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DATE: 8 December 2022
REPORT TO: File
SUBJECT William Anderson Mills (1827–1902) of Polk County, North Carolina, as Son of Lavender Mills (c1800–c1859): Proof Argument

William Anderson Mills, who used his middle name as his call name, was born about 1827.¹ He first appeared on record in 1850, cited as a young husband on the census of Polk District, Rutherford County.² The cluster of households in which he appears suggests his birth family and that of his first wife Polly Weaver:

- 199/199 Lavender Mills, 53, male, farmer, \$400, birthplace not stated
Phalby Mills, 48, female, cannot read/write, “
Noah Mills, 20, male, attended school, “
Jesse Mills, 14, male, attended school, “
- 200/200 Jesse Weaver, 47, male, farmer, \$50?, b. SC
Nancy Weaver, 41, female, SC
William Weaver, 21, male, SC, attended school
Elizabeth Weaver, 13, female, SC, attended school
M. T. Weaver, 16, male, SC, attended school
Green Weaver, 12, male, SC, attended school
Rachel? Weaver, 9, female, SC, attended school
Depha Weaver, 6, female, NC
Adaline Weaver, 4, female, NC
- 201/201 **W. A. Mills**, 23, male, [no occupation], b. NC
Mary Mills, 23, female, b. NC
Hosa [Posey] Mills, 5, male, b. NC

¹ Censuses provide the following birth periods: **1850**: between 2 June 1826 and 1 June 1827; **1860**: between 2 June 1827 and 1 June 1828. See 1850 U.S. census, Rutherford Co., NC, population schedule, p. 244, dwell. 201, family 201, “W. A. Mills.” 1860 U.S. census, Rutherford Co., pop. sch., Cooper’s Gap, p. 74, dwell. 535, fam. 507, “Anderson Mills.” He has not been found on the censuses of 1870, 1880, or 1890, even though he continued to live in Polk Co. (and probably at Cooper’s Gap with his offspring) until 1902 when his probate was opened. For other documents citing William A. as “Anderson,” see

• “North Carolina, U.S., Death Certificates, 1909–1976,” database with images, *Ancestry* (https://www.ancestry.com/imageviewer/collections/1121/images/S123_180-0550 : accessed 8 December 2022), “Athie Lindy Shipman,” d. Gaston Co. NC certificate 1925: 184, born in Polk Co. “about 1848” to “Anderson Mills” and “Polly Weaver.”

• “South Carolina, U.S., Death Records, 1821–1970,” database with images, *Ancestry* (https://www.ancestry.com/imageviewer/collections/8741/images/VRDUSASC1821_088613-00677 : accessed 8 December 2022), “King Floyd Mills,” d. Spartanburg Co., aged 41, b. “N.C.” to Anderson Mills” and “Jane Laughter.”

² 1850 U.S. census, Rutherford Co., NC, population schedule, p. 244, dwell. 201, family 201. Also see p. 243 for Lavender Mills and the Weavers. Jesse and Nancy Weaver also resided next door to William Anderson and wife Mary in 1860.

A.L. Mills, 3, female, b. NC
 Sarah Weaver, 80, female, b. NC, cannot read/write

202/202 Willis Mills, 25, male, farmer, \$200, b. NC
 Rena Mills, 28, female, b. NC
 Lewis Mills, 5, male, b. NC
 Columbus Mills, 2, male, b. NC
 Jones Kilpatrick, 20, male, b. NC, cannot read/write

A “suggestion” of parentage, however, does not constitute proof. Individuals in the past could and often did live near same-surnamed people who were not their parents or siblings—and even no kin at all. In the time and place in which William Anderson Mills was born, births were not recorded by civil authorities. Death records were not recorded in Polk County until 1913,³ eleven years after William’s probate was opened there.⁴ No known church or Bible records name William’s parents. Records of his two marriages, which might name parents, have not been found. Both wives (whose maiden names are given in death records of their children) were from neighboring families: Weaver and Laughter.

Lavender Mills, who lived two households from William at his first emergence on record, did not leave a probate record that named heirs, even though he died in possession of several tracts of land.⁵ The 1850 census that places two minors in his home, Noah and Jesse, provides the only evidence that names children for him. (However, note that this record does not actually say Noah and Jesse are Lavender’s sons; it only implies it.)

The 1840 census of Rutherford County attributes several other youth to the family of Lavender and Phalby:

Lav. Mills	1 male	30–40	1 female	30–40
	2 males	15–20	1 female	5–10
	2 males	10–15		
	1 male	0–5 ⁶		

The 1840 census also places Lavender adjacent to the following household:⁷

John Mills Sr.	1 male	70–80	1 female	60–70
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³³ “Polk County, North Carolina, Genealogy,” *FamilySearch Wiki* (https://www.familysearch.org/en/wiki/Polk_County,_North_Carolina_Genealogy).

⁴ “North Carolina, U.S., Wills and Probate Records, 1665–1998,” database with images, *Ancestry* (https://www.ancestry.com/imageviewer/collections/9061/images/004779890_00102 : 7 December 2022) > Polk > Administrators Bonds, 1876–1911 > image 102, being p. 76 of identified volume, showing B. F. Gibbs, B. F. Wilson, and N. L. Whitesides posting administrator’s bond for estate of William A. Mills.

⁵ For abstracts, transcriptions, and/or images of all known legal records created by and about Lavender, see E. S. Mills, “Mills & Associates: Rutherford County, NC, Its Parent Counties (Anson, Lincoln, Mecklenburg, and Tryon) and Its Offshoots (Buncombe, Burke, Henderson, and Polk Counties): Expanded Survey,” report to file, 28 August 2018, updated 17 November 2022; archived online at Mills, *Historic Pathways* (<https://www.historicpathways.com/download/MillsRutherfordTryonLincolnSurvey.pdf>).

⁶ 1840 U.S. census, Rutherford Co., NC p. 323, line 18.

⁷ The presence of the elderly John Mills’s household adjacent to Lavender in 1840 also suggests that John was Lavender’s father. For further evidence of John (aka John “Little” Mills) as father of Lavender, see Elizabeth Shown Mills, “Proof Argument: Parentage of Lavender Mills (Ic1800–c1859), Rutherford County, North Carolina,” 5 September 2022; attached to E. S. Mills, “Mills-Shown Family,” user-contributed tree, *Ancestry* (<https://www.ancestry.com/mediaiviewer/collection/1030/tree/71173579/person/292447253877/media/a5c0ec3e-4ada-42ff-993f-ad0a1c9a4dc3> : 8 December 2022).

At the time of this 1840 census William Anderson Mills was twelve or thirteen. The Willis Mills who lived adjacent to him in 1850 would be fifteen. The census data for Lavender's 1840 household is compatible with the suggestion that Lavender was father of both William Anderson and Willis.

The census suggestion that Lavender was the father of William Anderson *can* be proved through deed records, even though the deeds—like the censuses—do not cite kinships. The two critical deeds are these:

(1)

31 AUGUST 1833

RUTHERFORD COUNTY, NC

Land acquisition

Lavender Mills from **John Mills** (x), purchase, for \$175, 50 acres on **Rotten's Creek**, both sides, described as

Beginning on a Spanish oak bush on the foresaid Mills' own line at the **cross paths** and runs with Sd path through sd **Mills's lane** to a poplar at the head of **sd John Mills's lane**, thence W to the head of a branch to a conditional line, thence down the sd branch along **conditional line** between **Williams** & foresaid Mills crossing the foresd creek with the sd conditional line to the foresd John Mills' old line, to a red oak, then N to the beginning.

Witnesses: Wyley Laughter, John Lyon. Recorded 17 December 1842.⁸

(2)

30? JANUARY 1868

POLK COUNTY, NC

Land sale.

William A. Mills to Jacob Jackson, both of Polk. Sale for \$154.50 in hand paid, 50 acres more or less on Rotten Creek, both sides of creek, described as

Beginning on a Spanish oak at the **Cross Path** and running with said path through said **lane** to a poplar at the head of **John Mills' lane**, thence to the head of a branch to a **conditional line** between **Williams** & said Mills, Crossing Said creek with a **Conditional line** to the aforesaid John Mills' old line, to a Red oak, thence North to the beginning.

Signed: Wm. A. Mills. Witnesses: Nisbet Dimsdale, Wm. R. Jackson. Proved in court 15? July 1882? by witness N. Dimsdale.⁹

One genealogical maxim guides researchers in their work with land records: *Descent of land is the purest proof of kinship.*

Lavender Mills died before the 1860 census, having never sold the land he acquired from John Mills or the land he bought elsewhere. No probate was filed for him. The minor sons implied for Lavender by the 1850 census, Noah and Jesse, appear not to have survived to adulthood; they have not been found on any record past that one enumeration. The oldest son suggested for Lavender by the 1850 census, the

⁸ Rutherford Co., NC, Deed Book 44:391; imaged, *FamilySearch* digital film 7517770 > image204.

⁹ Polk Co., NC, Deed Book 5: 455; imaged, *Polk County, North Carolina, Recorder of Deeds* (<https://cotthosting.com/ncpolkexternal/HTML5Viewer/ImageViewer.aspx> : 8 December 2022).

Willis Mills who lived adjacent to William Anderson Mills, moved shortly thereafter to Texas where he died in 1856.¹⁰

In short: At the time of Lavender's death, only one potential son remained: a son who resided one house from him on the 1850 census, in a rural area where that son had purchased no land of his own to farm.¹¹ That son, William Anderson Mills, in 1868 sold the fifty acres that Lavender had inherited from his own father John, with the purchaser being a neighbor who was an in-law as well.¹² William Anderson Mills would not have been legally able to sell Lavender's land, without benefit of a recorded title, unless he was recognized in the neighborhood as Lavender's legal son and legal heir.

¹⁰ *Find A Grave* (<https://www.findagrave.com/memorial/140248663/willis-lavender-mills>), "Willis Lavender Mills" memorial created 20 December 2014 by "Searchers of our Past."

¹¹ William Anderson Mills also passed to his own sons William E. and Willis Mills, without benefit of title, a second tract of land that they sold in 1871 saying that the 200 acres on Rottens Creek "formerly belonged to Lavender Mills." (Polk Co., Deed Book 6: 519). Until at least 1881 William Anderson Mills remained on a third tract inherited from Lavender: 200 acres that he and son Willis sold in 1881 to Lincum K. Corn, saying that it "formerly belonged to Lavender Mills" and lay adjacent to the tract that William sold above to Jacob Jackson; Polk Co. Deed Book 7: 274–75.

¹² Lavender's brother Calvin Garrett Mills married Margaret Jackson, daughter of Rutherford's David Jackson, before moving with her to Georgia. See *Reminiscent History of the Ozark Region* (Chicago: Goodspeed Bros. 1894), 719–20, autobiography of Judge Thomas Govan Mills, son of Calvin Garrett Mills; imaged, University of Missouri, *Digital Library* (<https://dl.mospace.umsystem.edu/mu/islandora/object/mu:419037>). David Jackson, on the 1830 census, was eight, nine, and ten houses from Lavender, John, and Calvin Garrett Mills; see 1830 U.S. census, Rutherford Co., NC, p. 527.