

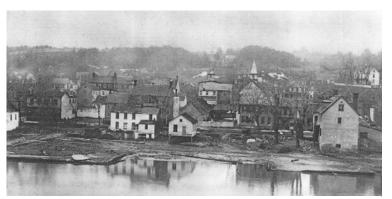
Prince William Reliquary

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REL-I-QUAR-Y: (noun) A receptacle for keeping or displaying relics.

THE HAMMILL HOTEL OR THE ALTON HOTEL? MISTAKEN IDENTITIES IN OCCOQUAN

By Linda Hammill Matthews¹



A view of Occoquan from the river taken between 1888 and 1916. The Alton Hotel is just left of center. The Hammill Hotel is visible behind it to the left. Photo courtesy Historic Occoquan Inc. (RELIC photo 14-03-125)

The marker goes on to explain that the building was converted to apartments in 1942.

Another of Occoquan's new historical markers commemorates Mill Street, including the Alton Hotel. This marker reads, "Mill Street has been Occoquan's commercial center since the early 1800s. The Alton Hotel, taverns, a bank, a pharmacy, grocery and hardware stores, and other businesses served local residents and travelers on the main east coast north south highway. A 1916 fire destroyed many of these buildings."² One of them was the Alton Hotel building. A newspaper article of the day explains: "The fire originated at 2:30 o'clock in the old Alton Hotel, occupied by Mrs. Weedon. The explosion of an oil stove is thought to have been the cause. . . . Swept by a swift breeze, the fire completely destroyed the old Alton Hotel" as well

The town of Occoquan has been home to several hotels over the course of its two-hundred-year history. In the late nineteenth and early twentieth centuries, the most prominent of these were the Hammill Hotel, for several decades owned and operated by the Hammill family, and the Alton Hotel, long associated with the William Selecman family. The Hammill Hotel building can still be seen at the corner of Union and Commerce streets in Occoquan. А recently erected historical marker suggests that this might have been Occoquan's first brick building, and continues, "Tradition says it was built in 1804, but it likely dates from c. 1830."

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²The full text of these and several other markers, together with pictures and commentary, can be found on-line at <u>http://www.hmdb.org/results.asp?SearchFor=occoquan</u>.

as eleven other stores and houses and "about a hundred frame sheds and barns."³ Today, Jerry's Occoquan Jewelers operates at 306 Mill Street, where the Alton Hotel building stood for more than a century.⁴



Alton Hotel. Courtesy of the Occoquan Historical Society.

These extremely helpful historical markers begin to sort out the confusion that has clouded the history of the Hammill and the Alton hotels since 1941. In that year, Susan Morton's WPA publication *Prince William: The Story of Its People and Its Places* mistakenly associated the Hammill Hotel with William Selecman: "On the main street of Occoquan is an old building, formerly the Hammill Hotel, built by William Selecman about 1804."⁵

Morton can be partially excused for the error, for in 1941 the Alton Hotel was long gone, while the Hammill Hotel was still visible in Occoquan. Also, the two buildings were similar; both were three stories, built of brick. But it is hard to excuse her for imagining that either Commerce or Union could be described as Occoquan's main street. The town's main street is and always was Mill Street. Morton's error has misled the public about the ownership and origins of the Hammill and Alton hotels for nearly seventy years. The brief history that follows will set the record straight.

On July 16, 1803, William Selecman purchased a town lot from Occoquan's founders, Nathaniel Ellicott, James Campbell, and Luke Wheeler. In those early days, Occoquan's lots were not numbered. However, the property description makes it clear that Selecman's lot fronted on Mill Street, for it was "situate on the upper side of the road leading down the River."⁶ That is, it was on the south side of Mill Street, which runs east-west along the river. A

deed of trust dated March 1, 1831 describes the property as "one House and lot... fronting on the main Street back from the Mill in the line of the Creek... and including thereon one Brick Building,

(the House now occupied by Said Selecman, as a dwelling), and a Stable on Said Alley."⁷

An obituary for William Selecman's grandson Thomas Lloyd Selecman dated January 11, 1907 confirms that the Selecman family home became the Alton Hotel: "Mr. Selecman was born at his old ancestral residence, the present Hotel Alton, at Occoquan, Oct. 25, 1819... where his parents, William and Elizabeth Selecman, lived and reared three children, Catherine Ann, Thomas Lloyd and Albert Alexander Selecman."⁸

Redmon Selecman Cole, in *The Selecman Family: A History* (1942), describes the Selecman home as a "commodious brick house, known in later years as the Alton Hotel," and explains that it was eventually destroyed by fire.⁹ So it was the Alton Hotel building on the south side of Mill Street that William Selecman erected as his own family residence in 1804. Selecman's house was probably the first brick structure in the town of Occoquan. At some point the building was sold to Lycurgus and Luvinia Ledman, who operated it as the Alton Hotel until about 1900.¹⁰ Eventually the building was sold or possibly rented to the Weedon family. Mrs. Weedon was living in it when it burned down in 1916.

³Fairfax Herald, "Fire Nearly Destroys Occoquan," 1 September 1916.

⁴"Welcome to Historic Occoquan Shopping & Dining Guide," (Occoquan Merchants Association, 2005), 15. Address confirmed via MapQuest, <u>www.mapquest.com</u>, 18 November 2008.

⁵ [Susan Morton,] *Prince William: The Story of Its People and Places.* WPA of Virginia (Manassas, Va.: Bethlehem Club, 1941, 1988), 82.

⁶Prince William County Deed Book 2: 217-218.

⁷Prince William County Deed Book 12:180-81.

⁸Carol Thompson Philips, *Death Notices, Obituaries, and Memoriams: From the Prince William County, Virginia Manassas Gazette and Manassas Journal, 1885-1910* (Westminster, Md.: Heritage Books, 1998), 148.

⁹Redmon Selecman Cole, *The Selecman Family: A History* (Tulsa, Okla.: R.S. Cole, 1942), 17.

¹⁰Dolores Elder, "Where Is the Occoquan Hotel?" *The Mill Racer: A Publication of the Occoquan Historical Society* 6 (December/January 2008-2009): 6.

The origins of the Hammill Hotel building are harder to pin down, though evidence supports the historical marker's suggestion that the building was erected about 1830. Yearly land tax records for Occoquan town lots provide all the information that is available between 1803 and 1831, and since the lots were not formally numbered during those years, that information is not as exact as one would like. However, Nathaniel Ellicott was almost certainly the first owner of the lot at the corner of Commerce and Union streets. It was one of as many as 21 Occoquan town lots for which Ellicott paid the land tax between 1803 and 1830. In 1820, two of Ellicott's lots were valued at \$1,000, and a note in the tax record states, "Sums added to the Lotts on account of Buildings."¹¹ The



The Hammill Hotel in the 1990s. Photo courtesy of Prince William County Historical Commission. (RELIC photo 1-11-2-3)

"sums added" were \$900 in each case, showing that Ellicott improved his properties as he could, either to rent them or to sell. Even so, as late as 1829 the tax assessor reported that Ellicott still owned at least 14 lots in the village of Occoquan.

In the land tax records for 1830, no lots are listed under Nathaniel Ellicott's name, but 14 are listed under Janney, Joseph & John H., with a note that reads, "of Ellicott." The Ellicott family actually conveyed the properties to the Janney brothers in 1826, but the transfer was not reported to the tax assessor until the Janneys began to make improvements.¹² Among the Janneys' new lots, two listed in the land tax records for 1830 were valued at \$1,000 including improvements. Two other lots were valued at \$1,200 apiece in 1830, with a note that reads, "buildings added." In the next year, 1831, the Janneys added "new buildings" to four more of their lots, and on a fifth lot, "buildings [were] increased." The Janney brothers were improving their town lots as quickly as they could, readying them for sale.

In the land tax records for 1831 and 1832, the Janneys' 14 lots are listed in a vertical column, unnumbered. In 1831, the thirteenth lot counting down the column is valued at \$1,200 with buildings added. In 1832, the thirteenth lot in the column is again valued at \$1,200, with a note that reads "Number reduced by sale to Beach." This is the property that eventually became the Hammill Hotel.

A search of the Prince William County Deed Books reveals that on March 7, 1831, "Silas Beach and Theodosia, his wife of Occoquan" purchased a town lot with buildings from Joseph J. and John H. Janney. The deed of trust describes "a lot of ground in the town of Occoquan and the State of Virginia bounded as follows, beginning at the corner of Union Street and Commerce Street, extending down Union Street one hundred feet to Poplar Alley, then up Poplar Alley thirty feet then over to Commerce Street one hundred feet then down Commerce Street thirty feet to the place of beginning, and all houses buildings and appurtenances to the said premises."¹³

That is precisely the description one would give today for the Hammill Hotel property. For the year 1832 and many years after, this property is valued at \$1,200 in the land tax records. Thus it appears that the Janney brothers built the three-story brick structure on Commerce and Union as a speculation in late 1830 or early 1831.

What did Silas Beach do with his big new brick building? Prince William County newspaper transcripts and business license records show that he operated a tavern or ordinary in Occoquan between 1832

¹¹Prince William County, Virginia, Land Tax Records, 1824-1861; Library of Virginia microfilm reels 260-262; copy at RELIC, Bull Run Regional Library, Manassas, Va

¹² Prince William County Deed Book 10: 247-250; Nathaniel Ellicott et al to Joseph and John Janney, 23 March 1826.

¹³Prince William County Deed Book 12: 301-02.

and 1835. An auction advertised in the *Alexandria Gazette* June 10, 1833 is to take place "before the front door of Silas Beech's Tavern, in the Town of Occoquan."¹⁴ Beach paid yearly fees between 1832 and 1835 for a license to operate an ordinary in town.¹⁵ His business almost certainly operated from the building at Commerce and Union.

Silas Beach did not hold the property for long. On July 10, 1835, he conveyed it with its buildings to John Athey of Occoquan for "the sum of Eight hundred Dollars to the said Silas in hand paid by the said John Athey."¹⁶ Silas and Theodosia Beach moved their family out of Prince William to Portsmouth, Norfolk City County, Virginia, where according to the federal census they were living in 1840.

John Athey held the property until his death in 1866. Athey was a native of the Colchester area in Fairfax County, just across the river from Occoquan.¹⁷ A single man all his life, he is attested as a merchant in Occoquan on August 6, 1843. That day, the *Alexandria Gazette* ran an advertisement for "Hance's Sarsaparilla Vegetable or Blood Pills" available at his Occoquan shop.¹⁸ He may have lived and run his shop out of the Hammill Hotel building. The censuses of 1850 and 1860 show that he had left Occoquan and was living in Washington, D.C. with his half-sister Caroline Harley Haislip and her husband Henry Haislip, who was Athey's half-brother-in-law and partner in a lumber business. What he did with the building in Occoquan during those years is not known; probably he rented it. At his death, he passed the property by will to another of his half-brothers-in-law, Hugh Hammill of Woodbridge and Occoquan.¹⁹

Hugh Hammill paid the taxes on the hotel between 1868 and 1879.²⁰ By this time, the lot was formally identified as No. 40 on the town plat. His son Edward managed the hotel during those years, and in 1878 he purchased it from his father for the sum of \$300. The sale represented a kind of patrimony to Edward, for the property was consistently valued at \$1,200 or above in the land tax records. The deed, dated July 16, 1878, gave Edward Hammill "right title and interest in and to a certain brick house and lot in the Town of Occoquan laid down in the plot of said town as lot No. 40, said interest being one half thereof which was devised to [Hugh Hammill and Jane his wife] by one John Athey, deceased."²¹ Land tax was recorded in Edward Hammill's name for the first time in 1880.

At some point early in the 20th century, the property passed out of the Hammill family's hands. It operated as the Gardner House in the 1920s; a Kitty Allen also ran it as an inn for some time.²² In 1942, the aging building was repaired and reopened as Lola Beach's Beachwood Apartments.²³ So the Beach family owned it twice in its long history. Today, it is owned by a local property development agency. An office occupies the ground floor, and apartments fill the two floors above.²⁴



¹⁴Ronald Ray Turner, *Newspaper Transcripts, Prince William County Virginia 1784-1860* (Manassas: R.R. Turner, 2002), 154.

¹⁸ Turner, Prince William County Business Licenses,7.

¹⁵Ronald Ray Turner, *Prince William County Business Licenses 1806-1955* (Manassas: R. R. Turner, 1999), 12.

¹⁶Prince William County Land Records 1835-43, Part I: 101-103.

¹⁷This and more biographical information about John Athey can be found in Susan Annie Plaskett, *Memories of a Plain Family*, *1836-1936* (Franklin Press, 1936), Part One, Chapter Four, "The Athey Family Line." I have a partial photocopy, unpaginated, with emendations by James Plaskett made about 1939. The Virginia Room at the Fairfax County Public Library has an original copy in their rare book collection.

¹⁹Prince William County Will Book R: 36. The will makes various specific bequests and concludes: "I give & bequeath to Hugh Hammill all the remainder of my property of every description & kind and do hereby appoint him my executor."

²⁰Prince William County Land Tax Records; Library of Virginia microfilm reels 531 (1851-59) and 532 (1860-70); copy at RELIC.

²¹Prince William County Deed Book 33: 102.

²² Elder, "Where is the Occoquan Hotel?" 6.

²³ Eugene M. Scheel, *Crossroads and Corners* (Historic Prince William, 1996), 75. Scheel mentions both Kitty Allen and Lola Beach in relation to the Hammill Hotel.

²⁴Dolores Elder of Historic Occoquan, Inc., provided this information by telephone.

PRINCE WILLIAM COUNTY NATIVES ENROLLED IN THE UNITED STATES COLORED TROOPS, 1863-1865

By Tish Como

At least fifty-four soldiers who served in various regiments of the United States Colored Troops during the Civil War listed their place of birth as Prince William County, Virginia. An

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U.S. Colored Troops Military Troops Military Service Records, 1861-1865: 18th U.S. Colored Infantry. Image courtesy of Ancestry Library Edition.

claimed to have been the slave of Aaron D. Nally of Pike County, Missouri.³ Butler Nalley's widow, Lucy Nalley, filed for a pension in Missouri.

We know from these soldiers' records only that they were born in Prince William County, not that they lived in the county at the time they entered into service. They joined from Connecticut, the District of Columbia, Indiana, Maryland, Massachusetts, Mississippi, Missouri, New York, Ohio, Pennsylvania, Tennessee and Virginia. With the exception of Butler Nally, who we know had been enslaved

in Missouri, how and when these men arrived at their places of enlistment is, unfortunately, not revealed in their records. Possibly those who examination of these soldiers' Compiled Service Records¹ and the Civil War Pension Index² reveals not only details about their military service, but, in some cases, information about their personal lives. Butler Nally (Nalley), for example, was born in Prince William County about 1832 and enlisted in Company F of the 18th Regiment, U.S. Colored Infantry, in Bowling Green, Missouri, on August 30, 1864. He

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U.S. Colored Troops Military Service Records, 1861-1865: 13th U.S. Colored Infantry. Image courtesy of Ancestry Library Edition

¹ "U.S. Colored Troops Military Service Records, 1861-1865," database and digital images, *Ancestry Library Edition* (Provo, UT, USA: The Generations Network, Inc., 2007).

² "Civil War Pension Index: General Index to Pension Files, 1861-1934,"database and digital images, *Ancestry Library Edition*; citing *General Index to Pension Files, 1861-1934*, microfilm publication T288, 544 rolls (Washington, D.C.: National Archives and Records Administration).

³ Aaron D. Nally is listed on the 1870 census as born in Virginia: 1870 U.S. census, Pike County, Missouri, population schedule, Ashley Township, Bowling Green, p. 7, dwelling/family 82; NARA microfilm publication M593, roll 798.

mustered into service in the District of Columbia or Mason's Island (now Theodore Roosevelt Island) in Virginia lived in Prince William County or close by.

U.S.C.T. Co.Y. 1 Reg't U.S. Col'd Infantry. Co. Muster-out Roll, dated Jula, Whe Sept. 29 1865. out to date Last paid to 30, 1865. Clothing account: Last settled 100 191864 ; drawn since \$ 46. 100 Due soldier \$ Am't for cloth'g in kind or money adv'd \$ Due U. S. for arms, equipm paid \$. 100; due \$ 100 100 rks Tree abail 19.61. 17.000

U.S. Colored Troops Military Service Records, 1861-1865: 1st U.S. Colored Infantry. Image courtesy of Ancestry Library Edition

Early in the war the decision to include blacks as soldiers was not easily or immediately made by either the Union or the Confederacy.

"Northerners generally opposed using black soldiers, but in view of declining white enlistments, the unpopularity of conscription, and continued rebel resistance, Congress authorized black federal employment under the Second Confiscation and Militia Act of 17 July 1862. This allowed President Abraham Lincoln to receive them into military service, yet he did not formally accept black soldiers until after the issuance of his Emancipation Proclamation."⁴

Issued on January 1, 1863, the Emancipation Proclamation did not in actuality free slaves. "It applied only to states that had seceded from the Union, leaving slavery untouched in the loyal border states. It also expressly exempted parts of the Confederacy that had already come under Northern control. Most important, the freedom it promised depended upon Union military victory."⁵

The inclusion of black soldiers into the Union ranks also did not assure their equal treatment.

"Black troops were often used as menial laborers or garrison troops because most whites did not believe they would make competent soldiers. Pay discrimination was another problem. White privates received \$13 a month with \$3 deducted for clothing; blacks received \$10 a month, less a \$3 clothing deduction. They and their white officers protested this discrimination; some units refused to accept discriminatory pay, and a few mutinied. In June 1864 and finally in March 1865, Congress enacted equal pay for all soldiers. Some black regiments had not been paid for the previous two years."⁶

In order to qualify for retroactive equal pay, black soldiers had to declare that they had been free as of April 19, 1861.⁷ In August 1864

"...the War Department issued Circular No. 60, providing that officers commanding colored organizations should make an investigation to ascertain who of their men

⁴ Encyclopedia of the United States in the Nineteenth Century, volume 1, Paul Finkelman, Editor in Chief (New York: Charles Scribner's Sons, 2001), 250.

⁵ The Emancipation Proclamation

^{(&}lt;u>http://www.archives.gov/exhibits/featured_documents/emancipation_proclamation/</u>, accessed 22 January 2009). ⁶ Encyclopedia of the United States in the Nineteenth Century, 1: 251.

⁷ On that date in Baltimore, Maryland, seven days after the firing on Fort Sumter, South Carolina, pro-Southern civilians came to blows with Union troops in what is commonly considered the first bloodshed of the Civil War.

enlisted prior to January 1, 1864, were free April 19, 1861. The fact of freedom was to be settled by the sworn statement of the soldier, and entered against the man's name on the muster rolls."⁸

The following chart provides brief excerpted information about these fifty-four self-identified Prince William County natives taken from their Compiled Service Records (CSR) and Index to Civil War Pensions. Those interested in more details should consult the individual soldier's CSR and, where indicated, their pension records.⁹

Name	Company/ Unit	Born PWC, VA	Occupation	Enlistment Date/ Location	Selected Remarks
Bambray, Barney	Co. E, 2 Reg't U.S. Col'd Inf.	ca. 1827	Laborer	20 Aug 1863, 1 st Sub. Dist. [Arlington, VA]	Drafted man; pension filed in VA.
Barber, Caldwell	Co. I, 23 rd Reg't U.S. Col'd Troops Volunteers	ca. 1842	Laborer	13 May 1864; Greenfield, MA	Residence Charles Co., MD; substitute; died on steamer DeMornay 8 Sep 1864.
Barnes, John Henry	Co. L, 5 th Massachusetts Colored Cavalry	ca. 1835	Farmer	15 Apr 1864; Readville, MA	Free April 19, 1861.
Baylur, Edward	Co. F, 1 st U.S. Colored Heavy Artillery	ca. 1821	Farmer	24 Apr 1864, Knoxville, TN	Died of disease (pneumonia) 22 Aug 1864 at Knoxville.
Berry, William	Co. E, 1 st Reg't U.S. Colored Inf.	ca. 1840	Farmer	17 Jun 1863; Masons Island, VA	Married; wife living Alexandria, VA; free on or before April 19, 1861.
Bossel, Dennis (Boswell?)	Co. D, 23 rd U.S. Col'd Inf.	ca. 1832	Laborer	29 Feb 1864, Washington, DC	Invalid pension filed in DC for Dennis Boswell in 1887; for widow Mary E. Boswell in 1919.
Buckner, William	Co., A, 22 nd U.S. Col'd Inf.	ca. 1830	Laborer	29 Sep 1864, Washington, DC	Drafted man, accepted; free April 19, 1861.
Burke, Nimrod	Co. F, 23 rd U.S. Col'd Inf.	ca. 1838	Farmer	23 Mar 1864, Washington, DC	Free; married; resident of Monroe Co., OH in 1864; invalid pension filed 1878; widow pension for Mary Burke filed in OH 1914.
Burrs, Dennis	Co. K, 6 th Reg't U.S. Colored Heavy Artillery	ca. 1801	Laborer	1 Jan 1864; Natchez, MS	

⁸ Luis F. Emilio and Gregory J. Urwin, A Brave Black Regiment: The History of the Fifty-fourth Regiment of Massachusetts Volunteer Infantry, 1863-1865 (New York: Da Capo Press, 1995), 220.

⁹ "U. S. Colored Troops Military Service Records" are available digitally on *Ancestry Library Edition* (Ancestry.com) derived from microfilm at the National Archives and Records Administration (NARA), Washington, D.C.; various microfilm publications. "Civil War Pension Index: General Index to Pension Files, 1861-1934" is available on *Ancestry Library Edition* (Ancestry.com); NARA microfilm publication T288, 544 rolls.

Name	Company/ Unit	Born PWC, VA	Occupation	Enlistment Date/ Location	Selected Remarks
Butler, Charles	Co. E, 1 st U.S. Col'd Inf.	ca. 1844	Farmer	17 Jun 1863, Masons Island, VA	Killed in battle near Petersburg, VA, ca. 15 June 1864. Single; brother living in Alexandria, VA.
Butler, W.H. [listed as William Henry and Henry W.]	Co. H, 2 nd U.S. Col'd Inf.	ca. 1828, Occoquan	Laborer	11 Sep 1863, Washington [DC]	Substitute for Lewis Howard .
Clark, John	Co. C, 11 th U.S. Col'd Inf. (New)	ca. 1843	Laborer	21 Aug 1864, Memphis, TN	Joined as recruit.
Clark, Sandy	Co. K, 4 th U.S. Col'd Inf.	ca. 1827 Dumfries	Cook	31 Aug 1863, Baltimore, MD	Free; Difference of pay due from enlistment to Feb 29 1864. Free on or before April 19, 1861.
Cole, Edward	Co. G, 28 th U.S. Col'd Inf.	ca. 1838	Boatman	26 May 1864, Washington, DC	
Cole, John [also listed as John Coal]	Co. D, 32 nd U.S. Col'd Inf.	ca. 1828	Butcher	5 Oct 1864, Washington, DC	Drafted.
Coleman, John	Co. H, 2 nd U.S. Col'd Inf.	ca. 1841 Buckland [listed as Buckland Co., VA]		9 Sept 1863, Washington [DC]	Substitute for Robert Bodney; died in hospital 19 Aug 1864.
Conway, Ewell	Co. E, 1 st U.S. Col'd Inf.	ca. 1842	Farmer	17 Jun 1863, Masons Island, VA	Mustered out 19 Sept 1865; single; brothers living in Washington, DC; Free Apr 19/61; court proceedings included; pension filed in DC.
Dade, Walter	Co. C, 17 th U.S. Col'd Inf.	ca. 1831	Farmer	26 Apr 1864, Clarksville, TN	
Diggs, Randall	Co. K, 2 nd U.S. Col'd Inf.	ca. 1842	Laborer	22 Sept 1863, Washington [DC], 7 th Sub District	Drafted; free on or before Apr 19, 1861.
Diggs, Wilson	Co. H, 1 st U.S. Col'd Inf.	ca. 1845	Waiter	8 Jun 1863, Mason's Island, VA	Mulatto; free April 19, '61; Slave April 19, '61 (both listed); pension filed in TN.
Dolman, Charles (appears as <i>Dorman</i> on some records)	Co. F, 5 th Massachusetts Colored Cavalry	ca. 1842	Laborer	8 Jun 1864, Spencer, MA	8 th Congressional District, Spencer, Worcester Co., MA; pension filed in DC.
Ewing, Burrill	Co. B, 13 th U.S. Col'd Inf.	ca. 1823	Carpenter	1 Aug 1863; Elk River, TN	Died Feb 1864 in General Hospital No. 11, Nashville, TN [exact date unknown; Smallpox].
Fletcher, William	Co. K, 23 rd Reg't U.S. Col'd Inf.	ca. 1844	Laborer	3 Jun 1864, Greenfield, MA	Substitute for Samuel A. Wood of Whately, Franklin Co., MA.

Name	Company/ Unit	Born PWC, VA	Occupation	Enlistment Date/ Location	Selected Remarks
Greyson, Lemuel	Co. H, 15 th U.S. Col'd Infantry	ca. 1836	Farmer	3 Oct 1864, Circleville, OH	Disability discharge; Pension filed (no state listed).
Greyson, William H.	Co. C, 1 st U.S. Col'd Inf.	ca. 1845	Laborer	8 Jun 1863, Washington, DC	Married; residence and PO address of family Alexandria, VA; free April 19, 1861.
Harrison, Henry	23 rd U.S. Reg't Col'd Inf.	ca. 1839	Laborer	16 Jun 1864, Washington, DC	Substitute for Jeremiah G. Hess of 9 th Congressional Dist., Columbia, PA.
Howard, James	Co. F, 32 nd U.S. Reg't Colored	ca. 1842	Laborer	2 Mar 1864, Philadelphia, PA	"Free" marked on muster 3/2/65
Howard, John T.	Co. K, 5 th Reg't MA Cavalry	ca. 1836	Farmer	1 Apr 1864, West Roxbury, MA	Single; residence Prince William Co.,VA; pension filed in NJ.
Howard, Soloman M.	Co. H, 29 th CT Vol. Infantry	ca. Feb 1833	Barber	2 Jan 1864, Norwich, CT	Free; pension filed in NJ.
Hunter, Charles	Co. C, 28 th U.S. Col'd Infantry	ca. 1838	Cooper	31 Dec 1863, Indianapolis, IN	Pension filed in IN.
Johnson, John M.	Co., E, 2 nd U.S. Col'd Inf.	ca. 1840	Laborer	18 Aug 1863, 1 st Sub Dist [Arlington, VA?]	Drafted; free on or before April 19, 1861; pension filed in DC; widow Martha C. Johnson.
Johnson, Matthew	Co., F, 29 th U.S. Col'd Inf.	ca. 1842	Laborer	19 Sep 1864, Camp Casey, VA	Recruit entitled to U.S. Bounty; Pension filed in CT; widow Elizabeth J. Johnson.
Lansdown, Frank	34 th U.S. Col'd Inf. [No Co. listed]	ca. 1844	Laborer	1 Nov 1864, Camp Casey, VA	Recruit entitled to U.S. Bounty.
Lear, John Isaac	Co. K, 1 st U.S. Col'd Infantry	ca. 1838	Laborer	29 Jun 1863, Mason's Island, VA	Single; mother in Alexandria, VA; free Apr 19, 1861.
Loyd, John	Co. H, 1 st U.S. Col'd Infantry	ca. 1840	Farmer	27 Jun 1863, Mason's Island, VA	Free Apr 19/61.
Lucas, Mark A.	Co. G, 3 rd U.S. Colored Heavy Artillery	ca. 1829	Farmer	24 Feb 1865, Newark, OH	Died of disease 13 Feb 1866.
Lucas, Philip	Co. C, 29 th U.S. Col'd Inf.	ca. 1846 Manassas	Laborer	11 Aug 1864, Camp Casey, VA	Died July 1865 Corps De Afrique Hospital, New Orleans, LA of scurvy; buried Chalmette Nat'l Cem. gravesite: 119-9683.
Marshall, Vincent	Co. H, 2 nd U.S. Col'd Inf.	ca. 1841	Laborer	14 Sep 1863, Washington, DC	Drafted; substitute for Jno. H. Holley; Pension filed – no state listed.
Nally, Butler (also <i>Nalley</i> , Butler)	Co. F, 18 th Reg't U.S. Col'd Inf.	ca. 1832	Farmer	30 Aug 1864, Bowling Green, MO	Claimed to have been the slave of Aaron D. Nally, Pike Co., MO; pension filed MO; widow Lucy Nally.

Name	Company/ Unit	Born PWC, VA	Occupation	Enlistment Date/ Location	Selected Remarks
Powell, John	Co. C, 3 rd U.S. Col'd Infantry	ca. 1836	Porter	3 July 1863, Philadelphia, PA	Died in hospital Beaufort, SC on 21 June 1864.
Shelton, James H.	Co. D, 23 rd U.S. Col'd Inf.	ca. 1832	Laborer	23 Feb 1864, Washington, DC	Free; residence Georgetown, D.C.; wife Rebecca Shelton resided in Georgetown; Pension for minors filed in DC for Virginia Sheldon et al. in 1892.
Smith, Henry	Co. C, 29 th U.S. Col'd Inf.	ca. 1846	Laborer	29 Sep 1864, Camp Casey, VA	Recruit entitled to U.S.Bounty.
Stewart, Alfred	Co. G, 2 nd U.S. Col'd Inf.	ca. 1840	Servant	26 Aug 1863, 2 Sub Dist, Washington, DC	Drafted; free on or before April 19, 1861; pension filed – no state listed; widow Sophia Stewart.
Stewart, Martin	Co. H, 20 th U.S. Col'd Inf.	ca. 1828	Laborer	18 Dec 1863, Elmira, NY, 27 th Dist	Not free.
Taylor, Jackson	Co. D, 32 nd U.S. Col'd Inf.	ca. 1835	Laborer	8 Oct 1864, Washington, DC	Drafted.
Taylor, William	Co. H, 1 st U.S. Colored Heavy Artillery	ca. 1828	Farmer	15 Jun 1864, Knoxville, TN	
Thomas, Edward	Artillery Co. B, 29 th U.S. Col'd Inf.	ca. 1846	Laborer	26 Aug 1864, Camp Casey, VA	
Thomas, Josiah	Co. A, 23 rd U.S. Col'd Inf.	ca. 1835	Laborer	15 Dec 1863, Washington, DC	Free on or before April 19, 1861.
Thomas, Richard	Co. E, 23 rd U.S. Col'd Inf.	ca. 1848, Occoquan	Laborer	19 Mar 1864, Washington, DC	Enlisted as musician; deserted 6 Aug 1864 before Petersburg, VA.
Thomas, Samuel	Co. E, 3 rd U.S. Col'd Inf.	ca. 1847	None listed	20 Jan 1865, Hollidaysburg, PA	Substitute for H.G. Fisher, 17 Cong Dist – 11 Sub Dist – PA.
Thompson, George	Co. H, 1 st Reg't U.S. Col'd Inf.	ca. 1834	Waiter	27 Jun 1863, Mason's Island, VA	Free Apr. 19/61; with Pioneer Corps.
Thornton, Harrison	Co. E, 1 st Reg't U.S. Col'd Inf.	ca. 1827	Farmer	17 Jun 1863 Mason's Island, VA	Married; wife living at Alexandria, VA; pension filed 1893 in DC; minors George W. Thornton et al.
Willis, Lewis	Co. H, 23 rd U.S. Col'd Inf.	ca. 1844	Laborer	8 Apr 1864, Georgetown, Washington, DC	Residence Virginia; pension filed 1881 in VA.
Wilson, Rawley (also listed as <i>Ranley</i>)	Co. B, 6 th Reg't U.S. Col'd Inf. H. Art'y	ca. 1840	Stiller / Musician	1 Sep 1863 , Natchez, MS	Co. B, 2 nd Reg't Miss Art'y became Co., B, 6 th Reg't H. Art'y.; pension filed 1889 in Mississippi.

DUMFRIES DISTRICT COURT LAND CAUSES 1793-1811

Transcribed by William M. Balderson, Jr. Edited by Beverly Veness and Donald L. Wilson

(Continued from vol. 8, no. 1)

[Continuation of a suit by John and Samuel LOVE of Loudoun County against James EWELL to have him ejected from 200 acres in Prince William County. Includes a deposition from Charles, son of James EWELL. Introduces various documents including a deed from Landon and Charles CARTER to Charles LOVE of Charles County, Maryland, 1771, apparently from lost Deed Book S.]

[Page 202] Memorandum that in this Case the Defendant in order to prove a deed to the Defendant for the Land in question introduced Charles EWELL his Son who being on Motion of the Plf. Sworn on the Voir *dire* [an investigation into the truth or admissibility of a statement] Stated that his Father the Defend^t had by Verbal promise given him the Land in question 10 or 12 years ago which after working two years he had abandoned but that he ^the^ father had afterwards given him other land in like manner in lieu thereof on the opposite Side of a Road & that the s^d Charles EWELL had moved from the Said Land in question to his Fathers house[.] The said Charles EWELL also Stated [i]n the Course of his Examination that he was not interested in the Events of this Cause, he the said Charles EWELL further Stated that he had never lived on the Land last mentioned to have been promised him and had received no rents from it but that his said Father had let it to Tenants & received the rents of said Lands & Continues to receive the Same. That if he wished it his said Father would Still give him the Land in question but that the last mentioned land Stated to be on the op[p]osite side of the road was more Valuable. The Plf. then offered to produce testimony to prove that since the time of the said mentioned Exchange of Lands being made between the said Father & Son that the Father the Defendant had declared that the said land in question belonged to the said Charles EWELL the son who was sworn as aforesaid but the Court objected to the introduction of such Evidence to prove the interest of the said Charles EWELL the Witness altho it might be introduced afterwards as Evidence to the Jury & would not suffer the said Testimony to be introduced to which opinion of the Court the Plf. by his Counsel excepted and prays that this his bill of exceptions may be sealed & Enrolled &^c

A HENDERSON	{seal}
Charles TYLER	{seal}
Jnº MACRAE	{seal}
James SMITH	{seal}

[Page 203] And now at another Day to Wit. On the 4th Day of Aug ^March^ in the year afores^d Came the Parties aforesaid by their Attornies and the Jury Sworn in this cause met according to adjour[n]ment and having fully heard the Testimony & arguments of Counsel withdrew and afterwards returned the Following Verdict "We of the Jury find for the Plf. the lands in the declaration mentioned and one penny Damage[.] Walter GRAHAM foreman" & on Motion of the Defendant by his Counsel a new trial is Granted him upon his paying the Costs of this term.

[*Marginalia*] Copy record this before the order made 3^d March

And now here at another Day to Wit On the 2^d day of June ^March^ <u>xx xx xxxx xxxx</u> ^in 1802^ came the parties aforesaid It is agreed and a Deed from John LOVE to Samuel LOVE was proved by the Oath of William LOVE & Ordered to be Certified. And it was agreed by the Defendants attorney in this Suit that the Proof of the said Deed by the said Witness Should be as Valid as if Examined upon the trial upon that point.

And now here at another Day to Wit: On the 7th Day of June 1802. Came the parties aforesaid by their

Attornies and agreed that the Evidence of George G. TYLER Ato a Deed filed from LOVE's to EWELLA should have Abe taken in the same Latitude as the Evidence of William LOVE. formerly Certified.

And now here at another Day to Wit On the 8^{th} Day of June in the year afs^d Came the parties by their attornies and the Cause was Continued until the next Term and the Plf. agreed to pay the Costs of this Term.

And now here at another Day to Wit. on the 3^d Day of August in the year afs^d Came the parties afs^d by their attornies (and the Costs of the former trial being paid) a Jury was Elected tried & Sworn to say try the Issue between the parties afs^d Joined, Viz^t John LANGFELT, John CRAP Sen^r[,] James CRAP [CROP?] Sen^r[,] James FOLEY, Pitman HILL, John LOWDEN, Richard COLE[,] William HART, Leonard HART, Hendley BARRON[,] Benjamin TYLER & John COURTNEY who having heard the Evidence and the Arguments of Counsel Withdrew to their Chamber and afterwards bro^t in the following Verdict Viz^t "We of the Jury find for the Defendant" James FOLEY"

[Page 204] Therefore it is Considered by the Court that the Plf. take nothing by his bill afos^d and that the Def^t go hence without Day and that he recover ag^{t} the s^d John LOVE_A (the Lessor of the Plf.) his Costs by him <code>^about</code> his defense_A in this behalf Expended.

This day at the trial of this cause the following Bill of Exceptions was tendered & received and ordered to be made a part of the Record Viz^t

SAVEALL on the Demise of LOVES vs. } In Ejectment James EWELL

[*Marginalia*] Bill of Exceptions filed Aug^t 1802

In this case the Plf, in order to support his title introduced a Deed from CARTERs Executors to Charles LOVE for the purpose of showing a possession the Plf. relying Solely on his possession & the possession of those under whom he claimed as a title in this case which deed was read in Evidence to the Jury & is in these words "This Indenture &" & also proved by oral Testimony the peaceable possession of Charles LOVE of the land in question from the fall of the year One thousand seven hundred and seventy till the fall of the year One thousand seven hundred and ninety one and the possession of CARTERs Executors & CARTER under whom the said Executors claimed for nine or ten years previous to the possession of the said Charles LOVE in the year 1770 and in order to prove a legal Title in the Lessor of the Plfs the Counsel for the Plf. offered in Evidence a Deed indented dated the 14th Day of October in the year 1793 which was proved in Court to be the Act and Deed of the s^d Charles LOVE by one of the Subscribing Witnesses thereto and is in these words to wit. This Indenture &^c which deed the defendant (without Shewing any title on his part) by his Counsel Objected should go in Evidence to the Jury alledging that the said Deed was Void under the Law entitled "an Act against Conveying or taking pretensed titles it having been proved by the Complainants own testimony xxxxx that the Defendant had enjoyed possession of the Land in Controversy from the fall of 1791 to the present time and that the said Charles LOVE had not been in possession of the Same for one whole year next before he Executed the said Deed. And the Court gave it as their opinion that the said Deed was Void

[Page 205] and of no effect under the Law aforesaid and therefore should not go in Evidence to the Jury to which Opinion of the Court the Plaintiff by his Cou[n]sel excepted & prayed that this his bill of Exceptions might be Sealed & Enrolled according to Law &^c

A. HENDERSON {seal} Tho^s LEE J^r {seal} James SMITH {seal} Bern^d HOOE J^r {seal}

[Marginalia] CARTERs Exors to Ch^s LOVE Deed

The following are Copies of the papers refered to in the last mentioned bill of Exceptions. Viz^t

"This Indenture made the 23^d Day of May in the Year of our Lord One Thousand Seven hundred and Seventy one Between Landon CARTER and Charles CARTER Esqr^s Exors of the Last Will and Testament of Charles CARTER Esq^r Dec^d of the one part and Charles LOVE of Charles County and Province of Maryland of the other part. Whereas by an act of the general Assembly of this Colony made in the year of our Lord, one Thousand, Seven hundred and Sixty nine, to empower the Executors of the said Charles CARTER to sell and Convey Certain Lands therein mentioned for the payment of his Debts and Legacies, and Whereas the said Landon CARTER and Charles CARTER have Contracted for and Sold unto the said Charles LOVE, One Thousand Acres of Land part of a Tract called Kettle run Situate lying & being in the parish of Hambleton [Hamilton] and County of Prince William. Now this Indenture Witnesseth, that for and in Consideration of the sum of five hundred pounds Current Money of Virginia. to the said Landon CARTER and Charles CARTER in hand paid by the said Charles LOVE at or before the Sealing and Delivery of these presents the receipt whereof he doth hereby acknowledge, and thereof doth release, acquit and discharge the said Charles LOVE, his Executors and admors by these presents, they the said Landon CARTER and Charles CARTER, hath granted bargained Sold, aliened & Confirmed and by these presents do grant bargain warrant

[Page 206] sell, alien and Confirm unto the said Charles LOVE and his heirs the aforesaid One Thousand acres of Land Bounded as follows, Beginning at a Spanish Oak on BURWELLs road and running with Caleb SMITH North Eighty one Degrees [sic] E^t 145 po. to a red Oak Corner to SMITH thence with another of SMITHs lines Nº 21/2 D W^t 142 poles to an Ash and hickory and thereof SMITHs Corners in the patent line thence with the patent line S 68¹/₂ D E^t 316 po: to a red Oak Stump an original Corner and Corner to HOGAN and THORNTON thence S° 1½ D Et 360 po to a White Oak in the patent line and Joining Bullitt Marked T thence S 88¹/₂ ^D W^t 380 po. to a red Oak on BURWELLs road marked T thence up the said road with HEALEs line, the Several Meanders thereof N° 21 ^D W^t 40 pole[s] N° 36 ^D W 24 po N 9½ ^D W 30 po. N 4 D W^t 18 po: N° 9 ^D W^t 60 po. N° 13 ^D W^t 46 po. N° 4 ½ ^D W. 44 po. N° 14 ^D W^t 24 po. N° 12 D west 20 pole[s] to the beginning, and all houses buildings, Orchards, Ways, Waters, Water Courses, profits Commodities Hereditaments and appurtenances Whatsoever to the said premises hereby Granted or any part thereof belonging or in anywise appertaining and the Reversion and reversions, remainder and remainders, rents issues and profits thereof and also all the Estate right, title Interest, use trust, property claim and Demand Whatsoever of them the said Landon CARTER and Charles CARTER of in and to the said premises and all Deeds Evidences, and Writings touching or in any wise Concerning the Same, To have and hold the lands hereby Conveyed and all & Singular other the premises hereby bargained and Sold, and every part and parcel thereof with their and every of their appurtenances unto the said Charles LOVE his heirs & assigns forever to the only proper use and behoof of him the said Charles LOVE and of his heirs and assigns forever And the said Landon CARTER and **Charles CARTER**

[Page 207] for themselves & their heirs Executors and administrators, doth covenant promise and Grant, to and with the said Charles LOVE, his heirs and assigns by these presents, that the said Landon CARTER and Charles CARTER. Now at the time of Sealing and Delivery of these presents are Seized of a Good, sure perfect and indifeasible Estate of Inheritance in fee Simple of and in the premises hereby bargained & Sold and that they hath Good power and Lawful & absolute Authority to Grant and convey the Same to the said Charles LOVE in manner and form aforesaid, and that the said premises now are and so forever hereafter shall remain and be free and Clear of and from all former and other Gifts, Grants, bargains, Sales, Dower, Right and Title of Dower, Judgments, Executions titles, Troubles, Charges and encumbrances whatsoever, made, done, Committed or Suffered by the said Landon CARTER and Charles CARTER, or any other person or persons whatsoever (the quit Rents hereafter to grow due for and in respect of the premises only excepted and foreprized) and that the Said Landon CARTER and Charles CARTER and their heirs all and Singular the premises hereby bargained and Sold with the appurtenances unto the said Charles LOVE his heirs and assigns against them the Said Landon CARTER and Charles CARTER and their heirs all and Singular the premises hereby bargained and Sold with the appurtenances unto the said Charles LOVE his heirs and assigns against them the Said Landon CARTER and Charles CARTER and their heirs all and Singular the premises hereby bargained and Sold with the appurtenances unto the said Charles LOVE his heirs and assigns against them the Said Landon CARTER and Charles CARTER and their heirs and all and Every other person and persons Whatsoever Shall Warrant and

forever defend by these presents, and lastly that they the said Landon CARTER and Charles CARTER, and their heirs, and all and every other person and persons and his and their heirs, any thing having or claiming in the premises herein before mentioned, or intended to be hereby bargained & Sold shall and Will from time to time and at all times hereafter, at the Reasonable request and at the proper Cost and Charges in the Law of him the said LOVE, his heirs or assigns, make do and Execute or cause or procure to be made done and Executed all and every ^every^ such farther and other Lawful and reasonable Act and Acts, thing and things Conveyances and assurances, for the farther, better and more perfect Conveying and assuring the premises with their and Every of their appurtenances unto the said Charles LOVE his heirs or assigns or their Counsel learned in the Law shall be reasonably devised advised or required. In Witness whereof the said Landon CARTER and Charles CARTER hath hereunto set -

[Page 208] set [sic] their hands and Seals, the Day and year first above Written.

Landon CARTER {seal}

Cha^s CARTER {seal}

Sealed and delivered in the presence of } Landon CARTER J^r Gavin CORBIN Jun^r Catesby WOODFORD, W^m F. BRAZIER.

At a Court held for Prince William County the 1st Day of July 1771

This Deed of Bargain and Sale from Landon CARTER & Charles CARTER Esqr^s Executors of the last will and will & Testament of Charles CARTER Esq^r Dec^d to Charles LOVE, was proved by the Oath of Landon CARTER Jun^r and Catesby WOODFORD two of the Witnesses and ordered to be Certified. Teste John GRAHAM Cl Cur.

At a Court held for Prince William County the 6th Day of April 1772. This Deed was further proved as to the Execution of the same by Landon CARTER Esq^r by the Oath of William Fairfax BRAZIER a Witness to the Same which is ordered to be Certified.

Teste John GRAHAM Cl cur.

At a Court held for Prince William County the 2nd Day of November 1773 This Deed was further proved as to the Execution of the same by Charles CARTER One of the Executors by the Oath of Gavin CORBIN Jun^r and admitted to Record.

Teste John GRAHAM Cl Cur. A Copy Teste John WILLIAMS Cl Cur.

[*Marginalia*] LOVE Ch^s to LOVEs Jn^o & Samuel Deed

This Indenture made the fourteenth day of October in the year of our Lord one thousand and Seven hundred and ninety three between Charles LOVE Sen^r of Fauquier County & State of Virginia of one part & John LOVE of Prince William & Samuel LOVE of Loudon [*sic*] Counties of the other part, Witnesseth that the said Charles LOVE for and in consideration of the sum of five Shillings Lawfull Money of Virginia to him in hand paid & for other good & Lawfull Considerations him thereunto moving hath bargained & Sold and doth by these presents bargain & Sell to the said John LOVE & Samuel LOVE and the Survivors of them one tract of land situate in the County of Prince William bounded

[Page 209] as follows To Wit On the Northern Side by the Land belonging to the heirs of Tho^s THORNTON Dece^d on the Eastern Side by the Land of James EWELL GREEN formerly purchased of the said Charles LOVE on the Southern Side the said Land of Carr BAILEY purchased of Thomas LOVE & formerly the property of the said Charles LOVE & on the western Side by the Land of Traverse NASH

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Containing two hundred Acres be the same more or less. Together with all the buildings orchards $\&^{c}$ on the said tract of land & every other matter any ^&^ thing thereunto appertaining which said Tract of Land is now in the possession & Occupation of James EWELL ^or^ of Charles EWELL his Son both of Prince William County The said Charles LOVE doth further by these presents bargain & Sell to the said John & Samuel LOVE or the Survivor of them the Following Negroes to Wit sones Negro Man named Jack one Negro Man named Peter which Negroes are now in the possession of the said James EWELL or Charles EWELL & also one Negro Man named Clem one named Nase & one Negro Woman named Jude. To have and to hold the said tract of Land and all and Singular the premises thereunto belonging & the Negroes aforesaid to the Said John LOVE & Samuel LOVE or the survivor of them to such uses and upon Such trusts & to and for such intents & purposes ^as^ are hereinafter mentioned & expressed of and Concerning the same. That is to Say upon the trust & for the purpose of paying & discharging my following Just Debts to wit a Debt due from me to Alexander LITHGOW of Dumfries by bond for which Samuel A LOVE & John LOVE are my Securities & also a Debt due from me to Alexander BROWN or his assigns, which debts are due by two bonds for the principal debt & also a Debt due by Sam¹ LOVE by open Account & to such uses & upon Such trusts & for such intents and purposes as I shall hereafter from time to time by deed indented or by will and testament, devise appoint direct or desire for the payment of such other Debts as I shall therein or thereby direct or appoint & for the purpose of Carrying into effect & fulfilling all & Singular the aforesaid trusts uses and purposes I hereby authorize my Said Trustees John LOVE & Samuel LOVE to sue for & recover in their own names as my Trustees the aforesaid Land & Negroes now in the possession & tenure of the said James

EWELL & Charles EWELL & the said property so recovered to take possession of & apply to the above purposes herein named or hereafter in manner aforesaid to be named & the said Charles LOVE doth hereby warrant

[Page 210] and defend the said Tract of Land and premises & all the aforesaid Negroes to the said Samuel LOVE & John LOVE & the Survivor of them from the right and title of all others claiming any part thereof for the uses & upon the trusts herein before mentioned & intended. In Witness Whereof I have hereunto Set my hand & affix my seal the day & year first above written.

Charles LOVE {seal}

Signed Sealed & delivered in presence of } W^m LOVE Augus^t LOVE James BAILEY Prince William County to wit.

On the Seventh Day of November in the year One Thousand Seven hundred and ninety Eight William LOVE a Subscribing Witness to this Deed made oath before me Charles EWELL ^TYLER^ a Justice of peace for said County that he was a Witness to the Execution of the Within Deed & that Charles LOVE who has Signed the same was in his Senses and of his own free will and accord signed & Executed the Same Witness my hand the day & year aforesaid

Charles TYLER

Loudon County Sc^{t.}

On the Thirteenth Day of November in the year of our Lord one Thousand Seven hundred and Ninety Eight Augustine LOVE a Subscribing Witness to this Deed made Oath before me Benjamin GRAYSON a Justice of the peace for the s^d County that he was a Witness to the Execution of the Within Deed & that Charles LOVE who has Signed the same was in his Senses and of his own free will and accord Signed & Executed the same Witness my hand the Day & Year aforesaid. Ben GRAYSON

At a Court Contd. & held for Prince W^m County on the 2nd Day of March 1802 This Deed from Charles LOVE to Jn^o LOVE and Samuel LOVE was proved by the Oath of W^m LOVE and ordered to be Certified & agreed by the Deft^s attorney in the suit of LOVEs Trustees ag^t EWELL that the Proof of the s^d Deed by the

[Page 211] Said Witnesses should be as Valid as if examined upon the trial upon that point. A Copy Teste John WILLIAMS Cl PW^m

And now here at another Day to wit On the 5th Day of Augs^t 1802 Came the parties aforesaid by their attornies and on the motion of the Plf by his attorney an appeal is granted him to the First Day of the next Dumfries District Court from the Judgment obtained agt him this Court the John LOVE having given bond with Sec[urit]y for prosecuting the s^d appeal with Effect.

[To be continued]

Addendum to **PRINCE WILLIAM COUNTY DEEDS OF EMANCIPATION, 1800-1850** (Originally published in v.7, no.3)

Transcribed by Beverly Veness

Transcribea by Beveriy veness

•Deed Book 19, p. 78 – Know all men by these presents that I John TOWLES, of the County of Prince William, State of Virginia, have manumitted emancipated and set free, and by these presents do manumit, emancipate and set free **Violet PEACHY** and I do hereby declare her the said Violet PEA[CHY,] to be entirely liberated from slavery and entitled to all the rights and privileges of a free person ^with which it is in my power to invest her. She [the] said Violet PEACHY hereby emancipated is a woman of black complexion, five feet, two inches high, and is between the age of Fifty five and sixty. In testimony whereof I have hereunto set my hand and seal, this the 28th day of October in the year of our Lord, One Thousand Eight hundred and forty five.

John TOWLES { seal}

In the Clerks Office of Prince William County Court October 29, 18[45]

This Deed of Emancipation from TOWLES to Violet PEACHY was acknowledged by John TOWLES to be his act and deed and admitt[ed] to record.

Teste: J. WILLIAMS cc [Clerk of the Court]

•Deed Book 19, p. 78 – Know all men by these presents, that I John TOWLES, of the County of Prince William, State of Virginia have manumitted emancipated and set free, and by these presents do manumit, emancipate and set free **Anna PINCKARD**, and I do hereby declare her the said Anna PINCKARD to be entirely liberated from slavery, and entitled to all the rights and privileges of a free person, with which it is in my power to invest her. She the said Anna PINCKARD hereby emancipated is a woma[n] of black complexion, five feet two inches high, and is between the age of thirty five and forty. I also manumit, emancipate and set free, and by these name[d] presents do manumit, emancipate and set free, Mary **PINCKARD**, **Violet PINCKARD** and **Eliza PINCKARD**, the three children of said Anna PINCKARD, the first named aged twelve years, the second named aged Eight years and the last named aged six years. In testimony of all which I have hereunto set my hand and seal, this the 28th day of October in the year of our Lord One Thousand Eight Hundred and Forty Five.

John TOWLES { seal}

In the Clerks Office of Prince William County Court October 29, 1845

This Deed of Emancipation from TOWLES to Anna PINCKARD &^c was acknowledged by John TOWLES to be his act & deed and admitted to record.

Teste J. WILLIAMS c c [Clerk of the Court]

•Deed Book 19, p. 79 – Know all men by these presents, that I Jno. TOWLES, of the County of Prince William, State of Virginia have manumitted, emancipated and set free, and by these presents do manumit, emancipate and set free **Mary TAYLOR** usually called **Polly [TAYLOR]** and I do hereby declare her the said Mary TAYLOR, to be entirely liberated from slavery and entitled to all the rights and privileges of a free person with which it is in my power to invest her. She the said Mary TAYLOR hereby emancipated is a girl of yellow complexion, about four feet eight inches high, and is between the age of Thirteen and Fourteen. In testimony whereof I have hereunto set my hand and seal, this the 28th day of October, in the year of our Lord One Thousand Eight hundred and Forty Five.

John TOWLES { seal}

In the Clerks Office of Prince William County Court October 29, 1845

This Deed of Emancipation from TOWLES to Mary TAYLOR was acknowledged by John TOWLES to be his act & deed and admitted to record.

Teste J. WILLIAMS c c [Clerk of the Court]

•Deed Book 19, p. 79 – Know all men by these presents that I John TOWLES, of the County of Prince William, State of Virginia, have manuted, [sic] emancipated and set free, and by these presents do manumit, emancipate and set free **Emily SANDERS**: and I do hereby declare her the said Emily SANDERS, to be entirely liberated from slavery, and entitled to all the rights and privileges of a free person, with which it is in my power to invest her. She the said Emily SANDERS hereby emancipated is a woman of dark complexion, five feet, three inches high, and is between the age of twenty five and thirty. I also manumit, emancipate and set free and by those same presents do manumit emancipate and set free **Maria SANDERS** and **Christianna SANDERS** children of the said Emily SANDERS, the first named aged four years, and the last named aged four months. In testimony of all which I have hereunto set my hand and seal this the 28th day of October in the year of Our Lord One Thousand, Eight Hundred and Forty five.

John TOWLES { seal}

In the Clerk's Office of Prince William County Court October 29, 1845

This Deed of Emancipation from TOWLES to Emily SANDERS $\&^c$, was acknowledged by John TOWLES to be his act & deed and admitted to record.

Teste J. WILLIAMS c. c. [Clerk of the Court]



ANOTHER LOST WILL FOUND: JOHN LATTIMORE'S LAST WILL AND TESTAMENT, 1761

Transcribed by Beverly Veness Genealogical notes by Donald L. Wilson

[Prince William County is missing its wills for the period 1744-1778. We are appreciative of finding a copy of the 1761 will of John Lattimore in a chancery suit filed in Fauquier County, Virginia. Images of this chancery suit are available online at the Library of Virginia's website, <u>www.lva.virginia.gov/chancery</u>. This transcription was taken from the Chancery case James Robertson etc. vs. Rodham Tulloss etc., Year 1868, Index #190, folder 10/15, found at Image 130 of 203. Will pages are at Images 131-134.]

In the name of God amen I John LATTIMORE being in perfect health ^mind^ and memory thanks be to almighty God for It do make and ordain this my last Will and Testament in manner and form following first and foremost I give and bequeath my Soul unto almighty God who gave it [to] me hopeing at the Great day of the Resurrection to rece[i]ve the same again, with glory and my body I commend to the earth to be decently buried at the Scretion [*sic, discretion*] of my Wife and friends and for my Estate I devise and bequeath the same as followeth

Item I give and bequeath unto my five Daughters Winney CUMMINGS, Betty MILLARD, Sarah FEARNSLEY[,] Mary PRITCHETT and Charity KITE all the things I have already given them in their one [*own*] possession to them and their heirs forever

Item I give unto my Grand Son John ROBINSON all the Lands that has shall or may by right fall to me in Northumberland County to him and his heirs forever.

Item I give and bequeath unto my loving wife Sarah LATTIMORE after my debts is paid all my moveable estate that is in Prince William County. Beds, Cattle horses, mares, hoggs, Puter [*pewter*] Iron, Brass, Copper, Tinn, Earthen ware, and in short every pertic^a^uler thing that belongs to house keeping.

Item I give unto my wife Sarah LATTIMORE my Negro man Joe for her maintenance during her widowhood and when she marrys my will is that he give her four pounds currency out of his labour during during [*sic*] her life for her maintenance and for her <u>one</u> use and the remainder of his labour I give unto himself nor husband that my wife has shall have any thing to do with him only he paying the four pounds. Early and after her death I set him free and that he be clear from any person or persons whatsoever laying any any right by me or from me, and if the Law wonte [*sic*] allow him to be free I give him <u>fore</u> [*four*] days in every week besides the Sabbath day during his life. I give unto my Negro Joe my Gun to him forever but he shallnot sell her.

Item I leave my man Solomon to M^r MACRAE during the Six years and half as goes from the date of this Indenture and if Joe should die my will is that Solomon after he is free he allow his mistress fifty shillings out of his Labour during her life for her own use and the remainder of his Labour I give unto himself no husband that my wife has shall have any thing to do with him, only he paying fifty Shilling currency Early and after her death I relinquish the fifty shillings and Set him free and that he be clear of any person or persons whatsoever laying any any right by me or from me and if the Law wont allow him to be free I give him four days in every week besides the Sabbath day during his life and that an Inventory be taken of my Estate and and [sic] not appraised and my will is that at the death of my wife what moveables there is left to be equally divided between my Daughters above mentioned ^to them^ and their heirs forever and I do appoint M^r William CARR and M^r Simon LUTTRELL Executors with my wife Sarah LATTIMORE my whole Executors of this my last Will and Testament and for their trouble I do allow them ten Shillings P[*er*] each ^out of my Estate^ In Witness whereof I have hereunto set my hand and affixed my Seal this 7th day of June 1761.

John LATTIMORE {Seal}

Signed Sealed in presence of us

 $\begin{array}{c} \text{his} \\ \text{Edward } \Delta \quad \text{JENNYENS} \\ \text{mark} \end{array}$

her Catherine X JENNYENS mark

Thomas HARRASS

George ROE

his John X JENNYENS mark

At a Court Continued and held for Prince William County the 25th of August 1761

This will was presented in court by Sarah LATTIMORE the Executrix therein named who made oath oath [*sic*] thereto according to law and being proved by the oaths of the Witnesses is admitted to record and the said Executrix having performed what is usual in such cases a certificate is granted her for obtaining a probate thereof in due form.

Teste John GRAHAM Cl Cur

A Copy Teste John WILLIAMS Cl Cur

John LATTIMORE's Will copy 52 Cents For M^r Ja^s M. ROBINSON

[The lawsuit was originally undertaken about 1803, but was not settled for many years. It concerned some land owned by John Latimore in Fauquier County which was not bequeathed by his will. Here is an undated paper from the suit outlining the case:]¹

To the worshipful the county court of [*Fau*]q^{r.} in chancery sitting

Humbly complaining sheweth unto your worships your orators Wm . [&] $^{Jmes} M^{c}$. ROBERTSON that he [*sic*] is the son to John M^{e} ROBERTSON who was the only son to James ROBERTSON who intermarried with Sarah LATIMORE one of the heirs of John LATIMORE dec^d. – That the said John LATIMORE died in 1761 intestate unto a certain tract or parcel of land lying & being in the county of Fauqr. containing by estimation 270 [276?] acres – That the said John LATIMORE left five daughters only to whom the said land descended in coparcenary [=*joint ownership*] – the oldest of which daughters Winny intermarried with Moses CUMMINS & had nine children (viz.) Asa[.] William, Sethy, Tilly, Sally, Betty, Moses, Thomas & Winney – the 2^d intermarried with the grandfather of the orator s Wm. & James ROBERTSON by whom she had one son John; after the death of her first husband James the said Sarah intermarried with a certain [*blank*] FRIENDLY [*sic*] and had issue Simon FRIENDLY & Sarah FRIENDLY – but the said Sarah ROBERTSON died before the act of 1787 directing an equal distribution of intestates estates – wherefore the share of John LATIMORE estate which his second daughter Sarah was entitled descended to her eldest son John ROBERTSON the father to the sd[?] orators – which said John by his last will & testament directed his share of said land to be

¹ Images 13 and 14 of the case.

equally divided between his four sons John[.] Charles & your orators ^of whom John & Charles are since dead without heirs[^] - The 3^d daughter of John LATIMORE decd. Elizabeth intermarried with William MILLER & had only one child[?] Sarah who intermarried with Thomas CUMMINS & is still alive. The 4th daughter Mary LATIMORE intermarried with [blank] PRITCHETT with whom she had nine children of which number was John the eldest son, that the said Mary PRITCHET dying before the passage of the act of the act of assembly directing equal distribution of in[test]ates the share of John LATIMOREs estate which his daughter Mary was entitled to descended to her eldest son John PRITCHET which right has been lately purchased ****** [by] James one of your orators. The 5th daughter Charite intermarried with a certain John KITE & had several children ^whos names are^ ** [not] known to your orators. Your orators further shew that they have been informed that a certain Rhodam TILLIS claims the right which As a CUMMINS (one of the children of Winny CUMMINS) had in the estate of John LATIMORE which said Rhodam TILLIS, the heirs of Charite KITE, John PRITCHET, Thomas CUMMINS & Sarah wife late Sarah MILLER, Asa CUMMINS, William CUMMINS, Sethy CUMMINS, Tilly CUMMINS, Sally CUMMINS, Betty CUMMINS, Moses CUMMINS, Thomas CUMMINS & Winney CUMMINS children & heirs of Winny CUMMINS late Winny LATIMORE they pray may be made defendants to this their bill. Your orators further shew that each of the said daughters of John LATIMORE decd. together with their husbands are since deced without leaving any will. Now so it is that tho' the lands are not equal in value to one hundred dollars to each distributee yet your orators are remedeless except in this equitable court where matters of this sort are properly cognizable. **** and therefore that the said persons may be made & that they may on their corporat[?] oath true & perfect answer make to these witnesses[?] as fully ***ability as if the same were ******** Refine[?] and so as to charge them & that the said land may be sold agreeably to the provisions of the act of assembly on that case made & approved. May it please your worships to grant unto your orators the commonwealths most gracious writ of spa & cts[?] what other & further equity in the premises as may seem to them meet, & they will ever pray &c.

[signed] J. H. Peyton.

Here is a summary of the family of John LATTIMORE as revealed by the will and lawsuit:

John LATTIMORE apparently originated in Northumberland County, Virginia, judging from the land he bequeathed to his grandson, John ROBINSON. Richard LATTIMORE of Wiccocomo Parish, Northumberland County, in his will dated 2 Sept. 1726, gave his son John land bounding on "Dennise's Creek" known by the name of "Indian Field Neck."²

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In 1735/36, John LATIMORE owned 916 acres in Hamilton Parish, Prince William County.³ On 13 June 1735, John LATTEMORE Sr. and John LATTEMORE Jr. witnessed a deed from John BOSTON to Rodham TULLOS.⁴

On 11 and 12 October 1749, Richard YOUNG of Orange County and Henry SMITH of Stafford County sold to John LATIMORE *Senr*. of Stafford County, 273 acres in Prince William County.⁵ This

² James F. Lewis and J. Motley Booker, *Northumberland County, Virginia, Wills and Administrations, 1713-1749* (s.l.: J. M. Booker, 1967), 77; citing Northumberland County Record Book 1726-1729: 109a.

³ Donald L. Wilson, "An Early Rent Roll for Prince William County," *Newsletter of the Prince William County Genealogical Society*, v. 5, no. 8 (February 1987): 9 [misread as LABINEUX(?)]. Northern Neck Proprietary, Rent Rolls, Prince William County, [undated list, sometimes dated to 1737]; microfilm at RELIC, [*Prince William County, Virginia, Manuscripts in the Huntington Library*]; from originals at San Marino, Calif.: Huntington Library, 1984. Name on the film can be read "LATIMORE, Jno."

⁴ June Whitehurst Johnson, *Prince William County, Virginia, Deed Book Liber A, 1731-1732, Deed Book Liber B, 1732-1735* (Fairfax, Va.: J. W. Johnson, 1982), 92; citing Deed Book B: 406-407.

⁵ Ruth and Sam Sparacio, *Deed Abstracts of Prince William County, Virginia, 1749-1752, 1761-1764* (McLean, Va.: Antient Press, 1989), 14, citing Deed Book M: 51-55.

document suggests that John Jr. is still alive. Their association in 1735 suggests that the younger man might have been a son. If so, the son died prior to 1761 without issue.

On 25 August 1761, the last will and testament of John Lattimore was presented in court by Sarah LATTIMORE, the executrix. The will was contested by the children and co-heirs of the deceased, Winney CUMMINGS, Betty MILLARD, Sarah FERNSLY, Mary PRITCHETT and Charyly [*sic*] KITE.⁶

Issue of John LATTIMORE, perhaps by a wife other than the widow Sarah:

i. (perhaps) John LATTIMORE, Jr., born before 1721 (over age 14 in 1735). If he was a son he died without issue, between 1749 and 1761.

ii. Winney LATTIMORE, born say 1722; died 1787/1803; married Moses CUMMINGS (living 1792⁷); nine children:

- a. Asa CUMMINGS, born before1743 (over 16 in 1759)⁸; living 1803.
- b. William CUMMINGS, apparently born after 1743 (not a tithable in 1759).
- c. Sethy CUMMINGS.
- d. Tilly CUMMINGS.
- e. Sally CUMMINGS.
- f. Betty CUMMINGS.
- g. Moses CUMMINGS, born before 1750 (over 16 in 1766).⁹
- h. Thomas CUMMINGS, perhaps married Sarah MILLARD (see below, iv-a).
- i. Winney CUMMINGS.

iii. Sarah LATTIMORE, born say 1724; died 1765/1787; married (1st) James ROBERTSON or ROBINSON, and had one child:

a. John ROBINSON, born before 1744,¹⁰ his mother's heir; died testate in Stafford County before 1792¹¹ leaving four sons: John, Charles, William, and James M. ROBINSON. John and Charles died before 1803, without issue. James ROBINSON was living in Stafford County in 1798.¹²

Sarah married (2nd) 3 November 1748,¹³ James FEARNSLEY (died intestate ca. 1757),¹⁴ and had two children:

⁶ "Prince William County, Virginia, Order Book 1759-1761," *The Virginia Genealogist* 23 (1979): 293-294, citing p. 339-340 of the original.

⁷ John P. Alcock, *Fauquier Families*, 1759-1799 (Athens, Ga.: Iberian Publishing Co., 1994), 85; Moses Cummings a head of household in Fauquier County as late as 1792.

⁸ Alcock, *Fauquier Families*, 84; Asa Cummings a tithable in the household of Moses Cummings, 1759.

⁹ Alcock, *Fauquier Families*, 85; Moses Cummings Jr. a tithable in the household of Moses Cummings, 1766.

¹⁰ John K. Gott, *Fauquier County, Virginia, Deeds*, *1759-1778* (Bowie, Md.: Heritage Books, 1988), 62; citing Deed Book 2: 508-510: Deed 1 Oct. 1765, from Henry Morless and wife Sarah, William Millard and wife Elizabeth, John Kite and wife Charity (they signed "Kight"), Lewis Prichet and wife Mary, daughters of John Lattimore, deceased, to John Robertson, two negro slaves named Joe and Solomon. The grantee paid a consideration (10 pounds to each couple), so should be over age 21.

¹¹ Ruth and Sam Sparacio, *Deed and Will Abstracts of Stafford County, Virginia, 1780-1786* ... (McLean, Va.: R. & S. Sparacio, 1988), 134; Alexander Hansford, as an executor of John Robinson, deceased, and as guardian of Charles Robinson, asked for a settlement of the estate, 13 March 1792; citing Scheme Book Court Orders 1790-1793: 250-251. Stafford wills are lost for this time period.

¹² Dee Ann Buck, *Abstracts of Fauquier County, Virginia, Deed Books 10-17, 1788-1810* (Fairfax, Va.: D.A. Buck, 2003), 199; citing Deed Book 14: 269. John Pritchett of Frederick Co., Va., heir of Mary (Latimore) Pritchett, to James Mc. Robinson of Stafford Co., Va., 7 Aug. 1798, 273 acres in Fauquier County, conveyed to late John Latimore from Richard Young on 11/12 Oct. 1769 [*sic, 1749*].

¹³ George H. S. King, *The Register of Overwharton Parish, Stafford County, Virginia, 1723-1758* (Fredericksburg, Va.: G. H. S. King, 1961), 103; marriage of Sarah Robinson and James Fernsly.

b. Simon FEARNSLEY, born ca. 1750.

c. Sarah FEARNSLEY, born 10 February 1753.¹⁵

Sarah married (3rd), by bond dated 13 January 1762, Henry MORLESS.¹⁶

iv. Elizabeth LATTIMORE, born say 1726; living 1787;¹⁷ died before 1803; married (before 1761) William MILLARD (or MILLER); he was levy free in 1776, died testate, 1782, in Fauquier County.¹⁸ Only child:

a. Sarah MILLARD, m. Thomas CUMMINGS (perhaps same as her cousin, ii-h, above).

v. Mary LATTIMORE, born say 1728; died 1765/1787; m. 31 March 1744, Lewis PRITCHETT;¹⁹ nine children, including:

a. John PRITCHETT, born ca. 1745 (oldest son and heir); living 1803 (in Frederick County, Virginia, in 1798²⁰).

b. Lewis PRITCHETT, born 17 February 1748.²¹

vi. Charity LATTIMORE, born say 1730; died before 1803, perhaps after 1787; m. 23 Oct. 1750, John KITE (or KNIGHT).²² This family seems to have lost touch with the other LATTIMORE descendants by 1803. Charity and John had several children, including:

a. Samuel KNIGHT, son of John and Charity, born 15 August 1751.²³ Perhaps the same as Samuel KIGHT or KITE whose family is found in Hampshire County, (West) Virginia, 1782-1799.²⁴

b. John, son of John KITE [sic], christened 14 July 1754.²⁵

c. (perhaps) Henry KITE, living next door to Samuel KITE, 1784.²⁶



¹⁴ June Whitehurst Johnson, *Prince William County, Virginia, Bond Book, August 1753-1782* (Fairfax, Va.: J. W. Johnson, 1982), 2; James Fearnsley, dec.; Sarah Fearnsley, admx.; William Miller and Joseph Blackwell, securities, 28 March 1757.

¹⁵ King, *Register of Overwharton Parish*, 34; birth of Sarah Fernsley, daughter of James and Sarah.

¹⁶ John K. Gott, *Fauquier County, Virginia Marriage Bonds, 1759-1854* (Bowie, Md.: Heritage Books, 1989), 143; marriage bond, Henry Morlers and Sarah Fernsby [*sic*], John Nelson, bondsman.

¹⁷ Alcock, *Fauquier Families*, 245, Elizabeth Millard/Miller (widow of William) a head of household as late as 1787.

¹⁸ John K. Gott, *Abstracts of Fauquier County, Virginia, Wills, Inventories and Accounts, 1759-1800* (Arlington, Va.: J.K. Gott, 1976; reprint, Bowie, Md.: Heritage Books, 1980), 124; will of William Millard, dated 4 January 1782, proved 25 March 1782.

¹⁹ King, *Register of Overwharton Parish*, 68; marriage of Mary Latimore to Lewis Pritchet.

²⁰ Buck, *Fauquier Deeds 1788-1810*, 199; John Pritchett to James Mc. Robinson.

²¹ King, *Register of Overwharton Parish*, 97; birth of Lewis son of Lewis and Mary Pritchett.

²² King, Register of Overwharton Parish, 68; marriage of Charity Latimore to John Knight.

²³ King, *Register of Overwharton Parish*, 66, birth of Samuel, son of John and Charity Knight.

²⁴ Heads of Families at the First Census of the United States Taken in the Year 1790: Virginia: Records of the State Enumerations, 1782-1785 (Washington, D.C.: Government Printing Office, 1908; reprint, Athens, Ga.: Iberian Publishing, 1990), 26, 70. Hampshire County, [West] Virginia Personal Property Tax Lists, 1782-1799 (Miami Beach, Fla.: T.L.C. Genealogy, 1990), see index.

²⁵ King, *Register of Overwharton Parish*, 66, birth of John, son of John Kite.

²⁶ Heads of Families, Virginia, 70.