear reading of his signature is hampered by the fact that a tail of Lambert’s “Y” extends down over the first part of his name and the upward loop of the “d” of the Reynold signature appears to add an “o” to the end of the name of the first witness.

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^r 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}.¹²⁹

¹²⁹ 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 Burton
& Jesse Reynolds ——— of Bedford County are
sole & jointly bound unto Patrick Henry Esquire
Governor or his Magistrate of the State of Virginia our
Heirs or Assigns well & truly to be made to the said Patrick
Henry or to his Successors we bind ourselves and each
of us, our Vnch of our joint & several Heirs Executors
Admins firmly by these presents, Sealed with our Seals
& dated this 12th day of Octr 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 Obliga-
tion to be Void else to remain in full force & Virtue.

Sealed & delivered }
in the presence of } William Burton [L]
Jesse Reynolds [L]

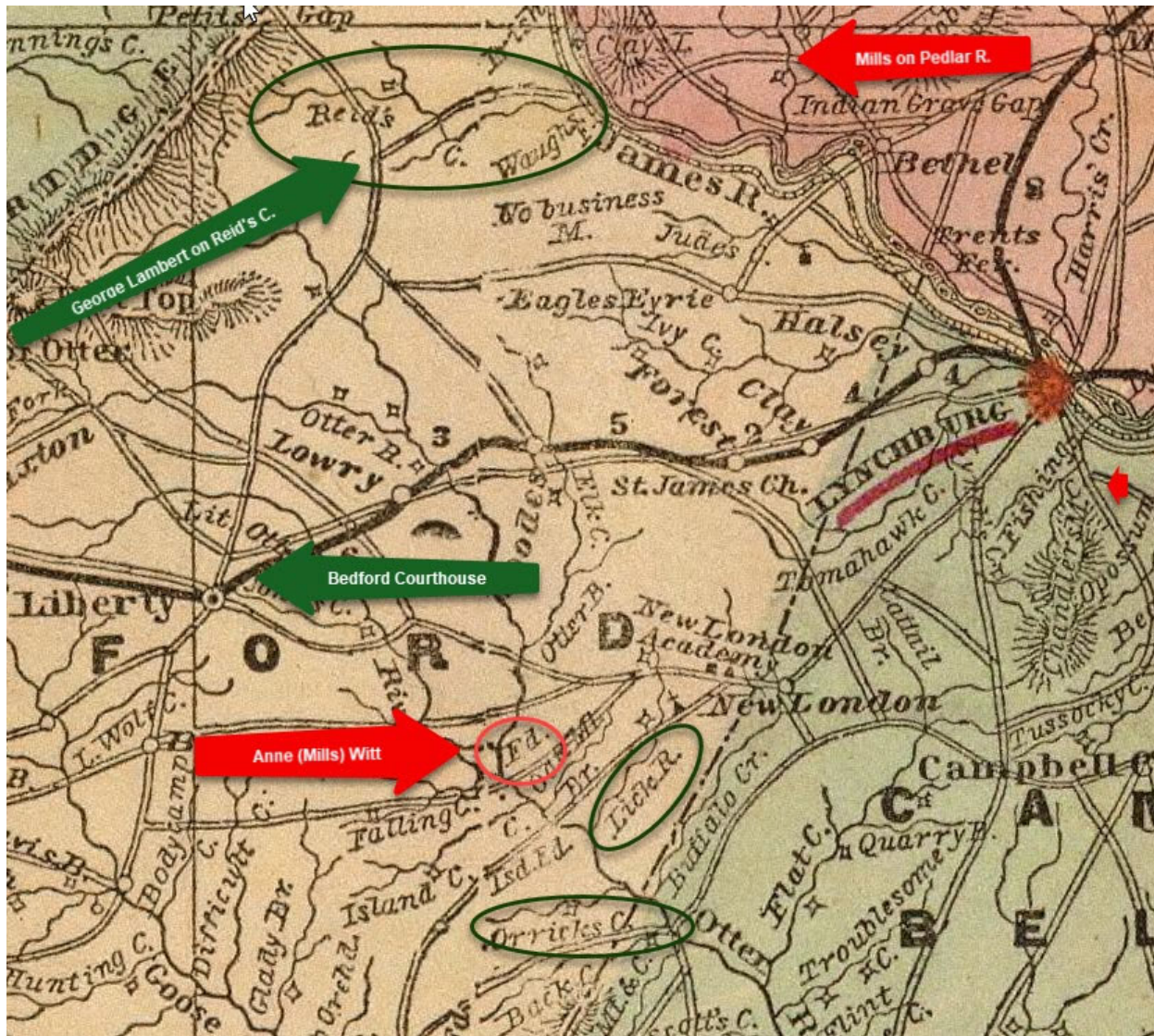
Map 4

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 William

Otter River Ford: Site of the widowed Anne (Mills) Witt¹³⁰



¹³⁰ 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.

COMMENT:

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

- 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—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 (and his surety Jesse Reynolds who also witnessed the consent form at Lambert's home) would have crossed the James at Waugh's Ford on Reid's Creek, obtained the consent form at Lambert's, and then proceeded on to the courthouse at Liberty to post the bond and obtain the license.

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."¹³¹

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."¹³²

MAY 1787

AMHERST COUNTY, VA

Personal tax list

¹³¹Amherst Co., Court Order Book 1787–90, pp. 6.

¹³²Amherst 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 Virginia, 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 Gutridge & 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, Gutridge, 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 the land that Jesse Mills once owned.
- 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.
- “**Gutridge**” 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 burgess of that name, who was already deceased).¹³³

¹³³ 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."¹³⁴ (See Map 4 for Waugh's Ford on James River.) Jeremiah Whitten's daughter Elizabeth also married one James Bias.¹³⁵
- 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).¹³⁶

with **John Guttridge**. In 1786 and 1788 the presentment was repeated, each time worded as “John *Goodrich* & Mary Carter the wife of Solomon Carter.” See 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.

Regarding the widowed Marta Hudson, on 7 June 1784, James Goodrich sold her 68 acres on Horsley’s Creek; see Amherst Co. DB E: 504.

¹³⁴Amherst Co., Court Order Book 1787-90, 276-77.

¹³⁵ Amherst Co., Deed Book K, 1803–1807, 399; imaged Amherst Co. microfilm reel 5, Library of Virginia.

¹³⁶ 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.

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 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 intertangled 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 1793.¹³⁷

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

(image 16)

1 April

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

Woody, Henry

Walton, Tilmon &

William Mills [*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.

¹³⁷ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 30, 52.

COMMENT:

Between 1785 and 1788, parts of at least two Amherst families, associates of Jesse's clan in Amherst, moved to Walker's Creek of Montgomery Co: Napier and Bias. Possibly one of those two took with them Jesse's daughter Sarah and possibly the associated "widow" Franky Mills. Both of these young women bore children during this period. 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 or Franky in either locale.

In Franky's case, the first record found for her in Montgomery calls her as "widow" (see 9 November 1788, below). Whether that was a reality or a social convenience to enable her to avoid prosecution in the new locale is debatable. If she was a widow from Amherst, then William Mills of the Walton household of 1787-88 (who disappeared from Bedford after April 1788) seems to be the only candidate for her husband. If so, then they *might* have migrated out to Montgomery after April 1788, with William dying soon after. If she were not married, then she should be considered further as a potential daughter of Jesse and Lucy.

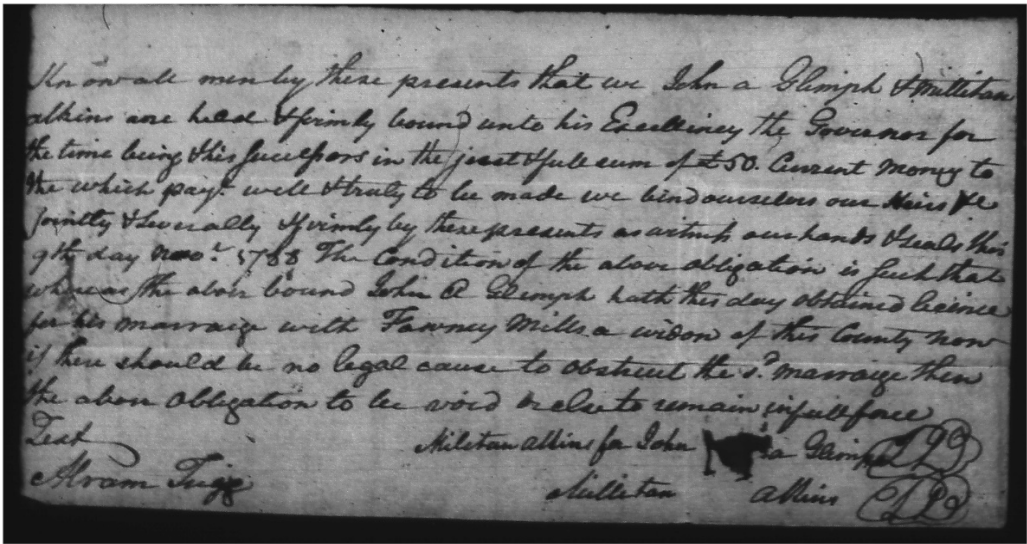
9 NOVEMBER 1788

MONTGOMERY COUNTY, VA

Marriage Bond

"Know all men by these presents that we John a Glimph & Milliton Atkins are held & firmly bound unto his Excellency the Governor for the time being & his Successors in the just & full sum of £50 Current Money to the which pay^t well & truly to be made, we bind ourselves our Heirs &c Jointly & Severally & firmly by these presents as witness to our hands & seals this 9th day Nov^r 1788. The Condition of the above obligation is Such that whereas the above bound John A Glimph hath this day obtained license for his marriage with **Fanney [Franky] Mills**, a widow of this County. Now if there should be no legal cause to obstruct the s^d marriage, then the above obligation to be void or else to remain in full force. [Signed] Militon Atkins for John [his mark] a Glimph, Milliton Atkins. Test: Abram Trigg." ¹³⁸

¹³⁸ Montgomery Co., VA, Marriage Bonds, 1789–1796, unnumbered documents in chronological order; Montgomery Co. microfilm reel 38, Library of Virginia, Richmond.



COMMENT:
The marriage plans fell through. Whether Glymph discovered something about his planned bride that displeased him—or whether she was the one who rejected him—is not revealed in any known record. Glymph’s name was entered on the Montgomery County tax roll of early 1789, but he has not been found on any record past that point. The land he had surveyed on Doe Creek in 1788 was patented in 1793 to one Paul Harman.¹³⁹ By 1800, Glymph was established in Newberry County, SC, where he raised a family by a different wife. Meanwhile, in August 1792, Frances “Franky” Mills married, in Montgomery, the widower John White Sr.

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. Strattom, Stratham, inlaw of William Lavender who wed Sarah Stratton]

(image 17)

¹³⁹ Virginia, Land Office Grants No. 28, 1792–93, pp. 107–8; imaged at Library of Virginia (https://lva.primo.exlibrisgroup.com/discovery/fulldisplay?docid=alma990007662850205756&context=L&vid=01LVA_INST:01LVA&search_scope=MyInstitution&tab=LibraryCatalog&lang=en; accessed 17 January 2019).

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

30 March

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

(image 18)

6 April

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

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 in Montgomery Co., being married by the minister of Walker Creek Baptist Church, who would also perform the marriage of "widow" Franky Mills in 1792.

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"¹⁴⁰

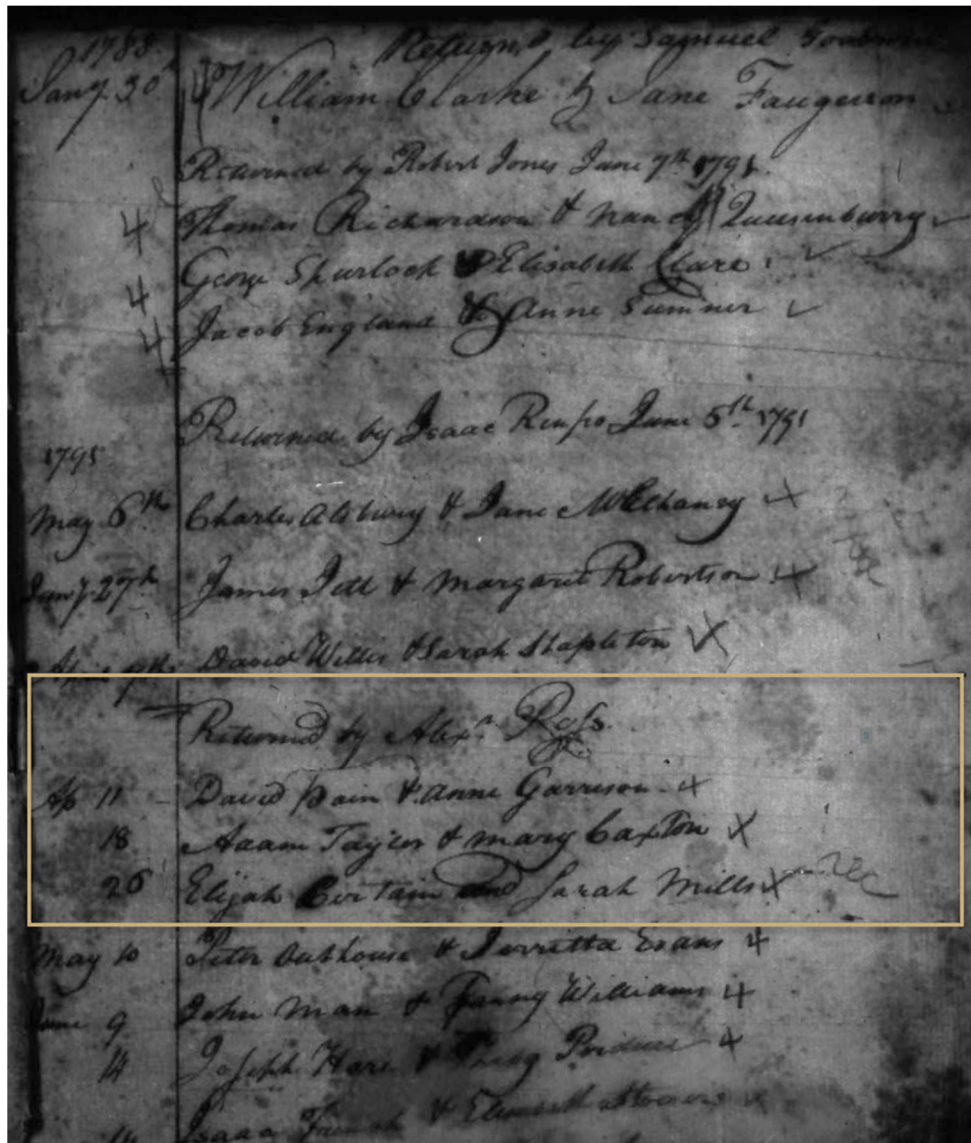
¹⁴⁰ Montgomery Co., VA, Marriage Bonds, 1789–1796, unnumbered documents in chronological order; Montgomery Co. microfilm reel 38, Library of Virginia, Richmond.

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 sum
of £50 current money of Virginia to the which
payment well and truly to be made we bind our
selves 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
Elijah Certain *[Signature]*
Joel Certain *[Signature]*
Sarah Mills *[Signature]*

26 APRIL 1791
MONTGOMERY COUNTY, VA
Marriage return

"Returned by Al^r Ross ... Ap. 26 Elijah Certain and Sarah Mills.¹⁴¹

¹⁴¹ [Untitled small register, unpaginated, chronological order; Montgomery Co., microfilm 52 Item 2 labeled "Marriage Records, 1785–1803."]



2 AUGUST 1791
AMHERST COUNTY, VA

Association

"On the Motion of **John Mills** it is Ordered that John Bradshaw pay to the said Mills three hundred and twenty-nine pounds of Gross Tobacco for his attendance at this County Court nine days and for Traveling once Twenty six miles from Albemarle County as a Witness for him at the Suit of Thompson and Teas."¹⁴²

¹⁴²Amherst Co., Court Order Book 1790-94, 254.

COMMENT:

The suit of Thompson & Teas vs. John Bradshaw “Upon an Attachment” was heard earlier that session, with a jury trial under William Walton, foreman. The jury found that “the Defendant did Abscond, and find for the Plaintiffs the Debt in the Declaration mentioned and One penny Damages. ... that the Plaintiffs recover against the said Defendant the sum of Seventy eight pounds ten Shillings and Eleven pence, also Twenty-eight pounds Six Shillings & Eleven pence, Nine pounds nineteen Shillings and Eleven pence ... to be Discharged by the payment of Thirty nine pounds five Shillings and five pence half penny with Legal Interest” from 1 April 1786, also [other sums]...” (pp. 251-52)

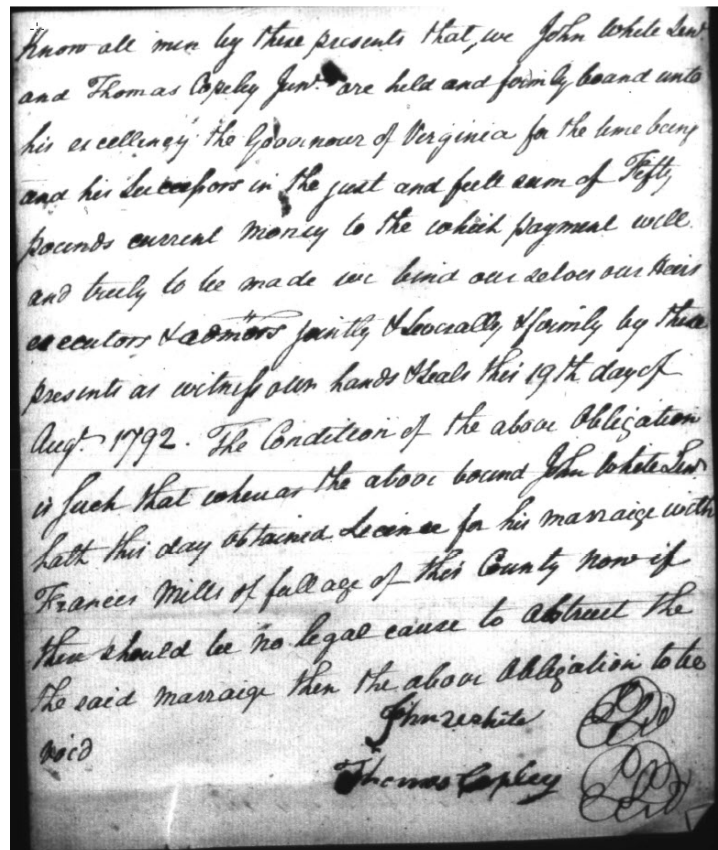
John Bradshaw was not only an associate of this John Mills but also Charles and Allen Lavender, sons of Millie (Mills) Lavender Walton. The November 1791 court session carried another suit revealing that the Lavenders had become indebted to Bradshaw, had not paid the note, and Bradshaw (amid his own debt problems) assigned the note over to Nelson Crawford, who sued the Lavender brothers.¹⁴³

19 AUGUST 1792

MONTGOMERY COUNTY, VA

Marriage

“Know all men by these presents that we **John White Senr.** and **Thomas Copeley Junr.** are held and firmly bound unto his excellency the Governour of Virginia for the time being and his Successors in the just and full sum of Fifty pounds current money to the which payment well and truly to be made we bind our selves our Heirs executors & admors jointly & Severally & formily by these presents are witness our hands & Seals this 19th day of Augt. 1792. The Condition of the above Obligation is Such that whereas the above bound John White Senr. Hath this day obtained License for his marriage with **Frances Mills** of full age of this County now if there should be no legal cause to obstruct the the [sic] said marriage then the above obligation to be void. [Signed:] John White, Thomas Copley.”¹⁴⁴



Know all men by these presents that, we John White Senr. and Thomas Copeley Junr. are held and firmly bound unto his excellency the Governour of Virginia for the time being and his Successors in the just and full sum of Fifty pounds current money to the which payment well and truly to be made we bind our selves our Heirs executors & admors jointly & Severally & formily by these presents as witness our hands & Seals this 19th day of Augt. 1792. The Condition of the above Obligation is Such that whereas the above bound John White Senr. Hath this day obtained License for his marriage with Frances Mills of full age of this County now if there should be no legal cause to obstruct the the said marriage then the above obligation to be void.

John White
Thomas Copeley

¹⁴³ Amherst Co., Court Order Book 1790–94, 345–47.

¹⁴⁴ Montgomery Co., VA, Marriage Bonds, 1789–1796, unnumbered documents in chronological order; Montgomery Co. microfilm reel 38, Library of Virginia, Richmond.

1792

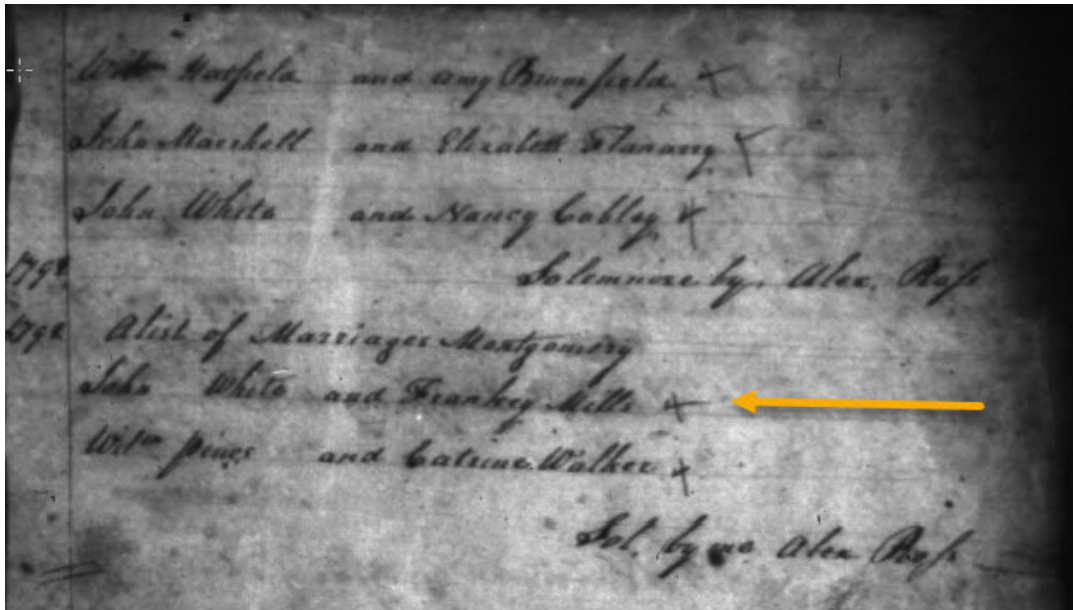
MONTGOMERY COUNTY, VA

Marriage

[consecutive entries; no month or year]

"A List of Marriages, Montgomery: John White [Jr.] and Nancy Coby [Copley]. Solemnized by Alex. Ross.

"A list of Marriages, Montgomery: **John White** [Sr.] and **Franky Mills** ... Sol. By me Alex Ross.¹⁴⁵



COMMENT:

Meanwhile, back in Amherst

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.

¹⁴⁵ [Untitled small register, unpaginated, chronological order; Montgomery Co. microfilm 52 Item 2 labeled "Marriage Records, 1785–1803."]

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 enslaved people 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.

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 give licence for **Jesse Mills** to Marry my daughter **Rachael**, given under my hand and [dated] the 21st of May 1793. [Signed] Joshua Hudson. Teste: Reubin Hudson, Rush Hudson."¹⁴⁶

The image shows a handwritten document on aged paper. The text is written in cursive and reads: "I do hereby give licence to Jesse Mills to marry my daughter Rachael given under my hand and dated the 21st of May 1793. Signed Joshua Hudson. Teste Reubin Hudson, Rush Hudson". The document is signed by Joshua Hudson and witnessed by Reubin Hudson and Rush 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 Common-wealth of Virginia in the sum of Fifty Pounds Current Money

¹⁴⁶ Amherst Co. Marriage Bonds and Consents, 1793–1796, chronological sequence; imaged on Amherst Co. microfilm 108, Library of Virginia, Richmond.

of [Virginia] to be paid to the Said Lee, Esquire, Governor aforesaid or to his Successors for the use of the Said Com-monwealth, 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—

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].¹⁴⁷

Know all men by these presents that we ~~Jesse Mills~~ ^{Jesse Mills} and family bound unto ~~the~~ ^{the} Esquire Governor of the Commonwealth of Virginia in the Sum of Fifty Pound Current Money of) to be paid to the Said ~~the~~ ^{the} 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 of May 1793 — The Condition of the above Obligation is Such that whereas there is a Marriage shortly intended to be solemnized between the above bound ~~Jesse Mills~~ ^{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
Test
Owen Haskins
Jesse Mills
Reubin Hudson

¹⁴⁷ Amherst Co. Marriage Bonds and Consents, 1793–1796, chronological sequence; imaged on Amherst Co. microfilm 108, Library of Virginia, Richmond.

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.¹⁴⁸

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.¹⁴⁹

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.)"¹⁵⁰

15 JULY 1793

AMHERST COUNTY, VA

Marriage bond

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.¹⁵¹

COMMENT:

This bondsman would be Jesse Mills Jr. *If* Jesse Sr. were still in the county, then 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

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.

¹⁴⁸ 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.

¹⁴⁹ 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.

¹⁵⁰ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 52.

¹⁵¹ 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.

- 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) John Mills is now living with Jesse; *or* (c) Robert Mills who married in Amherst in 1806 has arrived at tithable age, at lest sixteen. One of the latter two options are 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.¹⁵²

30 MAY 1795

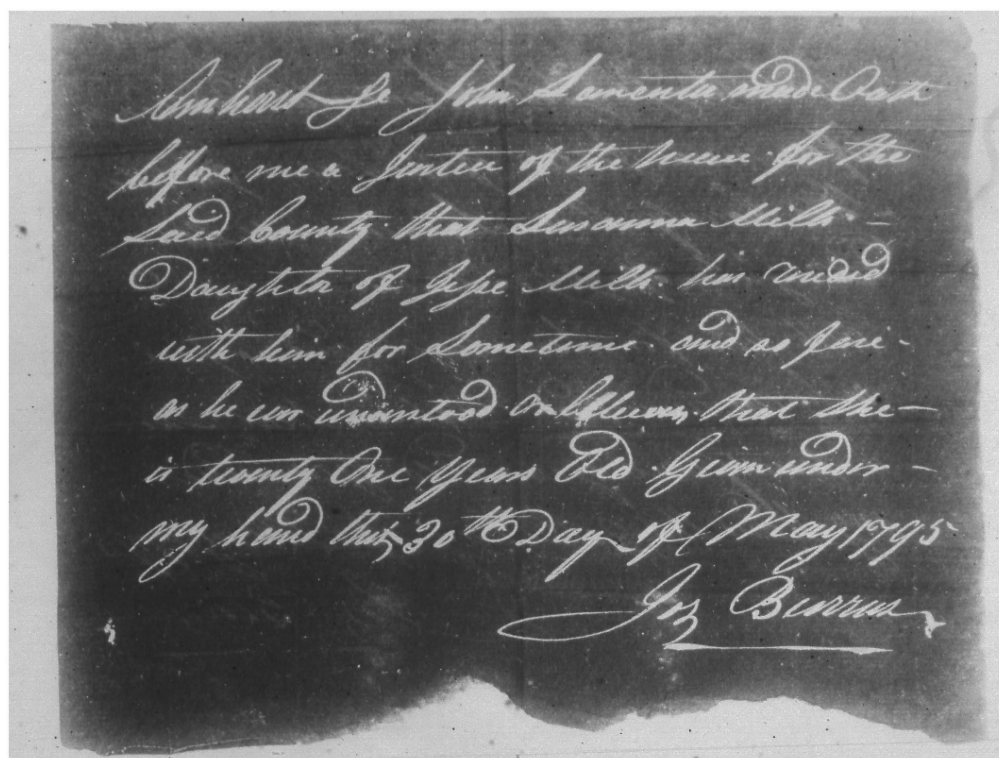
AMHERST COUNTY, VA

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 believe that she is twenty One years Old. Given under my hand this 30th Day of May 1795. Jos. Burrus."¹⁵³

¹⁵² 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).

¹⁵³ 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.



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.¹⁵⁴

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.¹⁵⁵ Denny was a Mills-Lavender-Learwood in-law.

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

¹⁵⁴ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 20.

¹⁵⁵ “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.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.

Parrock, spinster, with consent of her father Thomas Parrock.¹⁵⁶ The 1782 unalphabetized personal tax roll places Thomas Parrock two entries from Susannah's father Jesse.

20 JULY 1795
AMHERST COUNTY, VA
Will.

Jno. Norman Kidd, will witnessed by Tilman Walton, **Mary Mills**, Obedience Kidd.¹⁵⁷

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.¹⁵⁸

This leaves us with no known 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, 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,¹⁵⁹ 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 Milly left Amherst for Burke County, North Carolina. There the aging William died in 1806.¹⁶⁰ By 1810, his son Tilman Walton and Tilman's family had also migrated to Burke.¹⁶¹

Milly (Mills) Lavender Walton did not remain in Burke after her husband's death. By 1808 she

¹⁵⁶ William Montgomery Sweeny, *Marriage Bonds and Other Marriage Records of Amherst County, Virginia, 1763–1800* (Baltimore: Genealogical Publishing Co., 1980), 46.

¹⁵⁷ Bailey Fulton Davis, *The Wills of Amherst County, Virginia, 1761–1865* (1985; reprint, Greenville, SC: Southern Historical Press, 1998), 205, citing Book 3: 338.

¹⁵⁸ 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.

¹⁵⁹ Amherst Co., Deed Book G: 233, 254.

¹⁶⁰ *Find A Grave* (<http://www.findagrave.com> : accessed 22 May 2016), "William Walton Sr.," memorial page 7323283, created 2 April 2003 by "Armantia."

¹⁶¹ 1810 U.S. census, Burke Co., NC, p. 45, line 1.

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**,¹⁶² 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.¹⁶³ Milly has not been found on the 1820 census, but a probate was opened for her in Maury County, TN, in 1822.¹⁶⁴ 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.

Re John and Elizabeth McDonald:

10 MAY 1784

AMHERST COUNTY, VA

"John McDonald (signed McDaniel) of Cork, cooper [was] Indenture[d] to [Enoch] Stickney for 4 years. Wit: Wm Abbott, Rich. Harrison, Jon. Hannah. Made over to **Tilman Walton**, 25 September 1784, for Fitzgarrell & Murry; Jno. London (Lordan)."¹⁶⁵

McDonald would have been free by May 1788. This is the period in which William Walton's daughters (Tilman's sisters) were coming of age. One is known to have married Samuel Goodrich, who was employed by Tilman Walton at that time. Given that William Walton's first wife was *Elizabeth*, it is likely that he had a daughter Elizabeth also.

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

¹⁶² 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).

¹⁶³ 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.

¹⁶⁴ Byron and Barbara Sistler, *Index to Tennessee Wills & Administrations, 1779–1861* (Nashville: Byron Sistler & Associates, 1990), 377.

¹⁶⁵ Bailey Fulton Davis, *The Deeds of Amherst County, VA (1762–1852) & Albemarle County, VA (1948–1807)* (Greenville, SC: Southern Historical Press, 1979), 261; citing DB F: 130.

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.¹⁶⁶

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.

¹⁶⁶ "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.

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

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]

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.¹⁶⁷

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.¹⁶⁸

(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:

¹⁶⁷ 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.

¹⁶⁸ 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.

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

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, untaxed, 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

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.¹⁶⁹

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*.

TO DO:

Pursue this court case in Hanover.

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. Garland.”

¹⁶⁹ 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.

Know all men by these presents that we Robt. Mills
and Francis Campbells are held and firmly bound
unto William H. Cabell 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
we 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
10. 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 Campbells (spinster) Now if there
should be no legal cause to obstruct the said
marriage then the above obligation to be void
and else to remain in full force & virtue.

Teste
J. Garland
Robert Mills
Francis Campbell
Jacks

1810–1817

AMHERST COUNTY, VA

Legal suit

Daniel Tilman et al vs. Elizabeth Christian at al.¹⁷⁰

¹⁷⁰ The 29 images transcribed from this point through the next several pages are from ¹⁷⁰ 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 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 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].

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.**

“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 & Oratresses 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 Decd 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 &c 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 debt 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 *Phoebe*, 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 years¹⁷¹ 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

¹⁷¹ 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.

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 pltfs suit.

“But this respondent further alledges 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 —¹⁷²

“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

“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 ...”

¹⁷² 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.

[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 forbad 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 pl^{ts} 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 acrued 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"¹⁷³

(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 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 **Dur pen branch** to her & her Heirs for ever.

Item 7 [*sic, for Item 6, see below*] I do appoint my well beloved wire 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

¹⁷³ 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).

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

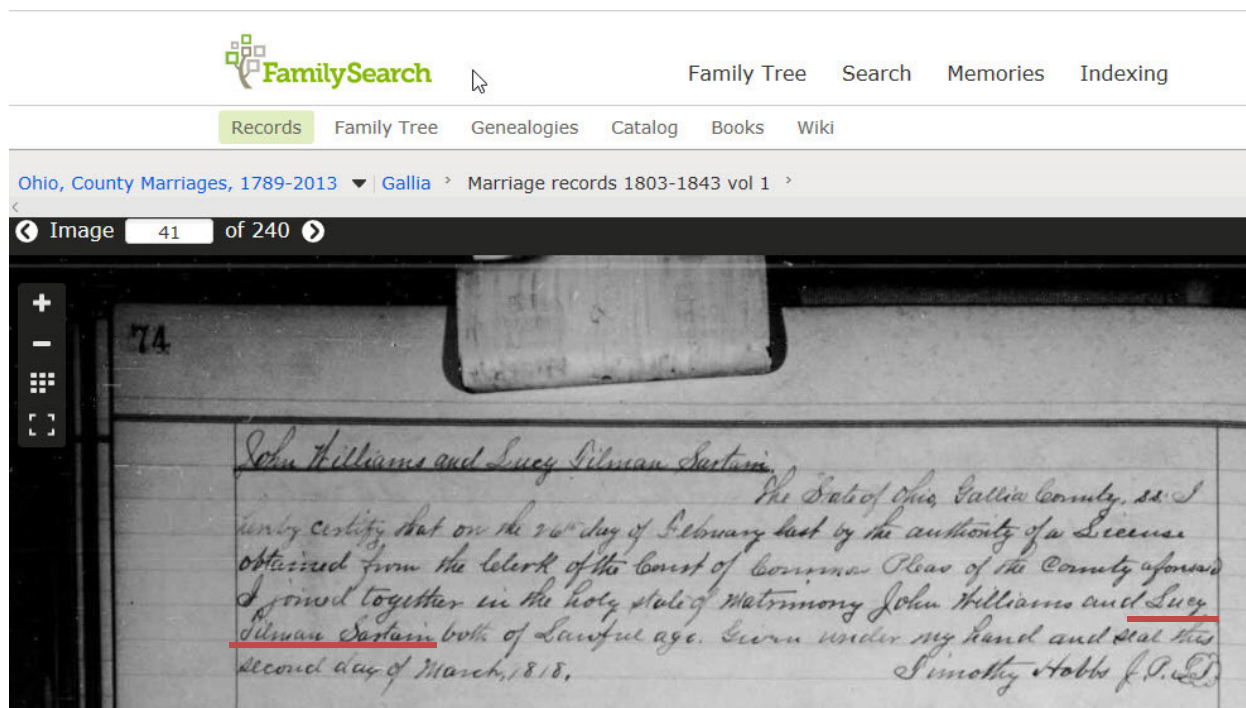
Marriage return

“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

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

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.”¹⁷⁴



¹⁷⁴ 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.

ADDENDA

RESEARCH NOTES: LAND SPECULATION BY JESSE MILLS, JR., GREEN COUNTY, KENTUCKY

- 17 November 1804, at a tax sale “at the door of the State House” in the town of Franklin, he paid \$2.52 for 165 acres on waters of Green River in Hardin County, belonging to tax defaulter Archibald Crawford, a non-resident of the state; the land was titled to him by Kentucky’s Land Office Registrar on 19 July 1806.¹⁷⁵
- May and October 1806, he and Anne 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. The three parcels were sold by Jesse and Anne to two men from Amherst County, VA: Anderson Moss and Pulliam Sandridge.¹⁷⁶
- 11 January 1808, as a resident of Green Co., Jesse paid \$50 to William Lumsden and wife Nancy of Louisa County, VA, for a tract of 2,222 unimproved acres on Sandy River in Green Co.¹⁷⁷
- 20 November 1805, at a tax sale held “at the door of the State House” in Frankfort, “Jesse Mills of ... Green” County paid \$5.07.6 for 1,000 acres in Hardin County “on the waters of Nolin” formerly belonging to “Jacob Larue (as a non-resident), who owed that sum in back taxes. The Registrar of the Land Office for the State of Kentucky titled the land to Jesse on 2 November 1808, after Larue failed to redeem the land.”¹⁷⁸
- November 1809, as assignee of one Jesse Bridges, Jesse entered land on Stoner and Casey’s Creek of Green County.¹⁷⁹
- 20 May 1811, Jesse Mills (s) and wife Ann (s) of Green County sold for \$446 to Pulliam Sandidge, a tract of 373 acres “being part of Julius Colean’s one thousand acre survey” in Ohio County, Kentucky, on Rough Creek, Waters of Green River, along “Coleman’s line” and a dividing line between Jesse and Joshua Gipson. Ann relinquished her dower the same day.¹⁸⁰
- 4 November 1811, at a tax sale held at the door of the State House in Frankfort, **Jesse Mills of Barren County** [*sic*] for \$1.61 purchased 140 acres of the 400-acre tract of Henry Skipworth, a delinquent taxpayer and non-resident of the state, to be taken off the east of the tract. On 22

¹⁷⁵ Franklin Co., KY, Deed Book B, 1803–1814, pp. 309–10; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-G5W8> : accessed 20 August 2024), images 455–56 of 632; citing “DR 1480, Kentucky.”

¹⁷⁶ 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. Sandidge was a Hudson in-law.

¹⁷⁷ Franklin Co., KY., Deeds C, 1807 to 1809, p. 59; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTC-7HF> : accessed 20 August 2024) > image 59 [*sic*] of 557. A marginal notation on the document reads “Lundsen & ux to Mills Exd. & D^d [delivered] to Wm. White 18th Augt. 1808.” The index to this volume does not show a deed involving “Wm. White” in either the “W” or the “M” section.

¹⁷⁸ Franklin Co., KY, Deeds C, 1807 to 1809, pp. 200–1; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTC-736>) > image 130 of 557.

¹⁷⁹ 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> : accessed 20 August 2024) > image 167 of 260.

¹⁸⁰ Ohio County, KY Deed Book BB, pp. 602–3; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTF-QC6V> : accessed 20 August 2024) > image 463 of 621.

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

January 1818, Jesse assigned his interest to Abner Akers.¹⁸¹ (The alleged residence in Barren, where the transaction took place, is likely an error.)

- 2 November 1813, at a tax sale held at the door of the State House in Frankfort, he bought 180 acres of a 202-acre tract belonging to the non-resident Raleigh W. Donnman for the 68 cents that Donnman owed. The land, on Cumberland River, adjoining LeRoy Edwards, being part of the “L. Edwards Survey,” was patented to him on 10 June 1816.¹⁸²
- 2 November 1813, Jesse purchased 700 acres on Cumberland River in Livingston County belonging to Robert Brough, non-resident, for \$2. The land was titled to “Jesse Mills of the County of Green” on 13 June 1818.¹⁸³
- 2 November 1813, Jesse purchased for \$1.48, 365 acres on waters of North Fork, Trade waters, Christian County. The land was titled to him on 13 June 1816.¹⁸⁴
- 2 November 1813, Jesse purchased for \$1.29, 833 1/3 acres on Indian Creek in Warren County, KY, owned by Robert Brough, a tax-delinquent non-resident of the state. The land was titled to Jesse on 6 November 1817.¹⁸⁵
- On 21 July 1815, as assignee of John Waring, he received a state certificate for 690 acres originally owned by Simon Simmons, non-resident of the state, on Coxe’s Creek of Nelson County, then purchased by Waring at tax sale.¹⁸⁶
- On 14 October 1815, Jesse (without Ann), sold to John Young of Nelson County for “fifty”, 690 acres in Nelson County on the Caney Fork of Caney? Creek, being land patented by Simon Summers [sic], adjoining land of Osburn Sprigg, Isaac Cox, Gabriel Cox, and John Fish. Jesse acknowledged the deed in court on 16 October 1816. No wife’s relinquishment is noted.¹⁸⁷
- 8 November 1815, at tax sale in Frankfort, Jesse bought for \$1.15, 390 acres off the East part of 1200 acres, 3d class, owned by William Lyne Jr. on the Cumberland River in Knox County.¹⁸⁸
- 8 November 1815, at tax sale in Frankfort, Jesse bought 700 acres on Rough Creek in Hardin County, being part of the 1000-acre tract belonging to Charles Dabney, a non-resident of state and delinquent tax payer. On 6 November 1816, William Wood purchased 49 acres of the East

¹⁸¹ Barren Co., KY, Deed Book I, 1821–1822, pp. 314–15; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS4K-2956-C> : accessed 21 August 2024) > image 377 of 501.

¹⁸² Franklin Co., KY, Deed Book F, 1815–1818, pp. 402–4; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-PSQ6-M> : accessed 20 August 2024) > images 514–15 of 571.

¹⁸³ Franklin Co., KY, Deed Book F, 1815–1818; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-PSQF-1> : accessed 20 August 2024) > images 510–11 of 571.

¹⁸⁴ Franklin Co., KY, Deed Book F, 1815–1818, pp. 400–2; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-PSQX-N> : accessed 20 August 2024) > images 513–14 of 571.

¹⁸⁵ Franklin Co., KY, Deed Book G, 1816–1819, pp. 244–46; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-1Q9C-D> : accessed 20 August 2024) > images 151–52 of 552.

¹⁸⁶ Franklin Co., KY, Deed Book F, 1815–1818, pp. 162–63; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-PSQV-Q> : accessed 20 August 2024) > image 394 of 571.

¹⁸⁷ Nelson Co., KY, Deed Book 11 1814–1816, pp. 304–6; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-C3W7-8961-K> : accessed 20 August 2024) > images 303–4 of 440.

¹⁸⁸ Franklin Co., KY, Deed Book H, 1818–1821, pp. 117–18; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-1QMK-5> : accessed 20 August 2024) >, images 334–35 of 552.

of the remaining Dabney land, and assigned it to Jesse Mills on 22 May 1819. On 3 November 1819, another 200 acres of the Dabney tract, third-rate land, was auctioned; the purchaser, Alexander H. Rennick assigned his interest to Spencer Griffin, who assigned it to Jesse Mills. Then on 5 November 1817 another 51 acres of the Dabney land was “exposed to sale” and Jesse Mills purchased 29 acres off the East. On 3 November 1818 the balance of 22 acres was auctioned and Jesse Mills was the highest bidder. None of the land was redeemed by Dabney and on **22 January 1830** the 1000 acres on “Yellow Creek, now called Rough Creek, waters of Green River,” were titled to **Jesse Mills of Green Co.**¹⁸⁹

- On 30 June 1816, as assignee of John M. Waring of Green Co., he received a state certificate for 592.5 acres that Waring had purchased at tax sale on 7 November 1810; the land lay on Robinson’s Creek of Green Co.¹⁹⁰
- 7 April 1817, at tax sale, Jesse paid 70.5 cents for 50 acres off the Northerly side of a 70-acre tract owned by tax-delinquent Weaden Dunbar on waters of Muddy Creek, 7th Collection District, Madison County, Ky. On 7 April 1817 he assigned his rights to Silvanus Massey, with Elizabeth Rings as witness.¹⁹¹
- 7 April 1817, at tax sale in Frankfort, Jesse bought 59 acres with two log cabbins, valued at \$300, belonging to “John Campbell (Irish)”, Mason County, one farm lying on waters of Stone Lick, paying \$1.40 ½. The land was titled to Jesse on 1 February 1820.¹⁹²
- 26 June 1817, at tax sale, Jesse paid \$16.30 for 2767 acres of unimproved land on the Ohio, in Breckenridge County, owned by “Norton or Page,” delinquent taxpayer(s). On 4 September 1819, Jesse sold his rights to Hugh Logan.¹⁹³
- 26 June 1817, at tax sale in Lexington, Jesse paid \$4.68 for 500 acres in Oldham County (formerly Henry), owned by Mary Vaughn, a delinquent tax payer. Before 14 December 1819, he assigned his certificate to Peter Hildreth.¹⁹⁴
- 4 November 1817, at the State House in Frankfort, Jesse paid for 840 acres in Fleming County on waters of Allison’s Creek, owned by “Thomas Massie’s Heirs (as a non Resident of this State),” paying \$1.29. The land was titled to him on 25 January 1820.¹⁹⁵

¹⁸⁹ Ohio Co., KY, Deed Book F, pp. 232–34; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTF-QSJS-S> : accessed 21 August 2024) > images 602–3 of 716.

¹⁹⁰ Franklin Co., KY, Deed Book F, 1815–1818, pp. 405–7; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-PSQF-V> : accessed 20 August 2024) > images 515–16 of 571.

¹⁹¹ Madison Co., KY, Deed Book P, 1821–1823, pp. 46–49; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS42-S9DL-G> : accessed 20 August 2024) > images 34–35 of 828.

¹⁹² Mason Co., KY, Deed Book w, 1820–1821, pp. 453–55; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTF-HSQB> : accessed 21 August 2024) > images 453–54.

¹⁹³ Franklin Co., KY, Deed Book I, 1820–1830, pp. 425–27; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-L4KB> : accessed 20 August 2024) > images 224–25 of 544.

¹⁹⁴ Oldham co., KY, Deed Book C, 1832–1836, pp. 403–5; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS5K-S91V-G> : accessed 21 August 2024) > images 223–24 of 602.

¹⁹⁵ Franklin Co., KY, Deed Book H, 1818–1821, pp. 375–75; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-1Q9L-5> : accessed 21 August 2024) > images 466–67 of 552.

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

- 5 November 1817, at State House in Frankfort, Jesse bought 46.5 acres on Dick's River in Garrard County belonging to tax-delinquent and non-resident of Kentucky, George Reynolds, paying 39 cents. On 21 June 1824 Jesse assigned the land to Lewis Baily with Thos. Mullins as witness. The land was redeemed.¹⁹⁶
- On 5 November 1817, at the tax sale at the State House in Frankfort, he paid 48 cents for 150 acres of "third-rate" land belonging to Robbert Watkins, a non-resident delinquent tax payer; the land, which lay on waters of Ohio creek, Christian County. On 4 December 1819 the land still had not been redeemed by Watkins and Jesse assigned his rights to the land to A. W. Powell. On 3 November 1818, the balance of Watkins land, 40 acres and 75 acres, was auctioned and Jesse purchased both, then assigned his rights to the land, on 3 October 1825, to Lazarus Powell of Henderson County, Ky.¹⁹⁷
- 17 November 1817, Jesse bought from Mark Hardin, his rights to 300 acres that Hardin had purchased on 9 November 1814, at tax sale in Frankfort, part of a 1500-acre, 3d rate tract owned by William Lyne Jr. in Knox County, on Cumberland River.¹⁹⁸
- 28 October 1818, Jesse bought Joseph Edrington's right to 1310 acres of 3d class land owned by William Lyne Jr. on Cumberland River, Knox County.¹⁹⁹
- 3 November 1818, at State House in Frankfort, Jesse bought 14 acres off the 16.6 acres of 3d class land on Dicks River in Garrard County that was the remainder of the tract owned by George Reynolds, for 32 cents. On 21 June 1824, he assigned his rights to Lewis Baily.²⁰⁰
- On 2 November 1818, at the annual tax sale at Frankfort, he paid \$1.05 for 99 acres "off the east of 500 acres of second-rate land in Shelby County belonging to Jabez Larue, a non-resident of the state. The land was titled to him on 16 May 1822."²⁰¹
- On 2 November 1818, at tax sale in Frankfort, Jesse paid 34 cents for 69 acres of a 150-acre tract on Barebone owned by Daniel Grigg, a non-resident of the state and delinquent taxpayer. "Therefore ... in consideration of the aforesaid sum of money paid by the said Mills into the public treasury ... John M. Foster as Register hath sold ... unto the said heirs of Joseph Lane the aforesaid sixty nine acres lying and being formerly in the County of Shelby (now Trimble)." [This register is a typed copy. It apparently omits the assignment of the land by Jesse to Lane.]²⁰²

¹⁹⁶ Garrard Co., KY, Deed Book J, 1823–28, pp. 95–97; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-KSK1-5> : accessed 20 August 2024) > images 315–16 of 621.

¹⁹⁷ Henderson Co., KY, Deed Book G, 1832–1834, pp. 49–50; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSKX-V72F-5> : accessed 20 August 2024), image 19 of 538.

¹⁹⁸ Franklin Co., KY, Deed Book H, 1818–1821, pp. 117–18; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-1QMK-5> : accessed 20 August 2024), images 334–35 of 552.

¹⁹⁹ Franklin Co., KY, Deed Book H, 1818–1821, p. 118; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-1QMK-5> : accessed 20 August 2024) > images 334–35 of 552.

²⁰⁰ Garrard Co., KY, Deed Book J, 1823–28, pp. 95–97; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-KSK1-5> : accessed 20 August 2024) > images 315–16 of 621.

²⁰¹ Franklin Co., KY, Deed Book I, 1820–1830, pp. 230–31; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-LHQ7> : accessed 20 August 2024) > images 120–21 of 544.

²⁰² Trimble Co., KY, Deed Book A, 1837–1842, pp. 204–5; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-T9TL-T> : accessed 20 AUGUST 2024) > image 123 of 577.

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

- 16 November 1818, at tax sale in Frankfort, Jesse paid \$1.17 for 1000 acres on Big Sandy owned by William Mitchell. On 4 September 1819, he assigned his certificate to Hugh Logan.²⁰³
- 17 November 1818, at the courthouse in Lexington, Jesse purchased for \$1.16, 200 acres on Big Bone creek, at its confluence with Ohio River, in Boone County, third-class land owned by Davis Meade, a delinquent taxpayer. On 17 June 1826 he assigned his certificate to Ransom Alphin.²⁰⁴
- 18 November 1818, at the courthouse in Lexington, Jesse bought 500 acres on Sugar Creek, Garrard County, “about 4 miles from the mouth,” for \$1.17. The land was titled to him on 14 July 1821.²⁰⁵
- On 18 November 1818, at the courthouse in Lexington, Jesse purchased for \$1.18, land in the 10th Collection district of Hardin County owned by James Clark’s heirs, part of 1000 acres on Green River about the mouth of Lyer Camp Creek. Jesse assigned his rights to Hugh Logan on 4 September 1819.²⁰⁶
- 18 November 1818, at tax sale in Frankfort, Jesse paid \$1.18 for 1000 acres on Green River in Hardin County. On 4 September 1819, he assigned his rights to Hugh Logan.²⁰⁷
- 19 November 1818, at tax sale, Jesse purchased for \$1.56 at the Courthouse in Lexington, 666 2/3 acres on Cypress Creek of Muhlenberg County. The land was titled to **“Jesse Mills of County of Green” on 6 October 1823.**²⁰⁸
- 19 November 1818, at the court house in Lexington, Jesse (no residence stated) purchased 400 acres belonging to tax-delinquent George Moffett on Hurricain Creek in Livingston County for 71 cents. On 11 May 1821 he assigned it to John Wash (William Cole, witness), who assigned it to Daniel Mayes. The title issued to Mayes called him “(assignee of John Wash who was assignee of Jesse Mills) of the county of Christian”; the wording creates an ambiguity as to whether Jesse or Mayes was from Christian County.²⁰⁹
- 6 May 1819, the three Lyne tracts were consolidated into one title issued to Jesse, describing it as lying on NW side of Cumberland River in Knox, formerly Lincoln.²¹⁰

²⁰³ Franklin Co., KY, Deed Book I, 1820–1830, pp. 422–24; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-L4KL> : accessed 20 August 2024) > images 222–23 of 544.

²⁰⁴ Boone Co., KY, Deed Book H, 1829–1832, pp. 53–55; <https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSKX-J3WP-1> : accessed 21 August 2024) > images 48–49 of 436.

²⁰⁵ Garrard Co., KY, Deed Book H, 1820–1823, pp. 70–72; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-KS2D-N> : accessed 21 August 2024) > images 59–60 of 621.

²⁰⁶ Franklin Co., KY, Deed Book I, 1820–1830, pp. 422–24; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-L4KL> : accessed 20 August 2024), images 222–24 of 544.

²⁰⁷ Franklin Co., KY, Deed Book I, 1820–1830, pp. 424–25; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-L4N4> : accessed 20 August 2024) > images 223–24 of 544.

²⁰⁸ Muhlenberg Co., KY, Deed Book 6, 1823–28, pp. 79–80; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-VX1K> : accessed 20 August 2024) > images 51–52 of 316.

²⁰⁹ Livingston Co., KY, Deed Book E, 1820–1822, no visible page numbers on the repaired leaf; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS4V-XHDK> : accessed 20 August 2024) > images 816–17 of 857.

²¹⁰ Franklin Co., KY, Deed Book H, 1818–1821, pp. 118–19; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTH-1QMK-5> : accessed 20 August 2024), images 334–35 of 552.

Jesse Mills Sr. (c1740–aft1811)
Spouse Lucy Tilman

- 15 March 1820, Jesse of Green Co. sold to Thomas Hughes of Fleming Co. for \$50, 74 acres in Fleming Co. “being part of Thomas Massie’s survey” of 1000 acres. “By William P. Fleming his atto. in fact.”²¹¹
- 18 March 1820, Jesse of Green Co. sold to James S. Triplett & Nolly Triplett] of Fleming, for \$35, two tracts of land in Fleming, part of Thomas Massie’s survey of 1000, being 85 acres and 95 acres respectively. Executed by “William P. Fleming his atto. in fact.”²¹²
- On 8 May 1821, still in Green County, Jesse sold Joseph Brazlier for \$360, 180 acres on the Cumberland River in Livingston County adjoining Leroy Edwards, near a “remarkable salt Peter Cave,” with Jesse Patterson, John Troy, and James Redman Haward as witnesses.²¹³ On 21 June 1822, still of Green and again without a wife’s participation, Jesse sold three tracts in Shelby County with another Larue connection. To Benjamin Talbott of Shelby for \$81, he conveyed 27 acres that were part of a 500-acre survey in the name of Jabes Larue and “also a part of ninety nine acres thereof deeded to the said Mills by the register of the Land Office [on 16 May] of this present year,” lying “on waters of Bull Skin Creek [including] a tract of Land Claimed and possessed by James Brush.” William Dabney, that day, paid him \$255, for 51 acres from that same 500-acre tract, adjoining Jacob Myers, James Brush, and Benjamin Talbot. Then James Brush of Shelby, for \$63 bought 21 acres of the tract.²¹⁴
- 28 March 1822, Jesse Mills of Green for \$30 executed a new deed to Charles Kean to replace a lost deed to 87 acres on Little Clifty of Greasy Creek, Adair County, adj. Little Clifty.²¹⁵
- 24 November 1826, Jesse Mills to William D. Cope, both of Green Co., sells for \$800, land lying in Livingston County on S side of Cumberland River. Witnesses: David Campbell, W. O. Hughes, E. L. Kirtley?²¹⁶
- 31 January 1828, Jesse Mills is given power of attorney by “Rachel H. Anderson of Green County ... **now in Todd County** for the purpose of “bringing Suits in Cause or defending Suits against me or my heirs or assigns and to sell all my right title and interest that I have or may have in any property in this state.” Signed: Rachel H. Anderson. Witnesses: Fleming Carnall, Eliza H. Carneall, Jno. Bristow, J. C. Young.²¹⁷

²¹¹ Fleming Co., KY, Deed Book 1, 1819–1820; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-C3QY-LSS8-7> ; accessed 21 August 2024) > images 449–50 of 556.

²¹² Fleming Co., KY, Deed Book 1, 1819–1820; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-C3QY-LS35-R> ; accessed 21 August 2024) > images 450–52 of 556.

²¹³ Livingston Co., KY, Deed Book E, 1820–1822, p. 128 (left and right sides); imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS4V-XHDM> ; accessed 20 August 2024) image 762 of 857.

²¹⁴ Shelby Co., KY, Deed Book S1, 1821–1823, pp. 340–41; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS4L-Y3NB-S> ; accessed 20 August 2024) > image 441 of 526; imaged from microfilm “DR1403, Kentucky.” The sale price in the Talbot deed was actually \$81.__, with the “cents” being bound into the crack of the book.

²¹⁵ Adair Co., KY, Deed Book E, 1818–1823, p. 686; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSKX-JSXD-D> ; accessed 21 August 2024) > image 362 of 830.

²¹⁶ Livingston Co., KY, Deed Book BB, 1826–1829, p. 100; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLX-V34P-7> ; accessed 21 August 2024) > image 412 of 615.

²¹⁷ Todd Co., KY, Deed Book F: 1829–31, pp. 82–83; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSRK-3QCT> ; accessed 20 August 2024) > image 82–83 [sic] of 593.

- 25 July 1828, Jesse Mills, in Casey County, for \$1 and a bay gelding, binds himself to deliver to John P. Joslin 80 acres in Casey County on Caney Fork of Brush Creek. Joslin signed over the bond to James Whiteside on 31 August 1829. Whitesides signed it over to James Chapman on 28 July 1830. All are record 9 March 1830 in Casey.²¹⁸
- 30 January 1830, **Jesse Mills of Green Co.** to Elijah Crow and William R. Griffith, sale for \$200, one undivided moiety of a tract granted by the Commonwealth of Virginia to Charles Dabney on 24 April 1787, conveyed by the restor of the land office to Jesse on 22 January 1830. Witnesses: Wm. M. Davis, David Short, Willis Green. **Acknowledged by Jesse, Ohio County Court, 1 October 1830.**²¹⁹
- 18 October 1830, Jesse Mills was given power of attorney by John Smith Jr. and “Rachel His wife formerly Rachel H. Anderson of the County of Green” to sell “all the right title and Interest and Claim that we have in and to the Negroes hereafter named that Said Rachel derived in law by the death of her Son Jesse M. Anderson, son of Reuben Anderson deceased ... a Negro woman Hannah, Kizzia, Secily and her Children four or five in Number, being the same Negroes and their increase that was assigned to Said Rachel as dower in the estate of her husband.” Signed: John Smith, Rachel H. Smith. Witnesses: Robert Colvin, David Campbell, Adam Campbell. The POA and the certificate of the Green County Clerk were filed with the clerk of Todd County, KY, 23 July 1831.²²⁰ (Note: No John Smith in Todd 1830 has a wife 30-40, with slaves. The three witnesses are also missing from Todd County’s census. Fleming Carnall, Rachel’s witness in 1828, is enumerated in 1830.)
- 2 November 1830, Jesse Mills, in the name of John Smith and Rachel H. Smith, sold to John Breathitt for \$110 her son Jesse M. Anderson’s one-fourth interest in Cicily and her five children Dennis, Randall, Hanly?, Elizabeth and Polly, also a woman named Mourning aged about 23 and Kizsy about 16 or 19, and Hannah aged about 15 or 18.²²¹

²¹⁸ Casey Co., KY, Deed Book 3, 1824–1834 (recopied 1911), p. 203; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTP-WWC2-M> : accessed 21 August 2024) > image 106 of 796.

²¹⁹ Ohio Co., KY, Deed Book F, pp. 235–36; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSTF-QSJ9-N> : accessed 21 August 2024) > images 604–5 of 716.

²²⁰ Todd Co., KY, Deed Book F: 1829–31, pp. 459–60; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSRK-3QMT> ; accessed 20 August 2024) > image 279 of 593.

²²¹ Todd Co., KY, Deed Book F: 1829–31, pp. 462–63; imaged, *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSRK-3QMT> : accessed 20 August 2024) > images 280–81 of 593; source of the image not cited.

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