

JAMES HORSLEY SR. of MARYLAND (c1685-c1748)
AND OUR HORSLEY FAMILY BEGINNINGS

Research Report by

Joan Horsley

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TABLE OF CONTENTS

Overview – *Page 3*

Preface - *Page 4*

PART I: NARRATIVE REPORT – “James Horsley Sr. and Our Horsley Family Beginnings” – *Page 6*

Early Horsley History in England – *Page 6*

Horsley in 17th Century Maryland – *Page 7*

Richard Horsley as the Possible Father of James Horsley Sr. – *Page 16*

James Horsley Sr. – The Annapolis Years: 1712-1716 – *Page 22*

James Horsley Sr. – Prince George’s County: 1717-c1720 – *Page 32*

James Horsley Sr. – Queen Anne’s County: 1721 Onward – *Page 35*

James Horsley Sr.’s Wife Mary Seward – *Page 38*

James and Mary Seward Horsley’s Children – *Page 41*

James Horsley Jr. – *Page 41*

Hannah Horsley – *Page 42*

Thomas Horsley – *Page 43*

Richard Horsley – *Page 46*

Another Possible Child of James Horsley Sr.? – *Page 47*

James Horsley Sr.’s Later Years – Queen Anne’s County – *Page 47*

James Horsley Sr.’s Widow Mary Seward Remarries – *Page 50*

James and Mary Seward Horsley’s Family Continues – *Page 52*

Endnotes – *Page 53*

PART II: Annotated TIMELINE of RECORDS for James Horsley Sr. – *Page 70*

Dale Grammar Hopper Statement – *Page 102*

General Research Notes – *Page 106*

Acknowledgements – *Page 106*

Horsley Family Tree Charts – *Page 107*

Bibliography – *Page 109*

Index – *Page 116*

**JAMES HORSLEY SR. of MARYLAND (c1685-c1748)
AND OUR HORSLEY FAMILY BEGINNINGS**

JAMES HORSLEY SR.

Born: c1680-90, Maryland (probably); Died: c1748, Queen Anne's County, MD

Possible father (not proved): Richard Horsley - d. 1718, St. Peter's Parish, Talbot Co., MD

Married: 03 Feb 1728/9, St. Luke's Parish, Church Hill, Queen Anne's Co., MD

*Wife: MARY SEWARD - b. 1710, Queen Anne's Co., MD; d. Aft. 12 Jun 1769
Proved daughter of Thomas Seward Jr. and wife Susannah*

CHILDREN OF JAMES HORSLEY SR. AND MARY SEWARD

All born Queen Anne's County, MD

*Hannah Horsley – b. c1729, married Thomas Tharp 10 Oct 1749 St. Luke's Parish, QA Co., MD
James Horsley, Jr. – b. 1731, married Patience (Maiden Name Unknown) c1752; d. c1815 S.C.
Thomas Horsley – b. c1733, married Mary Connikin (widow) c1766; d. 1790-1800, QA Co., MD
Richard Horsley – b. 1737; married wife unknown after 1764; d. after 1784, possibly QA Co., MD*

Overview

James Horsley Sr. was a literate and highly skilled carpentry craftsman probably born in Maryland about 1685. Although his parents and ancestors are not proved, he likely was related to the small Horsley group that was in Calvert County, MD by the 1660's and may be the son of Richard Horsley who died in Talbot County, MD in 1718. James Horsley Sr. first appears in Maryland records in Annapolis in 1712 during a politically contentious time in the province's history. For the next eight years, James is involved with some of the most prominent and controversial figures in that era in Maryland: Charles Carroll, a wealthy Irish Catholic; his nephew James Carroll; and in particular Carroll-kinsman Thomas Macnemara, an outstanding lawyer for whom James Horsley worked for four years. During James' employment, Thomas Macnemara was elected to high offices in Annapolis, including mayor of the city in 1715, but the persecution of the independent-minded Macnemara by the staunch Protestant authorities who detested him spilled over onto James Horsley as well.

In 1721, after the deaths of Charles Carroll and Thomas Macnemara and the retirement of James Carroll from public life, we find James Horsley on Maryland's Eastern Shore using his carpentry expertise to repair an old church building in Queen Anne's County. James married Thomas and Susannah Seward's eldest daughter Mary Seward in that church eight years later. James and Mary raised at least four children on their land called Bishopsfield near Church Hill, MD that had been in Mary's family since 1675. James Horsley apparently prospered in his craft and was a trusted and respected member of his community. He died intestate about 1748 in Queen Anne's County, MD. His widow Mary re-married to Joseph Slocum but probably bore no more children, was widowed again, and was still alive in 1769 at age 59. The time and place of Mary's death are not known. By the 1810 U. S. census, no Horsley families resided in Queen Anne's County or in any part of Maryland.

The story of James and Mary's son James, who moved his family to Virginia shortly before the American Revolution, continues in *James Horsley Jr. 1731-c1815 and Descendants: The Road South From Maryland*, available online at <www.JoanHorsley.org>.

Preface

I cannot remember a time when I did not want to learn more about my Horsley family and heritage. I grew up knowing very little. My Horsley father's parents died when I was two years old, his two siblings and my one cousin lived in distant states, and my dearly-loved father died when I was twelve. Moreover, none of my family were inclined to tell family stories. With adulthood came professional and family responsibilities that left little time or energy to explore family history. Yet my desire to know only grew stronger as I raised the next generation while all my Horsley relatives died with their stories still untold.

Then when my mother died, I discovered among her personal papers a wealth of Horsley family items I had never seen or even known were there. These letters, photos, news clippings and Bibles not only gave basic genealogical information but transformed mere names into "real people" and supplied context to family events. Serendipitously, finding this treasure trove coincided with retirement and my last child's departure from home so that, at long last, I was able to begin the in-depth Horsley family research that led to this paper. My hope is that beyond the basic facts of names, dates and places, our early Horsley family may become as alive to you as they are now to me.

Much of this research report was written in August of 2006 at the end of Phase I of my research on James Horsley Sr. of Queen Anne's County, Maryland. Since then it has gone through several revisions to include discoveries from additional records and to rework older ideas that no longer fit in the same way with the newly-found documents. Family history research is always a "never-ending story" as new records and research come to light; thus, this version and any that follow are also open to revision, correction, updating, and refining.

The goal of Phase I, researched mainly between 2001 and 2006, was to see if I could find primary documents (that is, records made at the time of the event) to support an affidavit filed in 1940 by Dale Grammer Hopper that includes a statement purportedly about our early Horsley line and James Horsley Sr. in particular. This statement also seems to be the basis of the unsourced information about James Horsley Sr. in *Horsley Families of America 1650 to 1986* Vol 1 (1986) by Brenda Horsley Scott and Roy Deris Horsley Jr., now widely disseminated on the internet. Their book has been the primary publication to date that focuses on the descendants of James Horsley Sr. and his son James Horsley Jr. My mother bought a copy of the book when it was published in 1986, and although as a researcher I must admit I have been frustrated by the authors' lack of sources and documentation, their book laid the first groundwork when I was able to begin researching in earnest.

To my surprise, even my initial research into the primary records regarding James Horsley Sr. revealed that basically all of Hopper's information, including the portion repeated in *Horsley Families of America*, was either unsupported or directly contradicted by the records themselves. It also became obvious that what seemed by the wording of Hopper's statement to be from a Bible record dating back to 1863 was written instead by someone much closer to Mrs. Hopper's generation who apparently relied on pieces of handed-down family stories and popular peerage books of the day. Relying on such sources was standard practice for family historians in the decades around the turn of the 20th century, prior to the more exacting standards for family history research set by today's genealogical societies and certifying boards and before the access we now have to original records. Although we owe these earlier family historians a large debt of gratitude for their role in keeping the family story alive, the results of their efforts are often factually unreliable, as the Hopper statement turned out to be.

Thus, the core of my initial report on “James Horsley Sr and our Horsley Family Beginnings” focused on using the primary records located to date to distinguish between the direct or indirect evidence found in these documents and the information included in the Hopper statement and *Horsley Families* book. (“Indirect evidence” is the term for information in the records that indicates or implies, rather than actually states, a situation or relationship. Indirect evidence of a relationship usually begins with records that show same the surname, same time, same place, and shared or linked associates of the people being investigated, along with other considerations as discussed in Part I.)

The first version of this report written in August 2006 was shared with Gerald Horsley for his personal use in a presentation at the yearly Horsley reunion held alternately in Georgia and Alabama. Gerald has a lifetime interest in collecting Horsley family history, photos, and stories, specializing in James Sr.’s grandson Valentine Horsley and his descendants, of whom Gerald and I are two. Gerald has been most generous in passing on to me information he has found, which I acknowledge in my citations and use here with his permission, including the Hopper affidavit.

Since that initial report, a number of additional primary records have been found that not only reveal new facts but also add dimension and depth to facts previously known. Records for James Horsley upon which the Narrative (Part I) is based are presented chronologically in the Timeline of Records (Part II). Most of these records in the Timeline are accompanied by extended notes that further explain or expand upon the record itself and the historical context in which the event took place. Due to what has become a web of difficulties in locating and/or obtaining original records at the Maryland State Archives, many records included here come only from secondary sources (e.g., abstract books) and still need to be verified by the actual documents.

In the process of researching primary records to untangle the threads of early facts from later fictions, the real story of James Horsley Sr. has begun to come to light and take shape, and a fascinating and surprising story it is, even though there is more yet to research and flesh out from emerging facts. Some elements of the story are proved directly by the records themselves. Some elements may never be proved absolutely or definitively, yet the interpretations and suggestions presented here may be judged sufficiently substantiated by the records to be accepted as strong indirect evidence. Some of these may later be revised or overturned by my own or others’ research.

As in all history, gaps in the story are inevitable due to the absence of records for the pertinent time and place. Filling in those gaps with imaginative guesswork is an ever-present temptation which I have tried to resist, but when I do speculate, I try to make that very clear and explicit. I also find that intuitive conjectures which are grounded in the factual information on hand can provide clues for searching records otherwise overlooked.

This report tells what I and others have found to date as part of an on-going research project. I make it available to a public readership now in the hopes that along with numerous other Horsley researchers our combined efforts and shared discoveries will continue to refine and expand our understanding of our Horsley family heritage and of our ancestors’ lives and times. As we learn about them, we rightfully honor and thank them. As *lagniappe*, in the process we often meet previously unknown cousins and learn more about ourselves as well, some of the many ways our ancestors continue to contribute to our lives.

Joan Horsley
Fall 2010

Part I: NARRATIVE
JAMES HORSLEY SR. and our HORSLEY FAMILY BEGINNINGS

By Joan Horsley
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Revised 2010

Probably few of us who descend from James Horsley of Maryland escaped childhood nicknames like "horsehead" or "horseface" or just plain "horse" accompanied by taunts that attempted to mimic neighs or whinnies. For many, that only endeared to us our family name. At least few people ever mispronounced it, even if we did have to spell it letter by letter for anyone needing to write it down. How did we get saddled with such a name (if you'll forgive the pun)?

Early Horsley History in England

The name Horsley derives from the Anglo-Saxon words "hors" and "leagh" (ley), meaning a forest clearing where horses would pasture, so from earliest times many places in all quarters of England became known as Horsley. Alone or in combinations such as Horsleycross, the name came to identify villages, streets, manors, parishes, and natural landmarks from Gloucestershire to Surrey and the London area in the south, to Derbyshire in central England, to Northumberland in the far northeast corner of England.

Family surnames were not used in England until after the Norman Conquest in 1066. Before that time, people would be identified by such designations as their lineage or parents (Mary the daughter of Henry), their occupation (John the miller), or their locale (William of the village of Horsley). With the advent of Norman rule whose record keeping required surnames, people previously identified with a place named Horsley often assumed the surname of Horsley itself.¹ Thus the people named Horsley who later emigrated to the American Colonies came from all parts of England, where still today the surname Horsley is more than twice as common as in the United States.

Part of the knighthood system in early England was the royal granting of an official coat of arms by which the knight was identified on such items as standards and shields for battles and tournaments, and the crest was used on seals and seal rings for official documents. Not surprisingly, the Horsley coat of arms incorporated the head of a horse. According to British law, however, a coat of arms is the sole property of the one person to whom it is granted. That person can pass it to another family member, but even other unauthorized members of that same family cannot use it legally, only its designated owner. With the upsurge of interest in family heritage that took place in the United States between the Civil War and World War I, family-name coats of arms became popular but without the understanding that such applied to only one family line, not to all of that name. Today people interested in having a family crest or seal are designing their own coats of arms that blend elements of an ancient one with their own creations that represent their particular family line and history.

The original Horsley coat of arms, described in heraldry as "Gules, three horses' heads erased argent," was granted to a knighted member of the family of the Manor of Horsley in what became the village of Longhorsley in Northumberland County, England.² Northumberland is at the far northeast

corner of England between the North Sea and the border of Scotland, and Longhorsley is just northwest of the present-day county seat town of Morpeth. I was informed by the Chairman of the Longhorsley Historical Society that the original village of Horsley where the Manor was located likely became known as Longhorsley in order to distinguish it from another Horsley to the south, just west of Newcastle-upon-Tyne near Hadrian's Wall. Also there is a village of Horsley to the west of Longhorsley in the forestland of today's Northumberland National Park. Indeed, Longhorsley was originally in the center of an ancient oak forest.

We can know with certainty that our family line does not come from that titled Horsley family of the Manor of Horsley near Morpeth. The last male of that line to survive was Sir Thomas Horsley, born 1612. His only son died without issue before 25 Aug 1666, and there were no other surviving males in the family to carry on the Horsley name in successive generations.³ Research so far has not been able to learn where our Maryland Horsley's originated, although it seems certain our first immigrant Horsley was originally from England, given the very Englishness of the name.

In 1940 an affidavit was signed by a notary public in El Paso County, Texas on behalf of James Horsley Sr. descendant Dale Grammer Hopper⁴ who died in 1999. This affidavit refers to a family Bible, which is stated to have been a wedding gift from Hopper's grandfather William G. Horsley of Jasper County, GA to his bride Salina Preston in 1863.⁵ Some births and deaths for William G. Horsley's family seem to have been written in the Bible at the time they took place, although oddly neither William and Salina's marriage nor her death a year later were entered. Included in that affidavit is a statement by an unnamed source that is supposed to be the history of our Horsley family and the "ancestors of Nash Horsley" beginning with the James Horsley whom we call here James Horsley Sr. (Neither I nor the relatives of Mrs. Hopper with whom I have communicated know of or can find any information about who "Nash Horsley" was.) Mrs. Hopper's statement begins with a mention of the Horsley family near Morpeth, England discussed above, but as we have said, that Horsley line, which is extremely well-documented in English peerage records, is not ours, since the last surviving male was born 1612, and there were no male heirs to carry on the Horsley name.

In fact, most of the information in the Hopper statement is proved in error or is contradicted by the primary records I have found. It is a common occurrence to find that passed-down family stories get scrambled over the generations in the telling and are not reliable or accurate sources for specific facts. Even so, the information warrants investigation, as it may contain clues or seeds of truth despite its factual errors.

Horsley in 17th Century Maryland

The statement Hopper provided continues by saying our James Horsley Sr. came "from England about the time of the terrible) from Cromwell" [*quoted as written in the affidavit statement*]. First of all, Cromwellian rule lasted from 1649-1660, but James Horsley Sr. of Maryland could not have come of age or even been born that early. Evidence from early records indicates James Sr. was born 1680-1690, he was engaged in heavy physical carpentry work in 1721, and his only recorded marriage was in 1728. Contrary to the Hopper statement, I have found nothing in the primary documents so far that would indicate James Horsley himself was the immigrant. On the other hand, there are many indications, from situations and names on James' records, the families' interlinking associations, the probable connections with earlier Maryland Horsley's, and the history and status of the family into which James married, that James Horsley was not an immigrant himself but was born in Maryland.

Even during the Restoration which followed the years of Cromwellian rule, conditions in England, such as political reprisals and civil and religious persecution, compounded by a disastrous outbreak of plague in London, continued to make life difficult until the passage of the Tolerance Act of 1689. So it easily could be that James Horsley Sr.'s ancestor did come to Maryland (or even first to Virginia) during this time period of upheaval in England and of new opportunities opening up in the Colonies.

In 1663 a Joseph Horsley first appears in Maryland records when he is assigned land in Calvert County by Richard Preston. Preston, whom Lord Baltimore called "the Great Quaker," was a former Puritan high-ranking public official who converted to the Quaker faith. Whether Joseph Horsley ever converted is unclear but to me it seems probable, and he certainly was closely associated with and surrounded by Quakers. Although there is no indication that James Horsley Sr. was ever a Quaker, he was not an active Anglican and his association with Quakers and Quaker-related families, along with other "dissenters" and Catholics, is an ongoing pattern, as it continued to be with his son James Horsley Jr. even after James Jr. moved to Virginia about 1773.⁶

We know from court records that Joseph Horsley had no "legal heirs" (which we address shortly). However, he is pivotal to our early Horsley story in Maryland. On 1 Sep 1663, Joseph Horsley was assigned 900 acres on the Cliffs in Calvert County by Richard Preston.⁷ On 14 Mar 1664/5⁸ Joseph Horsley and John Nevill were appointed to appraise the estate of Lathline Ahalwen. (Intriguingly, in 1730 James Horsley Sr. was on records in Queen Anne's County with a John Nevil, as we discuss later, who may be related to this earlier John Nevil.) Lathline Ahalwen's only legatee and the administrator of his estate was John Ellie (also spelled Elly).⁹ Ten days later on 24 March 1664/5, it seems to be Joseph Horsley (rather than a John, as one abstractor wrote¹⁰) who witnessed the will of Adam Stanaley (Stanley) of Calvert County, along with Henry Mitchell and Thomas Manying (Manning), since it was Joseph Horsley along with Henry Mitchell who was appointed to inventory and appraise Stanley's estate six months after the will was proved in court, with Thomas Manning administering the oath.¹¹

Four months after Joseph Horsley first appears in Maryland, we find a James Horsley (who could not be our "James Horsley Sr.," born 1680-1690) in the same place and with the same group of associated people as Joseph. This early James Horsley witnessed the following assignment of a land grant warrant to survey:¹²

I Francis Armstrong do hereby assign over unto Tho. Bradley or his assigns all my right and Title of this Warrant.

Witness my hand this 17th January 1663 [1663/4].

/s/ Franc's (A) Armstrong (his mark)

Witness:

JAMES HORSLEY, James (I) Elly (his mark)

[Note: Thomas Bradley re-assigned this same warrant four days later to Capt. Thomas Manning on 21 January 1663/4.]

One interesting fact to notice is that this James Horsley signed his name by signature, indicating he could read and write. (Likewise, Joseph Horsley was literate.) Literacy was not common in this time and place, and often it was only members of the privileged classes who were literate (although certainly not all of them were). We have no indication in the records that our early Horsley's were of the upper class social or economic level, and Joseph was the only large landowner. On the other hand, we know that at least our James Horsley Sr. was a skilled craftsman, and such professions

often ran down through family generations. All skilled craftsmen usually were literate, since a master was required to teach reading and writing as a condition of a trainee's apprenticeship contract. Skilled craftsmen of that time and place enjoyed their own kind of privileged position by virtue of the scarcity of people in the Colonies with professional craft skills, and they tended to form their own interconnected social subgroup. They often were associated on records with those of higher economic and political status since their expertise could be utilized most by those with the best means of paying for skilled craftwork and whose social aspirations and larger estates required it.

The second item of interest is James Horsley's co-witness, James Elly. He almost surely would be closely related to the John Ellie/Elly who was sole legatee and administrator of the estate of Lathline Ahalwen, whose estate was appraised and inventoried by Joseph Horsley a year after James Horsley appears on record with James Elly. (Estate appraisers usually were nearby neighbors of the deceased and/or men who had particular knowledge of the deceased's business or craft.)

Another interesting fact to notice about the warrant transfer that James Horsley witnessed is the assigner, Francis Armstrong, who immigrated to Calvert County by 1658.¹³

First, by a deed dated 15 April 1664, Francis Armstrong sold to a Quaker, John Edmondson, both of the Cliffs of Calvert County, land on the south side of the Choptank River on Maryland's Eastern Shore and now in Dorchester County. One witness to this deed was Joseph Horsley (also of the Cliffs) and another was Thomas Manning.¹⁴

The land grant warrant to survey that Francis Armstrong assigned to Thomas Bradley and that was witnessed by James Horsley was assigned by Bradley several days later on 21 January 1663/4 to Thomas Manning,¹⁵ who co-witnessed the April 1664 Armstrong deed with Joseph Horsley. Thomas Manning was also witness on 24 March 1664/5 to the Calvert County will of Adam Stanley whose estate inventory and appraisal was made by Joseph Horsley. (During this time Thomas Manning, a Protestant of Calvert County, was serving as Attorney General of Maryland under appointment from the Catholic Lord Baltimore from February 1660/1 to June 1666.¹⁶)

Francis Armstrong, whose 1663 warrant assignment was witnessed by James Horsley, left Calvert County and became an innkeeper in Talbot County,¹⁷ where one of the first houses in what became the town of Oxford was built for Armstrong. A Prerogative Court record dated 25 Feb 1667/8 shows that Joseph Horsley (with William Ewen) was appraiser of the estate of George Richardson of Talbot County. Among those owing debts to the estate was Francis Armstrong.¹⁸ Francis Armstrong's Talbot County will was dated 18 Feb 1668/9, and the will mentions land near John Edmondson.¹⁹ (Interestingly, when Joseph Horsley's co-appraiser William Ewen "of the Cliffs of Calvert" died in 1675/6, the overseers of his will were the Quaker John Edmondson, then of Talbot County, and Richard Ladd of Calvert,²⁰ who married Joseph Horsley's widow. Like Richard Preston, Ewen was a former Puritan government official who converted to Quakerism.) Francis Armstrong died before 13 October 1669 when his will was probated in Talbot County Court.²¹ In 1710, two acres of Armstrong's land near the head of Tread Haven Creek were bought from Francis' son Philemon Armstrong for the construction of the Talbot County Courthouse.²² The courthouse town, about 10 miles from the official port town of Oxford, became known as Easton, still today the county seat of Talbot County.

This is the area of Talbot County where we first find the family of a Richard Horsley, almost certainly related to James Horsley Sr. and whom we discuss shortly. A number of the families and associates of James Sr. were from this southern part of Talbot County, some of whom were members, or connected with members, of the Quaker Third Haven Meeting, whose meetinghouse (the word

Quakers use for their house of worship), built in 1684 on land owned by John Edmondson, is the oldest Quaker meetinghouse in the U.S. and is still in use today.

There is yet another intriguing line of connections related to people we have traced from Francis Armstrong's warrant assignment witnessed by the Calvert County James Horsley in January 1663/4. As we have said, four months later in 1664 John Edmondson bought land from Francis Armstrong that was witnessed by Joseph Horsley and Thomas Manning (all then of Calvert County), and Armstrong mentions land near John Edmondson in his Talbot County will of Feb 1668/9.

The previous year in Talbot County Court of 16 June 1668, one Jane Griffin acknowledged a debt of 2000 lbs. of tobacco owed to John Edmondson from the estate of her deceased husband Anthony Griffin, late High Sheriff of Talbot.²³ Anthony and Jane Griffin were the great-grandparents of Mary Seward who married James Horsley Sr. in 1728. (John Edmondson later cancelled the debt.²⁴)

The next Talbot County Court entry for the same date of 16 June 1668 was for debt owed by Anthony Griffin's estate to John Viceris of Talbot County. Viceris was a variant spelling of Vickers or Vickery, and in 1697 Richard Horsley married Mary Vickery/Vickers in St. Peter's Parish in the part of Talbot County where Armstrong had moved from Calvert County.²⁵

Other than being a witness to Francis Armstrong's warrant assignment, I have found no other records for the James Horsley of 1663 (which was too early to have been James Horsley Sr.). However, the string of connections from this one record would seem to be more than just sheer coincidence and closely connects this early James Horsley to Joseph Horsley and even to Richard Horsley who died 1718 in Talbot County and who well could be James Horsley Sr.'s father, as we discuss shortly.

Another early Maryland Horsley who so far is known only by name and a single surviving record is Lewis Hosley, which is a standard Colonial variant spelling of Horsley (and by which both James Sr. and James Jr. were sometimes recorded). On a land grant record dated 1 April 1664, which by the Julian or Old Calendar was 4 months after James Horsley's witness above, Lewis Hosley is claimed as a headright by Maj. Thomas Brooke, a Justice of Calvert County who held a number of appointed high offices.²⁶ Headrights began as a system whereby people could get land for those whose transportation to the colony they had paid. (The people "transported" could come in from another colony, not only from England and elsewhere overseas.) However, the system became distorted and corrupted, and headrights were bought, sold and transferred as a commodity market. Thus we cannot use headrights alone as evidence of association between the person applying for the land grant and the headright he or she claims, since the land applicant may never have paid for the other's transportation, and indeed may never have met or even heard of the person whose headright they claimed.

Because we have no other information about Lewis Hosley other than his being Brooke's headright, we cannot say any more than Lewis appears to be in the same place and was at the immediate time as the early James Horsley and Joseph Horsley. However, there are some interesting connections in the following information recorded 25 years later. These may be sheer coincidence but also might indicate that one way Lewis Hosley could be known to Brooke was through Joseph Horsley (and by association, also the early James Horsley):

4 Sep 1689 Proceedings of the "Associators Assembly." Ordinance for regulating the affairs of the Militia in Calvert County included "Mr Henry MITCHELL Capt: of a Company of foot to be raised on the Clifts in the roome of [i.e., in place of] Capt. Richard LADD," That for regulating the affairs civill in Calvert County included Capt: Richard LADD Justices of the Quorum Mr Thomas BROOKE.²⁷

Maj. Thomas Brooke who claimed Lewis Hosley as a headright died by the end of December 1676 in Calvert County. The Thomas Brooke of this 1689 record was either the elder's son Thomas or a close relative. He was part of the Brooke families who played significant roles in Calvert and Prince George's County (formed in part from Calvert), and Thomas Brooke as well as Robert and Roger Brooke are included in a suit involving James Horsley Sr. in 1716. Henry Mitchell of the Cliffs of Calvert County in this record would be the same Henry Mitchell who in 1666 made the inventory and appraisal of Adam Stanley's estate with Joseph Horsley, also of the Cliffs. Richard Ladd in the above record was the second husband of Rosamund ("Rose"), widow of Joseph Horsley.

As with James Horsley in 1663, nothing more has been found for Lewis Hosley. But the coincidence of place, time, associated people, and the uncommon name of Horsley does seem to indicate that Joseph and James Horsley and Lewis Hosley could somehow be related. Also, so far they are the only confirmed Horsley's found in Maryland in this time period.

A few further words need to be said here about Joseph Horsley of Calvert County, even though detailed information about him will need to wait for the separate report that will include extensive research on the earliest Virginia Horsley's. (A preliminary discussion is in Part II: Timeline of Records under notes for 14 Jun 1728.) Like many 17th century Virginians, some Horsley's lived previously in Maryland or at least had close business ties with residents of Maryland including families from Kent Island, now part of Queen Anne's County. (Although James Horsley Sr. did not reside on Kent Island itself, he lived his last 30 years or so in Queen Anne's County just upriver from Kent Island.)

Joseph Horsley was assigned 900 acres of a 1000-acre patent from Richard Preston on 1 Sep 1663 for land known as Preston Cliffs in Calvert County, and purchased the other 100 acres from John Taylor and wife Alice on 7 Jan 1764/5.²⁸ Also in 1665, Joseph Horsley of Calvert County applied for a land patent based on transporting himself and his wife "Rose" into the colony and claiming headrights for nine other people.²⁹

This Joseph Horsley appears to be the same Joseph Horsley named in a deed of gift 3 Jan 1653/4 as the (then) only son of Ralph Horsley of Northumberland County, VA who died there by 20 June 1656. Earlier Virginia records for Ralph Horsley show him to be one of those either previously of Maryland or with very strong connections there. Although in the later years of his life Ralph is named on deeds as a "planter," he may also be the Ralph Horsley who was deceased before a court case of 20 Sep 1658 involving this deceased Ralph Horsley's tailor apprentice who had not been reassigned a new master.³⁰ Ralph's son Joseph Horsley made a deposition in Northumberland County 20 July 1658 stating he was then about 22 years old (thus born about 1636). Joseph is last found in Northumberland County, VA records when he witnessed the will of widow Mary Broughton dated 2 Jan 1662/3,³¹ and the first Maryland record found for Joseph Horsley is nine months later in September 1663 when he was assigned Preston's land described above. Joseph Horsley died on 25 February 1670/1, and a hearing ordered by the Chancery Court held 6 May 1676 found that this Joseph Horsley had no legal heirs to be found in "Maryland or elsewhere," which then allowed the provisions of his will to be executed.³²

What I find intriguing is the definition of legal heirs for inheritance purposes. I have not been able to locate the specific Maryland law of that time relating to lines of inheritance (although not for want of trying). However, the law in Virginia, which was similar to most other colonies established under British law, specified a sometimes complicated series of people who would inherit the real property if a person died intestate with no children. The key was that any legal heir had to be “of same blood,” so that no one qualified unless they were connected through the same set of parents, both mother and father, as the deceased. This would leave out step- and half-brothers and others such as cousins and nephews who did not come from an earlier set of exact same parents as the deceased. My point being that even though Joseph was determined by the court to have no legal heirs, more research needs to be done regarding the probability that this did not have to mean he was totally unrelated, perhaps even closely, to James Horsley and Lewis Hosley in Calvert County in the same time period. On the other hand, we can rule out Joseph Horsley as James Horsley Sr.’s direct ancestor.

Among the few other records for Horsley or variant spellings found in 17th century Maryland was one listed as “Rebacca Horsley.” However, she was named as a headright for Stephen Horsey in his land grant application in 1663.³³ Thus this probably means that Rebacca’s name was actually Horsey as was Stephen’s, not Horsley. Stephen Horsey and his family came from Northampton County, VA to Maryland by 1661 when he applied for land for transporting himself, his wife Sarah and 5 children.³⁴ They resided in Somerset County, Maryland, where many of his descendants continued to live up to modern times. However, my extended research and investigation into Stephen Horsey and his family indicates they likely were not related to the Horsley’s but of a completely separate family line, at least in the Colonies. Also, Horsey was not considered a variant spelling of Horsley or vice versa, even though some records, especially transcriptions or abstracts, occasionally get them confused.

For the above James Horsley, Lewis Hosley, and Rebacca Horsley I have obtained the full records from MSA microfilm of the handwritten transcriptions of the original records made in the 1720’s. (Microfilm of most of the originals are also available, but the quality of the handwriting there is even more problematic.) Carson Gibb’s *New Early Settlers of Maryland* also includes an index entry for “Hansley (Horsley), Edmond” transported in 1673 for which the original record has not been examined,³⁵ and nothing else could be found about him. However, an abstracted Prerogative Court record of 1699 names an “Edward Harsley,” and since Edmund/Edmond and Edward were often used interchangeably, this could be the same or related person. Edward Harsley was listed as a runaway debtor to the estate of Thomas Hedge Sr. of Baltimore County.³⁶ The term “runaway” refers to an indentured servant (also a slave) who left his master without permission or completion of his contract and who then disappeared, usually after a concerted manhunt, advertisements and public notices. As an indentured servant, he generally would not be allowed to marry, thus he would have no legal heirs. (If he had illegitimate children, they usually would carry their mother’s name or be known, for instance, as “alias Harsley” if perchance the father was known or acknowledged.) Many others with Edward in the long list of debtors to Hedge’s estate are listed as known to be dead, so the actual date of the debt or the runaway could be years earlier. In any case, neither Edmond’s nor Edward’s last names have been verified by original records, and I have found no connection with our Horsley line.

The only other Horsley I have found in the Maryland Archive records prior to the mid-1690’s, and the most problematic, is a Ralph Horsley who on 16 December 1675 registered his cattle brand with the Court of Somerset Co, MD.³⁷ Although Somerset is primarily the Horsey family area of residence, researchers of the early Horsey lines have not found a Ralph in their fairly extensive and documented research made public. On the other hand, we do know of one other Ralph Horsley—the one who died in Northumberland Co., VA with so far only one known son, Joseph Horsley, who died in Calvert County in 1670/1 with no legal heirs. The only later record I have found for a Maryland Ralph Horsley

is dated 30 Mar 1696, listing him as owing the estate of Isaac Winchester of Talbot County.³⁸ Presumably this is the same as, or someone closely related to, the Ralph Horsley in nearby Somerset twenty years earlier. (People owing to or paid by an estate did not necessarily live in the same county as the deceased.) I have found no actual or abstracted record of marriage, death or probate for this Ralph Horsley, nor have I found him on deed records for himself or for others, and the 1696 record is the last found for him so far.

However, this 1696 record for Ralph Horsley is particularly interesting, since Isaac Winchester whom Ralph owed was a native-born resident of Kent Island.³⁹ (Kent Island was first part of Kent County, then Talbot, then Queen Anne's County.) Isaac Winchester's father John Winchester immigrated to Kent Island in the 1640's, around the same time that the older Ralph Horsley of Northumberland County Virginia had associates in Northumberland who either were from Kent Island themselves or had close connections with Kent Island. This older Ralph, himself likely earlier of Maryland, was a tailor or was closely related to the tailor Ralph Horsley of Northumberland County, VA. Isaac Winchester's father John Winchester was a cordwainer (ie, a shoemaker, as was Isaac Abrahams whose will James Horsley Sr. witnessed in Queen Anne's in 1725), and a third generation Isaac Winchester is named as a cooper, a profession related to carpenters, in his Kent Island will written in 1721 (when carpenter James Horsley was newly arrived on the mainland of Queen Anne's County from his years on Maryland's Western Shore). The other Horsley found in Maryland records around the time of the younger Ralph's 1696 record was Richard Horsley of Dorchester and Talbot whose records in the 1690's we discuss later. (Dorchester and Talbot separate Somerset from Kent Island.) Given the connections of skilled craftsmen who often formed their own subgroups, the locations, and the uncommon name, the Ralph Horsley in 1675 and 1696 seems somehow related to the earlier Ralph Horsley, as well as to Richard Horsley and the later James Horsley Sr., although the name Ralph did not pass down the family lines, and so far I have found no Winchester connections to Richard Horsley or to James Horsley Sr. and family.

It may even be that the Ralph Horsley of Northumberland County, VA who named Joseph as his only son in a deed dated Jan 1653/4, had another son before he died intestate in mid-1656. (We know that Ralph's widow was married to Ralph by 1652, but whether she was Joseph's natural mother is not known.) If that hypothetical son had a different mother from Joseph, Joseph would still be declared as having no legal heirs, since half-siblings usually were not included in the lines of inheritance. This mere speculation is given somewhat more substance by the fact that the Northumberland Ralph Horsley was closely associated by 1653 with a Rice Maddox/Mattocks, perhaps related to the Maddox family of Accomack County, VA (on the Eastern Shore peninsula a short distance across the Chesapeake from Northumberland) who went north on the Eastern Shore into Somerset County, MD by the 1660's, not long before we find the younger Ralph Horsley in Somerset in 1675. However, all this is conjecture at this point to use only as clues for continuing research.

We shall rejoin Ralph's contemporary Richard Horsley shortly. Meanwhile, having reviewed what is known of the Horsley's found in early Maryland records around the time of England's rule by Cromwell and its immediate aftermath, we return to discussing the 1940 Hopper statement purportedly about James Horsley Sr. The statement goes on to say that James Horsley Sr. (who definitely was too young to have come from England in Cromwell's time, as the statement claimed) was "a merchant [who] settled in the city of Baltimore."

Again, none of this part of the statement coincides with primary records found for James Horsley Sr. As we discuss at length below, we have strong evidence that James was a carpenter by profession, and a highly skilled one at that. I have found nothing in the records that supports he was ever a

merchant, although some of the people we find associated with James Horsley on records were merchants or were engaged in commercial trading.

As for James Horsley Sr. settling in the "city of Baltimore," the City of Baltimore was not even formally constituted until 1729, long after we find James living across the Chesapeake Bay in Queen Anne's County where he resided until his death. People of Mrs. Hopper's time, especially those outside of Maryland (as she was in Texas), would associate Maryland's major city with Baltimore. However, in the early 1700's it was Annapolis in Anne Arundel County that was the primary city and the political center of Maryland, and it is in Annapolis that we find our first records for James Horsley Sr. in 1712.

Baltimore County, as opposed to Baltimore City, was established in 1659, and by the late 1600's there was a thriving port district in the area that later became the city of Baltimore. The port centered on such properties as the 500-plus acre plantation called "Cole's Harbor," upon which the City of Baltimore later was laid out, surrounded by numerous other large plantations. An 1874 history of the city's origins gives this description of the old Baltimore port area:

The most striking feature upon the face of [this] society was these plantations. Upon them were held some of our earliest courts and councils. Hardly a home or a tenement was not approached by water. And our governors, privy-councillors, and county court judges, were, all of them, planters. The principal planters were also the merchants, who traded with London and the other great ports of England. And the large plantations, with their group of storehouses and other buildings, assumed the appearance and performed the office of little towns.⁴⁰

Two men of Anne Arundel County and Annapolis and on records there with James Horsley Sr. were involved in commerce (along with numerous other activities) and owned additional estates in Baltimore County. James Carroll, whose home was near Annapolis in Anne Arundel County, acquired a patent in 1702 for "Whetstone" in the Baltimore port area.⁴¹ Thomas Macnemara, a resident of Annapolis and a kinsman of James Carroll, was granted 500 acres in Baltimore County in 1704. This land was later acquired by other Carroll kinsmen and became known as "Sweet Air."⁴²

While it is possible that at some point James Horsley Sr. could have done carpentry work for Macnemara, Carroll, or their acquaintances on Baltimore County estates, a lengthy search of extant records for Baltimore County has not revealed any evidence that James Sr. or an ancestor of James Sr. settled in Baltimore county or town.

The Hopper statement says not only that James Horsley Sr. was a merchant in the city of Baltimore, which no evidence supports, but also that he "failed in business." Once again, there is no supporting evidence for this statement. No documents or evidence in early records, such as court cases where suits for debts were filed or deeds showing forfeiture of property or records of quit rents in arrears, have been found which support failure in business pursuits or financial problems for James Horsley Sr. Quite to the contrary, we find a significant number of people owing debts to James instead.⁴³ (As an aside, success as a merchant in early Maryland often depended heavily on aristocratic connections, family name, religion, patronage, political office and the willingness to traffic in slaves, so any merchant's "failure in business" was not necessarily due to ineptness or character deficit as that phrase often implies.)

Could it be that a story of business failure came down through Hopper's Horsley family stories that, as family stories are prone to do, confused generations or the identity of the subject of the story?

There was an early George Seward, a likely relative of James Horsley Sr.'s wife's grandfather Thomas Seward Sr., whose debt problems led to 14 years of court cases (1711-1725) with testimony by some of the most notable Marylanders of the day, including a statement from Lord Baltimore himself. George Seward was of Dorchester County and had arrived in Maryland by 1673 with his wife and two daughters.⁴⁴ (Thomas Seward Sr. is documented in Maryland by 1667, and had a grandson George, Mary Seward Horsley's brother.) The early George Seward, like James Horsley Sr., was a skilled carpenter by profession, and George built the house that was used as the first courthouse in Dorchester County in 1674. Among George Seward's employers in Annapolis was Lord Baltimore who apparently was pleased with his work and rewarded him with a survey warrant to patent the land that later became the focus of court suits on behalf of George's heirs. Testimony in the case states that George Seward became so heavily in debt that he left the colony and went abroad to earn money to pay his creditors, but George died by 1683 without making it back to Maryland:

...before the Said George Seward took out Patents for the Same Land he became So impoverished by Various misfortunes and losses in his Estate that he had not wherewithall to pay his Just Debts but was forced to Depart this province for fear of falling into the hands of Some merciless Creditor and Dying in a Goale That the Said George having left a Wife and Children in this province (whereof your Orators father [William Seward] was one and the heir apparent to the Said George) continued Sometime absent using his utmost Endeavours by Industry and hard Labour abroad to recover his Circumstances that he might be able to pay what he Owed in this province and return home to his family but before he had fully Accomplished Such his Designs the Said George dyed...⁴⁵

Such a saga about even a distant relative would be sure to pass down in family stories for generations to come, but in the telling the details were equally as sure to get confused and the specific relative involved easily misremembered. Of course, this is only a guess on my part, but it could be that George Seward's "business failure" with its rather spectacular consequences is one possible explanation of the Hopper affidavit statement about an ancestor who "failed in business" for which we have found no other documentation or evidence.

Thus it is possible that in the Hopper information we may have confused bits and pieces of passed-down family stories with undocumented assumptions based upon them, but this information was not about James Horsley Sr. We now have proof or strong evidence from primary records that James Horsley Sr., who is clearly identified as the James to whom the affidavit statement refers (that is, the father of James who went to Halifax County, VA) was: 1) not descended from the Horsley line of the Manor of Horsley near Morpeth, 2) not of an age to be alive in Cromwellian time, 3) most likely not born in England, 4) not a merchant, failed or otherwise, and 5) not of the city of Baltimore but first found in the city of Annapolis. Additionally, as we discuss later, James Horsley Sr. did not live on Kent Island, where the Hopper statement says he died and was buried, but he lived his last decades upriver from the island on the mainland of the Eastern Shore. On the other hand, with the exception of the mention of the Manor of Horsley line (which could have come from any peerage book of Hopper's day), might we have clues to some of James Horsley Sr.'s earlier relations about whom stories got confused and mistakenly collapsed into a kind of collage person? Could some of the stories be about earlier ancestors of lines who married into the Horsley's, then got merged, as we often find happening in family histories based on oral tradition? Until we find more definitive evidence in the primary records about James Sr.'s forebears, these remain unanswered questions.

Richard Horsley as the Possible Father of James Horsley Sr.

In fact, as yet we cannot even prove the father of James Horsley Sr., who is our earliest proved ancestor so far. However, my research to date indicates the most promising candidate for James Horsley Sr.'s father is Richard Horsley, who died 26 April 1718 in St. Peter's Parish, Talbot County, MD.⁴⁶

Talbot County was adjacent to the south of Queen Anne's County, which was formed 1707 in part from northern Talbot County, and Queen Anne's records for James Horsley and his family include numerous connections with people in Talbot. St. Peter's Parish, where Richard Horsley died, comprised the southern-most area of Talbot County, extending from about 9 miles north of today's Easton, the county seat, then south to the Choptank River, with Dorchester County on the Choptank's southern shore. (St. Michael's Parish, beginning at Oxford, was to the west, and St. Paul's Parish was to the north, extending into Queen Anne's County.⁴⁷) St. Peter's Parish included the land districts of Third Haven (Tred Avon) Hundred and part of Tuckahoe Hundred, both mentioned on records of families associated with James Horsley, his children, and his wife's Seward family.

This area of Talbot County was the later residence of Francis Armstrong, first of Calvert County, whose warrant assignment was witnessed by an earlier generation James Horsley on 17 January 1663/4, as discussed above. This was also the area where James Horsley Sr.'s wife's great-grandparents Anthony and Jane Griffin resided when Anthony, High Sheriff of Talbot County, died in 1666 owing a debt to John Edmondson, who in 1664 bought Dorchester land on the Choptank River from Francis Armstrong by a deed witnessed by Joseph Horsley, all then of Calvert.

Although only speculation, it could easily be that, like Francis Armstrong and John Edmondson, the early James Horsley or a son went from Calvert County, on the western shore of Chesapeake Bay, to Talbot County on the Chesapeake's eastern shore. Their part of Talbot was adjacent to northern Dorchester by the Choptank River, the southern bound of St. Peter's Parish. (Francis Armstrong died in 1669, and John Edmondson died in 1697, both near Tread Haven Creek in Talbot. In between those years, by 1673, we find George Seward, the carpenter who did work for Lord Baltimore, residing near the Choptank River in Dorchester, where his descendants continued to live.)

It is along this area of St. Peter's Parish in southern Talbot County and the northern part of Dorchester across the Choptank that we first locate Richard Horsley in 1697. There are actually two Richard Horsley's: one who died in Talbot in 1718, and one who was living in Dorchester County between 1733 and the mid-1750's.

Based on the limited information and few records found so far, as well as the rare occurrence of the Horsley name, it seems at least possible that Richard Horsley who died 1718 was born about 1665 (perhaps even a son of the earlier James Horsley of Calvert County, b. c1635) and had, by two wives, sons James Horsley Sr. and the Richard Horsley who was later in Dorchester.

On 9 May 1697 a Richard Horsley, then "of Dorchester County," married Mary Vickery in St. Peter's Parish, Talbot Co, MD.⁴⁸ If this marriage was for the older Richard, and if he was James Sr.'s father, then this would be Richard's second marriage, since James Sr. almost certainly was at least 21, and probably somewhat older, in 1712 (for reasons we discuss later), thus born at the latest by 1691. The younger Richard could well be the son of the elder Richard and Mary Vickery Horsley, since the earliest records we have for Richard Horsley after the death of the other Richard Horsley in 1718

begin in the mid-1730's, the time when a man born about 1698 would be established in his community and appear on the records of neighbors and friends.

I want to reiterate that the nature of James Horsley Sr.'s relationship to these Richard Horsley's is merely a working hypothesis at this point, as we have relatively little to go on. However, sometimes having a speculative framework based on the facts to date makes it easier to see the weak or contradictory places and to review and revise as the research continues and, hopefully, more records are found. That James Sr. and the two Richard Horsley's were, indeed, somehow related seems highly likely, given the locations, the time period, the interconnecting associations, and the absence of other confirmed Horsley's in Maryland records for the early 1700's (and primarily only James Sr.'s children in records of the mid-to-later 1700's). Also, James Horsley Sr. had a son Richard and a son James (Jr.) who likewise had a son Richard.

I have found only two other records so far for the older Richard Horsley. These concern transactions dating at least back to 1692, if not earlier. Based on Richard's Talbot County marriage record to Mary Vickery, by 1697 he was then "of Dorchester," where the younger Richard later resided. Both of these additional records for the older Richard Horsley relate to the probating of estates in St. Mary's County, adjacent to Calvert County across the Chesapeake from Talbot and Dorchester. Although neither record states Richard's residence at the time, they reveal some interesting connections.

An administrative account dated 30 Apr 1695 shows that "Richard Hosley" was paid by the estate of George Rennalls (Reynolds) of St. Mary's County.⁴⁹ George Reynolds died in 1692, so Richard's transaction with Reynolds was at least by that year.⁵⁰ The account abstract does not tell us for what goods or services Richard was paid, and generally that is not included in the record. (However, as with all significant abstracted records, the original needs to be examined for verification and possibly more information.) The fact that the deceased's estate was in St. Mary's County is telling. First, it was adjacent to Calvert County, and the port town of St. Mary's was a short distance from the "Cliffs" of Calvert County where Joseph Horsley lived. Also, until the mid-1690's, the town of St. Mary's was the capital of Maryland and the major port for the province, with shipping to and from other colonies as well as overseas. Then in 1695 (in large part a move by the new ardently Protestant governor to take influence away from strongly Catholic St. Mary's), the capital was moved to Anne Arundel County, where the new town of "Arundel Town," later Annapolis, was established. At the same time, the General Assembly passed an Act whereby Annapolis and Oxford became the provinces' two official ports of entry.⁵¹ The town of Oxford, in Talbot County, was also where one of the first houses was built for Francis Armstrong, whose land assignment in 1663/4 was witnessed by the earlier James Horsley when they were both in Calvert.

George Reynolds whose estate paid Richard Horsley was the son of George Reynolds Sr. whose first Maryland record was in 1657.⁵² That was the same time when John Reynolds, also of St. Mary's, arrived in Maryland.⁵³ This John Reynolds, named a Planter and carpenter, was an appraiser of the estate of Hugh Lee,⁵⁴ who had been closely associated with Ralph Horsley in Northumberland County, VA before Lee returned to Maryland. By a record dated 4 Jun 1664, Hugh Lee's estate, appraised by John Reynolds, made payments to "Mssr. Preston," Richard Armstrong, and "Mr. Horsley,"⁵⁵ almost certainly meaning Joseph Horsley (son of Ralph of Northumberland). These bits and pieces make the elder Richard Horsley's association with George Reynolds all the more intriguing and seem to add to the clues that this Richard Horsley could be the son of James Horsley who was in the same time and place and among the same people as Joseph Horsley in the 1660's.

The other Prerogative Court record for the elder Richard Horsley is an administrative account dated May 1697, where "Richard Hosley" is listed as owing the estate of "William Roswell," also of St. Mary's County.⁵⁶ William Rosewell was a Catholic merchant and inn-holder of St. Mary's.⁵⁷ This was the same "William Rosewill" who was one of four legatees named in the will of Henry Coles (Coler, Collier) "Merchant of Bristol City" England, a primary port for shipping between England and the Colonies. Henry Coles/Coler's 4 Mar 1666/7 Calvert County will was witnessed by Joseph Horsley.⁵⁸ Joseph Horsley also posted security for the administrative bond of Coles/Coler's estate.⁵⁹ Coles/Coler's legatee William Rosewell died in 1694 or 1695, so Richard Horsley's debt to the merchant Rosewell would be incurred by that time.

The two records above appear to be for the Richard Horsley who was "of Dorchester," when he married Mary Vickery in 1697 in St. Peter's Parish, Talbot County. Except for the death record of Richard Horsley in Talbot in 1718, the next records for a Richard Horsley begin in Dorchester County 36 years after the Horsley-Vickery marriage, thus this later Richard could be their son.

There was a group of Vickers families living along the Choptank River, and their name was variously spelled as Vicker, Vickery, Vicaris, Vicars, etc. Not only was there no standardized spelling at that period of time and names were spelled phonetically as heard by the recorder, but old script can be very difficult to decipher, and we find both problems arising in researching this line especially. In addition, many of the children in these Vickers families carried the same first names, so separating the lines gets very confusing. However, Vickers researchers believe the various families of multiple spellings in this area of Talbot and Dorchester are all somehow related.

One thing particularly interesting about the Richard Horsley-Mary Vickery/Vickers marriage is that there was a Dorchester County marriage about the same time connected with George Seward, likely kinsman of James Horsley Sr.'s wife's grandfather. About 1700 George Seward's son William Seward of Dorchester County married Mary, daughter of Ann Vickers and her husband (Peter?) Stokes.⁶⁰ Ann Stokes (nee Vickers) was named in her father "Thomas Vickar Sr.'s" Dorchester County will dated 16 Feb 1707/8.⁶¹ William Seward, like his father George, was also a carpenter.⁶² William's daughter Mary Seward married Philemon LeCompt, whose niece Elizabeth also married a Vickers. As discussed above, George Seward was a carpenter by profession who did work in the 1670's for Lord Baltimore in Annapolis, which is where in 1712 we first find James Horsley Sr., also a carpenter, in association with several people closely involved with the succeeding Lord Baltimore.

Twelve years after Richard Horsley's marriage, another marriage in St. Peter's Parish, Talbot County, was that of William Tharp and Jane Austin on 8 Jan 1709.⁶³ William Tharp, a cooper by profession, and wife Jane were the parents of Thomas Tharp who married Hannah Horsley, daughter of James Horsley Sr. and wife Mary Seward, in St. Luke's Parish, Queen Anne's County in 1749. Thomas Tharp's grandfather, also named Thomas, lived on Quaker Neck in Kent County where James Horsley Sr.'s wife's grandfather Thomas Seward Sr. lived at the same time. These Horsley-Seward-Tharp-Vickers family and place associations are also connected by their related occupations as carpenters and coopers.

After the death of Richard Horsley in St. Peter's Parish, Talbot County in 1718, the first record found for the younger Richard Horsley is a Prerogative Court entry dated 16 Oct 1733 when he witnessed the Dorchester County statement of Sarah Minish, widow of John Minish, renouncing her right as executrix in favor of John Rider Sr.⁶⁴ According to some well-documented research by Bill Minish, John Minish was a tenant tobacco farmer leasing land from John Rider who owned thousands of acres in various parts of Maryland.⁶⁵ The Minish family were Anglicans in Great Choptank Parish and

lived near the town of Vienna on the Nanticoke River. This fits the general location of the younger Richard Horsley indicated by later records. While John Minish was among the signers of a petition requesting a more convenient place of worship or “chapel of ease” for that parish, Richard Horsley was not.⁶⁶ In this case Richard’s mere absence from that petition does not add anything of significance to our knowledge of him, but the petition itself does.

The town of Vienna is about 10 miles from the Choptank River and Talbot County, and about 25-30 miles southeast of Oxford and Easton in Talbot. The chapel referred to in the Parish petition that John Minish signed was built on public land in Vienna, and a town lot adjacent to the chapel was purchased on 9 Oct 1718 by William Ennalls. It took three Acts of the General Assembly lasting until June 1730 to resolve a dispute over the boundary line between the public chapel land and William Ennalls’ lot.⁶⁷

The Ennalls family is involved in three of the remaining records we have for the younger Richard Horsley. They are said to have come to Dorchester County, MD in the 1660’s from York County, VA, which is where we first find the Northumberland County, VA Ralph Horsley in records in 1645. The younger Richard Horsley is on Dorchester County, MD records with or regarding Henry, Thomas, William, and Joseph Ennalls. Four men of these names were brothers, sons of Joseph Ennalls whose wife is said to be Mary Brooke of the Brooke families discussed earlier in Calvert and Prince George’s counties, some of whom appear in 1716 in a Prince George’s County record with James Horsley Sr. There were also two Brooke men associated with Ralph Horsley of Northumberland, both first of St. Mary’s County (adjacent to Calvert and Prince George’s), then one later moved near to Ralph in Northumberland County, VA. These Brooke families also appear to be related to the Thomas Brooke who claimed Lewis Hosley as a headright. (The Brooke family is large and complicated, and I have not confirmed all the online information found for the various family lines, so more research is needed to verify relationships.)

The Dorchester Ennalls, as with so many of these families who had lived in the same area a long time, had numerous brothers who named sons the same names, and those sons did the same. While I have not specified the relationships among the Ennalls associated with the younger Richard Horsley, I have confirmed by abstracts of various primary records that they are all closely related.

On 3 June 1734, Richard Horsley witnessed, by signature (not mark), the Dorchester County will of Henry Ennalls, and a co-witness was Thomas Ennalls.⁶⁸ An estate account record of 13 Nov 1735 lists “Richard Horseley” as being paid by the estate of Col. William Ennalls.⁶⁹ (A record three months before dated 13 Sep 1735 shows “Richard Harsly” was also paid by the estate of Major Frame of Dorchester.⁷⁰) Then in a list dated 30 Jan 1761, “Richard Horsely” is one of over 650 people owing to the estate of Col. Joseph Ennalls.⁷¹ Online information (which I have not independently confirmed) says an Ennalls Bible entry gives Joseph Ennalls’ death as 3 Sep 1757, so again we would expect that Richard’s debt was incurred prior to that time.

That particular entry also confirms the area where this younger Richard Horsley lived in Dorchester. Next to his name is written “Chic.” meaning Chicone Creek, the head of which is at Mardela Springs about a mile from the town of Vienna we discussed above. Usually a creek or other such identifier is given on records (including land and personal property tax records) to distinguish two people of the same name known to be in the same general area. A spot check of others of the 650 people listed show them to be living in places all over the Eastern Shore. Thus, it could well be that the creek was included to distinguish this Richard Horsley from James Horsley Sr.’s son Richard Horsley of Queen Anne’s County, since they are the only two Richard Horsley’s in this time period that I have found in

the records to date. It seems that Richard Horsley of Dorchester had no children, at least no sons, since this is the latest-dated record found for any confirmed Horsley in 18th century Maryland other than James Horsley Sr.'s family.

The only other record I have found for this younger Richard Horsley is in an account report of the estate of James Holland in Frederick County, MD dated 24 Mar 1755 where Richard Horsley is listed as making a payment to the estate.⁷² Although the county of residence of this Richard Horsley is not stated, so far I have found no confirmed Horsley families in Maryland records for this time period other than for Richard in Dorchester and for James Horsley Sr. and his children in Queen Anne's. More significantly there is good evidence that this Richard Horsley is related to Mary Vickery Horsley (perhaps as her son) because of a Vickery connection with James Holland whose estate Richard Horsley paid.

By a deed dated 14 Aug. 1723, one Hezekiah Vickery of Dorchester County bought 50 acres in Dorchester called "Pleasant" from James Holland (whose residence at the time is not stated in the information I have). Research of this Vickery/Vickers line by Carol Galbreath strongly indicates that Hezekiah Vickery was the son of John and Mary Vickers of Dorchester and the brother of John Vickery (with wife named Anne) who inherited his father's land in Kent County. Hezekiah is also thought by these researchers to be a brother of Mary Vickery who married Richard Horsley in adjacent Talbot County in 1697.⁷³

James Holland is said to have been a merchant and shipmaster born in Anne Arundel County in 1700 and a resident of Londontown, about 10 miles south of Annapolis where we first find James Horsley Sr. in 1712. (Londontown was also where James Carroll, with whose family James Horsley was closely involved, also owned land.⁷⁴) James Holland married wife Amy (who online files say was a Simmons, born Talbot County) in 1729 in Queen Anne's Parish, Prince George's County. James Holland died in 1753⁷⁵ in Frederick County, formed 1748 from Prince George's County, where James Horsley Sr. was leasing land from James Carroll's uncle Charles Carroll by 1716.

Hezekiah Vickery and wife Mercie (perhaps a Holland herself) moved their family to the part of the Shenandoah Valley that was then Orange County, VA, where he died in 1736. Hezekiah had retained ownership of the Dorchester County, MD land he bought from James Holland, which then was sold by his son Luke Holland Vickery on 8 December 1740. Hezekiah's descendants migrated down into North Carolina, South Carolina, and Georgia. In the 1800 census, a Luke Vickery was living a few households away from James Horsley Jr. and his sons in York County, SC.

Thus we have indirect evidence from all the records for both the older and younger Richard Horsley that they could be related to James Horsley Sr, even though none of the information definitively establishes what the exact relationships were.

Supporting the indirect evidence discussed above indicating Richard Horsley could be James Horsley's father is the fact that the name Richard has come down through James Horsley Sr.'s family line. First, his son James Horsley Jr. had a proved son named Richard who also had a grandson Richard. There is also strong evidence that James Horsley Sr. himself had a son named Richard Horsley. In a 1784 deposition in Queen Anne's County, where James Sr. died and his son James Jr. continued to live for many years thereafter, a Richard Horsley stated his age to be 47.⁷⁶ This would mean Richard was born about 1737, which would fit with the marriage of James Horsley Sr. in 1728/9 and with the births of James and Mary's other children. Then on 26 Aug 1765, the Queen Anne's will of Charles Gafford (also spelled Garford) was witnessed by James's son James Horsley Jr. and by

Richard Horsley, James Jr.'s likely brother.⁷⁷ (James Jr. later was a security with Charles Gafford Jr. on Gafford's widow's administrative bond.⁷⁸) The year before Richard Horsley's 1784 deposition, there is a tax assessment record in 1783 that lists Richard in the Upper District of Queen Anne's County, which is the same area of the county where James Horsley Sr. and James Jr. had lived.⁷⁹ There is no other Horsley besides James Horsley Sr., and then James Jr., listed in the extant Queen Anne's County rent rolls from 1733 through 1769. Thus the evidence for this Richard Horsley being James Sr.'s son is strong.

From here we can trace some circuitous but interesting interconnections that weave back several generations for 100 years. In 1765 James Horsley Sr.'s sons James Jr. and Richard Horsley witnessed the Queen Anne's County will of Charles Gafford/Garford Jr., and in 1770 James Jr. was recorded as a security on the estate's administrative bond. Charles Gafford's father, Charles Sr., bought Queen Anne's County land in 1738 from William Austin (d. c1791),⁸⁰ a blacksmith related to Jane Austin, mother of Thomas Tharp who married James Horsley Sr.'s daughter Hannah Horsley in 1749. Several children of this William Austin's grandfather (William Austin I), including John who was a gunsmith, acquired land passed down from William Bishop, cousin of James Horsley Sr.'s wife's grandfather Thomas Seward. Thomas was likely related to George Seward of Dorchester County (adjacent to Talbot) who did work around the 1670's in Anne Arundel County. The first William Austin's uncle Andrew Skinner, "of Ann Arundell" in 1671,⁸¹ witnessed a 1667 Talbot County deed from Francis Armstrong,⁸² whose warrant assignment was witnessed by the early James Horsley in 1663. The parents of Thomas Tharp, husband of James Horsley Sr.'s daughter Hannah Horsley, married in 8 Jan 1709 in St. Peter's Parish, Talbot County,⁸³ which is where Francis Armstrong died in 1669,⁸⁴ where Richard Horsley of Dorchester married in 1697, and where Richard Horsley died in 1718.

The possibility that the elder Richard Horsley who died in 1718 in St. Peter's Parish, Talbot County could be James Horsley Sr.'s father is based on "indirect evidence" since no will exists and no other record stating the relationship directly has been found. Standards for the use, validity, and varying degrees of strength for suggesting relationships based on indirect evidence are set by the Board of Certified Genealogists. These standards have made the requirements more strenuous than those previously referred to as "preponderance of evidence" (although the latter term may seem more self-explanatory). Basically, by today's standards "indirect evidence" means that while we have no will or other records to prove relationships "directly," 1) other primary records do exist that show same time, same place, mutual or linked associations, and other information of significance and reliability that connects the two people; 2) proper identification of the people involved has ruled out others of the same name; 3) alternative possibilities have been eliminated; and 4) after a reasonably wide and thorough search no records have been found that give contradictory evidence. The more indirect evidence there is, and particularly the higher the quality and reliability of that evidence, the stronger the basis upon which we can suggest the relationship.

Given that relatively little information for our purposes has been found for the elder Talbot County Richard Horsley, more evidence is needed to make any firm assertion that he is James Horsley's father. Even though Richard and the Ralph Horsley of Somerset are the only Horsley's found in Maryland records in the right time period, and to my mind the evidence leans more strongly towards Richard, it is risky to take Richard as James' father simply by default, since numerous people of that time and place left no extant records. As yet I have not been able to find any other records for this Richard Horsley (or for Ralph). Exhaustive searches at the Maryland State Archives (MSA) and in books of abstracted patents and deeds, quit rent records, wills and probate, and parish marriage and death records have yielded no further results, but there are still avenues open for more research.

While the primary records searches in the major indexes at MSA have covered all Maryland counties, the abstract books I explored concentrated primarily, though not exclusively, on Eastern Shore counties; therefore, more Western Shore abstracted records need to be added to the search. Also, county and parish records stored in the pertinent county courthouses need to be searched further for any records not housed, microfilmed, or indexed at MSA.

Thus the relationship between Richard Horsley who died in Talbot County in 1718 and James Horsley Sr. is not yet definitively proved. Nevertheless, for reasons discussed above and based on research to date, Richard does seem to be a promising possibility as James' father.

James Horsley Sr. – The Annapolis Years: 1712-1716

The first mention in primary records found so far for James Horsley Sr. is in 1712 in Annapolis, Anne Arundel County, Maryland. By a record of 1721 (which we discuss later in detail), clearly James Horsley was a skilled carpenter by profession. It appears from recorded evidence that James almost certainly had finished his apprenticeship by 1712 and thus would be at least 21 at that time, if not older by as much as ten years.

For the next eight years or so, from 1712 to about 1720, records show James Horsley was in the company of three of the most influential and controversial men of their day in Maryland: Charles Carroll ("the Settler"), his nephew James Carroll, and particularly Thomas Macnemara, Charles Carroll's nephew by marriage and James Carroll's brother-in-law. These three men's stories not only set the context for James Horsley's life during these years, but also illuminate the historical, political, and social background of Maryland at this time. Thus, we turn to a brief discussion of each man in order to understand the tumultuous political and personal environment and oppressive conditions in which James Horsley lived and worked during his young adult years.

Charles Carroll "the Settler" was an ardently ambitious Irish-Catholic and a strong supporter of freedom of conscience and religious tolerance, a condition denied to Catholics during most of Carroll's lifetime in Maryland. Charles Carroll came to Maryland from Ireland in 1688 to escape religious persecution and with a zeal to regain his family's position and wealth lost in the English-led purge of Catholic Ireland. Through connections with Lord Baltimore of the English Catholic Calvert family, Charles Carroll was appointed Attorney General of Maryland.⁸⁵ That position was short-lived, however, since in the aftermath of England's "Glorious Revolution" and a reactionary Protestant rebellion in Maryland, Catholics were deprived of the right to hold public office in Maryland within a year of Carroll's arrival. Over time with increasingly oppressive laws, Maryland Catholics were also deprived of their right to exercise the franchise including the right to vote and serve on juries, and forbidden to worship in public and to educate their children in their faith. Catholic lawyers were restricted to practice in two lesser courts only, and in 1715 a law was even passed that if the widow of a deceased Protestant husband was Catholic or re-married to a Catholic man, her children would be taken from her and placed where they would be educated in the Protestant religion.⁸⁶

Although denied access to public office, Charles Carroll continued to gain positions of power and influence in the non-public sphere as well as to accrue personal wealth. Even though the Anglican British monarchs William and Mary of the "Glorious Revolution" declared Maryland a royal province and removed from Catholic Charles Calvert, Lord Baltimore, all the civil and political authority conferred to him in his charter, still he was able to retain his proprietary rights to administer the land office, appoint surveyors, collect his rents and issue land grants and patents. As a loyal supporter of

Lord Baltimore and also his legal advisor, Charles Carroll was assigned various powerful posts such as Register of the Land Office, Lord Baltimore's Chief Agent, Keeper of His Lordship's Great Seal and Receiver General of Rent Due to the Proprietor, with whom Carroll maintained close association. By such positions plus several advantageous marriages, his legal practice (although restricted by anti-Catholic laws), extensive business activities, mortgage lending, and ever-expanding property holdings, Charles Carroll and his family were some of the most powerful men and largest landowners in the colony. As Ronald Hoffman writes in his essay on "Charles Carroll the Settler":

Carroll's economic career exemplifies the classic pattern of broadly diversified Chesapeake entrepreneurs who built fortunes by combining strategic marriages with the activities of a planter, banker, lawyer, merchant, and proprietary officeholder. Land constituted the foundation of his wealth: when he died in 1720, Carroll owned 47,777 acres and was the largest landholder in the province. He also possessed a warrant [to survey for patent] 20,000 additional acres.⁸⁷

Although Charles Carroll died the wealthiest man in Maryland⁸⁸ with concomitant economic and social influence, nevertheless he died still deprived of access to political participation and office because of the disenfranchisement of Catholics in Maryland. Carroll no doubt would have taken great satisfaction from the fact that his grandson Charles Carroll (III), who supported the American Revolution with his own private funds, was not only regarded as "the wealthiest of all the [Maryland] colonists,"⁸⁹ but lived to see realized his grandfather's desire for and efforts toward freedom of religion. Charles Carroll III is remembered particularly for being the only Catholic signer of the United States Declaration of Independence.

James Carroll is another Carroll family member who appears on a record with James Horsley Sr. Although he is recorded only once with James Horsley, his ongoing contact with James Horsley is implied in the context of James Horsley's involvement with Carroll's family, particularly James Carroll's close friend and brother-in-law with whom James Horsley lived and worked.

James Carroll was Charles Carroll's nephew. He was a highly prosperous and influential merchant in large scale trans-Atlantic import and export trading of commodities from tobacco to household furnishings and clothing to slaves. Like his uncle Charles, James Carroll was a strong advocate for Catholic rights. In the face of anti-Catholic political suppression James Carroll became, in the words of Charles M. Flanagan, a "defiant figure who used consumption to assert his status and Catholic interests."⁹⁰ Flanagan presents James Carroll as one of the new breed of Colonial aristocracy who built wealth and influence based on land and the commercial opportunities of the colonies. Although barred from the status and power of political office by virtue of his Catholic faith, he asserted his economic status and gained peer stature by the purchase and public show of fine consumer goods. By displaying the wealth they achieved with rare or expensive consumer goods of quality and "refinement," this new aristocracy could advertise and advance their upper-class position in the new societal structure. Through James Carroll's public adherence as well as private devotion to Catholicism, the interests of all Catholics were served by Carroll's upper-class socio-economic position. Even so, unlike his urban-dwelling uncle and brother-in-law, James Carroll's main residence was 10 miles outside of Annapolis in Anne Arundel County in a rural area and among people primarily of lesser social standing and statistically most likely Protestants, but with whom he seemed to mingle well. He employed at least two Quakers, and was also on good terms with a neighbor who was an Anglican minister, so neither his religion nor his wealth isolated or insulated him.

Like his uncle Charles Carroll, with whom he stayed closely involved, James Carroll also served the Calvert family well and benefited from positions of influence and wealth-accrual still in the power of Lord Baltimore to control. James Carroll was one of two Rent Roll Keepers for all of Maryland from 1707 to his death in 1729.⁹¹

Beginning in 1715 (while James Horsley was still closely involved with the family) and for several years thereafter, James Carroll, along with his uncle Charles Carroll and brother-in-law Thomas Macnemara, was in the forefront of a series of confrontations with recently-appointed Gov. John Hart. While the issues included who controlled the wealth generated by collection of public funds, the divisions split radically between Catholic and anti-Catholic factions. Gov. Hart, a military man and extreme anti-“Popish” Protestant, inflamed anti-Catholic sentiments and played on trumped-up fears of Catholic violence, using these, along with his personal animosity towards the Carroll’s and particularly towards Macnemara, to gain his political ends. The Catholic cause for equality of political position and rights in Maryland and the public influence of the three most visible pro-Catholic leaders of their cause suffered severe setbacks in this process of Hart-led retaliations. While Charles Carroll and Thomas Macnemara died shortly before Hart’s basically forced resignation in 1720, James Carroll lived on until 1729, but outside the public arena.

Thomas Macnemara was James Carroll’s brother-in-law and Charles Carroll’s nephew by marriage, as well as Charles Carroll’s lawyer. The three men were considered the leaders of the pro-Catholic faction, which also had non-Catholic support. Considered by their anti-Catholic political adversaries, led by Crown-appointed Protestant governors John Seymour and John Hart and the Council President Edward Lloyd who governed between them, as the “Carroll faction,” they represented the interests and rights of a segment of the population far larger than the Carroll family itself, and Thomas Macnemara in particular represented issues and rights far beyond those relating only to Catholics. As we shall see, this third Carroll kinsman on records with James Horsley Sr. is the most significant in his connection with James as well as the most intriguing and complex of the three Carroll kinsman in reputation and public character.

On 23 April 1712, James Horsley signed an indenture of service to Thomas Macnemara for a term of four years.⁹² This was not for service as an immigrant paying back his costs for transportation to the colonies, since by law the least number of years for those indentures was five years.⁹³ Unlike the commonly-held conception of “indentured servitude”, an indenture means simply a voluntary contract between two parties and is the same word used in deeds for the contractual agreement to buy and sell land. Also the word “servant” carried no ignominy and was widely applied, even to officers of the Crown. Thus by such an indenture of service, Macnemara hired James as his employee for four years. Although no record survives of their particular contract, in general the terms of an indenture required that the “servant”/employee do honestly and obediently all that was rightfully required of him by his “master”/employer so long as the request was legal. In return the employer would provide the employee’s food, lodging, and clothing for the term of the indenture, in addition to whatever payment or monetary compensation may have been agreed upon in the contract. (For transported servants and often for others as well, the employer was also required to give “freedom dues” at the indenture’s end, including such items as new clothes and shoes, farming implements, and to males by a 1715 Maryland law, a gun.⁹⁴ Freedom dues were also required of a master at the end of an apprentice’s indenture.) An indenture of servitude was also the commonly used instrument for the exclusive hire of skilled craftsman, and I believe there is evidence in the records that it may have been primarily in this capacity that carpenter James Horsley served Macnemara, as we shall see.

Having the patronage of a family with wealth, estates, and networks of social contacts, with the family's and their friends' needs for continual carpentry work providing secure and prosperous employment, may have seemed to James a great opportunity of good fortune. (It is probably sheer coincidence but still interesting to note that Lord Baltimore's Calvert family was related by marriage to the Pearsall/Peshall families of Horsley, Staffordshire, England, and the Pearsall's were involved in the Virginia and Maryland tobacco trade with special interests on Kent Island, MD.)

It seems hardly likely, however, that James Horsley went into Macnemara's service strictly on the basis of securing a "plum job," for there is no way James could have been ignorant of the particular reputation and situation of the man with whom he linked his life by binding contract for four years.

Thomas Macnemara was one of the most distortedly characterized and vilified public figures in early 18th century Maryland, and a cadre of Maryland historians have perpetuated his contemporary enemies' accusations and distortions simply by quoting them without context, background, or critical analysis.⁹⁵ That is not to deny that Macnemara had his share of faults and difficult traits, but he certainly was no worse, and in many ways more admirable, than his political adversaries and the royal appointees who were out to destroy not only his professional life but at times even his life itself.

Macnemara's public career in the records shows him to be a man of great courage, integrity, honesty to a fault (lacking, or spurning, both duplicity and tact), exceptional professional skills and knowledge, and a flair for the dramatic verbal flourish, none of which were particularly welcomed traits in the social and political atmosphere of his day. Whatever public violence he may have engaged in, both of his own alleged instigation (many of which never were proved or came to trial, and most of those that were tried were acquitted) and the physical violence allegedly done to him by others, was in the environment of a physically violent age and where state-sanctioned violence (such as servant and slave beating, severe lashing of women who bore children out of wedlock, public pillorying and floggings, and hangings not limited to rapists and murderers) was an everyday backdrop. Never one to fawn or show obsequious deference to anyone, this was perhaps one of Macnemara's greatest offences to the authorities in power among whom such kowtowing was an established way of life.

It did not help that Macnemara, an Irishman, used his formidable skills in the service of equal rights for Catholics, since Catholics and Irish were some of the groups most despised (and feared) by the staunchly Anglican Protestant authorities and overlords.

Macnemara was born in Ireland and came to Maryland about 1703 where he entered the service of Charles Carroll, the province's most prominent Catholic and Irish as well. During this time Macnemara married Carroll's niece Margaret, alleged by his political enemies to have been seduced by Macnemara.⁹⁶ He was freed from Carroll's service and practicing law in Anne Arundel Court by March 1703/4. (Although a Catholic by birth, Macnemara became an Anglican, possibly because Catholic lawyers were barred from practicing their profession in all but two of the smallest courts.) For the rest of their lives Macnemara continued to be Charles Carroll's lawyer, co-advocate both individually and jointly in the fight for equal justice, and kinsmen on good terms with each other, as well as with Charles' nephew (and Macnemara's brother-in-law) James Carroll.

Charles Carroll left bequests in his 1718 will to James Carroll and also to both Thomas Macnemara and niece Margaret Macnemara,⁹⁷ even though Margaret had won separate maintenance from her husband Thomas Macnemara in February 1708/9.⁹⁸ The recorded account of her court petition for separate maintenance was used by their contemporaries and by the later group of anti-Macnemara historians to prop up their portrayal of Thomas as a cruel and vicious man. But in fact, what the Court

recorded as Margaret's charges against Thomas are in the same overblown and exaggerated-sounding language found in most marital cases of the day across the Colonies, and with no supporting evidence of fact. Thus such formulaic language can hardly be taken literally on face value. As with many parts of Thomas Macnemara's (or any historical personage's) life, we may never know the details of their married life. In fact there seem to be questions about how "separate" Thomas and Margaret remained, as they witnessed at least one unrelated person's will together in May 1710,⁹⁹ and Flanagan comments that in the inventory of Thomas Macnemara's estate made in 1720 shortly after his death, there is "no indication from the inventory that his family was either separated or united in 1720."¹⁰⁰

Given the people involved in Margaret Macnemara's separate maintenance case, the principals' Annapolis residence and place of court, and the fact that it took 18 months to resolve (and that soon after, Macnemara's ardent adversary Gov. Seymour was offended by a "Sawcy Answer and other Audacious behaviour" by Macnemara and ordered him restrained in the public stocks in Annapolis "bare-breeched"—the only incidence of such a punishment recorded in Colonial Maryland¹⁰¹), no doubt James Horsley would have heard of these events even had he lived outside of Annapolis at the time. Surely James would have taken all this into consideration before he chose to bind himself to living for four years in Thomas Macnemara's household, especially since even more serious considerations arose in 1710, as we shall see.

Thomas Macnemara began his Maryland legal practice in early 1704, and records of his cases show his legal knowledge and prowess were real and formidable threats to the powers that be with their long-unchallenged practices and privileges. His enemies repeatedly disbarred him, mostly for alleged verbal disrespect or on distorted or never-proved charges, but just as repeatedly Macnemara was re-admitted when the disbarments were overturned by higher authorities in England. On 17 Apr 1711 during a trip to England, "Thomas Macnamara, Esq." qualified and was admitted to Gray's Inn in London, one of the four British legal societies known as Inns of Court, which have the exclusive right to "Call to the Bar" and to which admittance was required in order to practice as a barrister in any court in England.¹⁰² From his early days as a Maryland lawyer, Macnemara's defense cases often were dismissed based on the legal errors he challenged in sloppy, incomplete and inaccurate indictments, thus not endearing himself to the justices and attorneys general who opposed him, some of whom never seemed to learn from the legal errors he pointed out which continued to lose their cases for them.

In the forward to C. Ashley Ellefson's book on one of those attorneys general, William Bladen, who by this time was a vehement opponent of Macnemara, Ellefson writes:

As I learned more about Macnemara's career in Maryland from his arrival in 1703 until his death in 1719 it became clear that while he was one of the best lawyers in the province—and possibly the very best—; was respectable enough to become clerk of the lower house, naval officer of Patuxent, attorney for...the surveyor general of customs, and procurator or proctor of office [i.e., legal advisor] for...the ecclesiastical commissary of the Western Shore, and was popular enough with the voters and the most prominent men of Annapolis to become a common-councilman, an alderman, then mayor of that city and then an alderman again, higher authority—Governor John Seymour and Governor John Hart, and between their administrations the council—were untiring in their determination to rid themselves of this man who seemed never to lose his enthusiasm for challenging the powerful.¹⁰³

Macnemara's legal knowledge, his wily court skills and his general lack of respect for the authorities who assumed respect as their just due got him into repeated trouble, the worst being a case in 1710 where his very life hung in the balance when he was indicted for murder.

Thomas Graham, a Quaker merchant of Philadelphia, died in Annapolis on 24 May 1710 after being shot on 8 May 1710 by Thomas Macnemara with John Mitchell also present. Interestingly, when Thomas Graham wrote his will twelve days later on 20 May 1710, of those present to witness his will were Thomas Macnemara, John Mitchell, and Macnemara's supposedly estranged wife Margaret.¹⁰⁴

On 11 July 1710, three weeks after Graham's will was proved in Annapolis Court, Attorney General William Bladen, one of Thomas Macnemara's "most enthusiastic tormentors,"¹⁰⁵ charged Macnemara with murder (a hanging offense) and charged John Mitchell with aiding and abetting the crime.¹⁰⁶ However, at their trial the jury found Thomas Macnemara and John Mitchell not guilty of murder, but only of death by "chance-medley," meaning accidental death. The justices, in their ardor to rid themselves permanently of Thomas Macnemara, sent the jury back not once but twice to "reconsider" their verdict, yet the jury held firm to their verdict of chance-medley.

According to the laws, a person found guilty of chance-medley was supposed to receive a full pardon with all rights preserved, and no further actions regarding the situation were to be taken against him. This legal right was properly granted to John Mitchell, with whom the justices and authorities had no particular argument. On the other hand, quite other treatment was doled out to Macnemara.

Instead of the due pardon, the justices took it upon themselves to raise the chance-medley verdict for Macnemara to a charge of manslaughter, using an illegal and distorted "precedent" that had nothing to do with Macnemara's situation. Since in this proceeding no jury was involved, the justices themselves found Macnemara guilty of their charge of manslaughter. Such a conviction meant the person would lose all land, houses, and personal possessions. It also certainly would have ended Macnemara's legal practice and the threat that his values, his advocacy for justice and due process, and his crucial legal role on behalf of the Catholic "Carroll faction" presented to those in power.

However, for manslaughter a person had a legal option to claim "benefit of clergy" on a one-time only basis. Although using the benefit of clergy option required that he be branded by burning on the hand and lose much of all he owned, it would save him from a far worse fate and was obviously Macnemara's choice.¹⁰⁷ This put Macnemara in the precarious position of being one guilty verdict away from hanging by a future indictment, trumped up or not, but saved him to continue the fight.

Professor Emeritus C. Ashley Ellefson, a prominent scholar of Colonial Maryland legal history whose intensive research on Thomas Macnemara has made him today's unexcelled expert on Macnemara's career writes, "The more I found out about Macnemara's having to plead benefit of clergy in 1710 in the death of Thomas Graham, the clearer it became that the provincial justices were trying to railroad him to his death"¹⁰⁸ and "to murder him judicially."¹⁰⁹ Ellefson then proceeds in his book about the Attorney General, William Bladen, to detail the case records and court procedures which led him to his assessment. This is in stark contrast to the traditional cadre of anti-Macnemara scholars such as Land, Hardy, and Hoffman whose research focuses primarily on other personages and who only use quotes by Macnemara's worst enemies to support their depiction of Macnemara as an impetuous, unscrupulous, insolent bully¹¹⁰ and black-hearted brawler¹¹¹ who deserved his evil reputation (the reputation held by his enemies, that is). In their misrepresentations, they top their lists of his "vile" doings with the fact that Macnemara was "charged with murder" and simply leave it at that.¹¹²

In fact, a Court of Appeals ruling of 12 May 1713 found that the Provincial Court was in error and should have discharged and given due legal pardon to Macnemara (as they had to John Mitchell) for the verdict of chance-medley rather than raising Macnemara's charges to manslaughter. The Appeals Court declared that the judgment of manslaughter be "reverst Annulled and altogether held for naught. And that the said Thomas Macnemara be restored to all things which he hath lost by occasion of the Judgment aforesaid And that he be discharged from any further prosecution."¹¹³ As gratifying as that must have been to Macnemara, of course it did nothing to save his hand or to restore or stop what must have been taken from him by the on-going and incessant prosecutions, persecution and vendettas from his arch-enemies.

It was during the interval following the time of Macnemara's trial for murder Oct 1710 with its subsequent illegal conviction of manslaughter and before the final May 1713 ruling of the appeals court nullifying the illegal manslaughter judgment that James Horsley signed his contract of 23 April 1712 agreeing to work for Thomas Macnemara for four years. James apparently saw in Macnemara another kind of man, the one whom the voters and prominent men of Annapolis valued enough to keep electing to city offices, and the one whom agents of both Lord Baltimore and the Crown appointed to positions of high responsibility, as we shall see.

Three weeks after James Horsley began his formal service with Thomas Macnemara, James witnessed an Anne Arundel County, Maryland deed of 16 May 1712 for the sale of Annapolis property by his employer that was co-witnessed by Macnemara's brother-in-law James Carroll.¹¹⁴ The deed reads in part:

An Indenture made this 16 day of May in the year of our Lord God one thousand Seven hundred and Twelve [16 May 1712] between Thomas MACNEMARA of Annapolis of the one part and John MICHIEL [MITCHELL] of Annapolis of the other part...for and in consideration of the sum of £30...doth give grant release...the house that Mathew BEARD dec'd [deceased] built for the said Thos. [MACNEMARA] and lott on which the sd house stands...
Signed: Thomas Macnemara [by signature]
Witnessed by: JAMES HORSLEY, James CARROLL [both by signature]

The first thing we notice is that James Horsley could write, and literate men, even in the higher social and economic circles, were not common at this time and area. This is another indication that James (whose record in 1721 shows him to be an accomplished skilled carpenter) served a formal apprenticeship, since apprenticeship indentures (contracts) required the teaching of reading and writing. Carpenters and other skilled craftsmen who were formally trained and thus qualified to have their own apprentices were rare in the Colonies, and all the more valued and valuable.

The second thing of note about this deed are the others involved. Thomas Macnemara was James Horsley's employer. Witness James Carroll was Thomas Macnemara's brother-in-law and close associate as well as Charles Carroll's nephew. Purchaser John Mitchell was the "gentleman" who was with Thomas Macnemara on the sloop of the merchant Thomas Graham when Graham was shot, and who with Thomas Macnemara witnessed Graham's will shortly before he died. When Macnemara was accused of murdering Graham, John Mitchell was accused of being Macnemara's accomplice. Also, John Mitchell was the one rightly pardoned once they both had been acquitted of the alleged crimes, while Thomas was illegally prosecuted further.

The third item to notice, and one of the most interesting features of this deed for us, is the mention of Mathew Beard, who had died the year before in 1711.¹¹⁵ Beard is specifically named as the man hired by Macnemara to build the house being sold, a very unique addition to what deeds usually include. There would seem to be a purpose for this, as we discuss shortly, but first we examine some background history to which Mathew Beard leads us.

Thomas Macnemara and his builder Mathew Beard had not been strangers. At the Court of May 1704, a petit jury acquitted Thomas Macnemara of assaulting Mathew Beard on the defense's argument that Beard had assaulted him first.¹¹⁶ Ironically, Macnemara's lawyer in that case was William Bladen who later became his implacable foe. At the time of that assault case in 1704, Mathew Beard, a resident of Annapolis, was also in charge of the city's public magazine for the storage of small arms and powder, as his father Richard Beard had been before him.¹¹⁷

Mathew's father Richard Beard (d. 1703) was also a deputy county surveyor and in 1684 made the original survey and laid out the town of Annapolis, first called Arundell Town. Following the "Glorious Revolution" in England that returned royal rule to Protestants (and under which the Catholic Charles Carroll lost his right to hold public office, as we discussed earlier), a new strongly-Protestant governor was appointed for Maryland, Francis Nicholson. Upon his arrival in 1695, Gov. Nicholson effected the move of Maryland's capital from St. Mary's to Arundell Town, "a location more central to settlement and trade patterns and dominated by Protestant rather than Catholic settlers."¹¹⁸ Nicholson also had the town's name changed to Annapolis to honor the Royal Princess Anne, a devout Protestant.¹¹⁹ On direction of Gov. Nicholson and the Assembly, Richard Beard made a new survey to plan additional features for the new capital town. The Nicholson/Beard town plan of a rectangle centering on two circles, the larger one called State and the smaller one called Church, still gives Annapolis its pleasing and distinct physical appearance.

Also in the 1690's, the later viciously anti-Macnemara Attorney General William Bladen (but who in 1704 served as lawyer for Thomas Macnemara against Mathew Beard) was changing careers from publisher to public office holder and public building contractor. In 1701, Bladen was contracted to build a new prison in Annapolis when the Assembly's first choice of contractor died.¹²⁰ Then when the first choice of location was deemed too low an elevation to prevent future damage problems, the Assembly Delegates' committee consulted with Richard Beard, who not only knew the town from two surveys but was also a carpenter/builder himself.¹²¹ Beard, agreeing that the site needed to be close to the old choice, also confirmed higher ground was necessary. Bladen finished the jail project on the new site in 1703, but the work was so shoddy that crucial repairs were needed within three years.¹²²

Thus, the year of 1704 found William Bladen being paid for the completed jail work, Thomas Macnemara beginning his Maryland law career, and the two of them joined in successfully defending Macnemara on the basis of self-defense against the charge of assault brought by carpenter/builder Mathew Beard, son of Richard Beard, builder and town surveyor who was consulted on the location where Bladen was to build the new jail. As previously mentioned, Richard Beard, who died in 1703, also held the job of city "armorer" in charge of the public magazine, and his son Matthew Beard was appointed to the same position in 1704.¹²³ (A carpenter/builder would be a wise choice to oversee the building that housed the city's supply of ammunition and arms, as trained skilled carpenters were also the engineers and architects in the Colonies.) We do not know where James Horsley was in the year 1704, but these others certainly had "history" together.

For our purposes the mention of Mathew Beard on Macnemara's deed that James Carroll and James Horsley witnessed in 1712 is particularly intriguing. Was there a reason for the very unusual

occurrence of naming the man who built the house that was on the land being sold? Did it have anything to do with the fact that James Horsley was also a skilled carpenter and builder himself? Why was James Horsley along and included in this deed transaction otherwise involving his employer's brother-in-law and friend James Carroll and his apparently close friend and/or business associate John Mitchell? Was it primarily because James Horsley was a carpenter/builder? If we add in the fact that the principal in the next record in which we find James Horsley involved was also named as a carpenter, then yes, I believe James' being a skilled carpenter is relevant to both situations.

Although only speculation, these seem to me to be clues that the capacity for which Thomas Macnemara hired James Horsley was as a carpenter/builder with skills highly accomplished enough both to undertake and to supervise building that Macnemara might need at his own residences and estates and also to evaluate and give recommendations regarding the buildings or building projects with which Macnemara was involved. In this way, the wording and witness of the 1712 deed could be Macnemara's way of assuring his buyer and friend John Mitchell that not only was the land title clear but the quality of the house on it had been inspected and found to be sound.

During the four years that James Horsley was in Thomas Macnemara's service, Macnemara's popularity with voters and men of prominence in Annapolis was evident as his political career soared, despite (and could it also be, because of?) the ongoing vilifications and legal harassments by the higher authorities of the Crown.

Around the middle of 1713, Thomas Macnemara was elected to be one of the ten Common-Councilmen of Annapolis by the voters of the city.¹²⁴ On 22 June 1714, Macnemara was chosen by the Delegates to be Clerk of the House of Delegates, the lower house of the General Assembly of Maryland.¹²⁵ (Macnemara held this office until 10 Aug 1716. Upon returning from a trip to London undertaken soon thereafter, Macnemara was appointed Naval Officer of Patuxent in 1717.¹²⁶) Sometime between mid-1713 and mid-1715, Macnemara was elected an Alderman of Annapolis.¹²⁷ Aldermen were chosen from among the city's common-council and voted on by the mayor and other aldermen.

Then on 29 Sep 1715, Thomas Macnemara was elected for the one-year term of Mayor of Annapolis. The mayor was elected from among the six city aldermen by the current mayor, the recorder, the aldermen and the ten members of the Common Council.¹²⁸ (Election of the mayor and councilmen by the city's voting populace did not begin until 1819, over 100 years later.) After Macnemara's year term as mayor was completed, he once again was elected an Alderman of Annapolis in 1716.¹²⁹

During this same period, by 15 April 1714, Macnemara served as an attorney for Maurice Birchfield, the Crown's appointed Surveyor General of Customs for Maryland.¹³⁰ Although a Crown appointee, Birchfield held a status separate from the royal appointees to Maryland's government, who were Macnemara's fiercest foes. In his capacity as Birchfield's appointee, Macnemara was responsible for attempting to collect taxes owed to the Crown, which included suing some of the province's most influential people. Macnemara's court cases and public actions showed he was more than willing to take on the powerful where others may have feared to try, a quality Birchfield must have considered when appointing him to the position.

These offices of prominence and responsibility and the show of popular support for Thomas Macnemara did nothing to stem, and may well have fueled, the barrage of accusations, attempted disbarments, and legal charges perpetually brought against Macnemara by his enemies. At least two of these confrontations drew in Macnemara's employee James Horsley.

At the Provincial Court of July 1714, Attorney General William Bladen brought charges against Thomas Macnemara in connection with his alleged assault on one William Dobson earlier that year.¹³¹ Macnemara's response was that he was only defending his "servant" James Horsley who had been attacked by Dobson first while James Horsley was in the process of lawfully carrying out his responsibilities to Macnemara. In May 1716, a jury found Macnemara not guilty of the assault charge, presumably on the basis of Macnemara's defense argument that James Horsley had been attacked first with no illegal action done on James' part.

A number of aspects of this trial record are interesting. Some we discuss in more detail in the notes for this record in the Timeline of Records which follows this narrative report. However, two things make this court record particularly significant for our purposes.

First, this is the only record found so far by which we learn of the fact and the dates of James' indentured employment with Macnemara, which are spelled out the court judgment papers. This in itself is a crucial piece of James Horsley's life and story. Also, in its description of James' terms of employment and the situation with Dobson, the record states, "James Horsley being then Comanded by him the sd Thomas Macnemara to Look after the Domestick affairs of the sd Thos..." In the terminology of the day, "domestic" was not necessarily limited to affairs of the "household" but of the physical "house" or houses as well (as derived from the Latin *domus*, meaning house).

Secondly, even though the wording is somewhat formulaic as court documents are wont to be, this record seems to give clues to the nature of James Horsley's service to Macnemara. The court judgment specifically includes the fact that William Dobson was a carpenter, as we know from other records James Horsley was also. The record says that James was on the scene with Macnemara and Dobson "in the actuall Services of the sd Thomas" when William Dobson assaulted James and "then and there would have wounded shott kild and evilly Intreated" James had not Thomas Macnemara entered the fray to protect his employee James Horsley. (Whether or not the attack was actually with guns or could have killed James cannot be taken literally, as this again is often standard wording in such cases, and as in marital cases, the language was frequently overblown.)

The record continues:

...the sd James Horsley then and there being a Servt and going about his the sd Thomas's lawfull Occasions and actually in his Service as afd and committing no manner of trespass or misdemeanour whatsoever agst the sd Wm Dobson or any of his Maj/tys Subjects his Crown or Dignity then and there [Macnemara] defended as for him it was lawfull so to doe...

First and foremost, these statements are included in the court record to prove Macnemara's legal right to fight in James Horsley's defense. However, for our purposes they reiterate that James was carrying out his services to Macnemara when "Wm. Dobson, *Carpenter*" assaulted James (italics mine). Thus it does not seem to be reading too much into the record to consider that carpenter James Horsley could have been attacked by carpenter William Dobson based on some professional carpentry-related service that James was rendering to Macnemara during his indentured employment. As with the mention of the carpenter who built the house Macnemara sold in 1712 with James Horsley witnessing the deed, this case adds to the evidence that James could be overseeing and supervising carpentry-related projects in which his employer was engaged.

A year after Macnemara was accused of assaulting William Dobson on behalf of James Horsley and while that case was still pending, another case appeared in Provincial Court, this time involving James Horsley even more directly. At the Court of April 1715 not only was Thomas Macnemara accused of assaulting one John Navarre (the date the alleged assault was not mentioned), but both Thomas Macnemara and James Horsley were separately indicted on the charge of assaulting Navarre's wife six months earlier on 28 Oct 1714.¹³²

Other records indicate that John Navarre was an Annapolis innkeeper whose interests and support lay with the anti-Macnemara authorities.¹³³ The records of the three indictments—the alleged assault on Navarre and the alleged joint assault on his wife—are not very informative as to details. However, in separate jury trials in May 1716, both James Horsley and Thomas Macnemara were found not guilty of the alleged assault on Navarre's wife. At the same session, Navarre told the Court he “could not maintain” his accusation of assault against Macnemara, and that indictment was dropped.

There is an interesting postscript to these sparsely-detailed Provincial Court cases with the Navarre's in 1716. At the same time, Thomas Macnemara, James Horsley, and Richard Rotherfoot (about whom I could find no further information) agreed not to prosecute John Navarre and his wife for allegedly assaulting James Horsley and Rotherfoot on 22 Oct 1714, that date being six days before Macnemara and Horsley were supposed to have assaulted Navarre's wife, for which they had been acquitted by separate juries.

The trial of Macnemara for allegedly assaulting Dobson in 1714 (who evidently assaulted James Horsley first), and the trials of Macnemara and James Horsley for allegedly assaulting John Navarre's wife in 1715 all took place in May 1716, with jury acquittals on all three indictments. It was on this note that James Horsley completed his service with Thomas Macnemara, their formal contract ending the month before in April 1716, while Macnemara was still Mayor of Annapolis.

Ellefson writes that of the 17 criminal prosecutions Attorney General William Bladen brought against Macnemara from 1710 through 1718, Bladen was “totally frustrated” in 15.¹³⁴ One of the remaining two was the prosecution for murder for which the jury found him guilty only of accidental death, and in the other Bladen got only partial satisfaction. These criminal cases do not include the continuous and increasingly vicious attacks and allegations made by the Governor and other Crown authorities with whom Bladen served during this same time, again usually with only minor or temporary success, if any. The toll on Thomas Macnemara had to have been tremendous, yet the man never gave up or gave in to their assaults.

James Horsley Sr. – Prince George's County: 1717-c1720

James Horsley's contract in service to Thomas Macnemara ended in April 1716, just as the confrontations between the pro-Catholic “Carroll faction,” with Macnemara as their legal vanguard, and Gov. Hart and other Protestant royal-appointed authorities were coming to a high boil. In August of that year, Thomas Macnemara and James Carroll sailed to England to appeal for support from there. Interestingly while in London, James Carroll indentured his own carpenter/joiner, London-trained Quaker Robert Brooks, to come to Maryland to serve him for two years.¹³⁵ I find the timing intriguing, since this came on the heels of the end of James Horsley's formal obligations to Carroll's brother-in-law and close friend, and James may well have done work for James Carroll as well. One of the advantages of having one's own skilled craftsmen was that they could be hired out to

neighbors, relatives, and friends when their services were not needed by their employer, and the employer would get the fees for the craftsmen's work.

Upon the end of his term of employment to Macnemara and while Macnemara and his brother-in-law James Carroll were continuing the fight for their cause and careers in England, James Horsley for his part went to the countryside just south of Anne Arundel County. If he had expected to find some peace in the more rural surrounds outside government central, he was mistaken, for he was still in some way a "Carroll-Macnemara man."

By at least January of 1716/17, James Horsley was living about 25 miles southwest of Annapolis in Prince George's County, MD, on land he leased from Charles Carroll,¹³⁶ who was Macnemara's and James Carroll's elder kinsman and the original crusader and very symbol of what the anti-Catholic and anti-Irish opponents disparagingly called the "Carroll faction." James Horsley's lease was on a portion of Charles Carroll's plantation called Enfield Chase which bordered the Patuxent River, near where Prince George's, Anne Arundel, and Calvert counties meet. Since James was not a farmer/planter by profession, he could well have been using his carpentry expertise for Charles Carroll on his Enfield Chase estate and others nearby.

It may have been no coincidence that James Horsley ended up at Enfield Chase, only one of Charles Carroll's numerous properties. Prince George's County was formed the end of 1695 in part from Calvert County where we find the Horsley group, including the earlier James, 30 years before. On 22 Oct 1695, Hugh Abrahams, then of Anne Arundel County, bought a 60-acre parcel of Essington (also called Edlington).¹³⁷ The land was described as being "on the west side of Patuxent River in Calvert County near the freshes of the river." In that deed Hugh Abrahams is named as a carpenter and cooper. Then on 29 March 1705, Charles Carroll bought from one "George Ellis of the City of London Cheese monger" the land called Enfield Chase "lying in Prince Georges County aforesaid on the west side of the north Branch of Patuxon River one Mile from the said Branch" bounded by Essington/Edlington and by "land of Gabriel Parrott called Parrotts Thickett."¹³⁸ Several months after James Horsley Sr. began his service with Thomas Macnemara, Hugh Abrahams wrote his will dated 14 Aug 1712, leaving his part of Essington land to his wife.¹³⁹ The will, proved in Prince George's Court 12 May 1713, included a stepdaughter Elizabeth Beckett who soon married a Brock Mockbee of Prince George's.

The people and places in these records lead us to some interesting Horsley interconnections (as well as the intriguing but for now only speculative possibility that James Horsley might have been carpenter/cooper Hugh Abrahams' apprentice). Gabriel Parrott, who died in Anne Arundel in 1704,¹⁴⁰ was a Calvert County planter and merchant with a ship in Anne Arundel. His land in Calvert/Prince George's County called Parrotts Thicket was adjacent to Essington/Edlington, part of which he later also bought and part of which was owned by Hugh Abrahams. Both Parrotts Thicket and Essington were adjacent to Charles Carroll's Enfield Chase where James Horsley was leasing by 1716. Francis Parrott, who had the original land grant for Parrots Thicket, married Sarah Abrahams in Calvert County about 1665. His relative William Parrott, first of Calvert, then of Talbot County near the Dorchester County line, married Ann Abrahams, sister of Isaac Abrahams, likely grandfather of Isaac Abrahams whose will James Horsley witnessed in 1725 in Queen Anne's Co. Hugh Abrahams' stepdaughter married into the "Mockbee" family, some of whom, as McBee or Magva, later ended up in Halifax County, Virginia with James Horsley's son James Jr. Gabriel Parrott's probate records showed he had business dealings with Daniel Sullivant, husband of Priscilla Stuney whose father William Stuney's 1714 will names him "Carpenter of Calvert County."¹⁴¹ (James Horsley, Hugh Abrahams, George Seward and his son William, and possibly Valentine Carter's father or son Henry

were all carpenters; James' daughter Hannah Horsley's father-in-law and possibly her husband were carpentry-related coopers; the Isaac Abrahams who died 1726 was a cordwainer, another trained skilled craftsman.) In 1733, the Dorchester County probate of William Sullivant's estate included payments to Thomas and Joseph Ennalls, brothers of Henry Ennalls whose Dorchester will was witnessed in 1734 by Richard Horsley, with Thomas Ennalls another co-witness. By other evidence this Richard Horsley was likely James Horsley's close relative.

Whatever James Horsley's reasons for being in this place at this time, he could not have been living long in Prince George's County on part of Charles Carroll's Enfield Chase when a court suit began on or shortly before 3 Jan 1716/17.¹⁴² Appeals Court records show that Charles Carroll brought "his action of trespass and ejectment in the name of James Hosley his Lessee" against the owner of the adjoining land, Thomas Wells Jr., who allegedly had made "improvements," cut trees and planted crops on the land Carroll leased to James Horsley. The original trial transcript has not survived, only the Appeals Court case in which James gave no recorded testimony and is not mentioned further. The Appeals Court record does tell us, however, that in the original case Thomas Macnemara had appeared once again as Charles Carroll's lawyer.

While James Horsley may have testified in the original case, the appeal, which began in 21 October 1719, centered on the disputed boundary lines and thus rested on the surveyors' testimonies. The Court ordered a resurvey of the boundary, and the surveyor took with him Charles Carroll's nephew James Carroll, an ill-advised move it would seem, as that fact was used heavily against his uncle's case. The appeal was not concluded until the end of May 1720, a month before Charles Carroll died. The suit originally had been found in Carroll's favor, but on appeal the court found against him and in favor of Wells.

The change of verdict for Carroll's suit over Enfield Chase could well have been related to the politics involved with the loss of his faction's influence, harsher anti-Catholic laws, and the changing of the guard. Thomas Macnemara eventually won the prolonged battle with Gov. Hart over the excesses of Hart's governance and fierce anti-Catholic sentiments in that Hart resigned under pressure in April 1720. However, Macnemara's win was posthumous as he had died the previous year, thereby depriving the Catholics and needful others of their champion in the courts. Also, several years earlier Charles Carroll had challenged Hart over equality for Catholics by expanding their political rights. This cost the Carroll's and the Catholics dearly in their chance for change, since in response to that challenge, the ruling faction made even more onerous restrictions. The deaths of Thomas Macnemara and Charles Carroll and the obligatory public retirement of James Carroll, combined with other circumstances such as the Protestant conversion of the next generation Lord Baltimore, brought Maryland into even firmer Protestant control.

We do not know exactly when James Horsley left Prince George's County. However, it may have been this yet-one-more lengthy and rancorous court case over Enfield Chase and the intensifying clashes between the Carroll supporters and the royal governor with his anti-Catholic partisans, as much or more than Charles Carroll's death and loss of his suit, that influenced James to move elsewhere even farther from the seat of government in Annapolis and the turbulent milieu in which he had lived the last eight years.

We diverge here a moment to take notice that in the Maryland Court records of this case, James's last name is spelled "Hosley." Spelling at that time was phonetic, so often a name was spelled simply as the recorder heard it spoken, sometimes several ways in the same document. "Hosley" was the most common Colonial variant spelling of our Horsley ancestors' names and used interchangeably

with "Horsley." Even after James Horsley Jr. and his family moved to Halifax County, Virginia shortly before the Revolutionary War, their name was spelled "Hosley" on a number of records there, even though James Jr.'s children who were literate always signed their names spelled "Horsley," as did James Horsley Sr. Despite the increasing literacy rate throughout the 1800's, the problem of spelling our family name got worse over that century in the U. S. censuses, with enumerators adding and dropping "e's" and changing the first vowel, and at least once in 1920 reverting to the spelling as "Hosley." On the other hand, as mentioned above, "Horsey" was not a variant of "Horsley," although occasionally the one was mistakenly written for the other in early Maryland records, and more often in later transcriptions. The Horsey families in early Somerset County, MD seem of a completely different line from ours, at least by Colonial times. (DNA testing could help establish whether any earlier family relationship existed in England.) Some of the Horsey family line live today in Queen Anne's County, but none lived there during our Horsley families' residence. Between 1800 and 1820 all of James Horsley Sr.'s sons and their families appear to have left Queen Anne's County, where we turn back now to find James Sr. 100 years before.

James Horsley Sr. – Queen Anne's County: 1721 Onward

Whatever James Horsley Sr.'s reasons for leaving the Western Shore at or before the conclusion of Charles Carroll's boundary suit, by 1721 James Horsley Sr. had moved across the Chesapeake Bay to Queen Anne's County on Maryland's Eastern Shore (where Richard Horsley lived, in Dorchester and Talbot, in 1697). In 1721 James presented an itemized bill for making extensive repairs to what later became St. Luke's Parish Church in Church Hill.¹⁴³ The old church had been built either of clay bricks or wood decades earlier, possibly as early as the 1670's,¹⁴⁴ and was in a state of dilapidation. The structure had been built as a "chapel of ease" for those living within the original St. Paul's Parish whose main church, ten miles away at Centreville, was an "inconvenient" distance away for regular attendance. Known as the "Up River Chapel,"¹⁴⁵ its Church Hill location on the South East Branch of the Chester River allowed for easier and more frequent church attendance for people living in that part of the county. About ten years after James' repairs and shortly after the official creation of St. Luke's as an independent parish, work began to replace the old church building with a new and more substantial brick structure, parts of which still remain today. Listed in 1977 on the National Register of Historic Places,¹⁴⁶ St. Luke's is still an active Episcopalian church in Church Hill, Maryland.

James Horsley was paid on behalf of the parish by "an order on Valentine Carter."¹⁴⁷ The standard wording typically means that Valentine Carter was the one responsible for hiring James to do the church repairs. (Carter's main property was in the Kent Island parish of Christ Church, but in 1721 that parish had been without a minister for some time.¹⁴⁸ Also, Valentine Carter was Queen Anne's County Sheriff around that time, and as such may have been residing in the courthouse town of Centreville, then in the same parish as the Church Hill chapel.¹⁴⁹)

Valentine Carter was the son of Henry Carter who came to Maryland in 1652.¹⁵⁰ Records show that Henry Carter's main residence was on Kent Island where he bought land from Robert Dunn in 1669.¹⁵¹ In 1686 Henry Carter was appointed overseer of Kent County roads for the Upper Hundred of Kent Island, located at the mouth of the Chester River.¹⁵² At the same Kent County Court session, Thomas Seward Sr. was appointed Constable for Kent's Eastern Neck, just above Kent Island on the north side of the Chester River. Thomas Seward Sr. was the grandfather of Mary Seward who married James Horsley Sr. in 1728. Henry Carter and Thomas Seward also served together on Kent County juries.¹⁵³

In the October 1695 session of the Maryland General Assembly, one Henry Carter, then "of Anne Arundel County," was paid for glazing the windows of the Court House in Annapolis, a huge undertaking on a showpiece building.¹⁵⁴ In England and Europe at this time, glaziers were a specialty craft, often trained first as brick or stone masons. However, in the Colonies trained skilled craftsmen were few and hard to find, and frequently it was the carpenters who did the glazing along with all types of finishing work. Carpenters in the Colonies were often coopers as well, and consistently we find James Horsley Sr., a skilled carpenter himself, associated with carpenters, coopers and a variety of other skilled craftsmen and their families.

This craftsman Henry Carter may be Valentine's father Henry, or he may be Valentine's son Henry, even though there are indications that the latter might be too young for such a commission. Valentine's father Henry died with his will proved in Talbot County 21 Jan 1706/7, leaving all his real property to his eldest son Valentine and other bequests to his son John and daughter Elizabeth Elliot.¹⁵⁵ There was another Henry Carter, "Planter", who appears to be Valentine Carter's son. This Henry Carter's will was proved 23 Dec 1724 in Anne Arundel County, naming wife Mary but no children.¹⁵⁶ In 1701, Richard Huchins of Kent Island had left personal property to "Henry, eldest son of Valentine Carter,"¹⁵⁷ yet when Valentine Carter wrote his will in September 1726 he did not name a son Henry.¹⁵⁸ Thus the Henry Carter who died in Anne Arundel in 1724 could well have been Valentine's son Henry, especially since Valentine's brother John Carter is said to have married Mary Lusby in Anne Arundel County in 1710, and Mary's brother Thomas Lusby witnessed Henry Carter's 1724 Anne Arundel will.

Thus we see the connections between the Carter, Seward, and Horsley families, as well as the interconnections of skilled craftsmen in these families. Also interesting is the fact that James Horsley Sr. first appears on records in 1712 in Annapolis, Anne Arundel County where Valentine Carter's brother John Carter had married two years before and where Valentine's possible son Henry Carter lived until his death in 1724.

Here again it seems no mere coincidence that it was Valentine Carter who brought James Horsley Sr. to the Eastern Shore in 1720, possibly *back* to the Eastern Shore, since Richard Horsley was on the Eastern Shore in Dorchester and in Talbot by at least 1697 with no Horsley records of residence on the Western Shore in the interim other than James.

Queen Anne's County was created by an Act of the General Assembly on 19 April 1706, to be effective on 1 May 1707. Valentine Carter was among those named to be responsible for properly surveying the bounds of the new county.¹⁵⁹ Several years after he engaged James Horsley for the church repairs, Valentine Carter "late Sheriff of Queen Anne's County" petitioned and received payment from the General Assembly on 13 Oct 1725 for guarding prisoners.¹⁶⁰ A year later Valentine Carter wrote his will dated 12 Sep 1726, which was proved in Queen Anne's County Court a month later on 13th Oct 1726. James Horsley's son James Jr. was not born until five years after Valentine Carter died. However, James Jr., who surely would have known of Valentine Carter at least through both his father and mother, named his second son Valentine Horsley. One cannot help but wonder if this son may have been named in honor of Valentine Carter. (This is only speculation, however, and the name may have given simply because it was somewhat popular at the time, as attested to by names found on various primary records in this area.)

There remains a transcription of the recorded bill which James presented in 1721 for the repairs to the church he and his "man" completed.¹⁶¹ The charges are listed in number of pounds of tobacco, the common currency of the day, and the total represents a relatively substantial sum. (The word

“Vizt.” on this bill was used in legal documents and meant “namely” or “that is to say” indicating the list or description following.)

Queen Anne’s County historian Frederic Emory tells us the following:

Repairs were made to the church in 1721, as appears from an entry on the records to the effect that Mr. James Horsley had been given an order on Mr. Valentine Carter for 982 pounds of tobacco for work on the church. Mr. Horsley's account was as follows:

TO WORK DONE TO THE SOUTH-EAST BRANCH CHURCH, VIZT: 1721

To falling and hueing five girders....100
 To 3 days work myself and 3 days my man....210
 To 2 horses and a man60
 To making 100 shingles....50
 To expenses in getting in the girders....61
 To 2 days work myself in shingling and letting down the girders....80
 To getting up the plank to the church....30
 To 86 feet of plank....86
 To 300 of 8d nails....25
 To my accommodations whilst it was doing....100
 To making six window shutters....180

The bill he presented is clear confirmation that James Horsley was indeed a professionally-trained and highly skilled carpenter. This fact has been reiterated to me by several consulting specialists in historical architecture and carpentry who also affirm this bill gives evidence that James Horsley would have been in high demand in his day for his ability and skills. (For more detailed information, see Timeline of Records.) Craftsmen of all trades who had acquired their skills by formal apprenticeships, as James surely had been, were rare in Colonial America, and by that fact alone were well-esteemed. Trained carpenters learned the skills to work also as coopers, joiners, furniture and cabinet-makers, bridge-builders, even glaziers and the like, and as the coffin-makers they often served as the local undertakers as well. Carpenters were Colonial America’s architects, engineers, builders, and developers, and as such were essential to and valued by their communities.

It may not be reading too much into this bill to say that it also shows James to be not only literate and numerate but apparently well-educated, with his formal form and word usage. His list is methodical, orderly, and exacting, as befits the temperament of one with his professional skills. Some of the work his bill itemizes also indicates he was then physically strong and fit, such as demanding outdoor labor would keep a man 30 to 40 years old, as James probably was then.

We see, too, that James charged for his accommodations, which indicates he only recently moved to the area, almost certainly for this particular commission. He must have liked what he found there, for he quickly became a part of the community. In the next seven years he witnessed the wills of three Queen Anne’s County residents, John Carpenter on 6 Nov 1721,¹⁶² Isaac Abrahams on 3 Feb 1725/26,¹⁶³ and Thomas Wyatt on 14 Jun 1728.¹⁶⁴

Of particular interest is the will of Isaac Abrahams, “cordwainer” (ie, shoemaker). His will was signed and witnessed 3 Feb 1725/6 and proved 22 Jun 1726. Isaac Abraham’s family had been in the lower

part of Talbot County near Tread Haven (now called Tred Avon) and upper Dorchester since at least 1674 when an elder Isaac Abrahams wrote his will, naming his sister Ann's children George and Benjamin Parrott.¹⁶⁵ Ann Abrahams' husband William Parrott is related to, possibly brother of, Francis Parrott who married Sarah Abrahams and who originally had the land adjacent to where James Horsley was leasing in 1716, which itself was adjacent to land where Hugh Abrahams, carpenter and cooper, had lived at his death in 1713 (as discussed above).

The area where the first Isaac Abrahams lived in Talbot County was also the area where we find Richard Horsley in Talbot County in 1697 and 1718. It seems Isaac Abrahams of Queen Anne's County kept contact with earlier associates in Talbot, because he states in his will that if his wife Sophia died before his children Jacob, Isaac, and Mary reached majority, they were to be placed in the care of Caleb Esgate. This Caleb Esgate appears to be the elder Caleb (rather than his son of same name) whose wife Dorothy Valliant was the daughter of John Valliant, of possible French Huguenot heritage. John Valliant became Clerk of Talbot County, and his third wife is said to have run the Tred Avon (Tread Haven) ferry.¹⁶⁶

James Horsley Sr.'s Wife Mary Seward

James Horsley had been in Queen Anne's County for about eight years when he married 18-year-old Mary Seward 3 February 1728/9¹⁶⁷ in St. Luke's Parish in the same church he had been hired to repair by Valentine Carter whose father is on records with Mary Seward's grandfather Thomas Seward Sr. Mary Seward was born about 1710 in Queen Anne's County, the eldest child of Thomas Seward Jr. and his first wife Susannah.¹⁶⁸ Susannah died not long before James and Mary's wedding at about age 37 and around the time she gave birth to her sixth child. We do not know Mary's mother Susannah's last name or family, but we are blessed with a wealth of information about Mary's father's side of our family.

Mary's grandfather, Thomas Seward Sr., was born in England, perhaps in Axminster, Devonshire,¹⁶⁹ although that has not been definitively proved. However, Thomas' "cousin" William Bishop states in his will that his father, Richard Bishop, lived in "Maryatree" in Devon, England, possibly meaning the Devonshire town of Ottery St. Mary, just east of Axminster. Thomas Seward Sr. came to Maryland in 1667¹⁷⁰ under the auspices of William Bishop of Talbot County, who transported himself in 1663¹⁷¹ and whose 1685 will names Thomas Seward (and Nicholas Cloud) as "my two well beloved friends my cousins."¹⁷² The term "cousin" was used for a variety of relationships other than father/son, and here the exact one is not specified. Some old-timers and local historians on Kent Island say Thomas Seward Sr.'s first wife was a sister of William Bishop named Elizabeth, but that is not yet proved.¹⁷³

William Bishop was a Kent County Commissioner and Justice by 10 October 1670.¹⁷⁴ By 27 March 1671, William Bishop was Kent County delegate to the Lower House of the Maryland General Assembly, held in the City of St. Marie's (St. Mary's), then the provincial capital.¹⁷⁵ Talbot County was formed from Kent in 1662, so William Bishop apparently changed his residence to another of his properties since he was a Justice of Talbot by 2 March 1675/6.¹⁷⁶ At his death in Talbot County in 1785, William Bishop owned vast tracts of properties in both counties which he divided among various relatives and friends, having no children of his own. Among the legatees were Thomas Seward Sr. and his two small sons, one of whom, Thomas Jr., became Mary Seward's father.

Thomas Seward Sr. was named a Planter on deed records, a title usually given to farmers of larger landholdings, and indeed Thomas owned a number of properties, both inherited and purchased.¹⁷⁷

He was also Constable of the Eastern Neck section of Kent County, MD,¹⁷⁸ on the opposite side of the Chester River from the part of Talbot County that became Queen Anne's County in 1707. In December 1678, the Court of Kent County paid Thomas for the use of his house for the court meetings, prior to the building of the first courthouse at New Yarmouth.¹⁷⁹ (Today's courthouse town of Kent County was established in 1707 at Chestertown, just across the Chester River from Church Hill, Queen Anne's County, where James and Mary Seward Horsley later lived.)

About 1682 Thomas Seward Sr. married Lucrecia "Lucy" Griffin, the Maryland-born daughter of Anthony and Jane Griffin. Anthony Griffin was born about 1635,¹⁸⁰ and was first recorded in Maryland on Kent Island in 1657 applying for a land patent for "transporting himself."¹⁸¹ The next year, he acquired 50 acres by assignment from a Peter Parker.¹⁸² Anthony Griffin probably married Jane (whose maiden name is not known) about 1660, as their oldest child Lucy was born a year or two later. Also in 1660, Anthony Griffin at age 25 was appointed Sheriff of Kent County by Philip Calvert, Chancellor of Maryland and half-brother to the current proprietor Lord Baltimore, Cecil Calvert.¹⁸³ After Talbot was formed from Kent in 1662, Anthony Griffin was appointed High Sheriff of Talbot County.¹⁸⁴ Anthony Griffin was only about 31 years old when he died. His will was proved in Talbot County Court 26 Sep 1666, with wife Jane his executrix.¹⁸⁵ The will devised land to a "possible unborn son," but according to a record of November 1669 the child that was born after Anthony's death was a daughter named Lewciveia, to whom her mother gave a heifer at the same time she also gave a heifer to daughter "Luci."¹⁸⁶ Cows and heifers were of particular value to minor orphans and were frequently given to children to secure them an inheritance in case their parents died before the children's adulthood or marriage. I have not been able to find any other mention of Lucy's sister after this, nor have I found a re-marriage or death record for Lucy's mother Jane Griffin.

Mary Seward Horsley's grandparents Thomas Seward Sr. and Lucy Griffin had at least two children, Thomas Seward Jr. (Mary's father) who was born 30 November 1684,¹⁸⁷ and Michael who was alive in February 1684/5 but died before his father wrote his will in 1687.¹⁸⁸

Thomas Seward Sr. wrote his will 28 October 1687, and it was proved in Kent County Court 19 April 1688.¹⁸⁹ Thomas died when his only surviving child Thomas Jr. was just 3 years old. In those times, it was common for a widow, especially one with young children, to re-marry quickly. And so it was with Thomas' widow Lucy, who by 22 May 1688 was married to Griffith Jones.¹⁹⁰ Griffith Jones then became stepfather to Thomas Seward Jr. and also fathered four children with Lucy: Griffith (Jr.), Richard, Mary, and David Jones.¹⁹¹ Griffith Jones Sr. died in 1701, when Thomas Seward Jr. was 16. Lucy then married Henry Green, a native of Holland whose petition for naturalization in 1674 infers he was a skilled craftsman.¹⁹² Henry, like Lucy, had children from a previous marriage, but they had no children of their own. Lucy died shortly after their marriage, and since she was in her early 40's when they married, Lucy may have died in childbirth. She wrote her will on 18 August 1702 and began:

I Lucey Green of Talbot County wife of Henry Green Knowing the certainty of death but the uncertainty of the time when, Doe with the leave and consent of my now husband make & declare this to be my Last will and Testament..."

Lucy's will was proved in Kent County Court on 3 March 1703/4,¹⁹³ when her son Thomas Seward Jr. was age 19, and six or seven years before Lucy's granddaughter Mary Seward Horsley was born. Lucrecia "Lucy" Griffin Seward Jones Green was about 42 years old at her death.

It is highly unusual to know the identity and details of our female ancestors from this period of time, so we are fortunate to know so much of Mary Seward Horsley's grandmother Lucy Griffin. Lucy seems to

have been a most capable woman. She was the executrix of the estates of her first two husbands. Then soon after marrying her third husband Henry Green she registered in Kent County, MD the birth dates of her children by her husbands Thomas Seward and Griffith Jones, apparently to ensure there would be no questions about each of their rightful inheritances.¹⁹⁴ (Ironically, the book in which those births are recorded primarily includes registrations of cattle brands.) Lucy also wrote a will making sure that her children from each marriage were equitably provided for, both from their fathers' and from her inheritances. With a father who was High Sheriff, a first husband who was a Constable, a second husband who was an attorney, and a third husband who appealed for British citizenship partly on the value of his skilled craft, Lucy seems to have possessed the capability to hold similar positions had legal and social conditions allowed women to do so.

Lucy Griffin's son and Mary Seward Horsley's father Thomas Seward Jr., born 30 November 1684 in Kent County, MD, was also named "Planter" and raised his large family of 14 children by two wives in St. Luke's Parish of Queen Anne's County (originally part of Kent). He inherited property both from his father Thomas Sr. and from his relative William Bishop, who died when Thomas Jr. was still an infant. One of the plantations Bishop devised to Thomas Seward Jr. in his 1685 will was called Bishopsfield.

The month after James Horsley and Mary Seward married in 1728/9, her father Thomas Seward Jr., with his second wife Rebecca, deeded to "James Horsley and Mary his wife" 50 acres of "Bishops Fields" for "the natural love and affection" Thomas has for his daughter Mary as well as for payment of 100 pounds of tobacco.¹⁹⁵ Existing quit rent records indicate that James and Mary, and then later their eldest son James Jr. and his family, lived on Bishopsfield until at least 1769 and probably until James Jr.'s move to Virginia shortly thereafter.¹⁹⁶ Thus, the land that James Horsley Jr.'s family left behind in Maryland had been in their family for nearly 100 years.

According to the original 1675 survey, Bishopsfield was located "at the head of the northernmost branch of the dividing of the Chester River," the river being the northern boundary of Queen Anne's County.¹⁹⁷ Today's cartography shows there is no actual "dividing" of the Chester River, which flows from just over the Delaware State line to the Chesapeake Bay at Kent Island. But there is a very broad-mouthed split-off near Church Hill that apparently seemed to the earliest travelers like an actual divide of the river, and indeed does look so on early maps. That split-off itself divides into three fingers. An early description of the location of St. Luke's Parish Church at Church Hill is "at the head of the south-east branch of the Chester River,"¹⁹⁸ which is the middle of these three fingers. So combining both descriptions it appears that the "northernmost" finger or branch just above Church Hill is where Bishopsfield was located. Another referent that supports that location is the current Pinder Hill Road just northeast of Church Hill. William Pinder owned part of Bishopton, adjacent to Bishopsfield where James Horsley lived, and James witnessed William Pinder's will in 1736. In 1734, William Pinder was granted nearby land that became "Wharton and Pinders Outrange."¹⁹⁹ Thus the tract name and the Pinder family residents of Bishopton likely gave Pinder Hill Road its name.

Queen Anne's County historian Frederic Emory discusses the nearby South East Branch saying, "There was an early settlement [in later Queen Anne's County] on the South East Branch, which no doubt was identical with the present South East Creek. Church Hill, situated near the head of the creek, was a very old settlement," as indicated by several deeds naming South East Branch.²⁰⁰ One dated 1678 was for land originally granted to Thomas Collins (likely related to Thomas Collins on an estate record with James Horsley in 1737, and to "Thomas Collins Jr." who sold land called Spread Eagle adjacent to Thomas Seward III in 1790²⁰¹). The other South East Branch deed Emory mentions was in 1708 for part of Spread Eagle sold by "Thomas Seaward and Susannah his wife." Thomas and

Susannah Seward were Mary Seward Horsley's parents, newly married at that date. Thomas had inherited 300 acres of Spread Eagle by his father Thomas Seward Sr.'s will.

In addition to other records, the North East Branch location of Bishopsfield shows that James Horsley and family did not live on Kent Island, as is widely thought, but on the mainland of Queen Anne's County, as we discuss more shortly.

James and Mary Seward Horsley's Children

On this land called Bishopsfield just north of Church Hill, MD, James and Mary Seward Horsley lived and raised their family. Although James Jr. is the only child of James Horsley Sr. and Mary Seward that can be proved directly from the records (that is, the quit rent rolls), in all likelihood James Sr. and Mary had at least three other children: Hannah, Thomas, and Richard. In addition to the associations and connections in the records giving indirect evidence for each one (as we discuss shortly), there are several general factors indicating Hannah, Thomas and Richard were children of James and Mary. First, they each have records showing they lived in the same area as James and Mary; second, their approximate or given ages fit with the date of James and Mary's marriage; and third, no other Horsley family has been found in the records for Queen Anne's and nearby counties of Kent, Talbot and Dorchester who give evidence of being their parents instead.

James Horsley Jr.

Wife: Patience (maiden name unknown)

James and Mary's eldest known son was James Horsley Jr. who was born in 1731.²⁰² After his father James Sr.'s death about 1748, there is a gap of 15 years in the surviving quit rent records naming those responsible for paying the tax on their properties. However, from 1763 to the last surviving record in 1769, it was this younger James Horsley, the heir by primogeniture, who was charged with the quit rent on the 50 acres of Bishopsfield that his grandfather Thomas Seward had deeded his parents shortly after their marriage.

James Jr. probably married about 1752, since his oldest child was born in 1754.²⁰³ His marriage is not recorded in St. Luke's Parish, nor in any other area parish that has surviving records from that time. However, neither are his children's christenings recorded in St. Luke's, the parish where James Jr. and his family lived. Thus, it seems probable that James Jr., like his father, was not an active Anglican. At least James Jr. may have been a "dissenter" or "Nonconformist," judging by his close neighbors later in Virginia and at least one son's recorded membership as a Baptist.

No record has been found to show James Jr.'s wife's maiden name. However, a deed of sale in Halifax County, VA in 1789 gives her first name as Patience (spelled phonetically by the recording clerk as "Peashunts"!)." ²⁰⁴ This is the only record found in their three colonies/states of residence—Maryland, Virginia, and South Carolina—that includes James Jr.'s wife's name, but nothing in the records suggests that James Jr. was married more than once. (We discuss this further, along with the confusion about his wife's being named Margaret Valentine that came from *Horsley Families of America*,²⁰⁵ in the separate research report on James Jr. and his family.²⁰⁶)

James and Patience Horsley had at least sons Richard, Valentine, and William, and a daughter Susannah, all born on Bishopsfield, Queen Anne's County.²⁰⁷ They moved their family to Halifax County, VA about 1773, shortly before the start of the Revolutionary War.²⁰⁸

Hannah Horsley

Husband: Thomas Tharp

St. Luke's Parish records show that Hannah Horsley married Thomas Tharp on 10 Oct 1749.²⁰⁹ This would be about a year or so after James Horsley Sr. died and four months before James' widow Mary re-married in the same parish. (I find it intriguing that his wife and daughter returned to the Church of England after James Sr.'s death, while his sons apparently did not.) By the dates of her siblings' births, her marriage, and James and Mary's marriage, Hannah was probably born in late 1729.

Hannah Horsley's husband Thomas Tharp²¹⁰ was the son of William Tharp²¹¹ and Jane Austin who married on 8 Jan 1709 in St. Peter's Parish, Talbot County, MD.²¹² This was the same parish in which Richard Horsley married Mary Vickery/Vickers twelve years before, and where apparently the same Richard Horsley died in 1718 (who I believe could be James Horsley Sr.'s father).

Family connections go back into the 17th century in Kent County. Thomas Tharp's grandfather, also named Thomas, lived on Langford Creek, Quaker Neck, Kent County on land he purchased in 1674. The elder Thomas Tharp died there before Nov 1686. His will, dated 10 Nov 1685, named his then-underage son William.²¹³ William Tharp, born about 1682, later became the father of Thomas Tharp who married Hannah Horsley.

The elder Thomas Tharp's land on Quaker Neck was on the opposite side of Langford Creek from where Mary Seward Horsley's grandfather Thomas Seward Sr. lived on Eastern Neck during the same time period. They surely would have known each other well, especially since the Kent County Court was held at the house of Thomas Seward in 1678.²¹⁴ Also, Thomas Seward was appointed Constable of Kent County in early 1687,²¹⁵ and although this was after the elder Thomas Tharp died, the appointment may not have been Seward's first, as they were renewed annually.

Both men's properties where they raised their families were at the northern (sometimes called western) side of the Chester River, which later divided Kent County from Queen Anne's. This is not far from where Mary Seward's family and later her family with James Horsley lived on the opposite side of the Chester River. We find the same kind of close ties between families on the northern and southern shores of another river, the Choptank, which divided Talbot County from Dorchester. Eastern Shore Marylanders were called "people of the waters" for good reason, as the numerous streams, creeks and rivers were the most important routes of transport. Even after roads were established, people often preferred to use their canoes or rowboats to travel by waterways instead.

Historical records also show that most Marylanders considered the Chesapeake Bay "just another river to cross," although adverse weather, especially winter storms, did have more of an impact on that crossing than others. There are mentions in the General Assembly records of sessions being postponed or of Eastern Shore delegates being excused due to weather too adverse to cross the Chesapeake, but most of the time the crossing was just the normal routine. For example, in a Kent County levy of 10 December 1678, Edward Sweatman and John Wedge were paid for 24 days of rowing the county's delegates to the General Assembly across the Chesapeake Bay to St. Mary's where the provincial capital was located prior to moving the capital in 1695 to Annapolis, also across the Chesapeake on the Western Shore.

Other connections with Hannah Horsley's husband Thomas Tharp's family are interesting for their Quaker involvements. Even though, like the Horsley's, the Tharp's were not Quakers themselves, both families had numerous Quaker associations. Not only did the elder Thomas Tharp live on

Quaker Neck, which name reflected the Quakers settled there, but in his will dated in 1685 he named “friend” Robert Erick, a Quaker, to be his executor and also appointed him to be the guardian for Thomas’ two underage children, one of whom was Hannah Horsley’s husband’s father William Tharp. This may partly explain how William Tharp ended up in the area of Talbot County near where the main contingent of Quakers lived, particularly around Tread Haven Creek and Third Haven Quaker Meetinghouse. William is thought by many Tharp researchers to be the brother-in-law of John Keld, a Quaker who married Elinore Austin, and whose Talbot County will William Tharp witnessed in 1716.²¹⁶ Both the Austin and Keld families also had interconnections with Vickers in Talbot, related to Mary Vickery/Vickers who married Richard Horsley in Talbot in 1697.

Yet another thread ties the Tharp family with Hannah’s Horsley family. William Tharp was a cooper (as was John Keld), and William bequeathed to his son Thomas his cooper tools, indicating the younger Thomas Tharp could have been a cooper as well. Coopers built barrels and numerous other kinds of wooden containers from tankards and household cups to hogsheads for the storage, weighing, measuring, and transportation of tobacco leaves. Coopers were a related profession with carpenters, and many of each skilled craft often engaged in the other. Skilled craftsmen of all kinds usually constituted their own social subgroup, so carpenters like James Horsley and coopers like William Tharp would have had numerous ways and means of contact in addition to the earlier family ties in both Kent and Talbot counties.

When Thomas Tharp married Hannah Horsley in 1749, Thomas was a widower. He married first Elizabeth Birmingham on 1 Jan 1731/2 in St. Luke Parish, Queen Anne’s County.²¹⁷ Thomas Tharp had eight children, all of whom Tharp family researchers attribute to his first wife Elizabeth. However, I have not yet verified that, and it is interesting to note that Thomas’ two youngest sons (both still under age 21 in 1760) were named James and Richard.²¹⁸ Neither of them was the name of Thomas’ brothers, father or grandfather, but both names were in Hannah’s immediate family. Hannah Horsley would have been much younger than Thomas Tharp who was born about 1713, but such was the custom, and particularly the norm for second marriages where there were young orphans to care for. (There is a possibility that Hannah could be older and a child of James Horsley by an unknown first marriage which we discuss more shortly, but at this point I think it less likely.)

Thomas Tharp died about ten years after his marriage to Hannah Horsley. Contrary to some online information that Thomas died testate, I have found no surviving will for him, only records of the administration and accounts of his estate, dated 1759 and 1760.²¹⁹ Some of these records have not been examined in full and need to be for further information. We do know from abstracts that Hannah survived Thomas’ death, as she is named as his widow in his estate accounts in 1760.

Interestingly, in 1765 Hannah’s mother, Mary Seward Horsley, then named as Mary Slocum after her second marriage, deposed in Queen Anne’s Court for a case involving the land of William Austin,²²⁰ likely related to Thomas Tharp’s mother Jane Austin. Again, the complete original record of this case needs to be examined to see if there are further family clues to be gleaned. (See transcript and discussion of Mary’s and her brothers’ depositions in Part II, Timeline of Records.)

Thomas Horsley

Wife: Mary Connikin, a widow

Thomas Horsley of Queen Anne’s County appears to be James and Mary Seward Horsley’s third child, born about 1733, after Hannah and James Jr. The earliest records I found for Thomas Horsley pertain to his being co-administrator with his wife Mary for the Queen Anne’s County estate of her

deceased husband John Connikin. (The name appears in multiple spellings such as Connican, and sometimes as McConnikin or Maconnicon, etc.)

The estate records indicate that Mary's previous husband John Connikin died in Queen Anne's County shortly before 1766.²²¹ Mary had married Thomas Horsley by 1766, when she appears as Mary Horsley in the estate probate indexes,²²² and as was common practice, her husband Thomas Horsley became her co-administrator or "joint accountant." In the estate account Thomas and Mary Horsley presented to the court on 20 Aug 1767, there is a list of John Connikin's children with their birth days and months and their ages as of 1767.²²³ All of the children appear to be Mary's, as their births come almost exactly two years apart, and they range in age from 4 to 15 years old. From this we might estimate Mary to be about 35 years of age in 1767, thus born about 1732. In this case we surmise that Thomas Horsley would not be much younger than Mary, especially since he is assuming the care of her seven children.

Thomas Horsley is not on a Queen Anne's County militia list of males, usually age 16 to 50, dated Feb 1748/9 which includes James Horsley, Jr., so apparently Thomas was not born by early 1732. However, if Thomas Horsley was born shortly after, he would still be of a feasible age to be the widow Mary Connikin's husband. A birth year of about 1733 also would place him between James and Mary Horsley's sons James Jr., born 1731, and Richard, born 1737. Mary Seward Horsley had a brother, father, and grandfather named Thomas, so there is no doubt where this son's name came from.

On 30 December 1766, Thomas Horsley and wife Mary sold land on Kent Island which appears to be land formerly owned by her husband John Connikin and then sold as part of settling the estate.²²⁴ There are indications that several generations of a John Connikin or McConnikin lived on Kent Island who had some intriguing connections with both the Horsley and Seward families.

On 5 July 1725 Thomas Tanner sold John Wright land on the east side of Kent Island. The deed was witnessed by a John Meconakin (McConnikin) and by John Carter.²²⁵ John Carter was the brother of Valentine Carter (discussed in detail above) who engaged James Horsley for the repairs of the Queen Anne's County "Up-River Chapel" by 1721, and whose father Henry Carter had been an early settler on Kent Island. James Horsley's widow, then named as Mary Slocum, sold land in 1769 to one Thomas Wright,²²⁶ who according to online family files was the nephew of John Wright whose deed John Meconakin witnessed in 1725.

Perhaps the most interesting earlier association with the Connikin family is from Kent County Court records 1667-1670. They show that by 16 July 1670, William Bishop had an indentured servant who three years before had been indentured to one John Meconicon (McConnikin).²²⁷ William Bishop was a kinsman of Mary Seward Horsley's grandfather Thomas Seward Sr., and from William Bishop came Bishopsfield where Mary and James raised their family. (The Kent County Court records indicate that this indentured servant, an apparently strong-willed female, gave Meconicon and Bishop a rough time...or vice versa...or both.)

Thus we see that the connections between Thomas Horsley's earlier family and that of his wife Mary's deceased husband John Connikin go back as far as the Horsley-Seward connections with the family of Thomas Tharp, husband of Thomas Horsley's sister Hannah.

According to a probate account record dated 13 Jun 1769, Thomas Horsley was paid by the Queen Anne's County estate of Frances Gould whose executor was Benjamin Gould.²²⁸ Frances was the widow of James Gould, and Benjamin Gould was their son.²²⁹ Two months before, an account dated

6 Apr 1769 listed Thomas Horsley's brother James Horsley Jr. as security for the administrative bond of the estate of John Preston, whose estate made a payment to Benjamin Gould (perhaps as Frances' executor).²³⁰ James Horsley Jr. was surety as well for the estate of Charles Gafford, whose will was witnessed by James Jr. and his brother Richard Horsley. Gafford's estate account dated 9 Jul 1770 also recorded payment to Benjamin Gould.²³¹

Thirty years before, Thomas, James, and Richard Horsley's father James Horsley Sr. was listed as one of the two primary creditors to whom the estate of Frances' husband and Benjamin's father "James Gould, Gentleman" owed (and duly paid) debts,²³² as we discuss shortly. Interestingly, five years before James Gould's death, a document of 1732 concerning the raising of an additional militia troop for Queen Anne's County recommended Augustine Thompson (also on records with James Horsley Sr.) as Captain, James Gould as Lieutenant, and James Brown as Ensign.²³³ Sixteen years later in 1748, Augustine Thompson and James Gould were deceased, and James Brown had become Captain of this same militia unit that now included James Horsley Jr. and a number of his mother's brothers,²³⁴ although James Jr.'s younger brothers Thomas and Richard Horsley were still under militia age and thus not included.

Thomas Horsley is not included in the surviving records of the 1776 census for Queen Anne's County.²³⁵ However, he is indexed in the Ancestry.com 1778 Oath of Fidelity records, but the original record has not yet been examined. He is listed as living in Town Hundred District, where his brother Richard was living in the 1776 census and where other close associates of the Horsley and Seward families also lived.

Thomas Horsley appears still to be alive in Queen Anne's County at the time of the 1790 census. Unfortunately, this census gave age categories only as "16 or above" and "under 16." Thomas Horsley is listed with a household of 1 male 16+, 3 males under 16, and 1 female 16+ (the last could be Thomas' wife or a daughter).

Also in the 1790 census was a Thomas "Horsly" living in Baltimore County, MD (Patapsco Lower Hundred), who may have been another son of Thomas Horsley (or even a son of Thomas' brother Richard) of Queen Anne's, as the Baltimore Thomas has only a male 16+ and female 16+ in the household, possibly recently married. I could not locate this younger Thomas Horsley in the 1800 census, or in any census thereafter.

The two Thomas Horsley's, one in Queen Anne's and one in Baltimore County, were the only Horsley families I found in Maryland this 1790 census.

In the 1800 census for Queen Anne's County, MD the elder Thomas Horsley appears now deceased, but there is a James Horsley with another older (unnamed) male in his household. Since census ages are frequently inexact, one or both of them may be Thomas' sons; that is, two of the three males under 16 in Thomas' Queen Anne's County household in 1790. Alternately, James Horsley in the 1800 census could be one of two males under age 12 in the 1776 household of Thomas' brother Richard Horsley who lived in Queen Anne's County at the time. This James Horsley (who I believe is the James Horsley that the *Horsley Families* book mistakes for a son of James Jr.), is listed as being age 26-44, as is the other male in his household. The oldest female is of same age bracket and likely his wife, and there are three young females (probably daughters) under 10 years of age, indicating that James could have married in the last 4-6 years. (Interestingly, there were also 3 "other free persons," which often referred to free "blacks," and 3 slaves in the household.)

The 1790 census records for six of the then-existing states were destroyed when the British burned Washington DC during the War of 1812, and for various reasons many states do not have surviving census records prior to 1820. It may be due to so many missing censuses that I have been unable to trace this Horsley family group any further through census records. Although I could have missed some of the numerous variant spellings of Horsley in early census records (eg, Hosley, Horseley, Horsely, Harsley, Hawsly, etc.), it is also possible that this male line died out.

(Contrary to information in *Horsley Families of America*, p. 5, I have my doubts that Thomas Horsley and Smith Horsley in Gloucester County, VA in the 1810 census were descended from our Queen Anne's family line. There were actually two Thomas Horsley's, two Smith Horsley's, and a Belsey Horsley in Gloucester in that 1810 census. Sixty years before, by 1750 a Thomas Horsley lived in Middlesex County, VA, adjacent to Gloucester County. This Thomas witnessed a deed of John Daniel dated 27 Mar 1750,²³⁶ and Daniel and Smith families were on road orders together as early as 1723. A cursory look through Middlesex and Gloucester County deed abstract books show connections between these families continue to at least the Revolution. So it appears to me that the 1810 Gloucester County, VA Thomas, Smith, and Belsey Horsley were more likely part of the Virginia Horsley family line, not from our Queen Anne's County family, but more research is needed.)

Richard Horsley

Wife: Unknown

Richard Horsley, born 1737 and the fourth likely child of James and Mary Seward Horsley, we discussed previously, and once again there seems no doubt from the records that he was, indeed, their son. [See pages 20-21.] In addition to the records already mentioned, a record of 21 Nov 1760 shows Richard Horsley was paid by the Queen Anne's County estate of Benjamin Smyth,²³⁷ son of Casperus Smith whose will Richard's father James Horsley Sr. witnessed in 1732. (James Horsley Sr. also inventoried, appraised, and was paid by Casperus Smith's estate.) Casperus' son Benjamin Smith's estate that paid Richard Horsley in Nov 1760 also received payment from Benjamin Newman,²³⁸ and in Feb 1760, a William Newman is listed as administrator of the estate of Thomas Tharp, the recently deceased husband of Hannah Horsley, Richard's sister.²³⁹

In a 1776 Maryland census for Queen Anne's County, Richard Horsley is listed as head of house with one female (presumably his wife), both over 21, as well as 2 males and 2 females, all under 12 years old.²⁴⁰ The family resided in what then was called Town Hundred district. This is the same district where many families on Horsley records also are listed, including the grown children of Charles Gafford, whose will Richard Horsley witnessed with his brother James Jr. in 1765. Although their brother Thomas Horsley is not included in the surviving records for this census, Town Hundred district is where Thomas is listed as residing in the index for the 1778 Oaths of Fidelity records (in which Richard is not indexed, but the original records still need to be searched).

The 1783 Tax Assessment for Queen Anne's County lists Richard Horsley as being in the Upper District (which includes the same Horsley associates who were listed in Town Hundred in 1776). Examination of the full tax record at MSA shows Richard was not taxed for (ie, did not own) any land, but taxed only for 3 horses and 2 cattle. (Sadly, no other years' Queen Anne's County tax lists have survived prior to the 1850's.) As mentioned before, Richard gave a deposition to the Queen Anne's County Court in 1784, but he is not listed in surviving U.S. censuses that began in 1790, so may have died by that time. If the two males under 12 in Richard's 1776 household were sons and survived to adulthood, I have not located them unless James Horsley in the Queen Anne's 1800 census was

Richard's son rather than a son of his brother Thomas. Hopefully more primary records research will help clarify the identity of these later Horsley's in Queen Anne's County.

Another possible child of James Horsley Sr.?

I have found one remote clue in the records located so far that James Horsley might have been married previously before Mary Seward. There is a transcribed St. Luke's Parish record for the marriage of a "Mary Hussley" to John Larwood on 20 Dec 1739.²⁴¹ I have not seen the original of this record, but there is a chance the transcriber mistook the name Horsley for Hussley, as I have found no Hussley family in Queen Anne's County or nearby areas. (Although there were numerous Hemsley and Hensley names that got recorded and/or and transcribed in various ways, I have not seen the name being rendered similar to Hussley, but that too is possible.) Given the marriage date, this Mary could have been born about 1718, thus making it at least possible she could be James Horsley's daughter by a previous marriage. All this is very nebulous and too inexact to have any substance at this point, but it would seem to deserve more investigation and primary records research.

James Horsley Sr.'s Later Years – Queen Anne's County

We know few details of James Horsley's life in his later Queen Anne's County years other than his residence and family. Most of what we do know comes from wills, probate and estate records of others, but the combined information gives us a glimpse of a man well-respected and a life well-lived.

Prerogative Court records show James Horsley was one of the largest creditors for three estates in the mid-1730's. For the estate of William Pinder (d. 1736) the other major creditor besides James was Augustine Thompson,²⁴² a Justice of Queen Anne's County.

The next record listing James Horsley as a major creditor was for the estate of James Gould (d. 1737), who was named as "Gentleman", a title usually reserved for Court Justices and men of wealth and position.²⁴³ Indeed, James Gould was a Planter, a Justice of the Queen Anne's County Court, Church Warden of St. Paul's Parish, then one of the original Vestryman of St. Luke's after its formation in 1728 from St. Paul's (along with Humphrey Wells and Augustine Thompson). In 1724 Gould was appointed by the General Assembly to a particularly unique position. Each year's taxes, quit rents and such "public levies" were often paid in pounds of tobacco, the primary crop and common currency of the day ("money" being scarce). An Act of the General Assembly in 1724²⁴⁴ stated that "by occasion of the great draught for a considerable time the last Summer and the great and sudden Gusts of winds and Rains which Succeeded a great number of the Inhabitants of this Province has not made Tobacco's Sufficient to Pay their Levys. And foreasmuch as it might tend to the utter Ruin of many families especially of the Poorer Sort if the Publick Creditors in this Scarce year of Tobacco Should insist on the Receiving the whole of their Claims," therefore special considerations were given. People with insufficient resources could give oath to a Court officer that they were unable to pay all or a part of their taxes and receive a certificate which they then presented to a specially appointed commissioner who would ensure the Act was upheld justly for all concerned and with no penalties for non-payment (except for absconding). "Master James Gould" was one of the three such commissioners appointed for Queen Anne's County.

James Horsley was also a major creditor of the estate of the widow Mary Johnson (d. 1738). The other major creditor was John Buck, Esq., a shipping merchant in Devonshire, England, who was represented by Augustine Thompson.²⁴⁵

That James was owed and paid significantly from such estates suggests a successful professional life and a comfortable level of income relative to his day. A number of other estates also paid debts they owed to James, yet there is no record of his owing debts to any estate himself, further indicating James was financially better off than the average man of his time and place, especially in such a credit-based economy as theirs was. In addition, the court appointed James to make inventories and appraisals for several estates, a task reserved for those in the community whose integrity, experience and knowledge was trusted to provide a timely, accurate, and unbiased accounting.²⁴⁶ All these records add up to show James Horsley as a man of comfortable means, respected in his community and active in his profession.

James' skills in carpentry would have been in demand for the wealthy whose financial status allowed the specialty carpentry work that could display and increase their social status. In addition, his skills would have been desired for new buildings and "outbuildings," such as barns and smoke houses, and for public works like county bridges, as well as for the constant repair of older buildings required by the humid climate and wetlands environment of the Eastern Shore. Building and repairing could have been augmented by other carpentry-related skills, such as interior wood finishing and cabinetry (joiner work), barrel and wooden vessel crafting (cooper work), and the ever-needed making of coffins. Whatever James was doing during these years, from the records found so far he seems to have lived his life outside the public arena and away from the political tumult of his Macnemara and Carroll years. His choice of life styles seems to have served him well.

James Horsley also witnessed several wills and at least one other public account during this period. On 23 Mar 1730/1, James Horsley was witness to the receipt of payment for a house and land bought by John Nevil of Queen Anne's County from John Long of Kent County, Delaware, which at that time was adjacent to Queen Anne's and Dorchester County, Maryland.²⁴⁷ (Interestingly, in the 1660's, Joseph Horsley was involved with a John Nevill in Calvert County in an estate record with John Elly, likely related to James Elly who, with the earlier James Horsley, witnessed Francis Armstrong's land assignment. This Calvert County John Nevill or his son of the same name died in Talbot County in the area where Francis Armstrong moved and where we find the elder Richard Horsley who could be the earlier James Horsley's son and James Sr.'s father. Whether that John Nevill of Calvert and Talbot was related to the John Nevill and Walter Nevill on Queen Anne's County records with James Horsley Sr. is not known, but more research could be revealing.) Then, in addition to the three Queen Anne's County wills James witnessed before his 1728 marriage, between 1732 and 1736 he witnessed the will of Elizabeth Watson on 4 May 1731,²⁴⁸ Casparus Smithe on 31 Jul 1732,²⁴⁹ and William Pinder on 27 May 1736,²⁵⁰ all of Queen Anne's County. (See Part II: Timeline of Records for more details.)

With the exception of William Pinder, a close neighbor of James Horsley in Queen Anne's County (discussed further in the Part II timeline) and Isaac Abrahams (discussed previously), I can find no obvious family relationships or long-time connections or in some cases any indication of the type of associations between the people writing the wills and those who witnessed them. In part this may be due to the absence of records and compounded by the difficulty in obtaining original records from the Maryland Archives to learn more in-depth background. However, in all my investigations of original and abstracted Maryland will and deed records during extended research relating to James Horsley Sr. and Jr., as well as in researching other families on their records, the lack of obvious connections and direct family relationships is one condition I have found to be widespread in Maryland in the early to mid-1700's and which I find very odd indeed. In similar records research I have done on families in Colonial times in New England, New Amsterdam, New Jersey, Virginia, South Carolina and Georgia, clear patterns quickly come to light of the same shared friends, neighbors and relatives named on each other's records that intertwine a group of families in a closely-bonded community and with

continuity over time and place and down generations. Why this does not hold as strongly for at least Maryland's Eastern Shore in the middle 18th century is still a mystery to me, although hopefully continuing research will provide more historical insight. The usual patterns of communal bonding and ongoing family relationships and intermarriages often are interrupted in times of political turbulence, factional divisiveness, and transience of large groups of people "just passing through," any of which may have contributed to what seem to be Maryland's differences. What makes these differences even more striking is that when James Horsley Jr. moved his family to Halifax County, VA about 1773, apparently without being accompanied by any of his Maryland neighbors and friends (also very odd for migrations of that time), records show they rapidly became a part of a closely associated community in Halifax whose interconnections continue not only for 20 years in Virginia, but on down to South Carolina and then into Georgia for at least the next three to four generations.

James Horsley Sr.'s last two public records found so far are dated in 1744 and 1746. According to a probate account recorded 13 July 1744, James Horsley was paid from the Queen Anne's County estate of John Busell, Planter.²⁵¹ The probate records indicate that John Busell, sometimes spelled Bushnell, died in 1742 (with his estate appraised by county justices Richard and Humphrey Wells, who appear on other records with James as well),²⁵² so James Horsley could have been paid any time during the two year interim of those records. Then by an account dated 27 Aug 1746, James Horsley was paid by the Queen Anne's County estate of Arthur Holt.²⁵³ Arthur Holt became Rector of St. Luke's Parish on 1 Dec 1734. A month later, the church received the Vestry's order of three folio Books of Common Prayer, a book of homilies, and a large Bible, purchased from merchant "John Buck, London,"²⁵⁴ presumably the same English merchant John Buck we discussed earlier, especially since Buck's representative Augustine Thompson was a St. Luke's Parish vestryman. The Rev. Arthur Holt died 25 Nov 1742.²⁵⁵ Again James Horsley could have been paid from Rev. Holt's estate somewhat prior to the 1746 date on the account presented to the Prerogative Court. Still, these dates help us establish approximately when James died. If these people or their estates had not paid their debts to James before his own death, James' family probably would have probated his estate to assure full payment.

Unfortunately for us, James Horsley Sr. left no will, and no surviving probate records have been found. If an estate had no outstanding debts, and if the widow and heirs mutually agreed to their legally established portion or to an arrangement worked out among them, then no probate was required, and the expenses of filing and court fees were saved. However that leaves us not knowing exactly when James died. Since the surviving quit rent debt lists for the 50 acres of Bishopsfield simply name James Horsley as the responsible party (which would be first James Sr. then his eldest son and heir by law James Jr.) and large gaps exist in those records, they do not necessarily establish the year of James Horsley Sr.'s death.²⁵⁶ However, they may give a clue. In the year 1747, before a gap of the next 14 years in the extant records, the name is still recorded as James Horsley and not "estate of." If this was the son James Jr., he would be only 16 at the time, and therefore legally still a minor. In such cases, at least in other Colonies I have researched, there should be some notation of "orphan" or "orphan of," indicating that the rightful heir to the property was still under 21 and the quit rent was due from his or her guardian or legal representative.

That James Horsley Sr. was still alive in 1747 but died shortly thereafter seems probable for two additional reasons. First, in a Queen Anne's County militia roll dated 22 February 1748/9, James Horsley, here obviously the younger James due to age requirements for the militia,²⁵⁷ is not listed as "Jr.," while his uncle Thomas Seward is listed as "Jr." since his father Thomas Seward was still alive.²⁵⁸ Had the elder James Horsley still been alive, then his son, too, would be listed as James Horsley "Jr." Secondly, James Sr.'s wife Mary Seward Horsley re-married 26 Feb 1749/50, and the

usual custom of the day was for widows, particularly those with children, to re-marry within a short rather than long time after the death of their previous spouse, for obvious economic reasons and family needs.

Thus it seems that James Horsley Sr. died in Queen Anne's County about 1748. He may have been about 58 years old, but could have been 5-10 years older. His eldest son would be 17 in 1748, his daughter a few years older, and his younger sons about age 15 and age 11. His widow Mary was then age 38.

The Hopper statement discussed previously, as well as *Horsley Families of America* that appears to have used the Hopper information, says James died and was buried on Kent Island, but that seems hardly likely. Normally people were buried on their farms or in family burial lots or church graveyards close to where they lived. From 1728 through 1769 (the last record available), Bishopsfield is the only property of record for James Horsley Sr. or Jr., and according to its survey description, Bishopsfield could not be on Kent Island, since the Island is at the mouth of the Chester River in Chesapeake Bay, while Bishopsfield was on a branch of the Chester River 25-30 miles upriver. Furthermore, the 1748 militia rolls had a separate list for Kent Island, and that was not the Queen Anne's County militia roll on which James Horsley Jr. was listed at age 17. Of course, some odd circumstance such as death from an accident while doing work on Kent Island might mean that James could have been buried there for convenience in poor weather, but we have no evidence of any such circumstance and much evidence that the Hopper information is factually unreliable. Some restoration and archeological projects are currently in progress on Kent Island to uncover long-hidden grave markers. However, over the centuries parts of the oldest section of the cemetery at the northern end of the island have been claimed by erosion and fallen into the Chesapeake Bay, and since early records for Kent Island's Christ Church Parish no longer exist, the names of those buried there probably will never be known. Nevertheless, it seems only logical that James Horsley Sr. would be buried where he and his family lived, near Church Hill in St. Luke's Parish on the mainland of Queen Anne's County.

James Horsley Sr.'s Widow Mary Seward Remarries

James' widow Mary Seward Horsley remarried on 26 Feb 1749/50 to Joseph Slocum, again in St. Luke's Parish Church where the publishing of their banns was recorded.²⁵⁹ (The use of banns, or public notices on church or courthouse doors, met the requirements to ensure a legal marriage without the cost of posting bond for a marriage license.) Joseph died before 1769 when Mary (then as Mary Slocum) sold land in her own name alone, which a married woman could not do.²⁶⁰ In fact, Joseph may have died shortly after their marriage, since in Mary's father Thomas Seward's will written in February 1754, he still calls his daughter Mary by her first married name of Horsley.²⁶¹ No will or probate has been found for Joseph Slocum.

We do not know if Mary and Joseph Slocum had children, half siblings to her Horsley children, but it does not appear likely. In 1783 in Queen Anne's County there were brothers Joseph Slocum in Corsica District and John Slocum in Tuckahoe District,²⁶² neither being in the Upper District which included the Bishopsfield area. Each of their wills names a sister Ann whose married name was Smith or Goldsmith,²⁶³ but their Slocum father's identity is not clear. The age of John Slocum's only daughter, as indicated by references in his and his brother's wills, seems to show that the three Slocum siblings, Joseph, John, and Ann, might be Joseph and Mary's children based on their approximated ages (although Mary was approaching the end of her childbearing years when she married Slocum). However, in 1778 Joseph and John were both recorded as giving their Oaths of

Loyalty to the newly declared United States, and those records show they were living on Kent Island at the time.²⁶⁴ I have found no deed or rent roll record for Mary's husband Joseph Slocum on Kent Island (or anywhere else). A Benjamin Slocum may have been on Kent Island at least in the 1760's, but his relationship, if any, to the three Slocum siblings is unknown. Thus more research needs to be done. However, so far I have found nothing in the records to indicate these Slocum families lived near or were involved with the Horsley families, and at this point it does not seem likely that the younger Joseph Slocum and his siblings John and Ann were Mary Seward Horsley Slocum's children.

Mary's father Thomas Seward Jr. died in 1761. His will, written seven years before in 1754, names his daughter as Mary Horsley, even though she had married Slocum four years earlier. Thomas bequeaths to Mary and her "lawful issue" the 50 acres "she now lives on," with no mention of Slocum as her husband. The only land of record owned by Mary or James Horsley was the 50 acres of Bishopsfield deeded to them by Thomas in 1728. The use of her former name and the wording of Thomas Seward's will seem to me to indicate that Joseph Slocum has already died and that Thomas is reiterating his original intention of the 1728 deed to James and Mary, meaning, contrary to usual widow's rights and inheritance laws, Mary is now full owner of the land and thus has sole right to sell or distribute as she desires, and only the legal children "of her body" can inherit.

In April of 1765, four years after her father died, Mary gave a deposition in Queen Anne's County Court as Mary Slocum, stating her age was then 55 and mentioning her father Thomas Seward and first husband James Horsley.²⁶⁵ The court case in which Mary deposes involves the boundary line for land of William Austin, likely related to Jane Austin, mother of Thomas Tharp who married Mary Seward and James Horsley's daughter Hannah Horsley in 1749. The other party in the suit is Richard Gafford, brother of Charles Gafford (Jr.) whose will was witnessed later the same year (Aug 1765) by James Horsley Jr. and his brother Richard Horsley. Three of Mary's brothers, William, Daniel, and John Seward, also deposed in this suit. William Seward (b. c1718) states that the boundary tree marker in question was pointed out to him by James Horsley (Sr.) as they rode past it one day 30 to 40 years before, and James told him, "You are but a boy and when I am dead and gone you may remember it." The Seward depositions in this case indicate the Seward's, Austin's, Gafford's and James Horsley Sr. were involved with each other at least from James' earliest days in Queen Anne's County. (See Part II, Timeline of Records for more discussion of this case.)

The last record we have of James Horsley's wife Mary Seward was when she sold land as Mary Slocum on 12 June 1769.²⁶⁶ The deed names her as "widow." In fact, a married woman had no legal identity apart from her husband. (A wife was technically called a *femme covert*, or hidden woman, in law). If Mary's second husband Joseph Slocum had still been alive at this time, his name would have to be included in the deed of sale. By this deed Mary sells 50 acres of Bishopsfield to "Thomas Wright, Gentleman," a delegate to the Maryland Assembly, county court justice, and in 1765 a Queen Anne's County deputy commissioner. The deed specifies that the land is the same 50 acres that Thomas Seward deeded to Mary, wife of James Horsley, in 1728. This is also the same 50 acres that rent rolls for Bishopsfield list with James Horsley Sr. and then James Jr. paying the yearly quit rent.

The timing of Mary's sale of her land in 1769 is interesting in that sometime shortly thereafter, her son James Horsley Jr. and his family, including grown children, moved to Halifax County, Virginia.²⁶⁷ Did Mary sell the 50 acres she and James Jr. appear to have shared (and for which he had been paying quit rent tax) and go to live with one of her other children who stayed in Queen Anne's County? Or did Mary, then about age 60, move with her eldest son James and her grandchildren to Virginia? As yet we do not know when or where Mary died, nor has a will or probate record for Mary been found in either location.

James and Mary Seward Horsley's Family Continues

James and Mary Seward Horsley's daughter Hannah, wife of Thomas Tharp, survived her husband's death and was alive in 1760. So far I have not found a record of Hannah's remarriage, but that search is not completed. It is not clear whether the children named in Thomas Tharp's probate records were all from Thomas' first marriage or if any were Hannah's, but obtaining the original records can probably answer that question, since the minor children's ages often are given in the probate.

James and Mary Seward Horsley's son Thomas Horsley appears to have died in Queen Anne's County between 1790 and 1800, according to census records. The last date I could trace for a possible son Thomas (Jr.) was the 1790 census and for a possible son James Horsley was the 1800 census. (There is also the possibility that at least one of these was Richard's son instead.)

James and Mary's son Richard Horsley appears to have died in Queen Anne's County between 1784, when he gave a court deposition, and the surviving 1790 census for Queen Anne's County. (Unfortunately, tax records for that period which could provide more information no longer exist.) The 2 males and 2 females under age 12 in Richard's household in the 1775 census, presumably Richard's children, have not yet been identified or located in later records.

James and Mary's son James Horsley Jr. and his family, including wife Patience, sons Richard, Valentine and William Horsley, and daughter Susannah, wife of Samuel Matthews, lived for about 20 years in Halifax County, Virginia. Around 1790 they all moved to York County, South Carolina, where James Jr.'s wife Patience died between 1800-1810, and James Horsley Jr. died in the next ten years. Some of their children's families later settled in today's counties of Lincoln and Gaston, North Carolina, just north of York County, SC. Around 1820, their son Valentine Horsley with wife Sarah Kendrick and their own grown children moved from York County, SC to middle-western Georgia, from where some later generations moved into eastern Alabama (as did families and children of Theophilus T. Horsley and John B. Horsley, whose relationship to James Horsley's family is still unclear). While several of these family groups then migrated west between 1880 and 1920 to places such as Mississippi, Arizona and California, a "goodly number" (as my father's Horsley elders would say) of James and Mary Seward Horsley's descendants still live today in the area around the border of Georgia and Alabama where their families had lived for almost 200 years.

For a detailed report on James Horsley Jr. and the continuing story of the Horsley family as they moved south from Maryland, see my research report, available online at: www.joanhorsley.org.

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## Endnotes

See “Part II: Time Line of Records for James Horsley Sr.” following these endnotes for additional primary record transcriptions and explanatory notes.

*All significant records cited only from secondary sources still need to be obtained in the original.*

Note: The Maryland State Archives has made available online 824 volumes of the *Archives of Maryland* with provincial and state records and special collections of historical importance. Any reference to **Archives of Maryland** in the endnotes below can be viewed online by going to the General Index Page for *Archives of Maryland Online*:

<<http://www.msa.md.gov/megafile/msa/speccol/sc2900/sc2908/html/volumes.html>>

Click on the numbered volume, then enter the page number in the search box provided. For many records, the original handwritten copy can be viewed by selecting “view pdf image” at top of page.

<sup>1</sup> Bill Ricalton, Chairman, Longhorsley Local Historical Society, Longhorsley, England, by personal correspondence July 2006.

<sup>2</sup> Pedigree Chart of Sir Thomas Horsley, Knight. Dated 25 Aug 1666, Newcastle, Northumberland, England. Certified by Sir Thomas Horsley, Knt. Copy to me from Bill Ricalton, Longhorsley Historical Society, July 2006.

<sup>3</sup> Bill Ricalton, personal correspondence July 2006.

<sup>4</sup> Affidavit filed 29 April 1940, El Paso County, Texas by Dale Grammer Hopper, signed O. Wood, Notary Public. Copy of original to me from B. Gerald Horsley who received it from a friend who found it in a Washington, DC library, the name of which he did not record.

<sup>5</sup> Sandra Franklin by personal correspondence stating that “Salina’s” full name was Saline Haseltine Judson Preston, daughter of Wm. Hulon Preston. The first 3 initials correspond with the name “S.H.J. Horsley” wife of Wm. Horsley written on the affidavit.

<sup>6</sup> For details and records of James Horsley Jr. see my research report and annotated timeline for him, entitled “James Horsley Jr. (1731-c1815) and Descendants: The Road South From Maryland.” Online at <[www.joanhorsley.org](http://www.joanhorsley.org)>

<sup>7</sup> *Archives of Maryland*. Vol. 51, p. 190. *Proceedings of the Court of Chancery 1669-1679. Chancery Court Proceedings 1676.*

Note: For each citation of an *Archives of Maryland* record, I have included the title of the volume after the page number simply as a referent for what kind of record is being cited, but I have kept volume and page number together for easier location in the online records (see note at top of the first page of endnotes for URL and instructions).

<sup>8</sup> Some dates in this paper appear as “double dates” using a slash denoting two consecutive years. This refers to the dating differences between the Julian (“Old”) Calendar, officially used in Great Britain and the Colonies until 1752, and the Gregorian (“New”) Calendar in use from 1752 to today. The Julian Calendar ended a year on March 24 and began the new year on March 25, while the Gregorian begins the year on January 1. Thus for dates prior to 1752 and from Jan 1 through Mar 24, both the old date (as appears on the records) and the new date of today’s calendar are given with a slash mark between. Noting this difference can be important in a sequence of events. For example,

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March 24, 1664 is only one day before March 25, 1665, not one year and one day as it would appear by today's calendar.

<sup>9</sup> V. L. Skinner. *Abstracts of the Testamentary Proceedings of the Prerogative Court of Maryland 1658-1674* (Baltimore, MD: Clearfield, 2004-). p. 74.

<sup>10</sup> Jane Baldwin Cotton. *Maryland Calendar of Wills*. Vol. 1-8. (Westminster, MD: Family Line Pub., 1988. Reprinted from original volumes 1904-1928). Vol. 1, p. 33. Citing Will Book 1, p. 241. (Cotton's *MCW* Vol. 1-8 begins with 1635. Wright's *MCW* continues with Vol. 9-16, 1744-1777.)

Note: Cotton transcribes the name as "Stanaley" (Skinner transcribes it as "Stavely"), and Cotton says witness "John Horsley." Obviously this will needs to be examined in the original, since Skinner's abstracts of the Prerogative Court entries relating to this estate (see next endnote) seem to confirm the witness as Joseph Horsley, not John, and so far I have not found a John Horsley anywhere else in early Maryland records. Sometimes Joseph Horsley's name was abbreviated as "Jo." which could be mistaken for John, since the usual abbreviation for John was "Jno.". The name Joseph also was sometimes abbreviated as "Jo(superscript h)", whereas the name John was sometimes abbreviated "Jo(superscript n)", and the "h" and "n" can be very difficult to distinguish. However, if there was indeed a John Horsley (and the will witness was not a recording clerk's or transcriber's error), the same connections exist for him as for Joseph regarding the Horsley's named in Calvert at this time.

<sup>11</sup> Skinner. *Testamentary Proceedings 1658-1674*, 91, 94.

Note: Both times list Joseph Horsley and Henry Mitchell as appraisers of John Stanley's estate, with Thomas Manning exhibiting the oaths. Skinner transcribes the deceased's name as "Stavely" (Cotton transcribes it as Stanaley), but the name probably is Stanley, related to Hugh Stanley on other records with many of these same people.

<sup>12</sup> Maryland Patents 1633-1681, Book AA, p. 428, Microfilm SR8200; Transcript, Book 6, 172, Microfilm SR 7348, Maryland State Archives, Annapolis, MD. (Hereafter called MSA)

<sup>13</sup> Carson Gibb. *The New Early Settlers of Maryland*. Citing Patents Book AA, p. 371.

Note: According to the MSA website, this Maryland State Archives Special Collection comprises over 34,000 entries from Gust Skordas' *Early Settlers of Maryland* and Carson Gibb's *Supplement to the Early Settlers of Maryland*. Online with search function at:

<<http://www.msa.md.gov/msa/speccol/sc4300/sc4341/html/search.html>>

<sup>14</sup> *Archives of Maryland*. Vol. 49, p. 249. *Proceedings of the Provincial Court, 1663-1666*.

<sup>15</sup> Maryland Patents 1633-1681, Book AA, p 429; Transc. Book 6, p. 172, Film SR 7348, MSA.

Note: Thomas Manning's name here is spelled Manying, also sometimes Mannyng.

<sup>16</sup> *Archives of Maryland*. Vol. 3, p. 403-4. *Proceedings of the Council of Maryland, 1636-1667*. Also, Donnell M. Owings. "Source References to the Civil List in *His Lordship's Patronage*" *Archives of Maryland*. Vol. 663, p. 31.

<sup>17</sup> Calvin Mowbray. *First Dorchester Families* (Heritage Books, 2007) p. 5-6.

<sup>18</sup> Skinner. *Testamentary Proceedings 1658-1674*. p. 159.

<sup>19</sup> Skinner. *Testamentary Proceedings 1658-1674*. p. 162.

<sup>20</sup> Cotton. *Maryland Calendar of Wills*. Vol. 1. Citing Book 2, p. 393.

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- <sup>21</sup> Cotton. *Maryland Calendar of Wills*. Vol. 1. Citing Book 1, p. 334.
- <sup>22</sup> Samuel Alexander Harrison. Owsald Tilghman, compiler. *History of Talbot County, Maryland, 1661-1861*. Vol. 2 (Baltimore: Williams & Wilkins Co., 1915) p. 220, 225.
- <sup>23</sup> *Archives of Maryland*. Vol. 54, p. 421. *Talbot County Court Proceedings 1662-1674*.
- <sup>24</sup> *Archives of Maryland*. Vol. 54, p. 472.
- <sup>25</sup> Robert Barnes. *Maryland Marriages 1634-1777*. (Baltimore: Genealogical Pub. Co. 1975) p. 90.
- <sup>26</sup> Maryland Patents 1633-1681. Transcription Book 6, p. 268. Microfilm SR 7348, MSA.
- <sup>27</sup> *Archives of Maryland*. Vol. 13, p. 242. *Proceedings and Acts of the General Assembly April 1684-June 1692*.  
Note: First found on the interesting website of "Combs &c. Families of Calvert County, Maryland" <<http://www.combs-families.org/combs/records/md/calvert/>> and verified by the original records.
- <sup>28</sup> *Archives of Maryland*. Vol. 51, p. 190. *Proceedings of the Court of Chancery 1669-1679. Chancery Court Proceedings 1676*.
- <sup>29</sup> Gibb. *New Early Settlers*. Citing Patent Book AA, p. 501, Microfilm SR 8200. MSA.
- <sup>30</sup> W. Preston Haynie. *Northumberland County Virginia Apprenticeships, 1650-1750*. (Heritage Books, Inc.) p. 5.
- <sup>31</sup> Northumberland County, VA Record Book 15, p. 92. Library of Virginia, Richmond, VA.
- <sup>32</sup> *Archives of Maryland*. Vol 51, p. 191. *Proceedings of the Court of Chancery, 1669-1679. Chancery Court Proceedings, 1676*.
- <sup>33</sup> Maryland Patents 1633-1681. Transcript Book 6, p. 255. Microfilm SR 7348. MSA.
- <sup>34</sup> Gibb. *New Early Settlers*. Citing Patent Book AA, p. 98-9. Microfilm No.: SR 8200.
- <sup>35</sup> Gibb. *New Early Settlers*. Citing Patent Book LL, p. 152, Microfilm SR 7548; Transcript Book 15, p. 150, Microfilm SR 4327.
- <sup>36</sup> V. L. Skinner. *Abstracts of the Inventories and Accounts of the Prerogative Court of Maryland 1697-1700*. (Westminster, MD: Family Line Pub., 1992-) p. 45-46.
- <sup>37</sup> *Archives of Maryland*. Vol. 54, p. 765. *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674), and Somerset (1665-1668)*.
- <sup>38</sup> V. L. Skinner. *Abstracts of the Inventories and Accounts of the Prerogative Court of Maryland 1688-1698* (Westminster, MD: Family Line Pub., 1992-) p. 32.

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<sup>39</sup> Winchester family information taken primarily from Cotton's *Maryland Calendar of Wills*, Gibb's *New Settlers Index*, and from James E. Armstrong, III & Vernon L. Skinner, Jr. "The Winchesters of Maryland: The Kent Island Family" (1999) Online at:  
<[http://www.cartar.com/papers/john\\_winchester/john\\_winchester\\_of\\_kent\\_island.htm](http://www.cartar.com/papers/john_winchester/john_winchester_of_kent_island.htm)>

<sup>40</sup> Col. J. Thomas Scharf. *Chronicles of Baltimore; Being A Complete History of 'Baltimore Town' and Baltimore City From the Earliest Period to the Present Time*. (Baltimore: Turnbull Bros., 1874), p. 12.

<sup>41</sup> Scharf, p. 10.

<sup>42</sup> Maryland Patents Index. Land Office (Patent Records). Certificate: Liber D. D. #5, folio 203, Patent: Liber P. L. #2, folio 25. MSA. See also photo of Baltimore County Marker: The Historical Marker Database. Online at <[www.hmdb.org](http://www.hmdb.org)>

<sup>43</sup> See Part II: Timeline of Records in this paper for some of the probated estates that owed and/or paid debts to James Horsley, and note the absence of records where he is the debtor.

<sup>44</sup> Gibb. *New Early Settlers*. Citing Patent Transcript Book 17, p. 452. Microfilm SR 7358. MSA.

<sup>45</sup> *Archives of Maryland*. Vol. 77, p. 451. *Proceedings of the Maryland Court of Appeals 1695-1729*.

<sup>46</sup> F. Edward Wright. *Maryland Eastern Shore Vital Records 1648-1725*. (Silver Spring, MD: Family Line Pub., 1982-1986) p. 84.

<sup>47</sup> Harrison. p. 271-272.

<sup>48</sup> Barnes, p. 90.

Note: Barnes notes his entry is taken from a transcription of St. Peter's Parish records made in 1895 by Harrison located at MD Historical Society in Baltimore. Edward Wright (*MESVR 1648-1725*, p. 62) includes that Richard Horsley was then "of Dorchester" and lists his wife's name as Mary "Lirkey." Wright notes his entry is taken from a transcription of St. Peter's Parish records transcribed by Henry Hollyday, Registrar 1905-1925. Obviously the original record needs to be examined to verify Mary's last name. However, I have only found one early Lurkey (sometimes spelled Lurtey) family in early Talbot County, that of Nicholas Lurkey of St. Michael's (not St. Peter's) Parish. His will (proved Talbot 2 Oct 1676, *MCW* Vol. 1) shows he had only three sons, Thomas, Nicholas and John, the latter two then under 21. St. Michael's Parish records for Nicholas' and John's children's christenings indicate neither had a daughter old enough to marry in 1697. Thomas Lurkey's Talbot Co. will written in 1738 (Liber 27, folio 310) mentions only one child, a daughter Elizabeth who married in 1716. Thus no known Lurkey had a daughter who could marry in 1697. In addition, we have the 1755 estate account of James Holland that connects the younger Richard Horsley with the family of Hezekiah Vickery who Vickery researchers believe was Mary's brother. Therefore, until the original record can be examined I am presuming the name was Vickers or Vickery (Since a final "y" and a final "s" often looked the same, "Vickery" could well be written "Vickers," the most common Talbot County spelling of the name at that time, although Vickery was a known variant spelling and carried down by some lines.)

<sup>49</sup> Skinner. *Inventories and Accounts 1688-1698*. p. 23.

<sup>50</sup> Lois Green Carr. "Biographical Files of 17<sup>th</sup> and 18<sup>th</sup> Century Marylanders." St. Mary's County Men's Career Files. MSA SC 5094. "George Reynolds Jr." Image No: sc5094-3496-1. MSA.



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<sup>51</sup> *Archives of Maryland*. Vol. 19, p. 211. *Proceedings and Acts of the General Assembly 1693-1697*.

<sup>52</sup> Carr. "George Reynolds Sr." Image No: sc5094-3495-01. MSA.

<sup>53</sup> Gibb. *New Early Settlers*. Citing Patent Book Qo, p. 292. Film No. SR 8198.  
Note: Gibb notes John Reynolds was "transported in 1656." Carr says "first record 1657."

<sup>54</sup> Carr. "John Reynolds (d. 1673)" Image No: sc5094-3497-01 & -02. MSA.

<sup>55</sup> Skinner. *Testamentary Proceedings 1658-1674*. p. 62.

<sup>56</sup> Skinner. *Inventories and Accounts 1688-1698*. p. 50.

<sup>57</sup> Carr. "William Rosewell" Image No: sc5094-3598-001. MSA.

<sup>58</sup> Cotton. *Maryland Calendar of Wills*. Vol. 1, p. 38. Citing Book 1, p. 273.

<sup>59</sup> Skinner. *Testamentary Proceedings 1658-1674*. p. 109.

<sup>60</sup> Research of the Vickers family by Lucy Vickers Grisham.

<sup>61</sup> Cotton. *Maryland Calendar of Wills*. Vol. 3. Citing Will Book 13, p. 272.

<sup>62</sup> Research of the Seward family by Diana Tipsword.

<sup>63</sup> This marriage and other details of the Tharp family comes from Jason Michael Duncan "Looking Back: The ancestry of my grandmother Doris Faye Bauguess Duncan" (Edition 4, Vol 1). Contact: Jason Michael Duncan, 212 Spitfire Ln, Unit J, Statesville, NC 28625 (2003). The marriage is also included in Wright's *Eastern Shore Vital Records 1648-1725*, St. Peter's Parish Marriage Records (page number not noted).

<sup>64</sup> V. L. Skinner. *Abstracts of the Testamentary Proceedings of the Prerogative Court of Maryland 1730-1734*. (Baltimore, MD: Clearfield, 2004-), p. 192.

<sup>65</sup> Bill Minish. "Family History of John M. Minish (c. 1660-1733) : Dorchester County, Maryland" Contributed to Dorchester County USGenWeb Archives.

<sup>66</sup> Petition transcribed by Bill Minish, citing *Archives of Maryland*, Vol. 25, p. 528. *Proceedings of the Council of Maryland, 1730*.

<sup>67</sup> Minish.

<sup>68</sup> Dorchester County Will Book 21, p.184. MSA.

Note: Cotton's *Maryland Calendar of Wills* Vol. 7, p. 102 lists the name as "Richard Horsey (Horsley)." However, the original will document clearly shows the witness signed his name as "Richard Horsley." Yet when the clerk made the notation of the will being proved in court, he wrote the name as "Richard Horsey." That "Horsey" was merely a clerk's error is also supported by the fact that Richard Horsley is found on the records of several other Ennall's (see preceding narrative), and I have found no "Richard

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Horsey" in any records of the area during that time period. (The other two witnesses were Thomas Ennalls and Robert Rawley.)

<sup>69</sup> V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1731-1737*. (Westminster, MD: Family Line Pub., 1995-), p. 111.

<sup>70</sup> Skinner. *Administrative Accounts 1731-1737*. p. 104.

<sup>71</sup> V. L. Skinner. *Abstracts of the Inventories of the Prerogative Court of Maryland 1724-1727*. (Westminster, MD: Family Line Pub., 1988-) p. 62.

Note: This lists of debts to Joseph Ennalls was among court papers dated in the early 1720's, and an earlier Joseph Ennalls of this same Dorchester Ennalls family did die in June 1722. However, waiting 40 years to file a list of debtors to the estate seems futile, so until the originals can be examined I am temporarily presuming this list was misfiled and the list did pertain to the Joseph Ennalls (called Col. in a patent dated 10 Oct 1747) who died in 1757, 4 years prior to the list of debts.

<sup>72</sup> V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1754-1760*. (Westminster, MD: Family Line Pub., 1995-) p. 16.

<sup>73</sup> John Vickery. "Re: Hezekiah Vickery - Merci Holland." Post to GenForum Vickery Family Message Board 22 Oct 2000.

<sup>74</sup> Charles M. Flanagan. "The Sweets of Independence: A Reading of the 'James Carroll Daybook, 1714-21.'" (Ph. D. Dissertation: University of Maryland, College Park, MD, 2005), p. 126.

<sup>75</sup> Carson Gibb. "Abstracts of Maryland Wills." Citing Liber 28, folio 491. Online at MSA website: <<http://www.msa.md.gov/msa/stagser/s500/s538/html/s538-28.html>>

Note: James Holland's will written 11 Apr 1753, proved 8 May 1753, Frederick Co. Wife Amy.

<sup>76</sup> Henry C. Peden, Jr. *More Maryland Deponents 1716-1799*. (Westminster, MD: Family Line Pub, 1992), pg. 57. Ref: QA 1:164.

<sup>77</sup> F. Edward Wright. *Maryland Calendar of Wills 1744-1777*. (Westminster, MD: Family Line Pub., 1991-) Vol. 14, pg. 62. Citing Will Book 36, p. 626.

<sup>78</sup> V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1768-1771*. (Westminster, MD: Family Line Pub., 1995-), p. 105.

Note: Dated 9 Jul 1770. Thanks to Bill Horsley for telling me this record existed.

<sup>79</sup> Maryland Assessment of 1783. Queen Anne's County. QA Upper District p. 17. MSA.

<sup>80</sup> James A. Austin. "Genealogy of William Austin (ca 1650 – 1706) of Kent Co., MD" (2007), p. 7.

Note: Sale was for 50 acres of Smith Field.

<sup>81</sup> Austin, p. 1. Citing MSA CE 90-2 A1, page 173.

<sup>82</sup> R. Bernice Leonard. *Queen Anne's County Maryland Land Records 1725-1741* (St. Michaels, MD: R.B. Leonard, 1992-) Vol. I, p. 29.

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- <sup>83</sup> Jason Michael Duncan. "Looking Back: The ancestry of my grandmother Doris Faye Bauguess Duncan" Edition 4, Vol 1. (2009-URL now defunct)
- <sup>84</sup> Cotton, *Maryland Calendar of Wills*, Vol. I. Citing Talbot Will Book 1, p. 334.
- <sup>85</sup> Owings. "Civil List." *Archives of Maryland*. Vol. 663, p. 31.
- <sup>86</sup> Charles George Herbermann. *Catholic Encyclopedia*. Vol. 9 (Encyclopedia. Press, 1913), p. 758.
- <sup>87</sup> Ronald Hoffman. "Marylando-Hibernus: Charles Carroll the Settler, 1660-1720" *William and Mary Quarterly*, 3rd Ser., Vol. 45, No. 2., April 1988, p. 219.
- <sup>88</sup> Hoffman. "Marylando-Hibernus" p. 208.
- <sup>89</sup> Charles Carroll Carter. "Catholic Founding Fathers - The Carroll Family." Catholic Education Resource Center. Online at <[www.catholiceducation.org](http://www.catholiceducation.org)>
- <sup>90</sup> Flanagan. Dissertation Abstract. Unnumbered page.
- <sup>91</sup> Edward C. Papenfuse, et al. *Archives of Maryland, Historical List, new series*, Vol. 1. (Annapolis, MD: MSA, 1990) Online at: <[www.msa.md.gov/msa/speccol/sc2600/sc2685/html/rrkeep.html](http://www.msa.md.gov/msa/speccol/sc2600/sc2685/html/rrkeep.html)>
- <sup>92</sup> Provincial Court Judgment Record, Liber V. D. No. 1, p 734. MSA.
- <sup>93</sup> *Archives of Maryland*. Vol. 2, p. 335. *Acts of Assembly 1666-1676*.  
Note: The minimum 5 years service mandated by this law of 1671 was still in effect in 1770, according to an account of Maryland written by William Eddis in his *Letters from America*. Reference in Geiser, *Redemptioners and indentured servants...*(1901), p. 104.
- <sup>94</sup> Karl Frederick Geiser. *Redemptioners and Indentured Servants in the Colony and Commonwealth of Pennsylvania* (Tuttle, Morehouse & Taylor Co., 1901. Digitized online at [www.books.google.com](http://www.books.google.com)), p. 72. See particularly footnote 4, citing *A Complete Collection of the Laws of Maryland 1692-1725* (Annapolis:1727).
- <sup>95</sup> For examples from anti-Macnemara historians see: Aubrey C. Land, *The Dulaney of Maryland* (1955); Beatriz B. Hardy, "A Papist in a Protestant Age..." (Dissertation, 1993); Ronald Hoffman. *Princes of Ireland, Planters of Maryland: A Carroll Saga, 1500-1782* (2000); Charles M. Flanagan. "Sweets of Independence..." (Dissertation, 2005); Carl Bode, *Maryland: A Bicentennial History* (1978). For a more balanced and in-depth presentation of Thomas Macnemara see: C. Ashley Ellefson, *William Bladen of Annapolis, 1673?-1718: "the most capable in all Respects" or "Blockhead Booby"?*, *Archives of Maryland* Vol. 474 (2007), and Ellefson, *Governor John Seymour and the Charters of Annapolis*, *Archives of Maryland* Vol. 749 (2008).
- <sup>96</sup> Ronald Hoffman. *Princes of Ireland, Planters of Maryland: A Carroll Saga, 1500-1782*. (Chapel Hill, NC: UNC Press, 2000) p. 92. See also letter from Council of Maryland to Board of Trade, 18 Jul 1712, Colonial Office 5, Vol. 720, p. 123-127.

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<sup>97</sup> Cotton. *Maryland Calendar of Wills*. Vol. V. Will of Charles Carroll, dated 1 Dec 1718, proved Anne Arundel County Court 28 July 1720. AA Will Book 16, p. 176.

<sup>98</sup> *Archives of Maryland*. Vol. 748, p. 579. *Chancery Court, Chancery Record, 1671-1712*.  
Note: Case began Oct 1707.

<sup>99</sup> Philadelphia County PA Will Book C, p. 212. Abstract from "Wills: Abstracts, Book C :1705 - 1714: Philadelphia Co, PA" contributed to USGenWeb Archives by Jack Bowman.  
Note: Will of Thomas Graham written May 20, 1710, proved June 21, 1710, Anne Arundel Co., MD.

<sup>100</sup> Flanagan, p. 148-149.

<sup>101</sup> *Archives of Maryland*. Vol. 25, p. 235. *Proceedings of the Council of Maryland, 1698-1731*.  
Note: See more about confrontations between Gov. Seymour and Thomas Macnemara in C. Ashley Ellefson, *Governor John Seymour and the Charters of Annapolis* (2008). Published by MSA as *Archives of Maryland* Vol. 749. Online at: <<http://aomol.net/000001/000749/html/index.html>>

<sup>102</sup> Joseph Foster. *The Register of Admissions to Gray's Inn 1521-1889, together with the register of marriages in Gray's inn chapel, 1695-1754* (London: Hansard Pub. Union, Ltd., 1889. Digitized 2005 at books.google.com) p. 358, citing folio 3,190. See also: The Honorable Society of Gray's Inn, online at: <<http://www.graysinn.info/>>  
Note: Flanagan's dissertation misstates the date as 1712.

<sup>103</sup> C. Ashley Ellefson. *William Bladen of Annapolis, 1673?-1718: "the most capable in all Respects" or "Blockhead Booby"?* (Cortland, NY: 2007) p. xii. Published by the Maryland State Archives as *Archives of Maryland* Vol. 747. Online at:  
<[www.msa.md.gov/megafile/msa/speccol/sc2900/sc2908/000001/000747/html/index.html](http://www.msa.md.gov/megafile/msa/speccol/sc2900/sc2908/000001/000747/html/index.html)>  
Note: Comment in bracket and ellipses are mine. In the original, the surveyor general of customs is named as Maurice Birchfield, and the ecclesiastical commissary of the Western Shore is named as Jacob Henderson.

<sup>104</sup> Will of Thomas Graham.

<sup>105</sup> Ellefson, *Bladen*, p. 152.

<sup>106</sup> *Archives of Maryland*. Vol. 77, p. 156ff. *Proceedings of the Maryland Court of Appeals 1695 – 1729*.

<sup>107</sup> Ellefson, *Bladen*, p. 162-163. See particularly footnote 81 for specific documentation.

<sup>108</sup> Ellefson, *Bladen*, p. xii.

<sup>109</sup> Ellefson, *Bladen*, p. xiii.

<sup>110</sup> Aubrey C. Land. *The Dulaneys of Maryland*. (Baltimore: Johns Hopkins Univ Press, 1955) p. 7, 16.

<sup>111</sup> Carl Bode. *Maryland: A Bicentennial History*. (NY: W. W. Norton & Co., 1978) p. 7.

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<sup>112</sup> Flanagan, p. 113; also Hoffman, *Princes of Ireland*, p. 92.

Note: Although Hoffman acknowledges Ellefson's work on Macnemara in a footnote on page 93, from my personal correspondence with Dr. Ellefson, he believes Hoffman has still misunderstood this trial and that Hoffman's statements do injustice to Macnemara while wrongly freeing Gov. John Hart of blame for his responsibility in Macnemara's legal problems.

<sup>113</sup> *Archives of Maryland*. Vol. 77, p. 164. *Proceedings of the Maryland Court of Appeals 1695-1729*.

<sup>114</sup> Anne Arundel County Court (Land Records), Liber P.K., folios 513-514. MSA.

<sup>115</sup> Carr. "Matthew Beard" Image No: sc5094-0322-1. MSA.

<sup>116</sup> Provincial Court Judgment Records, Liber T.L., No. 3, p. 266ff. MSA.

<sup>117</sup> Carr. "Matthew Beard."

<sup>118</sup> Donna Hole. "Preservation Planning in Annapolis: A Community Commitment, A Community Task" *Cultural Resource Management Magazine* Vol. 23, No. 7, p. 5 (National Park Service, 2000) Online at: <<http://crm.cr.nps.gov/archive/23-07/23-07-2.pdf>>

<sup>119</sup> Hole. p. 5.

<sup>120</sup> Ellefson. *Bladen*, p. 112.

<sup>121</sup> For example, see *Archives of Maryland*. Vol. 24, p. 145.

<sup>122</sup> Ellefson. *Bladen*, p. 115, footnotes 32, 33.

<sup>123</sup> *Archives of Maryland*. Vol. 26, p. 489. *Proceedings and Acts of the General Assembly, September, 1704-April, 1706*.

<sup>124</sup> Ellefson. *Bladen*, p. xii.

Note: Approximate date from personal correspondence with Dr. Ellefson.

<sup>125</sup> *Archives of Maryland*. Vol. 29, p. 350. *Proceedings and Acts of the General Assembly of Maryland October 23, 1711 - October 9, 1714*.

<sup>126</sup> Owings. "Civil List." *Archives of Maryland*. Vol. 663, p. 39.

<sup>127</sup> Ellefson. *Bladen*, p. xii.

Note: My dating based on the requirement that a prospective alderman had to be a common-councilman, and that Macnemara was elected in Sep 1715 to be Annapolis mayor, chosen from among the city's aldermen.

<sup>128</sup> Archives of Maryland Historical List Annapolis Mayors 1708-- . MSA. Online at: <<http://www.msa.md.gov/msa/speccol/sc2600/sc2685/html/anmayors.html>>

<sup>129</sup> Ellefson. *Bladen*, p. xii.

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- <sup>130</sup> *Archives of Maryland*. Vol. 77, p. 178-179. *Proceedings of the Maryland Court of Appeals, 1695-1729*.
- <sup>131</sup> Provincial Court Judgment Record, Liber V. D. No. 1, p. 360; pp. 509, 565, 732-736. MSA.
- <sup>132</sup> Provincial Court Judgment Record, Liber V.D., No. 1, p. 486; Liber V.D., No. 2, pp.1, 4-6, 6-7, MSA.
- <sup>133</sup> See: John Navarre/Nevarre, Seymour Petition of Nov 1708 in Ellefson, *Seymour*, p. 22 and footnote 115, p. 50; also John Navarre, *Archives of Maryland*. Vol. 34, p. 380.
- <sup>134</sup> Ellefson. *Bladen*, p. 162.
- <sup>135</sup> Flanagan. p. 107, 343.
- <sup>136</sup> *Archives of Maryland*. Vol. 77, p. 218ff. *Proceedings of the Maryland Court of Appeals, 1695-1729*.
- <sup>137</sup> Shirley Langdon Wilcox. *Prince George's County, Land Records Volume A, 1696-1702* (Bowie, MD: Prince George's County Genealogical Society Special Publication Number 3, 1976) p. 32. Citing Book A, p.143. Posted by Gwen on RootsWeb WorldConnect "Beeman, McBee..."
- <sup>138</sup> *Archives of Maryland*. Vol. 702, p. 402-403. *Provincial Court Land Records, 1756-1759*.
- <sup>139</sup> Cotton. *Maryland Calendar of Wills*. Vol. 3. Citing Will Book 13, p. 571.
- <sup>140</sup> Cotton. *Maryland Calendar of Wills*. Vol. 3. Citing Will Book 3, p. 440.
- <sup>141</sup> Cotton. *Maryland Calendar of Wills*. Vol 4. Citing Will Book 14, p. 74.
- <sup>142</sup> For dating, see notes on this court case in Part II, Timeline of Records.
- <sup>143</sup> Frederic Emory. *Queen Anne's County, Maryland, Its Early History and Development. A Series of Sketches Based Upon Original Research by Frederic Emory. Originally Published in the Centreville Observer 1886-1887*. First Issued in Book Form with the Assistance of the Queen Anne's County Free Library. (No date given). Published in CD format by DMK Heritage.  
Note: I first received a copy of Emory's bill of James Horsley from "Lynn" on 13 Jun 2006 in response to my query on the RootsWeb Queen Anne's County Message Board, for which I am very grateful.
- <sup>144</sup> "History of St. Luke's Church." Pamphlet from church at Church Hill, MD. My copy from Gerald Horsley.
- <sup>145</sup> Emory. p. 207.
- <sup>146</sup> National Register of Historic Places. National Park Service. Item No.: 77001505 NRIS (National Register Information System).
- <sup>147</sup> Emory. p. 207.

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- <sup>148</sup> Emory. p. 136-137.
- <sup>149</sup> *Archives of Maryland*. Vol. 35, p. 320. *Proceedings and Acts of the General Assembly, 1724-1726*.
- <sup>150</sup> Gibb. *New Early Settlers*. Citing Patent Book CC, p. 415-416.
- <sup>151</sup> Kent County Land Records Index 1648-1842, p. 84. Referencing deed in Liber A, Folio 109. MSA.
- <sup>152</sup> *Archives of Maryland*. Vol. 557, p. 259. *Kent County Court Proceedings, 1676-1698*.
- <sup>153</sup> *Archives of Maryland*. Vol. 557, p. 180. *Kent County Court Proceedings, 1676-1698*.
- <sup>154</sup> *Archives of Maryland*. Vol.19, p. 273. *Proceedings and Acts of the General Assembly, 1693-1697*.
- <sup>155</sup> Cotton. *Maryland Calendar of Wills*. Vol 3. Citing Will Book 12, p. 92.
- <sup>156</sup> Cotton. *Maryland Calendar of Wills*. Vol 5.18, 356.
- <sup>157</sup> Cotton. *Maryland Calendar of Wills*. Vol. 3. Citing Will Book 12, p. 17.
- <sup>158</sup> Cotton. *Maryland Calendar of Wills*. Vol. 5. Citing Will Book 18, p. 548.
- <sup>159</sup> *Archives of Maryland*. Vol. 26, p. 622 *Proceedings and Acts of the General Assembly September, 1704-April, 1706*.
- <sup>160</sup> *Archives of Maryland*. Vol. 35, p. 320. *Proceedings and Acts of the General Assembly, 1724-1726*.
- <sup>161</sup> Emory, p. 208.
- <sup>162</sup> Cotton. *Maryland Calendar of Wills*. Vol. 6, p. 23. Citing Will Book 19, p. 148.
- <sup>163</sup> Cotton. *Maryland Calendar of Wills*. Vol. 5, p. 228. Citing Will Book 18, p. 517.
- <sup>164</sup> Cotton. *Maryland Calendar of Wills*. Vol. 6, p. 81. Citing Will Book 19, p. 506.
- <sup>165</sup> Cotton. *Maryland Calendar of Wills*. Vol. 1. Citing Will Book 2, p.353.
- <sup>166</sup> Research of Connee Kroeger by e-mail. Also see her post to the GenForum Vallient Family Message Board dated 28 Jan 1999.
- <sup>167</sup> Queen Anne's County. St. Luke's Parish Records. MSA.
- <sup>168</sup> Queen Anne's County. William Austin Ejectment Papers. Selected Seward Depositions. Unpaginated. MSA- SC-5458-108-43. MSA.  
Note: Deposition of Mary Slocum, dtr. of Thomas Seward, states age 55 in Apr 1765.
- <sup>169</sup> Research of Alvin Soward to me by personal correspondence.

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- <sup>170</sup> Maryland Patent Books WT:97. Film No. SR 7547. Transcript 16:100, Film No. SR 7357. MSA.
- <sup>171</sup> Maryland Patent Book WT:97,122. MSA.
- <sup>172</sup> Talbot County Wills, Liber 4, folio 106. MSA.
- <sup>173</sup> Interviews on Kent Island by Gerald Horsley 2008, shared with me in personal communication.
- <sup>174</sup> *Archives of Maryland*. Vol. 54, p. 299. *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674), and Somerset (1665-1668)*.
- <sup>175</sup> *Archives of Maryland*. Vol. 2, p. 345. *Proceedings and Acts of the General Assembly, April 1666-June 1676*.
- <sup>176</sup> *Archives of Maryland*. Vol. 54. Preface, p. xxii. *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674), and Somerset (1665-1668)*.
- <sup>177</sup> *Archives of Maryland*. Vol. 557, p. 272-277. *Kent County Court Proceedings, 1676-1698*.
- <sup>178</sup> George Adolphus Hanson. *Old Kent: The Eastern Shore of Maryland* (John P. Des Forges, 1876. Digitized 2006 at [www.books.google.com](http://www.books.google.com)), p. 322.
- <sup>179</sup> Kent County Court Proceedings, Liber I, p. 65. MSA.
- <sup>180</sup> *Archives of Maryland*. Vol. 54, p. 381. *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674), and Somerset (1665-1668)*.
- <sup>181</sup> Gibb. *New Early Settlers*. Citing Land Patent Book Qo, p. 233.
- <sup>182</sup> *Archives of Maryland*. Vol. 54, p. 141. *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674), and Somerset (1665-1668)*.
- <sup>183</sup> *Archives of Maryland*. Vol. 54, p. 199. *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674), and Somerset (1665-1668)*.
- <sup>184</sup> *Archives of Maryland*. Vol. 3, p. 492. *Proceedings of the Council of Maryland, 1636-1667*.
- <sup>185</sup> Cotton. *Maryland Calendar of Wills*. Vol. 1. Citing Will Book 1, p. 303.
- <sup>186</sup> *Archives of Maryland*. Vol 54, p. 472. *Talbot County Court Proceedings, 1662-1674*.
- <sup>187</sup> *Archives of Maryland*. Vol. 669, p. 13. *Kent County Bonds, Indentures, and Land Records, 1694-1707*.
- <sup>188</sup> Michael and Thomas Jr. were named in Bishop's will written 17 Feb 1684/5 when Thomas was an infant and Michael was also young. Michael was deceased by his father's will dated 28 October 1687.
- <sup>189</sup> Kent County Wills, Liber 4, folio 319. MSA. Copy of original to me from Alvin Soward.



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- <sup>190</sup> *Archives of Maryland*. Vol. 557, pp. 347. *Kent County Court Proceedings, 1676-1698*.
- <sup>191</sup> *Archives of Maryland*. Vol. 669, p. 13. *Kent County Bonds, Indentures, and Land Records, 1694-1707*.
- <sup>192</sup> *Archives of Maryland*. Vol. 2, p. 403. *Proceedings and Acts of the General Assembly, April 1666-June 1676*.
- <sup>193</sup> *Archives of Maryland*. Vol. 669, p. 35. *Kent County Bonds, Indentures, and Land Records, 1694-1707*.
- <sup>194</sup> *Archives of Maryland*. Vol. 669, p. 13. *Kent County Bonds, Indentures, and Land Records, 1694-1707*.
- <sup>195</sup> Queen Anne's County Court (Land Records) [MSA CE 143-4] Liber I K No. C, p. 215. MSA. Note: This property transfer is also recorded in the Queen Anne's County Rent Roll for Bishopsfield. Copy from original ledger at MSA sent to me by Gerald Horsley (MSA microfilm is illegible), For a discussion of the details of this deed and rent roll entry, see Timeline of Records.
- <sup>196</sup> Queen Anne's County Debt Book 1734-1775. MSA.
- <sup>197</sup> Maryland Land Office Patents. Liber W. C., folio 351. MSA. Also, Land Office Rent Rolls. Queen Anne's County, p. 383, "Bishops Field." MSA.
- <sup>198</sup> Emory. p. 207.
- <sup>199</sup> Queen Anne's County Circuit Court Land Survey, Subdivision, and Condominium Plats MSA S1204: Patented Certificate 1131, 10 Jun 1734, Wharton and Pinders Outrange, Robert Wharton and William Pinder, 300 Acres. MSA.
- <sup>200</sup> Emory. p. 41.
- <sup>201</sup> Talbot County Land Record Book Vol 5, folio 289. MSA.
- <sup>202</sup> Henry C. Peden, Jr. *More Maryland Deponents 1716-1799*. (Westminster, MD: Family Line Publications, 1992) p. 57. Deposition Queen Anne's County Court: "James Horsley age 25 in 1756" citing QA 3:8.
- <sup>203</sup> Richard Horsley. Revolutionary War Pension Application. File S9354, Series M805, Roll 442. National Archives and Records Administration (NARA). Washington, DC.
- <sup>204</sup> Halifax County VA Deed Book Vol. 14, p. 616. Halifax Courthouse, Halifax, VA.
- <sup>205</sup> Brenda Horsley Scott and Roy Deris Horsley Jr. *Horsley Families of America 1650 to 1986*. Vol. 1. (Cullman, AL: Gregath Co., 1986) p. 5.
- <sup>206</sup> See my research report on James Horsley Jr. (1731- c1815). Online at <[www.joanhorsley.org](http://www.joanhorsley.org)>

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<sup>207</sup> *Horsley Families of America* says James' son Valentine was born in "Monforth, Maryland" with no source or documentation (p. 10). I have not been able to learn of any place called Monforth (using various spellings) in county histories, historical maps, tax district lists, and rent roll estates, or in conversations with the Queen Anne's County Clerk, a county surveyor, several local historians and area realtors. The place name may have been confused with family information about Valentine's wife Sarah Kendrick, who authors Scott and Horsley say was "of Wales." Sarah was born in Virginia but might be of Welsh heritage, and two place names resembling Monforth are in northeastern Wales.

<sup>208</sup> Obituary of Valentine Horsley, clipping from unnamed newspaper, Macon, GA. Published week of 27 Sep 1843. Transcription in Timeline of Records for research report on James Horsley, Jr.

<sup>209</sup> Queen Anne's County. St. Luke's Parish Records. MSA.

<sup>210</sup> Much of the information I use on the Tharp line originally came from research of Jason Michael Duncan, author of "Looking Back", cited above. Some additional notes were found in the Ancestry.com files of Gary Tharp (garyone@pldi.net - 2004). Both researchers generally cite records or give enough information that records were found to confirm their information. Although I did not research this line independently in depth, I found only a few minor conflicts in the two researchers' information and one or two small errors when compared to the records I found, but none of those altered the substance of their basic information. (The connections with Mary Seward Horsley's Seward line came from my own research.)

<sup>211</sup> Thomas was named in his father's will dated 30 Aug 1735, proved Talbot County 1754. Abstracted in Duncan's work with additional comments.

<sup>212</sup> Duncan.

<sup>213</sup> Cotton. *Maryland Calendar of Wills*. Vol. 2. Citing Will Book 4. p. 233.  
Note: Name spelled there Thorp. His will is abstracted in more detail and further explained in Jason Michael Duncan's research material.

<sup>214</sup> *Archives of Maryland*. Vol. 546, p. 131-132. *The County Courthouses and Records of Maryland: Part 2: The Records*. Citing Kent County Court Proceedings, Liber I, p. 65.

<sup>215</sup> Hanson. p. 322.

<sup>216</sup> Cotton. *Maryland Calendar of Wills*. Vol. 4. Citing Will Book 14, p. 189.

<sup>217</sup> Duncan.

<sup>218</sup> Skinner. *Administration Accounts 1754-1760*. p. 162.  
Note: Dated 7 Feb 1760. Named are Hannah, widow; 8 children: Charles, Sarah w/o Wm Penington, Mary – all "of age"; Thomas, Augustine, James, Bathsheba, Richard – all "underage"; administrator William Newman.

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- <sup>219</sup> Maryland Indexes (Probate Records, Colonial, Index) T, 1634-1777, SE4-20. Queen Anne's County, Administration Papers 1759-1760, name spelled Tharpe; QA Co., Inventory 1760 (2 entries), name spelled Tharp; QA Co., Accounts 1760 (2 entries), name spelled Tharpe.
- <sup>220</sup> Queen Anne's County. William Austin Ejectment Papers. MSA.
- <sup>221</sup> Maryland Indexes (Probate Records, Colonial, Index) C, 1634-1777, SE4-3. Queen Anne's Co. Administration Papers 1766-1767. John Connikin. No. 1288.
- <sup>222</sup> Maryland Indexes (Probate Records, Colonial, Index) H, 1634-1777, SE4-8 Accounts: Mary Horsley. 1766 Queen Anne's County, Liber 55 Folio 228. MSA.
- <sup>223</sup> Queen Anne's County Probate Accounts 1767. Liber 57 Folio 233. MSA.
- <sup>224</sup> Leslie and Neil Keddie. *Queen Anne's County, Maryland, Land Office Rent Rolls* Vol. 1 (Salisbury, MD: Family Tree Bookshop, c2003) p. 28.
- <sup>225</sup> Leonard. *Queen Anne's County Maryland Land Records Book 2 1725-1741*. p. 1. Citing Liber I.K. C1725-1730, p. 5.
- <sup>226</sup> Queen Anne's County Land Records. Liber RT No. 26 p. 356. MSA.
- <sup>227</sup> *Archives of Maryland*. Vol. 54, p. 239; 291. *Proceedings of the County Courts of Kent (1658-1676), Talbot (1662-1674), and Somerset (1665-1668)*.
- <sup>228</sup> Skinner. *Administration Accounts 1768-1771*. p. 61.
- <sup>229</sup> Wright. *Maryland Calendar of Wills*. Vol. 12 p. 114. Citing Book 31, p. 563.  
Note: Queen Anne's Co. Will of Frances Gould written 17 Jan 1761, proved 1 Apr 1762.  
Names son Richard (exec. of his father James Gould's estate). Names son Benjamin her executor.
- <sup>230</sup> Skinner. *Administration Accounts 1768-1771*. p. 53.
- <sup>231</sup> Skinner. *Administration Accounts 1768-1771*. p. 105.
- <sup>232</sup> V. L. Skinner. *Abstracts of the Inventories of the Prerogative Court of Maryland 1733-1738* (Westminster, MD: Family Line Pub., 1988-), p. 92, 108.
- <sup>233</sup> F. Edward Wright. *Citizens of the Eastern Shore of Maryland 1659-1750* (Family Line, 1986) p. 72.
- <sup>234</sup> Wright. *Citizens of the Eastern Shore*. p. 72.
- <sup>235</sup> Gaius M. Brumbaugh. *Maryland Records: Colonial, Revolutionary, County and Church From Original Sources* Vol 2. (Lancaster, Pa: Lancaster Press, Inc., 1928)
- <sup>236</sup> Middlesex County, VA Deed Book 7, p. 389. Abstracted on P. A. Miller website "Lands of the Early Daniel Family in Middlesex, VA." Online at:  
<<http://home.comcast.net/~p.a.miller/genealogy/docs/danielmiddlesex/land.htm#toc>>

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<sup>237</sup> V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1760-1764* (Westminster, MD: Family Line Pub., 1995-) p. 8.

<sup>238</sup> Skinner. *Administration Accounts 1760-1764*. p. 8.

<sup>239</sup> Skinner. *Administration Accounts 1754-1760*. p.162.

<sup>240</sup> Brumbaugh, p. 200.

<sup>241</sup> F. Edward Wright. *Maryland Eastern Shore Vital Records 1726-1750* (Silver Spring, MD: Family Line Pub., 1982-1986), p. 53.

Note: Wright's entries of St. Luke's Parish Birth, Marriage and Death Records come from a transcription made by Henry Hollyday, County Registrar 1905-1925. The original record needs to be examined and verified, especially since there are discrepancies between the different transcriptions used by Wright and by Barnes for the same parish records.

<sup>242</sup> Skinner. *Inventories 1733-1738*. p. 75.

<sup>243</sup> Skinner. *Inventories 1733-1738*. p. 92, 108.

<sup>244</sup> *Archives of Maryland*. Vol. 38, p. 361. *Acts of the General Assembly hitherto unpublished 1694-1698, 1711-1729*.

<sup>245</sup> Skinner. *Inventories 1733-1738*. p. 102.

<sup>246</sup> See Part II: Timeline of Records.

<sup>247</sup> James M. Overhuls, "Genealogical Research on 'Long' Families of Colonial Maryland" (1974) p. 31. Citing Queen Anne's County Deed Book RT-A, p. 39.

<sup>248</sup> Cotton. *Maryland Calendar of Wills*. Vol. 6, p. 197. Citing Will Book 20, p. 243.

<sup>249</sup> Cotton. *Maryland Calendar of Wills*. Vol. 7, p. 5. Citing Will Book 20, p. 596.

<sup>250</sup> Cotton. *Maryland Calendar of Wills*. Vol. 7, p. 188. Citing Will Book 21, p. 653.

<sup>251</sup> V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1737-1744*. (Westminster, MD: Family Line Pub., 1995-) p. 190.

<sup>252</sup> R. A. Riggin's Bussell Website. "Probate Records of Maryland" Citing QA 27.38. The name there is spelled John Bushnell. Online at: <<http://www.goldenlyon.com/bussells.html>>

<sup>253</sup> V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1744-1750*. (Westminster, MD: Family Line Pub., 1995-) p. 54.

<sup>254</sup> Emory, p. 211.

<sup>255</sup> Emory. p. 212.

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<sup>256</sup> Queen Anne's County Debt Book 1734-1775. MSA.

<sup>257</sup> James Horsley Sr. almost certainly was age 21 or over by his employment with Macnemara in 1712, making him at least 57 years old in 1748 and thus too old for the Colonial militia which generally included males between 16 or 18 and 50.

<sup>258</sup> Murtie J. Clark. *Colonial Soldiers of the South, 1732-1774*. (Baltimore, MD: Genealogical Publishing Co., 1999) p. 42. Referencing Maryland Hall of Records [now MSA] Box 1:29.

<sup>259</sup> Queen Anne's County. St. Luke's Parish Records. MSA.

<sup>260</sup> Queen Anne's County Deeds, Liber RT No. 26 p. 356. MSA.

<sup>261</sup> Queen Anne's County Wills. Liber 31, folio 265. MSA. Copy of original to me from Alvin Soward.

<sup>262</sup> Index to Maryland Assessment of 1783. Queen Anne's. MSA S1437. MSA.

<sup>263</sup> Leslie Keddie. *Queen Anne's County Maryland Orphans' Court & Registrar of Wills* (Salisbury, MD: Family Tree Bookshop, 2001) Will of John Slocum 1786, citing Vol. 10, p. 40. Will of Joseph Slocum 1789, citing Vol. 11, p. 22.

<sup>264</sup> Ancestry.com Data Base "Maryland Census, 1772-1890. MD. Maryland Early Census Index." Township: Island Hundred [tax district, Kent Island]

Note: This data base lists the name as "Joseph Queen Slocomb" and "John Queen Slocomb," an obvious mistake in the data entry, since every entry for those with Queen Anne's County tax districts has "Queen" as a middle name. The entry gives the county of residence as Anne Arundel, which may be where the Oath was administered or where the records were filed, but the actual county of residence is easily identified by the "Township" tax district listed. No source is given for these original records, which need to be located and verified.

<sup>265</sup> Queen Anne's County. William Austin Ejectment Papers. MSA.

<sup>266</sup> Queen Anne's County Land Records. Liber RT No. 26 p. 356. MSA.

<sup>267</sup> Queen Anne's Quit Rent Rolls last surviving record is for 1769, with James Horsley paying the tax; His first record in Halifax Co. was a land purchase in Jan 1775, Halifax Deed Book 10, p. 90.

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End of Part I

**Part II:
TIMELINE of RECORDS for JAMES HORSLEY SR.**

1712 – April 23

JAMES HORSLEY begins employment with Thomas MACNEMARA – Annapolis, Anne Arundel

Thomas MACNEMARA of the City of Annapolis Anne Arundel County, MD...“was possessed of a Servt man called JAS HORSLEY wch sd JAS HORSLEY was to Serve the sd Thomas MACNEMARA according to the customs of the Province of Maryland from the twenty third day of Aprill one thousand seven hundred and twelve [23 April 1712] until the full End and Term of four years from thence next Ensueing [ie, 23 April 1716]...JAMES HORSLEY being then Commanded by him the sd Thomas MACNEMARA to Look after the Domestick affairs of the sd Thos and to work for him in the nature of a Servt about Lawfull matters the term of years the afd...”

[Source: Maryland Provincial Court Judgment Record, Liber V. D. No. 1, p 734, Maryland State Archives Annapolis, MD. Transcribed by J. Horsley, with caps and comments in brackets added. I am indebted to Bill Horsley for initially informing me that James Horsley’s name was included in this case and thank him heartily.]

Note:

This is an excerpt from a Provincial Court record for a case ending in 1716 in which Thomas Macnemara was accused of assaulting William Dobson and was acquitted on the basis of his defending an assault by Dobson on Macnemara’s “servant” James Horsley (see case record below).

The full original indenture/contract for James Horsley’s service to Thomas Macnemara has not been located at MSA and may not have survived, but the search continues. For discussion about James’ indentured employment with Macnemara, see Part I of this research paper.

1712 – May 16

JAMES HORSLEY and James CARROLL witness deed of Thomas MACNEMARA - Annapolis

This Indenture made this Sixteenth day of May in the year of our Lord God one thousand Seven hundred and Twelve [16 May 1712] Between THOMAS MACNEMARA of ANNAPOLIS of the one part and JOHN MICHIEL of Annapolis afd of the other part Wittneseth that the said Tho's Macnemara for and in Consideration of the Sume of thirty pounds Ster'l [£30, sterling] to him in hand paid before the perfection of these present by the Said John Michel the receipt whereof he doth hereby acknowledge and thereof and of Every part and parcel thereof doth hereby acquit and for Ever discharge the sd John his heires Ex'trs Adm'rs hath as by these presents he doth Give grant release Enfeoffe Confirme unto the sd John Michiel his heires and Assignes the house that MATHEW BEARD deced [deceased] built for afsd Tho's [MACNEMARA] & y'e [the] Lott on w'ch these House & Lands which Lott bounds on a Lott of s'd Tho's [MACNEMARA] purchased from Tho's Dent [and] Lott of Mr. Youngs & likewise on a Lott of Mr. [Kearny? Henry?] ffreeborns & Lying to the westward part of Annapolis Lying in the City of Annapolis to have and to hold thesaid house and Lott w'th the appurtenances unto thesaid Jn'o Michiel his heires & assignes for Ever to the only use & behoofe of the S'd Jn'o Mitchell his heires and Assignes for Ever & to no other use whatEver And thes'd Tho's

[record continues next page]

doth Covenant and for him & his heires that thes'd Jn'o Michiel his heires & assignes shall & may hold & forEver Enjoy y'e [the] premisses ag't all persons whatEver In Wittness whereof thesaid Tho's Macnemara hath to this [?] with thesaid Jn'o Michiel Set his hand & affixed his Seale the day & year first above written.

/s/ Tho. MACNEMARA [by signature]

Signed Sealed & Delivered before

JAMES HORSLEY, Jam'es CARROLL [both by signature]

15[?] Sep'r 1712 - Proved in Anne Arundel Court by Thomas Macnemara

/s/ Jn'o Brice and John Baldwin, Justices of the Peace

29 Sep 1712- Rec'd this 29'th of 7ber 1712 one penny Ster'l fine [ie. fee] for alien's [ie, title transfer] of the within premises of Jn'o Michel etc. /s/ James Carroll

29 Sep 1712 - Record'd 29'th of Sept'r 1712 [Anne Arundel County Court]

[Source: Anne Arundel County Maryland Court (Land Records), Liber P.K., folios 513-514. Maryland State Archives. Annapolis, MD. Transcribed by Joan Horsley. Original spelling retained, caps and comments in brackets added. Apostrophe indicates letters following are in superscript.]

Note:

The house and land Thomas Macnemara is selling are bounded by another land parcel he owned (whether that one also had a house is not mentioned in this deed). Thomas Macnemara (spelled as Macknemara) bought the adjacent property with a house already on it from Thomas Dent prior to 1709. [*Anne Arundel Grantor Index, citing W. T. No. 2, p. 195*] That deed of purchase needs to be examined, as it may be that the parcel Macnemara is selling was also part of his purchase from Dent.

This is probably the Thomas Dent who was Thomas son of William Dent (d. 1704), a wealthy planter and attorney of Charles County who had held numerous appointed and elected political offices including an appointment as Attorney General in 1698. [*Arch. of MD, Vol. 663, p. 32*] It was William Dent's death that opened the way for William Bladen, who became Macnemara's arch-enemy, to be appointed Attorney General in the vacancy left by Dent. William Dent was also brother-in-law of Thomas Brooke II, whose prominent family appears in connection with the early Calvert County Horsley's as well as in the Prince George's County lawsuit of *Charles Carroll Esq. v Thomas Wells Jun'r*. regarding land James Horsley was leasing from Carroll (see record below).

The purchaser John Mitchell was charged with abetting Thomas Macnemara's alleged murder of Thomas Graham in 1710. Since the records show that Macnemara and Mitchell were onboard Graham's sloop as he was unloading his cargo from Philadelphia, and that they both witnessed Graham's will a short time later (along with Macnemara's supposedly-estranged wife Margaret Carroll), it appears Macnemara and Mitchell were friends or at least close business associates. The charges of murder were drawn up and relentlessly pursued by Attorney General William Bladen. Both Mitchell and Macnemara were found not guilty of murder, only of chance-medley (accidental death), yet only John Mitchell received the full legal pardon due under such circumstances. Macnemara was illegally prosecuted (and persecuted) further before finally being fully exonerated by the Court of Appeals on 12 May 1713, a year after James Horsley Sr. was employed by Macnemara.

The co-witness with James Horsley to this deed was James Carroll, Charles Carroll's nephew and Macnemara's brother-in-law, close friend, business and trade associate, entertaining and gaming partner, and co-advocate for full legal rights for Maryland Catholics. James Carroll's sister Margaret was also Macnemara's legally (if perhaps not actually or totally) estranged wife.

We discussed this deed more fully in the foregoing narrative of this paper, including the possible implications for James Horsley's professional carpentry services to Macnemara by Mathew Beard's name being included on this deed. See Part I for more details.

1714

JAMES HORSLEY in court case against his employer Thomas MACNEMARA - Annapolis

Excerpts from the Case of Bladen V. Macnemara

Provincial Court of July 1714

"William Dobson makes oath on the holy Evangelists of Almighty God that Mr. Thomas Macnemara assaulted and beat him on Monday last" (p. 360)

Provincial Court of May 1716 - Anne Arundel County, MD

"...And although the sd THOMAS MACNEMARA afterwards on the Monday next after the Feast of Pentecost commonly called Whitsunmunday in the same year in the City of ANNAPOLIS in the County afd with force and arms an assault upon the body of a certain WM DOBSON of the same City and County CARPENTER in the same City being did ___ and him the sd Wm with Gunns fists and staves then and there did beat wound and Evilly Intreat against her sd Majestys peace and the terms of the condition of his recog/a afd whereby the sd Thomas Macnemara his Recogniz/as afd became forfeited...witnessed...25 Sep 1714..." (p. 732)

"...And as to the residue of the trespass and assault afd in the sd writt of Scif/as [ie, scire facias*] supposed to be made the same Thomas Macnemara saith that our Sov'n Lord the King him thereupon to Impeach or prosecute ought not because he Saith that he the sd THOMAS MACNEMARA on the Monday next after the Feast of Pentecost in y'e sd Scif/as [ie, writ of scire facias] mentioned and long before was possessed of **a Servt man called JAS HORSLEY wch sd JAS HORSLEY was to Serve the sd THOMAS MACNEMARA according to the customs of the Province of Maryland from the twenty third day of Aprill one thousand seven hundred and twelve [23 April 1712] until the full End and Term of four years from thence next Ensueing** and fully to be Compleat and Ended And ___ the afd Wm. Dobson in the afd writ of Scif/as mentioned the afd Monday next after the Feast of Pentecost in the afd writt of the Scif/as Mentioned at the City of Annapolis in the County of Annarundell in ye afd writ of Scif/as also mentioned upon him the sd **JAMES HORSLEY being then Commanded by him the sd Thomas Macnemara to Look after the Domestick affairs of the sd Thos and to work for him in the nature of a Servt about Lawfull matters** the term of years the afd James had to Serve the sd Thos Macnemara not being expired or otherwise determined and there being in the actual Services of the sd Thomas) an assault did make and him the said James Horsley then and there would have wounded shott kild and evilly Intreated
[record continues next page]

___ the sd Thomas Macnemara ***the sd James Horsley then and there being a Servt and going about his the sd Thomas's lawfull Occasions and actually in his Service as afd and committing no manner of trespass or [Misdemeanour?] whatsoever agst the sd Wm Dobson or any of his Maj/tys Subjects his Crown or Dignity then and there defended as for him it was lawfull so to doe*** And so him the sd Thomas Sayth that the assault battery wounding and Evill Treatment to him the same Wm Dobson then and there happen'd *it was of the sd William Dobson's own proper assault and in the defense of the said James Horsley then and there being the Servt of him the sd Thomas Macnemara...*" (p. 734-735)

[Source: Maryland Provincial Court Judgment Record, Liber V. D. No. 1, p. 360; pp. 509, 565, 732-736, Maryland State Archives Annapolis, MD. Transcribed by J. Horsley. Caps, formatting, comments in brackets added.]

Note:

The actual basis for this case Attorney General William Bladen brought against Macnemara was a writ of *scire facias*. As part of a previous case, Macnemara had been placed under bond to ensure his "good behavior" in upholding the public peace. In Bladen's ongoing campaign of harassments and legal assaults against Macnemara, Bladen used the alleged assault against Dobson to issue this writ which required the offending party (i.e., Macnemara) to show cause why he should not forfeit his previous bond and be bound by any other conditions it required.

In this particular case, we researchers almost 300 years later might actually thank Bladen (asking Macnemara's forbearance and forgiveness), since it is from these records, and so far these only, that we learn of James Horsley's employment with Macnemara and get some idea of the early adult years of James Horsley's life. We can perhaps be allowed our gratitude only because once again Macnemara was vindicated and acquitted by a petit jury of the assault charge on the basis that Dobson attacked Horsley first and that Macnemara was acting in defense of his "servant"/employee James Horsley towards whom Macnemara had legal rights and responsibilities. The Court statements also make clear that when James Horsley was assaulted, he himself was not the instigator or in any way acting contrary to law.

We see in this excerpt the kind of high-blown and frequently formulaic wording common to such court cases (and with different phrases, to marital cases) throughout the colonies, such as "wounded shott kild and evilly Intreated" and "with Gunns fists and staves." This makes it difficult to assess the actual severity and literal facts of any assault being prosecuted. However, if two carpenters who were used to strenuous outdoor labor (with at least one of them, James, age 30 or under) and a street-wise feisty Irishman like Macnemara were in an affray, one might imagine it could have been a doozy. Whether it in fact would have "kild" anyone seems questionable.

Again, for more discussion of this case, especially regarding the mention once again of a carpenter, see Part I of this paper.

It was also during this 1716 Provincial Court term that separate juries found Thomas Macnemara and James Horsley not guilty of the charges brought against them for allegedly assaulting the wife of John Navarre. (The details of this case appear not to have survived.)

1716/17 - Jan

JAMES HORSLEY mentioned in suit of Charles CARROLL – Prince George's County

Excerpt from the Appeals Court Case that began 1 Oct 1719:

"Be it Remembred That here to fore To witt on the twenty first day of October Anno Domini 1719 were Transmitted from the high Court of Chancery on the prayer of CHARLES CARROLL Esqr to this Court the following proceedings Vizt:

"To his Excellency John Hart Esqr Governour of Maryland and Keeper of the Great Seale thereof Humbly Complaining Sheweth unto Your Ex your Suppliant and daily Orator Thomas WELLS junr of Prince George's County Planter. That yr Orator is Seised in fee and fully possess of a plantation and parcell of land lying in Prince George's County being the Norther-most part of a Tract of land called Amptill Grange upon which he had made Some Considerable improvements That a certain Charles CARROLL Esqr brought his action of trespass and Ejectment in the name of **JAMES HOSLEY his Lessee** agt your Orator as Supposing your Orator's Improvements which he made on the said Amptill Grange to be included within the Bounds of a tract of land called ENFIELD CHACE belonging to the sd Charles CARROLL Esqr and not within the bounds of the sd Amptill Grange..."

[Source: *Archives of Maryland*. Vol. 77, p. 218. Proceedings of the Maryland Court of Appeals, 1695-1729. Caps and formatting added by J. Horsley. Transcription of the full Appeals case, Vol. 77, p. 218-237 is online at: <http://www.mdarchives.state.md.us/megafile/msa/speccol/sc2900/sc2908/000001/000077/html/am77--218.html>]

Note:

This excerpt is from the Appeal of the case of *Charles Carroll Esq. v Thomas Wells, Jun'r*. In it Wells is appealing the verdict of the original trial that ruled in Charles Carroll's favor. (A copy of the original trial has not yet been located.)

The Appeals case includes much of the testimony verbatim from the original trial. It is not entered in particular chronological order, but searching through the dates of testimony mentioned, the original case seems to have begun on or about 3 January 1716/17.

The case involves a dispute over the property bounds of Carroll's and Well's adjacent lands, with Charles Carroll bringing the original suit "in the name of James Hosley [Horsley] his lessee" accusing Wells of having encroached over his property bounds and of making "improvements" that were instead on Carroll's property, it being the part that James was leasing. "Improvements" could be anything from erecting a building or fencing to planting crops or orchards, etc. – whatever would illegally encroach upon land rightfully belonging to another.

In the part of the original trial records later included in the Appeals Court case, James Horsley did not give recorded testimony. The original trial record, if it still exists, might give us more information about James, but since the dispute is about boundary lines, the appeal is primarily in the testimony of the surveyors involved. Although Carroll won the original case, he lost the appeal 26 May 1720, within weeks of his death. On 20 Apr 1721, Well's began an appeal to collect the court costs of the suit from Carroll's estate.

The Appeals Court record at least tells us where James Horsley went after his contractual employment with Thomas Macnemara was completed, and shows that James was still involved to some extent with Macnemara, who was Carroll's lawyer in the original case, and with the Carroll's.

The land called Enfield Chase, per deed of sale below, was on Collington Branch which runs along the Patuxent River between Upper Marlboro and Bowie, MD, near the corner where Prince George's, Calvert and Anne Arundel counties meet. Charles Carroll bought this land by a deed of lease and release dated 28 and 29 March 1705 from one "George Ellis of the City of London Cheese monger." Enfield Chase was "lying in Prince Georges County aforesaid on the west side of the north Branch of Patuxon River one Mile from the said Branch" bounded by Edlington/Essington and by "land of Gabriel Parrott called Parrotts Thickett." Charles Carroll devised the whole of Enfield Chase to his wife Mary for her lifetime, after which it went to his heirs at law, one of whom, Charles Carroll Jr. sold the land in 1759.

It is from Charles Jr.'s deed dated 21 Apr 1759 that we find a description of Charles Carroll's original deed of purchase:

George ELLIS by his Deeds of Lease and Release bearing Date the twenty Seventh and twenty Eighth Day of March one thousand seven hundred and five [27 & 28 Mar 1705] did for the Considerations therein mentioned grant bargain sell alien release and Confirm unto him and his heirs the said Tract of Land called Enfield Chase and other the Lands therein after Specified for the Consideration of the sum of four hundred pounds [£400] Sterling being the Consideration of the said Ellis's Deed to him in hand paid by the said CHARLES CARROLL did grant and Confirm unto the said Charles Carroll among other lands all that the aforesaid Tract of Land called ENFIELD CHASE lying in PRINCE GEORGES COUNTY aforesaid on the WEST side of the NORTH BRANCH of PATUXON RIVER one Mile from the said Branch Begining at a bounded Oake being the westermost Bound Tree of a parcell of Land formerly laid out for James White of Anne Arrundel County Called EDLINGTON [also called Essington] and runing with the Line of the said Land North one hundred and fifty perches to the head Line of the Land of GABRIEL PARROTT Called Parrotts Thickett and runing north one hundred and fifty Perches to the Land of John Howerton Called Howertons Range then bounding on the said Land Runing northwest one hundred perches to a Bound Oake Standing in the said Howerton's Line then west six hundred forty and five Perches bounding on the west by a line drawne south four Hundred and five perches then with a Streight Line to the first Tree Containing and laid out for sixteen hundred Acres [1600 acres] of Land more or less And whereas the said Charles Carroll the Patentee died seized of the said Tract of Land Called Enfield Chase and the same descended to the said Charles Carroll Party to these present his Eldest son & heir at Law...

[*Archives of Maryland*. Vol. 702, p. 402-403. Provincial Court Land Records, 1756-1759]

The possibility of there being earlier connections between this area's landowners and James Horsley or his earlier family, connections that may have drawn James to Enfield Chase in 1716, is discussed in Part I of this paper.

1721

JAMES HORSLEY makes repairs to the St. Luke's Parish Church - Queen Anne's County

From Frederic Emory's History of Queen Anne's County
St Luke's, Church Hill:

Repairs were made to the church in 1721, as appears from an entry on the records to the effect that Mr. James Horsley had been given an order on Mr. Valentine Carter for 982 pounds of tobacco for work on the church. Mr. Horsley's account was as follows:

TO WORK DONE TO THE SOUTH-EAST BRANCH CHURCH, VIZT: 1721

To falling and hueing five girders....100
To 3 days work myself and 3 days my man....210
To 2 horses and a man60
To making 100 shingles....50
To expenses in getting in the girders....61
To 2 days work myself in shingling and letting down the girders....80
To getting up the plank to the church....30
To 86 feet of plank....86
To 300 of 8d nails....25
To my accommodations whilst it was doing....100
To making six window shutters....180

[Source: Frederic Emory. *Queen Anne's County, Maryland, Its Early History and Development. A Series of Sketches Based Upon Original Research by Frederic Emory. Originally Published in the Centreville Observer 1886-1887. p. 207-208. First Issued in Book Form with the Assistance of the Queen Anne's County Free Library. (No date given). Published in CD format by DMK Heritage.]*

Note:

I have attempted to locate the original record from which Emory made the above transcript, but so far the people I contacted at both St. Luke's Parish and the Queen Anne's County Clerk's Office have not been able to find it. However, the possibilities are not exhausted and efforts continue to find an original document.

The source of this record is further described on the Maryland Historical Society website as: "Emory, Frederick, History of Queen Anne's County, MS. 336 Two scrapbooks of newspaper clippings from articles in Centreville Observer, January, 1886-May, 1887, by Frederick Emory, on the history of Queen Anne's County, Maryland. Also miscellaneous clippings, c. 1877-1898 on early Maryland. 2 vols., 1877-1898." At one time the website included pictures of some of the scrapbooks with the clippings pasted on the pages. (The URL is defunct – 2009)

I first received a copy of Emory's copy of James Horsley's bill from "Lynn" on 13 Jun 2006 in response to a query on the RootsWeb Queen Anne's County Message Board. I am very grateful for her generosity, especially since this bill has become a vital centerpiece for our knowledge and understanding of James Horsley and his life.

As soon as I saw this bill, it appeared to me to be significant evidence of a highly skilled carpenter of his day with formal apprenticeship training. First, because my Horsley father, uncle and grandfather were all excellent amateur carpenters and I had grown up among their carpentry tools, hardware, and wood shavings, learning some of the history of the craft as I tootled around while they worked. More importantly, I had already done extensive research on Colonial carpentry in general and with specific records of Colonial Virginia carpenters and apprenticeships in connection with my Davis ancestors (a Horsley maternal line) who had three professional carpenters in the family in Virginia in the early 1700's, about the same time period as James Horsley and in an adjacent colony.

Not wanting to depend on my still-limited knowledge alone, I consulted several architectural archeologists with whom I had contact, and with a professional carpenter I know who is a specialist in historical and archeological carpentry and has served as a consultant on applications for houses and buildings to qualify for the National Registry of Historic Places of the National Park Service, Department of the Interior. They were unanimous in their agreement that this bill was quite sufficient evidence that James Horsley was, indeed, highly skilled in his obviously formally-trained craft and would have been in great demand for his skills and abilities. One of these professionals speculated that someone with James' skills in this time and place could have built over 100 houses or buildings during his lifetime.

This information, then, became the background of other records we found for James Horsley, particularly his indenture with Thomas Macnemara and the "odd coincidence" that in two of the three records during that time, a carpenter is specifically, and unusually, mentioned. While so far we have not found records for direct proof, it seems highly likely that James' work for Macnemara would have utilized these hard-to-find carpentry skills and training James obviously possessed. Knowing of his profession also helps to make connections among associates who are stated in the records as being of the same or related skilled crafts, since skilled craftsmen frequently formed their own social and professional subgroup, akin to the guild system in Europe which did not exist in the Colonies but which was reflected in informal ways.

I do not think it is reading too much in "just a bill" to add that, at least to my mind, this bill for James' work shows he was not only literate and numerate and even somewhat formal in his written speech, but also was organized and precise in his professional manner. This might speak to his character and personality as well, but of course that is only speculation. Also, James' mention of "my man" could indicate he had an apprentice or at least someone else working under him in ongoing employment.

That James continued doing carpentry during his Queen Anne's County days seems indicated by the fact that his 50 acres of Bishopsfield was his only recorded land. That was adequate crop land to supply his family with produce for their own food and for like-kind trade, but hardly enough from which to make a secure living as a farmer/planter. Some Colonial carpenters I have researched "retired" in their later years to farming, which is understandable given a carpenter's strenuous physical life and the time away from home and family that projects could require, but James either did not live so long or did not need or want to make such a transition. Although there is no evidence that James was a wealthy man, he seems to have prospered with good financial stability, as we discuss elsewhere. James also seems to have left his children with adequate resources to help as they got established in their own occupations. His son James Jr. had the means to qualify as security on two probated estates at the same time while in his mid-to-late 30's. His son Thomas had the means to assume financial responsibility for his wife's seven children by her deceased husband when Thomas was only in his early 30's.

1721 – Nov 6

JAMES HORSLEY witnesses the will of John CARPENTER - Queen Anne's County

Will of John Carpenter

Written 6 Nov 1721; proved 4 Apr 1727. Queen Anne's Co., MD

To son William and [his] heirs, entire estate, real and personal;
 [If] said son dying during minority, to pass to son John, ex. [executors], and heirs.
 Test: Augustin Thompson, Sarah Thompson, JAMES HORSLEY.

[Source: Jane Baldwin Cotton. *Maryland Calendar of Wills* (Westminster, MD: Family Line Pub., 1988. Reprinted from original volumes 1904-1928) Vol. 6, p. 23, citing Will Book 19, p. 148. Changes in formatting, caps and comments in brackets added by J. Horsley.]

1725/6 – Feb 3

JAMES HORSLEY witnesses the will of Isaac ABRAHAMS - Queen Anne's County

Will of Isaac Abrahams, cordwainer

Will written 3 Feb 1725/6; proved 22 Jun 1726, Queen Anne's Co., MD.

To wife Sophia, executrix, use of estate during life.
 To sons Jacob and Isaac, real estate equally at death of wife; should either die without issue, portion of [the one] deceased to [go to] daughter Mary and heirs.
 To daughter Mary, personalty [ie, personal property]
 Should wife die during minority of the children, [they are to go] to care of Caleb Esgate.
 Boys of age at 21, girls at 16.
 Test: JAMES HORSLEY, James Massey, Eliza. Bryan, James Dobson.

[Source: Jane Baldwin Cotton. *Maryland Calendar of Wills* (Westminster, MD: Family Line Pub., 1988. Reprinted from original volumes 1904-1928) Vol. 5, p. 228. Citing Will Book 18, p. 517. Changes in formatting, expansion of abbreviations, caps and comments in brackets added by J. Horsley]

1728 – June 14

JAMES HORSLEY witnesses the will of Thomas Wyatt - Queen Anne's County

Will of Thomas Wyatt

Will written 14 Jun 1728; proved 29 Aug 1728, Queen Anne's Co., MD

To wife Ruth, executrix, ½ dwell. plan. [dwelling plantation] — during life.
 To son Thomas and heirs, ½ dwell. plan., and at decease of wife afsd. the other ½ thereof.
 To 8 child., viz. Thomas, Judeth, William, John, Jane, Solomon, James and Ruth, residue of estate equally; sons of age at 19, daughters at 16 yrs.
 Test: Humphrey Wells, JAMES HORSLEY, William Lee.

[Source: Jane Baldwin Cotton. *Maryland Calendar of Wills* (Westminster, MD: Family Line Pub., 1988. Reprinted from original volumes 1904-1928) Vol. 6, p. 81, citing Will Book 19, p. 506. Changes in formatting, expansion of abbreviations, and caps added by J. Horsley]

Related Record for Thomas Wyatt's estate:

9 Sep 1728/14 Nov 1728

James Horsley – Appraiser of the estate of Thomas Wyatt (w/ John Johnson) – Queen Anne's Co.

[Source: V. L. Skinner. *Abstracts of the Inventories of the Prerogative Court of Maryland 1726-1729*. (Westminster, MD: Family Line Pub., 1988-) p. 31]

Note:

Humphrey Wells, a co-witness with James Horsley to Thomas Wyatt's will, was a Justice of Queen Anne's County, large landowner, and owner of a tobacco warehouse. His brother Richard Wells, also a Justice, was a co-witness with James Horsley in 1744. I can find no known relationship between them and Thomas Wells, Jr. of Charles Carroll's lawsuit in Prince George's County where James leased land by 1716.

However, there are some other very intriguing connections with Humphrey and Richard Wells' line that may or may not be just coincidence. These connections also include the Lee family of William Lee, co-witness to Wyatt's will with James Horsley and Humphrey Wells, and of Alexander Lee, son-in-law of William Pinder with whom James was closely involved. James also witnessed William Pinder's will, co-witnessed by Augustine Thompson who enters our discussion here as well.

The notes and connections that follow are somewhat dizzying and are presented here informally simply as "thinking points" for a larger frame of reference in continuing research.

First, Humphrey and Richard WELLS were sons of Zorobabel WELLS [*named in his will, MCW Vol. 2, 7:146*]. Zorobabel was in Maryland by 1661 [*Gibbs, New Early Settlers*] and died in Talbot County, MD where his will was proved in June 1696, the year before Richard HORSLEY married Mary Vickery/Vickers in Talbot and where the elder Richard HORSLEY died in 1718.

Second, Zorobabel WELLS was born in Northumberland County, VA in 1650. He was the son of Richard WELLS who was named in the estate records of Rev. Ralph Watson in York County, VA in 1645, as was Ralph HORSLEY. (A Robert HORSLEY died 1647 in York Co. He perhaps was the ancestor of the New Kent County, VA Horsley line of Roland and Robert, but that is not yet proved.)

Ralph HORSLEY (almost certainly earlier of Maryland) moved from York County, VA to Northumberland County, VA by 1648, about the same time Zorobabel WELLS was born there. Ralph HORSLEY, "Planter," died in Northumberland in 1656. (He appears to be the same Ralph Horsley as the Ralph Horsley with a tailor apprentice and who was deceased in Northumberland before 20 Sep 1658, but whether there were one or two Ralph Horsley's is not yet definitively proved.) The planter Ralph HORSLEY's only proved son (so far) was Joseph HORSLEY, almost certainly the same Joseph HORSLEY who died without legal heirs (at least as defined by the inheritance laws of primogeniture) in Calvert County, MD in February 1670/1. Joseph HORSLEY was in Calvert in the 1660's at the same time as a James HORSLEY and Lewis HOSLEY, surely all somehow related.

Ralph HORSLEY was in Northumberland County, VA, in 1648 when he appointed John Hallows of St. Mary's County, MD to be his "lawyer" empowered to collect debts owed to him in Maryland. [*Archives of Maryland, Vol. 4, p. 411*] (This John Hallows was named "marriner" in his marriage bond, and another John Hallows on a 1642 St. Mary's record with this one was called "carpenter.") As we

shall see in a moment, another associate with Ralph HORSLEY in Northumberland, Hugh LEE, was also first from St. Mary's County, MD.

Most of the people on Northumberland County, VA records with Ralph HORSLEY were earlier of Maryland, and many were in the circles of followers of William Claiborne, the Virginian who led the first settlement of Kent Island, MD, then had to retreat back to Virginia, first to York County, where Ralph HORSLEY and Richard WELLS were together on an estate record, then to Northumberland County, where we then find Ralph HORSLEY and Richard WELLS' family as well. (There was a Northumberland grant of 6 October 1655 recorded to Robert Horsley; however, a Northumberland grant dated 10 April 1665 for the same land indicates the former grant may have been to Ralph Horsley instead.) Among Ralph HORSLEY's associates in Northumberland County, VA were men with earlier ties to Kent Island as well as other areas of Maryland. At least one of those, John THOMPSON, had a son Augustine THOMPSON who, like the WELLS brothers, was later on records with James HORSLEY Sr. in Queen Anne's County, MD and close to Kent Island.

Ralph HORSLEY, then of Northumberland County, VA, got headrights in 1652 for importing Robert SHARPE into Virginia. It seems obvious from the records that Sharpe was previously in Maryland, and probably associated there with Ralph HORSLEY. Online information says that Northumberland Co. Record Books show Robert SHARPE was born about 1614 (no place stated) and died intestate in Northumberland in 1655, a year before Ralph HORSLEY's death. By 1683, there was a Quaker family of Dr. Peter SHARPE in Calvert County, MD associated with the widow of Ralph HORSLEY's son Joseph HORSLEY and the Quaker Meeting at Calvert Cliffs. However, it is unclear at this point whether or how the Sharpe in Northumberland VA and Sharpe in Calvert, MD were related, but the administrator of Robert SHARPE's estate makes some relationship seem probable.

The administrator of Robert SHARPE's Northumberland County, VA estate was Hugh LEE, who witnessed a Northumberland deed of Ralph HORSLEY in 1656, and who records show was Ralph HORSLEY's close associate. Hugh LEE was first of St. Mary's, MD and married the widow of Robert Hewitt (Huett) of Kent Island, MD, deceased by 1650. The father of Valentine Carter, whose family was associated with both our HORSLEY's and Seward's, was on Kent Island by 1652. The *William and Mary Quarterly* says Hugh LEE died back in Maryland before 8 Sep 1662, apparently in Charles County, MD [WMQ, Nicklin, Oct., 1938]. Charles County was then adjacent to St. Mary's and to Calvert County where Joseph HORSLEY, the earlier James HORSLEY, and Lewis HOSLEY were, also in the 1660's. (In 1695, parts of each county became Prince George's County, where James HORSLEY Sr. leased land from Charles Carroll in 1716.) Lois Green Carr's MSA records show Hugh LEE's estate was appraised 25 Dec 1660, and an appraiser, John Reynolds, was of adjacent St. Mary's County. (Records also show that the elder Richard HORSLEY was paid from the estate of George Reynolds of St. Mary's between 1692 and 1695.) Maryland Prerogative Court accounts for Hugh LEE's estate recorded in 1664 show a payment made to "Mssr. Preston" (Richard Preston), Richard Armstrong (perhaps kin to Francis Armstrong) and a "Mr. HORSLEY," obviously Joseph HORSLEY, son of Ralph HORSLEY who was with Hugh LEE in Northumberland Co., VA.

Whether or how Hugh LEE is related to William and Alexander LEE later in Queen Anne's County records with James HORSLEY, Humphrey and Richard WELLS, and Augustine THOMPSON is not clear, but again the "coincidences" are intriguingly suggestive.

Another for whom Ralph HORSLEY of Northumberland, VA claimed headrights in 1652 was John THOMPSON. The same list of Ralph Horsley's headrights also includes a William Medcalfe and his three sons. Thirteen years earlier in 1639, both William Medcalfe and John THOMPSON were elected

Burgesses for the Island of Kent Fort (Kent Island, MD). [Emory, p. 94] John THOMPSON returned to Maryland from Northumberland, VA like Hugh LEE and a number of others. (Was it also a return trip when the WELLS family moved from Virginia to Maryland?) John THOMPSON died in Cecil County, MD in 1702, said to be 109 years old [Maryland Genealogical Society Bulletin Vol 29, No 3, Summer 1988, p 285]. (I have not tried to verify his age with original research, but I have confirmed from abstracted records this was the same family that was in Northumberland, VA.) In his will John THOMPSON named son Augustine THOMPSON, who later was on a number of records with James HORSLEY Sr. in Queen Anne's County, along with Richard and Humphrey WELLS and the LEE's.

These bits and pieces give us a glimpse of the puzzle pieces that hopefully with further research will form a clearer picture of the intertwining relationships over time and place. Whether (or how) our James Horsley Sr. might be related to the Ralph Horsley family is still in the early stages of investigation. However, due to the vagaries of fluctuating politics and religion in the mid-1600's, there was a great amount of back and forth migration between Maryland and Virginia during that time, and the evidence is building that there is some connection between the Maryland Horsley's and Ralph and other Horsley's in early Virginia, or else there is a very large number of odd coincidences. These circuitous and intertwining associations and "coincidences" are certainly worth further research.

1728/9 - Feb 3

JAMES HORSLEY marries MARY SEWARD in St. Luke's Parish - Queen Anne's County

[Source: St. Luke's Parish Records, Queen Anne's County, MD. Maryland State Archives, Annapolis, MD.]

Note:

The name in the St. Luke's Parish records is spelled "Horsl'y." Robert Barnes' *Maryland Marriages 1634-1777* (Baltimore: Genealogical Pub. Co. 1975), p. 90, incorrectly lists James' last name as "Horsey," which is the name of a large family group then residing primarily in Somerset County in the southern part of the Eastern Shore. Research so far shows no relationship between our Horsley's and the Horsey line. That the husband of Mary Seward was James Horsley (not Horsey) is confirmed by the original records for St. Luke's Parish at MSA, by the will of Mary Seward's father Thomas Seward Jr. and from the land records we discuss next.

1728/9 – Mar 21

JAMES HORSLEY and wife MARY deeded land from her father & stepmother – Queen Anne's

Abstract

From: Thomas Soward [Seward], Planter, & Rebecca his wife of Queen Anne's County, MD

To: James Horsely [Horsley] & Mary his wife of same

Dated: 21 Mar 1728/9

Description: 50 acres Bishops Fields, Queen Anne's County, MD

Terms: To be inherited only by lawful children born of Mary (Seward) Horsley

Consideration: Love and affection for daughter Mary (Seward) Horsley plus 100 lbs. tobacco

Witnesses: Augustine Thompson, Humphery Wells Recorded: 24 Mar 1728/9, Queen Anne's Court

Source: Queen Anne's County Court (Land Records) [MSA CE 143-4] Liber IK, No. C, p. 215. MSA, Annapolis, MD

Transcript

Queen Annes County fs March y'e [the] twenty fourth day anno Domini one thousand seven hundred twenty and eight [24 Mar 1728/9], the following deed was brought to be recorded viz't ---
 Maryland fs This Indenture made the twenty first day of March in the year of our Lord one thousand Seven hundred twenty & eight [21 Mar 1728] Between THOMAS SOWARD [Seward] of Queen Anns Co'ty & province afd PLANTER and REBECCA HIS WIFE of y'e one part & JAMES HORSELY[sic] of Queen Anns County & province afd & MARY HIS WIFE of the other part Witnesseth that the said Thomas Soward for & in CONSIDERATION of y'e NATURALL LOVE & AFFECTION WCH HE HATH & DOTH BEAR UNTO HIS P. DAUGHTER MARY HORSELY wife of the afd James Horseley and ALSO for & in Consideration of the sum of ONE HUNDRED POUNDS OF TOB'O [100 pounds tobacco] to them in hand paid y'e receipt whereof they do acknowledge & thereof and of every part & parcell thereof themselves fully satisfied contented and paid hath given granted and confirmed & by these presents doth fully freely & absolutely give grant & confirm UNTO THE SAID MARY HORSELY & TO THE HEIRS OF HER BODY LAWFULLY BEGOTTEN FOREVER part of a Tract of Land called BISHOPS FIELDS beginning at a marked Gum standing at y'e end of y'e north line afd land and running west eighty perches thence South one hundred perches then East eighty perches thence North one hundred perches to the first bounded Tree containing and now laid out for FIFTY [50] Acres of Land together with all houses out houses fences woods underwoods Trees & timber Trees & all & Singular other the rights profits benefits priviledges & advantages to the same belonging or in any ways appertaining To have & to hold y'e s'd fifty Acres of Land & premises with all & singular the appurtenances to the same belonging or in any wise appertaining unto the said Mary Horseley wife of the afd Jam's Horseley & to the heirs of her body lawfully begotten for ever and to and for y'e only use benefit & behoof of her the said Mary Horseley wife of y'e afd Jam's Horseley & to y'e heirs of her body lawfully begotten forevermore And the Said Thomas Soward for himself & his heirs doth forever quitt claim & release all the right Title Interest property claime and demand he now hath or of right might or ought to have by any ways or means & that y'e same by these Presents is wholly released & is invested in & upon y'e sd Mary Horseley and y'e heirs of her body lawfull[y] begotten & the said Thomas Soward & Rebecca his wife and their heirs doth covenant grant and agree to & with the sd Mary Horseley & the heirs of her body lawfully begotten that they y'e sd Thomas Soward and Rebecca his wife Will for ever warrant & defend y'e above fifty Acres of Land against them and their heirs for ever In Witness where of the Partys above sd to these presents interchangeably have set their hands and Seals the day and year above written.
 /s/ THO'S (his mark) SOWARD

Signed Sealed & delivered in the presence of
 AUG'E THOMPSON, HUMPHERY WELLS

On the back of the foregoing Deed was thus endorsed viz't
 Maryland fs Reced [received] March y'e 27th Anno dom one thousand seven hundred twenty & eight of y'e w'th in James Horseley & Mary his wife y'e Sum of one hundred pounds of Tob'o being the Sum mentioned in the within Deed I say recd by me.

/s/ Tho's (his mark) Soward

[record continues next page]

Likewise on the back of the same Deed was thus endorsed viz't
 Maryland fs Best remembered that on the twenty first day of March Anno Dom 1728/9 [21 Mar
 1728/9] personally appeared before us the Subscribers two of his Lordships Justices of the peace for
 Queen Annes County y'e within named Thomas Soward and acknowledged the w'th in Deed to & for
 the uses w'th in mentioned
 /s/ Aug'e Thompson, Humphery Wells

[Source: Queen Anne's County Court (Land Records) [MSA CE 143-4] Liber IK, No. C, p. 0215. MSA, Annapolis,
 MD. Abstract and transcription by Joan Horsley, comments in brackets and caps added, original spelling and
 punctuation retained.]

Bishops Field – Rent Roll

21 Mar 1728/9

50 acres Bishop's Field

“JAMES HORSLEY and MARY his wife from THOS. SEAWARD et ux [and wife]”

[Source: Land Office Rent Rolls. Queen Anne's County., p. 383, “Bishop’s field.” Transcription of entry by Joan
 Horsley with caps and comments in brackets added. Note: My first copy of the original book entry at Maryland
 State Archives came from Gerald Horsley, whom I heartily thank. (MSA microfilm illegible 2006)]

Published abstract:

21 March 1728 - Thomas Seward, Planter, and Rebecca his wife, to James Horsley and Mary his
 wife. A gift to their daughter, Mary Horsley. 50 acres part of "Bishop's Fields." Rec. 24 Mar 1728

[Source: R. Bernice Leonard. *Queen Anne's County Maryland Land Records 1725-1741* (St. Michaels, MD: R.B.
 Leonard, 1992-) p. 23, citing QA Land Records 1725-1730, Liber I.K., No. C, entry 215]

Note:

This deed to James and Mary the month after their marriage was from Mary's father Thomas Seward
 Jr. and his second wife, Rebecca, Mary's stepmother, for 50 acres of the 400-acre Bishopsfield (or
 Bishops Fields) which Thomas inherited as an infant from his kinsman William Bishop by Bishop's
 will of 1685.

Leonard's published abstract of this deed says the land was a gift to Thomas' daughter Mary, then
 wife of James Horsley. However, the full original deed record shows that while Thomas apparently
 intended Mary to be a full joint-owner and stated that only her legitimate natural-born children could
 inherit, James Horsley did pay for this land with 100 lbs. of tobacco, the common currency of the day.
 Normally when a husband died, his widow was due only life rights to her dower share of 1/3 of the
 real property he owned at his decease, and she would not have the right to sell or otherwise distribute
 that land. This deed secures full ownership for Mary, who was several decades younger than her
 husband James, in the event of James' death, and for her children if orphaned.

Rent roll records show that James Horsley, who would be James Sr., then son James Jr. as the heir
 by primogeniture, was held to be responsible for the "quit rent," or tax, due on this land. (No quit rent
 roll was recorded for Mary's second husband Joseph Slocum, or for Mary after Joseph's death.) As
 this is the only land of record for James Horsley Sr. or James Jr., we presume each of their families
 consecutively resided on this Bishopsfield land. Thomas Seward's will written 1754 indicates that his
 daughter Mary, perhaps again widowed by then, was still living on this land with James Jr. This was
 the same land that Mary sold in 1769, shortly before James Jr.'s family, and possibly Mary herself,
 moved to Virginia, showing that her full ownership was honored as her father evidently intended.

This deed transaction is also recorded in the original rent roll book for Bishopsfield which gives the date and the grantors and grantees. The rent roll was used to determine the landowner who was responsible for paying the Proprietor's yearly tax, called "quit rent" or simply "rent," on the land.

The rent roll book also includes a summary of the original survey of "Bishops Field" (its name written variously, and as one word or two), granted to Mary Seward's grandfather's kinsman William Bishop in 1675, as follows:

Bishops Field - 400 acres

Surveyed 5 Dec 1675 for WILLIAM BISHOP at the *head of the Northernmost Branch of the Dividing of the Chester River*. Poss. [Possession] by THOMAS SEAWARD.

[Source: Land Office Rent Rolls. Queen Anne's County. p. 383. Entry transcribed by J. Horsley. Original spelling retained, caps, italics, and comments in brackets added.]

This matches the description on Bishop's original grant deed which says:

Part of a warrant for 760 acres granted 23 Nov 1675

Granted to WILLIAM BISHOP "...all that parcell of Land called BISHOPS FIELD being in TALBOTT County on the *South side Chester River at the head of the Northernmost Branch of the dividing of the said River*. Beginning at a marked poplar standing on a point of the said Branch and running East 210 perches and with a line drawn from the end of the East line North 320 perches and with a line drawn from the end of the North line West 200 perches and with a line drawn from the end of the West line South 320 perches to the first marked poplar laid out for four hundred [400] acres more or less...

[Source: Maryland Land Office Patents. Liber W. C., folio 351. Microfilm SR 7549 (1726 Transcript: Book 19, p. 479, Microfilm SR 7360). Maryland State Maryland, Annapolis, MD. Transcription by J. Horsley. Original spelling retained, caps, italics and comments in brackets added.]

William Bishop's Talbot County will, dated 17 Feb 1684/5, named as executors "my two well beloved friends my cousins Thomas Seward and Nicholas Clowd." This Thomas Seward was Mary Seward Horsley's grandfather Thomas Seward Sr. Bishop's will also devised Bishopsfield (and a property called Dangerfield) to Thomas Sr.'s sons Thomas Seward (Jr.) and Michael Seward. Both were small children at the time. (Thomas Jr. was only 2 ½ months old.) Michael died before his father's will was written 28 Oct 1687, leaving Thomas Seward Jr. with the whole of Bishopsfield.

1729 – Dec 18

JAMES HORSLEY paid from estate of Charles Lowder – Queen Anne's County

[Source: V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1724-1731*. (Westminster, MD: Family Line Pub., 1995-) p. 128]

Note:

Charles Lowder's will was written 23 Sep 1728 and proved 29 Nov 1728. [*Cotton, MDW, citing QA Will Book 19, p. 564*] One of the witnesses was Humphrey Wells. In addition to James Horsley, among the seven other people paid by Charles Lowder's estate was Richard Wells. The executors of Charles Lowder's

estate were Charles Lowder Jr. and Casperus Smith, whose will James Horsley witnessed in 1732 and with whose estate probate James was later involved. Online information says that after Lowder's death, his widow Joan married Casperus (or Caparus) Smith, although Smith does not name a wife in his will.

1730/1 – Mar 2

JAMES HORSLEY witnesses John Nevil's deed payment to John Long - Queen Anne's Co.

2 Mar 1730 John Long of Kent Co. "Supsd" Delaware (sic) & Elizabeth his wife to John Nevil of Queen Anne's Co. for 6,000 lbs tob. - "Long's Desire" described as being in "freshes of Choptank in Q.A. Co." - 50 acres with house, etc. Signed: John (x) Long

Wits: Aug. THOMPSON, Humphrey WELLS

Acknowledged by John Long before Q.A. Ct. Justices: Thompson & Wells on 23 Mar 1730.

Further, the recorder has copied that on back of Deed is a receipt for payment of the 6,000 lbs tobacco. Signed: John (x) Long

Wits: JAMES HORSLEY [by signature], Robert R. (x) Wharton

[Source: QA Deed Book RT-A p. 39, abstracted and cited by James M. Overhuls, "Long Families of Colonial Maryland" (1974) Online at:

<<http://freepages.genealogy.rootsweb.com/~cfii/LongFamiliesOfColonialMaryland.PDF>>

Changes in formatting, expansion of abbreviations, and caps added by J. Horsley]

Note:

As this deed states, Humphrey Wells and Augustine Thompson were Justices of Queen Anne's County. Both men are discussed above under notes for the 1728 will of Thomas Wyatt that James Horsley also witnessed with Humphrey Wells.

James Horsley's co-witness Robert Wharton obtained a 300-acre land grant in 1734 with William Pinder, whose will James witnesses in 1736. The land was called "Wharton and Pinders Outrange." There is a road today in Queen Anne's County called Pinder Hill Road on the northeast side of Church Hill that appears to be where, or close to where, the land grant was originally located. [See: *QA Circuit Court Land Survey, Subdivision, and Condominium Plats MSA S1204: Pat. Cert. 1131, 10 Jun 1734, Wharton and Pinders Outrange, Robert Wharton and William Pinder, 300 Acres, Maryland State Archives.*]

The location of the land being sold in the above deed is described as being on the "freshes" of the Choptank in Queen Anne's. "Freshes" usually refers to the part of a river where fresh water meets the intrusion of salt water from its mouth. In this case, it would seem the "freshes" were rather far upriver. The mouth of the Choptank River was at the Chesapeake Bay and there formed the border between Talbot and Dorchester. Upriver to the northeast the Choptank became the border between Dorchester and Queen Anne's County, with its head near the Delaware border. Kent Co., Delaware in 1730 was adjacent on its west side to both Dorchester and Queen Anne's Co., MD.

As discussed in the preceding Part I Narrative, it is not yet known if the John Nevil of this record is related to an earlier John Nevil with Joseph Horsley and the early James Horsley in Calvert Co. in the 1660's, but such a relationship could be significant and warrants more research.

1731 - May

JAMES HORSLEY witnesses the will of Elizabeth Watson – Queen Anne's County

Will of Elizabeth Watson

Will written 4 May 1731; proved 24 Jun 1731, Queen Anne's Co. Court

To son Francis and heirs, 150 acres "Brits (Bretts) Hope," Dorchester Co., and personalty.
 To son Benoni and heirs, "Widow's Folly" and "Watson's Swine Range," at head of Red Lion Branch;
 Said son dying without issue, to pass to son Francis and heirs;
 He dying without issue, said lands to pass to Mary Ann, daughter of William Watson and her heirs;
 and personalty.
 To son William, 1 shilling.
 To granddaughter Mary Ann (daughter of William Watson), personalty at marriage.
 To Elizabeth Lewis (orphan child), personalty; said child to be brought up by son Benoni as specified
 in her indenture.
 To Mary (daughter of William Mackoy), personalty.
 To 2 sons Francis and Benoni, executors, residue of estate.

Test: JAMES HORSELY, Lewis Clothier (Clother), William Swift, Jr. 20, 243.

[Source: Jane Baldwin Cotton. *Maryland Calendar of Wills* (Westminster, MD: Family Line Pub., 1988. Reprinted from original volumes 1904-1928) Vol. 6, p. 197. Citing Will Book 20, p. 243. Changes in formatting, expansion of abbreviations, and caps added by J. Horsley]

 Related record:

13 Jul 1731/29 Jun 1732

James Horsley – Appraiser of the estate of Elisabeth Watson (w Wm Ratcliffe) – Queen Anne's Co.

[Source: V. L. Skinner. *Abstracts of the Inventories of the Prerogative Court of Maryland 1728-1734*. (Westminster, MD: Family Line Pub., 1988-) p. 49]

Note:

Appraisers of the estates of deceased persons were appointed by the county court and deemed by the court to be respectable, honest, and responsible men with no vested interest in their appraisals. Appraisers were also required to make a complete inventory of the deceased's moveable assets, upon which the appraisal was based. Usually those appointed to do the inventory and appraisal were neighbors of the deceased. However, if the deceased had a particular craft or specialized business, others in like fields would often be appointed, since they would best be able to identify and assess the value of the personal property. The inventory and appraisal was submitted to the county court where its receipt was noted in the court records, and the complete inventory and appraisal record was entered into the county probate records. In Maryland, copies of documents relating to estate probates were supposed to be submitted to the Maryland Prerogative Court as well.

In addition to inventorying and appraising Elisabeth Watson's estate in 1731, Prerogative Court records show James Horsley also inventoried and appraised Thomas Wyatt's estate in 1728 and Casperus Smith's estate in 1732. There may have been others that the surviving Prerogative Court records do not include or that have not yet been located in county records.

1732**JAMES HORSLEY witnesses the will of Casparus Smith – Queen Anne's County**

Will of Casparus Smith

Written 31 Jul 1732; proved 14 Sep 1732, Queen Anne's County Court

To 3 sons Daniel, Benjamin and Casparus and their heirs, 160 ac. dwell. plantation "Jones' Fancy".

To 3 daughters Mary, Sarah and Ann, 1 shilling each. To daughter Rebecca personalty.

Henry Ward and his wife or the survivor, to hold land leased them during term of sd. lease.

Executor: son Daniel to whom is left care of sons Benjamin and Casparus and daughter Rebecca until they come of age.

Test: JAMES HORSELEY, John Weekes, Andrew Findley. 20. 596.

[Source: Jane Baldwin Cotton. *Maryland Calendar of Wills* (Westminster, MD: Family Line Pub., 1988. Reprinted from original volumes 1904-1928) Vol. 7, p. 5. Citing Will Book 20, p. 596. Changes in formatting, expansion of abbreviations, and caps added by J. Horsley]

 Related records:

7 Aug 1732/28 Nov 1732

James Horsley – Appraiser of the estate of Casperus Smith (with James Gould, Gent.) – QA Co.

[Source: V. L. Skinner. *Abstracts of the Inventories of the Prerogative Court of Maryland 1728-1734*. (Westminster, MD: Family Line Pub., 1988-) p. 59, 61]

17 Dec 1733

James Horsley – Paid from the estate of Casperus Smith (also paid Aug. Thompson) – QA Co.

[Source: V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1731-1737* (Westminster, MD: Family Line Pub., 1995-) p. 48]

1736**JAMES HORSLEY witnesses the will of William PINDER – Queen Anne's County**

Will of William Pinder

Will written 27 May 1736; proved 24 Aug 1736, Queen Anne's County Court

To son William and heirs, part of "Bishopton;"

Said son dying without issue to son John and heirs;

and personalty, said son to l****arn [learn] the trade of smith.

To son Edward and heirs. 110 A. of "Collin's Lott." 75 A. of "Ashton."

To son John and heirs, part of "Wharton's and Pinder's Outrange;"

Should sons William or Edward or both die without issue afsd. tracts called "Collins Lott," "Ashton," to son John. and "Wharton's, etc.," to daughter Jane and heirs

To daughter Elizabeth Lee and heirs, 50 A. "Knave Stand Off,"

She dying without issue to daughter Sarah and heirs; and personalty.

[record continues next page]

To wife Margaret, 1/3 personal estate, residue to 8 children, viz.: Jane, Sarah, Margaret, William, Edward, Mary, Kesiah (?) and John.

Executors: Wife and son-in-law Alexander Lee.

Memo.: No heir-at-law of age at this date.

Test: Augustine Thompson, Walter Nevill, JAMES HORSLEY.

[Source: Jane Baldwin Cotton. *Maryland Calendar of Wills* (Westminster, MD: Family Line Pub., 1988. Reprinted from original volumes 1904-1928) Vol. 7, p. 188. Citing Will Book 21, p. 653. Changes in formatting, expansion of abbreviations and caps added by J. Horsley]

Related Records:

10 Mar 1736/7 // 25 Mar 1736/7

James Horsley – Named as a primary creditor of the estate of William Pinder – QA Co.
(The other primary creditor was Augustine Thompson)

[Source: V. L. Skinner. *Abstracts of the Inventories of the Prerogative Court of Maryland 1733-1738* (Westminster, MD: Family Line Pub., 1988-), p. 75.]

15 Aug 1737

James Horsley – Paid by the estate of William Pinder – QA Co.
(Payments also made to Augustine Thompson & Walter Nevill)

[Source: V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1731-1737*. (Westminster, MD: Family Line Pub., 1995-) p. 135]

Note:

The land referred to in this will as part of "Bishopton" is the same land referred to in the will of William Bishop (written 17 Feb 1684/5, Talbot Co.) as "Bishopstone." Bishopton and Bishopsfield, part of which James and Mary Horsley received from her father, were adjacent properties and originally one land grant warrant to William Bishop for 750 acres which he then divided by survey. Bishop's will devised Bishopton to Nicholas Cloud, named as co-executor of Bishop's estate along with Thomas Seward Sr., Mary Seward Horsley's grandfather. Bishop referred to both Cloud and Seward as "my two well beloved friends my cousins Thomas Seward and Nicholas Clowd." After Bishop's death, Nicholas Cloud deeded part of Bishopton to Christopher Pinder in 1719, and in 1732 William Pinder was deeded 250 acres of Bishopton from William Bishop (nephew of the first William Bishop), which William Pinder devised to his son William by his will in 1736. [QA, *Rent Roll Book*, "Bishopton" p. 383]

William Pinder may be a part of the family group of Edward Pinder who died 1681 in Dorchester County, where the Richard Horsley who married Mary Vickery/Vickers resided before his 1697 marriage in Talbot County, just across the Choptank River. Edward Pinder married Sarah Preston, daughter of Richard Preston, "the Great Quaker," who assigned his Calvert County land patent to Joseph Horsley in 1663, the same time and place where we also find the early James Horsley and Lewis Hosley (those three being so far the only confirmed Horsley's in Maryland at that time).

William Pinder's will refers to Alexander Lee as his son-in-law. Alexander Lee married Elizabeth Pinder 30 Oct 1735 in St. Luke's Parish. [Wright, *MD Eastern Shore Vital Records 1726-1750*, p. 50] The will of Thomas Wyatt that James witnessed in 1728 was witnessed also by a William Lee, likely related to

Alexander. In 1748, Thomas Brumly, a planter of Dorchester Co. (where James Horsley's likely relative the younger Richard Horsley then lived) bequeathed items in his will to a William Lee. Brumly also bequeathed items to both William Soward [Seward] "whom I constitute as a friend" and to "Sarah Soward," who could be Sarah Offley just married to William's brother John Seward—William and John Seward being Mary Seward Horsley's brothers' names. However, there were descendants of the early George Seward, likely related to Mary Horsley's grandfather Thomas Seward Sr., who were still in the Dorchester area. Many carried the same names found in Mary's family line, so these Seward/Soward's in Thomas Brumly's will more likely could refer to Dorchester Seward's instead. Still, the family name connections are interesting and warrant more investigation.

1737

JAMES HORSLEY named as a primary creditor of the estate of James GOULD – Queen Anne's

16 Aug 1737 // 30 Jan 1737/8

James Horseley – Creditor with Thomas Collins of the estate of Mr. James Gould – QA Co.
(Richard Gould, exec; William Ratcliffe & John Collins, appraisers)

17 Sep 1738/20 Sep 1738

James Horseley – Creditor with Thomas Collins of the estate of Mr. James Gould – QA Co.
(Next of kin: Frances Gould [widow], Joseph Whittington)

[Source: V. L. Skinner. *Abstracts of the Inventories of the Prerogative Court of Maryland 1733-1738*. (Westminster, MD: Family Line Pub., 1988-), p. 92, 108]

12 Mar 1738

James Horsley – Paid by the estate of James Gould Gent. – QA Co.

[Source: V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1737-1744*. (Westminster, MD: Family Line Pub., 1995-), p. 32]

Note:

Prerogative Court records relate to the probating of estates and consist of several types of records, each focusing on a different part of the probate process: wills, administration accounts, inventories and accounts (in 1718 divided into two separate sets of records), testamentary proceedings (when a question arose to adjudicate or clarify), and distributions made after all debts were paid and received. The dates when the records were presented to the Court was not necessarily the date when an event occurred, and many of these differently-titled records repeat the same information. Although several types of records include the names of those owing debts to the estate (debtors) and those whom the estate owed (creditors), the inventory records name only the two largest creditors of the estate, that is the two to whom the estate owed the largest debts.

James Horsley is recorded as one of the two largest creditors of the estate of William Pinder (along with Queen Anne's County Justice Augustine Thompson), the estate of James Gould "Gentleman," and the estate of the widow Mary Johnson (whose other largest creditor was a shipping merchant in England). It does not take a great stretch of imagination to see that James Horsley was actively engaged in his business and was apparently prospering, especially when we add the other estates that owed/paid him debts, and the fact that he is not listed as owing to any estate. This in itself is unusual, since theirs was essentially a credit-based economy. While we have no indication that

James was wealthy, he does seem to have had a comfortable and stable income and was doing financially well for his time and place.

1738

JAMES HORSLEY named as a primary creditor of the estate of Mrs. Mary JOHNSON – QA Co.

8 May 1738 / 22 Aug 1738

James Horseley – Creditor of the estate of Mrs. Mary Johnson – Queen Anne's Co.

(The other Creditor was "Augustine Thompson for John Buck, Esq.")

[Source: V. L. Skinner. *Abstracts of the Inventories of the Prerogative Court of Maryland 1733-1738* (Westminster, MD: Family Line Pub., 1988-) p. 102]

Note:

Augustine Thompson here is acting as a factor representing John Buck, Esquire, who was an English merchant shipping out of Bideford (sometimes spelled Biddeford), Devonshire, England, and whom Thompson represents in some other accounts in this time period. Augustine's son Dowdall Thompson represented Buck after his father's death.

Mary Johnson may be the widow of John Johnson who in 1728 was James Horsley's co-appraiser of the estate of Thomas Wyatt.

1744 – 13 July

JAMES HORSLEY paid by the estate of John BUSELL, Planter - Queen Anne's County

[Source: V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1737-1744*. (Westminster, MD: Family Line Pub., 1995-), p. 190]

Note:

R. A. Riggin's Bussell website (online at <<http://www.goldenlyon.com/bussells.html>>) has more complete records for the estate of John Busell (also spelled Bushnell). Riggin cites only "Probate Records of Maryland," but they appear by information and format to come from Skinner's abstracts of the Prerogative Court records. I include these below as an example of the details provided in such records that can show ongoing relationships and give clues for further research.

Among those paid by Busell's estate, once more we find James Horsley with Humphrey Wells and Richard Wells, and with Augustine Thompson's son Dowdall Thompson. Augustine is deceased and Dowdall is now representing the British merchant John Buck, Esq. as his father had before him. (Caps below are mine.)

John Busell (planter) - Probate of Jul 13 1744, Queen Anne's County, MD

Sureties: James Roberts, James Cassey.

Payments to: JAMES HORSLEY, James Buchanan & Co. per William Carmichal & John Burne, Francis Rochester, Humphry WELLS & Richard WELLS, James Roberts, Richard WELLS, Jr., John Furbush, John BUCK, Esq. per Dowdall THOMPSON, William Tilghman.

Administratrix: Margaret Busell (also Margaret Bussells). 20.300 A QA £117.6.2 £41.14.7

[records continue next page]

John Bushnell 27.38 QA £117.6.2 Jan 11 1741 Jul 15 1742

Appraisers: Richard WELLS Humph. WELLS.

Creditors: William Carmicital for Hr. James Buchanan & Co., Dowdall THOMPSON for John BUCK, Esq. (merchant in Middeford [*sic*-Biddeford])

Next of kin: Benjamin Benham, Matthew Benham (brothers-in-law?).

Administratrix/Executrix: Margaret Bussells.

1746 – 27 Aug

JAMES HORSLEY paid by the estate of Arthur HOLT – Queen Anne's County

[Source: V. L. Skinner. *Abstracts of the Administration Accounts of the Prerogative Court of Maryland 1744-1750*. (Westminster, MD: Family Line Pub., 1995-) p. 54]

Note:

Other than the 1747 Quit Rent List for Bishopsfield (see record at end of Timeline), this is the latest dated record I have found for James Horsley before his death about 1748. Arthur Holt, Rector of St. Luke's Parish Church, died in 1742.

1748/9

JAMES HORSLEY (Jr.) & some SEWARD Uncles on Militia List - Queen Anne's County

22 February 1748/9 - A List of Militia Under the Command of Capt. James Brown – QA County

HORSLEY, JAMES - Pvt.

Seward, Thomas Jun'r - Pvt. [b. c1712]

Soward, Daniel - Pvt. [b. c1727]

Soward, John - Pvt. [b. c1729]

Soward, Isaac - Pvt. [b. c1732]

Soward, William - Serjeant [b. c1718]

[Source: Murtie J. Clark, *Colonial Soldiers of the South, 1732-1774* (Baltimore, MD: Genealogical Publishing Co., 1999), p. 42, Ref: MHR/MSA Box 1:29.]

Note:

This record gives us a clear indication that James Horsley Sr. was deceased by this time. He appears to have died between the Queen Anne's Quit Rent Roll of 1747 and this 1748/9 record.

James Horsley, Private, on this list would be James Junior, not Senior. First, because James Sr. almost certainly was age 21 or over by 1712 when he contracted his services to Thomas Macnemara. This would make him at least 57 years old in 1748 and thus too old for the Colonial militia which generally included males between ages 16 (or 18) and 50. James Jr. gave a deposition in Queen Anne's Court in 1756 saying he was then 25 years old, so he would be 17 or 18 in 1748/9. [*Henry C. Peden, Jr. More Maryland Deponents 1716-1799, p. 57*] Secondly, Thomas Seward, whose father Thomas was still living, is listed as "Jun'r" while James Horsley is not, indicating that he was the only James Horsley in the area and that his father James Sr. was already deceased. James Sr.'s widow Mary Seward Horsley remarried a year later in Feb 1749/50.

"Thomas Seward Jr." in this militia list is actually Thomas Seward III. He is the son of "Thomas Seward Jr." (who died 12 years later in 1761), and grandson of "Thomas Seward Sr." (d. 1688).

The Seward/Soward males on this muster were all brothers of James Horsley Jr's mother Mary Seward Horsley who was the eldest of her father's 14 children by two wives. We know that at least John Seward and Isaac Seward on this militia list were children of Mary's father by his second marriage. (Approximated ages of these Seward males came from depositions and from information sent to me by descendant and family researcher Alvin Soward.)

Militia rolls for residents of Kent Island were on a separate list. Since James Horsley is not on that list, we have further proof, along with the survey description of Bishopsfield and the Queen Anne's Quit Rent Rolls, that the family did not live on Kent Island as is commonly thought. That idea came from information in the *Horsley Families* book that appears to be taken from the Hopper affidavit, neither of which is sourced or documented.

1749/50 - Feb 26

MARY [Seward] HORSLEY marries Joseph SLOCUM in St. Luke's Parish – Queen Anne's Co.

[Source: St. Luke's Parish Records, Queen Anne's County, MD. Maryland State Archives, Annapolis, MD.]

Note:

The primary way that we know the Mary Horsley who married Joseph Slocum was Mary Seward the widow of James Horsley Sr. is by a deposition Mary gave as Mary Slocum in Queen Anne's County Court in April 1765, where she mentions "Thomas Seward her father" and "James Horsley her husband" (see record below).

I have been able to learn almost nothing about Joseph Slocum. There was a George Slocum (of various spellings) who was a German naturalized in Maryland in 1697. *[Arch. of MD, Vol. 19, p. 596]* Interestingly, in 1695 George Slocum petitioned for payment for bringing from London Towne to Annapolis "Cage Whipping post pillory and Stone" for Dorchester County. *[Arch of MD Vol 19, pg. 265]* This "London Towne" is probably the Londontown that was south of Annapolis in Anne Arundel County. (Thomas Macnemara's brother-in-law James Carroll owned land at Londontown, and it is said to be the original residence of James Holland discussed in Part I in connection with the younger Richard Horsley of Dorchester County, James Horsley's likely kin.) George Slocum died testate in Dorchester County in 1715. *[MSA Colonial Era Probate Record Index]* I have not seen a copy or abstract of his will, but some other Dorchester records found for that family have not shown a Joseph. Nevertheless, the surname does seem to be uncommon in that area, and George Slocum's 1715 will should be examined for more information.

According to Randy Weeks, a frequent poster on the Slocum GenForum message board, a George Slocum (II) moved from Annapolis, MD to a land grant in Dorchester Co, MD in 1713. Given that James Horsley, Mary's first husband, was in Annapolis at the same time, and that Richard Horsley was in Dorchester in 1697 and the younger Richard Horsley was there in 1734, plus the fact that parts of Dorchester County were adjacent to Queen Anne's, there could be connections between George Slocum and Mary Horsley's second husband Joseph Slocum, but more research is needed.

As discussed in Part I of this paper, I have not found clear evidence that Mary Seward and Joseph Slocum had any children. In fact, Joseph may have died shortly after their marriage, as we discuss in regards to Mary's father's will written in 1754 (record below). Joseph was definitely deceased by 1769 when Mary sells land in her own right as discussed in Part I and in the 1769 record below.

1754

JAMES HORSLEY's widow MARY named in her father Thomas SEWARD's will – Queen Anne's

WILL OF THOMAS SEWARD [JR.]

Written 16 Feb 1754; Proved 2 April 1761, Queen Anne's Co., MD

In the Name of God Amen. I Thomas Seward of Queen Ann's County in the Province of Maryland, Planter do make and Ordain this my last Will and Testament, in Manner and form following, hereby revoking and Disannulling all former and Other Wills of any kind by me heretofore made—

Imp'r: I Give and bequeath my Soul into the Hands of Almighty God who gave it me, and my Body to be buried in a Christian-Like and Decent manner at the Discretion of my Loving wife Rebecca whom I hereby appoint to my Sole Executrix to See this my Will Performed and as to Such worldly Goods as it hath pleased Almighty God to bless me with I Leave and bequeath in this manner foll'g[following]—
[...]

Item I will and Bequeath to my Daughter MARY HORSLEY the Fifty Acres She now Lives on and to her Lawful Issue forever—

[...]

/s/ Thomas (TS) Seward (his mark) [The S is written over the T and under the T's crossbar]

Witnesses: James Roseberry, James (his mark) Vanderford, Jn'o. Dempster.

[Source: Queen Anne's County Wills, Liber 31, Folio 265. Copy of original sent to me by Alvin Soward 2005, with my sincere gratitude. Transcribed by J. Horsley. Original spelling retained, caps & bracketed comments added.]

Note:

This mention of Mary Horsley in her father's will is confusing on two counts. First, because her father names her by her first married name when in fact she married Joseph Slocum four years before. Mary Seward Horsley is proved to be Mary Slocum at the time of this will by her 1749/50 St. Luke's marriage record to Joseph Slocum and by her 1765 deposition as Mary Slocum that also names her father Thomas Seward and her previous husband James Horsley (see record below). Thomas did not mention in his will that he was sick or infirmed and he did live another seven years, so we can hardly argue diminished capacity or senility, especially with the detailed instructions for inheritance he spells out in the rest of his will. Thomas' calling Mary by her first married name could signify that Joseph Slocum was already deceased by this time, especially since no records have been found for Joseph after their marriage. Perhaps after so short a second marriage Mary continued to be known by family and neighbors by her first married name, but this is only conjecture.

The other confusion in Thomas Seward's will is about the 50 acres Thomas devises to Mary that "she now lives on." It seems that he must be referring to the Bishopsfield land that he deeded to Mary and James in 1728 and that Mary sold in 1769, since there is no deed, rent roll or post-Revolutionary land tax record showing that any other Horsley or Slocum occupied, bought, or sold other land formerly owned by Thomas Seward. Yet how can Thomas devise the same land in 1754 that he already sold in 1728?

It may be that in his will Thomas was simply clarifying that the land sold to James and Mary Horsley was intended to be Mary's land by her own right after James' death, not just the usual lifetime right to 1/3 of the land as James' widow. If so, this also argues that Joseph Slocum may be deceased by 1754 and that Mary's father, concerned about the security of his daughter's future, is reiterating that Mary fully owned all the land, that during her lifetime she, and only she, could sell the land, and that under the terms of Thomas' will as well as the original 1728 deed of sale, only Mary's legitimate natural-born children could inherit it. Again, what Thomas Seward may have meant in his will is only speculation based on facts known to date.

1765

Court Deposition of MARY [Seward Horsley] SLOCUM – Queen Anne's County

Richard Gafford

at Suit of

William Austins Lessee

Queen Anns County April 6th 1765

MARY SLOCUM aged fifty five [55] years [b. c1710] being Sworn on the holy Evangelist of Almighty God, Deposeth and Saith that about thirty Nine years agoe [c1726, age abt. 16] as this Deponent and THOMAS SEWARD HER FATHER Was going to a Race that Was to be in Kent County and as they Went by the place We are Now at the af'd Thomas Seward Struck the Red Oak Now Shewn With his Switch and told this Deponent it Was the Bounded Tree of MACKLINS LAND and further this Deponent Saith that at Several other times JAMES HORSLEY HER HUSBAND told her this Deponent that the af'd Tree was the Bounded Tree of Macklans Land and further Saith Not.

Signed: MARY (+) SLOCUM (her mark)

[Source: Queen Anne's County. William Austin Ejectment Papers. Selected Seward Depositions. Unpaginated. MSA- SC-5458-108-43. MSA, Annapolis, MD. Transcribed by J. Horsley, caps and comments in brackets added, original spelling retained.]

Note:

This one deposition statement gives concise confirmation that James Horsley Sr.'s wife was Mary Seward, daughter of Thomas Seward, and that the Mary Horsley who married Joseph Slocum was the widow of James Horsley. It also is the only record found so far that indicates Mary's birth date and age. Three of Mary's brothers, William, Daniel and John Seward, also gave depositions in this case (records below).

Besides the vital information about Mary in these depositions, they raise the intriguing question of why Thomas Seward and James Horsley had been from the 1720's so interested in the boundaries of the land in this suit called Macklins Beginning, making a point to pass down what they knew.

The record of this suit is composed of numerous loose pages of court orders and depositions in random order and is not available on microfilm. Time was too short during the latest visit to MSA (Summer 2010) and the cost of obtaining a complete copy too great to ascertain the details and purpose of this suit. Hopefully subsequent visits to MSA will allow time for a full reading of the suit. Meanwhile, the Seward depositions lead to some interesting background information.

The land in question began as a 400-acre tract then in Talbot County first granted to Robert Macklin (spelled variously) in 1683. [*MSA S1597: (Patents, QA, Tract Index) - Patent Record 21, p. 495*] In 1695, Robert Mackim/Mecklin was elected one of the two first Church Wardens of St. Paul's Parish (with David Blaney). [*Emory, p. 151, 185*] In 1698, Robert Mackim and Richard Tilghman were "two of his Majesty's Justices of the Peace" and voted with the St. Paul's Vestry to issue a tax for the repairing/rebuilding of the church. [*Emory, p. 153*] In 1702, Robert Mackim was elected a vestryman of St. Paul's Parish. [*Emory, p. 153-4*] By Aug 1704, Robert Mackim, deceased, had bequeathed 20,000 lbs. tobacco to St. Paul's which was sold to Richard Tilghman for £50 Sterling to settle with William Salisbury, apparently for work on the church. (It seems that Robert Macklin's full will may not have survived.)

By 1755, at least part of Macklins Beginning was owned by Charles Gafford Sr., whose will, written 6 Nov 1755, proved 25 Mar 1756, bequeathed 141 acres of this property, where he then lived, to his son John Gafford. [*Gibb, Maryland Will Abstracts, citing Liber 30, folio 563*] Online information [*Ancestry.com Public Tree Wise Family*] says that Charles Gafford Sr. at one time owned all 400 acres of Macklins Beginning, but no documentation of this is given. Charles Gafford Sr.'s will also names his eldest son Richard and second son Charles Gafford (Jr.), who received only 12 pence sterling each, indicating they may have received gifts of property previously from their father. It appears to be Charles Gafford Sr. whom John Seward's deposition mentioned as the "old Charles Gafford" who was living on Macklins Beginning in the 1740's (see record below).

Information sent to me by Gafford researcher Laurie Jenson shows Charles Gafford Sr.'s son Richard Gafford wrote his Queen Anne's County will seven months after this court case on 30 Nov 1765 (proved 16 Jan 1772). [*Queen Anne's County Original Wills, box 5, folder 75*] The will bequeaths to son Jacob 150 acres described as "my dwelling plantation with all the land thereunto adjoining called Macklins beginning and Smithfields," Thus, it would be this Richard Gafford who was one of the parties in the suit for which the Seward's depose.

Charles Gafford Sr.'s second son, and Richard's brother, Charles Gafford Jr. wrote his Queen Anne's County will 26 Aug 1765, proved 13 Oct 1768. His will also bequeaths part of Macklins Beginning and Smithfield. Charles Gafford Jr. had several known close connections with James Horsley Sr.'s family. His will was witnessed by James Horsley Jr. and his brother Richard Horsley. [*Abstracts from both Keddie and Wright, citing Will Book 36, p. 626*] Also, James Horsley Jr. became an administrator of the second Charles Gafford's estate along with Charles' son Charles Gafford (III). [*Skinner, p. 105*]

Research of James Alwyn Austin says in 1738 Charles Gafford (Sr. or Jr.?) bought 50 acres of Queen Anne's County land that was part of Smyth's Field (Smithfield) from William Austin, apparently the same William Austin of this suit. William Austin seems likely related to Jane Austin, mother of Thomas Tharp who married James and Mary Seward Horsley's daughter Hannah Horsley in 1749. (See Part I Narrative for more discussion of these family associations.)

Why Mary Seward's father Thomas Seward and husband James Horsley Sr. took particular notice of the boundaries of the land called Macklins Beginning from a time even before James and Mary married and a decade before William Austin sold land to Charles Gafford is not clear. Neither is the role of Henry Johnson to whom James Horsley Sr. referred, according to William Seward's deposition (record below). Hopefully a more complete investigation of the suit records and the sequence of deed transfers for Macklin's original grant land will give us a better idea of the suit's complaint and possibly some of the relationships of the people involved.

Abstracts of Mary Slocum's deposition:

"MARY SLOCUM, of Queen Anne's County, [age] 55, deposition Apr 1765, mentioned her father Thomas Seward about 35[sic] years ago." Citing original source as QAEJ [Queen Anne's Ejectment Papers] William Austin Folder

[Source: Henry C. Peden, Jr. Maryland Deponents Vol 3: 1634-1776 (Westminster, MD: Willow Bend Books, 2000), p. 229.]

Also from same abstractor:

"MARY SLOCUM, age 55, deposition April 1765, stated that 35[sic] years earlier her father Thomas Seward showed her a place..."

[Source: Henry C. Peden, Jr. More Maryland Deponents 1716-1799 (Family Line Pub, 1992), page not noted]

Note:

In Henry C. Peden, Jr.'s published abstracts of Mary's deposition he is mistaken in his entry. The original court record clearly says "thirty-nine" (39) years ago, not 35 as Peden's entry says. In this case, the four year difference could be significant, since 39 years prior was before Mary married James Horsley, while 35 years was after. Thus we know that the Seward's had an interest in this property even before James became part of the Seward family. (This is one example of why it is important to obtain original records, since even the best abstractors can make mistakes that impact our interpretation of the record.)

Deposition of William Seward

Richard Gafford

at Suit of

William Austins Lessee

Queen Anns County April 5th 1765

WILLIAM SEWARD aged forty Seven years [b. c1718] being Sworn on the holy Evangelist of Almighty God, Depoeth and Saith that between thirty and forty years agoe [c1725-1735] one JAMES HORSLEY and this Deponant Was Riding by the place We are Now at and Said HORSLEY puts his Stick against the Red Oak Now Shewn and told this Deponant it Was the Bounded Tree of MACKLINS BEGINNING and at the Same time Said HORSLEY Says to this Deponant you are but a Boy and When I am Dead and gon you May Remember it and further HORSLEY Said that Henry JOHNSON told him that the afs Tree Was the Bounded Tree of Macklins beginning and this Deponant further Saith that at that time Henry Johnson Was No Ways Intrested in the Setteling the Bounds of Macklings Beginning because at that time he held No Land Near this place---and further Saith Not.

/s/ William Seward

[Source: Queen Anne's County. William Austin Ejectment Papers. Selected Seward Depositions. Unpaginated. MSA- SC-5458-108-43. MSA, Annapolis, MD. Transcribed by J. Horsley, caps and comments in brackets added, original spelling retained.]

Note:

I have not been able to identify the Henry Johnson mentioned in this deposition; however, he may be related by marriage to the Seward family. On 30 Dec 1735, Thomas Seward III (called "Jr" in the

following depositions of Daniel and John Seward) married Elizabeth Johnson. [*Marriage Records of St. Luke's Parish, Queen Anne's County, MD*] Seward researcher Diana Tipsword says Elizabeth's parents were a Henry Johnson (b. c1695) and Elizabeth Pierce (b. c1700). Interestingly, James Horsley Sr. (who mentioned Henry Johnson to William Seward, according to the above deposition) in 1738 was a creditor and witnessed the will of a Mary Johnson, possibly the widow of, or otherwise related to, John Johnson who co-appraised the estate of Thomas Wyatt with James Horsley in 1728. I have not been able to learn whether or not these Johnson's were related.

Deposition of Daniel Seward

Richard Gafford
at Suit of
William Austins Lessee
Queen Anns County April 5th 1765

DANIEL SEWARD aged thirty Eight years [b. c1727] being Sworn on the holy Evangelist of almighty god, Deposeth and Saith that about Twenty one or Twenty Two years agoe [c1743-1744] or thereabouts this Deponants Father THOMAS SEWARD, and himself was going to See his Brother THOMAS SEWARD JUN'R and this Deponant Says When they Came Near the place We are Now at this Deponants Father Went up to the Oak Now Shewn and told him this Deponant it was the Bounded Tree on the Beginning Tree of MACKLINS LAND Which CHARLES GAFFORD then Lived on and further Saith Not.

/s/ DANIEL (D) SEWARD (his mark) [mark is a cursive capital D]

[Source: Queen Anne's County. William Austin Ejectment Papers. Selected Seward Depositions. Unpaginated. MSA- SC-5458-108-43. MSA, Annapolis, MD. Transcribed by J. Horsley, caps and comments in brackets added, original spelling retained.]

Deposition of John Seward

Richard Gafford
at Suit of
William Austins Lessee
Queen Anns County April 5th 1765

JOHN SEWARD aged thirty Six years [b. c1729] being Sworn on the holy Evangelist of Almighty God, Deposeth and Saith that between Twenty and thirty years agoe [c1735-1745] this Deponants Father THOMAS SEWARD and himself Was going one Sunday to See THOMAS SEWARD JUN'R Half Brother to this Deponant and When this Deponants Father and himself got against the Red Oak We are Now at he made a Stop and Walk'd Round the Tree Now Shewn and told ["told" interlined above] him this Deponant it Was the Bounded Tree of the Tract of Land that old CHARLES GAFFORD then Lived on and further Saith not.

/s/ JOHN (his mark) SEWARD [mark was 3 vertical lines crossed by one line diagonally]

[Source: Queen Anne's County. William Austin Ejectment Papers. Selected Seward Depositions. Unpaginated. MSA- SC-5458-108-43. MSA, Annapolis, MD. Transcribed by J. Horsley, caps and comments in brackets added, original spelling retained.]

1769

MARY [Seward Horsley] SLOCUM sells Bishopsfield land – Queen Anne's CountyAbstract

From: Mary Slocum, Widow, of Queen Anne's Co, MD

To: Thomas Wright, Gentleman, of same

Dated: 12 Jun 1769

Description: 50 acres Bishops Fields, Queen Anne's County, MD. Deeded to Mary, then wife of James Horsley, on 21 Mar 1728/9 by Thomas Seward, to be inherited by lawful children born of Mary

Consideration: £40 current money of Maryland

Signed: Mary (+) Slocum (her mark) Witnesses: John Brown, John Thompson [Justices]

Recorded: 27 Jun 1769, Queen Anne's County Court

Source: Queen Anne's County Court (Land Records) [MSA CE 143-12] Liber RT, No. 26, p. 356. MSA, Annapolis, MD.

Transcript

Queen Ann's County to wit June the twenty seventh Day Anno Dom one thousand seven Hundred and sixty nine [27 Jun 1769] the following Deed was brought to be Recorded to wit This Indenture made this twelfth Day of June in the year of our Lord Seventeen Hundred and sixty nine [12 Jun 1769] Between MARY SLOCUM of Queen Anns County in the province of Maryland WIDOW of the one part And THOMAS WRIGHT of the same place GENTLEMAN of the other part Whereas a certain THOMAS SOWARD heretofore on the twenty first day of March in the year of our Lord seventeen Hundred and twenty eight [21 Mar 1728/9] did give unto the said Mary Slocum then being the WIFE OF JAMES HORSLEY by the name of Mary Horsley all that part of a Tract of Land called BISHOPS FIELDS lying and being in Queen Anns County which part lies within and is described by the Metes and Boundaries following to wit Beginning at a marked Gum standing at the end of the North Line of the said Tract and running thence West eighty perches then South one Hundred perches then East eighty perches thence North one Hundred perches to the first bounded Tree containing fifty [50] Acres of Land together with all Houses Fences Woods out Houses underwoods Trees timber Trees and all and singular other the rights profits benefits priviledges and Advantages to the same belonging or in any wise appertaining To have and to hold the same unto the same Mary and the Heirs of her Body lawfully begotten for ever as by the said Thomas Sowards Deed to the afd Mary bearing Date the Day and year last afsd and Recorded on the Records of Queen Annes County in Lib IK N'o C reference thereto being had may more at large appear by virtue whereof the said Mary became seized in fee Tail of and in the afd parcell of Land and other the premises And whereas afterwards to wit at a Provincial Court held at the City of Annapolis in and for the province afd on the third Tuesday in May last past [15 May 1769] the afsd Thomas Wright did sue out and prosecute against the afsd Mary Slocum his Lordships Writ of entry sur disseisin in le post whereby he demanded against the said Mary the afsd parcell of Land and premises by the name and description in the same Writ and other the proceedings thereon had to which same Writ the same Mary did appear by Solomon Wright her Attorney and did vouch to Warranty William Rawlings who afterwards did appear and enter into Warranty of the same and afterwards in the same Term departed and made Default whereby a good and perfect recovery was had according to the usage and practice of the same Court which said Recovery was executed by writ of seisin accordingly as by the Records of the

[record continues next page]

same Court may appears And also the same Recovery was and was then declared and now is acknowledged to be to the use of the said Mary Slocum her Heirs and Assigns for ever and to none other use intent or purpose whatsoever so that the said Mary may lawfully convey the same to the afd Thomas Wright his Heirs and Assigns for ever This Indenture therefore Witnesseth that the afd Mary Slocum for and in Consideration of the sum of Forty pounds [£40] current money of Maryland to her in Hand paid by the afsd Thomas Wright at and before the Sealing and Delivery of these presents the receipt whereof is hereby Acknowledged hath given granted bargained and sold aliened enfeoffed released and confirmed and by these presents doth give grant bargain and sell alien enfeoffe release and confirm unto the said Thomas Wright his Heirs and Assigns for ever All the afsd Fifty [50] Acres of Land part of the afd Tract of Land called Bishops Fields described and ascertained as afd and all and singular other the premises with the Hereditaments and Appurtenances unto the same belonging or in any wise appertaining and all the Estate right Title and Interest of her the said Mary either in Law or Equity of in to or out of the same and the Reversions and remainders rents issues and Services thereof and every part and parcel thereof To have and to hold the beforementioned parcell of Land and all and singular other the premises with the Hereditaments and Appurtenances unto the said Thomas Wright his Heirs and Assigns for ever to the only proper use and behoofe of the said Thomas Wright his Heirs and Assigns for ever free and clear of all manner of Incumbrances whatsoever and the afsd Mary for herself and her Heirs doth hereby Covenant and grant to and with the said Thomas Wright that she the said Mary the afd parcell of Land and all other the premises unto the said Thomas his Heirs and Assigns against all manner of persons whatsoever shall and will warrant and by these presents for ever Defend In Testimony whereof the parties to these presents have interchangeably set their Hands and Seals the Day and year first above written. /s/ MARY (+) SLOCUM (her mark) Sealed and Delivered In presence of us /s/ JN'O BROWN, JN'O THOMPSON

On the back of the foregoing Deed was Indorsed as followeth to wit
 Rece'ved of THOMAS WRIGHT the sum of Forty pounds [£40] current money being the full Consideration for the within Lands and Premises this twelfth Day of June 1769 [12 Jun 1769] per me. /s/ MARY (+) SLOCUM (her mark) Test JN'O BROWN, JOHN THOMPSON

On the back of the same Deed was also thus Indorsed to wit
 Be it remembered that on the twelfth Day of June in the year of our Lord seventeen Hundred and sixty nine [12 Jun 1769] MARY SLOCUM within named personally appeared before us two of his Lordships Justices for the County afsd and did Acknowledge the within Indenture to be her Act and Deed and the Lands and Premises therein mentioned to be the right and Estate of the within THOMAS WRIGHT his Heirs and Assigns according to the true intent and meaning of the same Indenture In Witness whereof we have hereto set our Hands the Day and year afsd /s/ JOHN BROWN, JN'O THOMPSON

On the back of the same Deed was also thus further Indorsed to wit
 Queen Ann's County to wit June the twenty seventh Day Anno Dom one thousand seven Hundred and sixty nine [27 Jun 1769] Received from the within named THOMAS WRIGHT the sum of one shilling Sterling for the Alienation Fine [ie, title transfer fee] on the within Land and to the right hon'ble the Lord Pro'pry [Proprietary] of the province of Maryland and for his use by--- /s/ R'd Tilghman [Clerk of Court]

[Source: Queen Anne's County Court (Land Records) [MSA CE 143-12] Liber RT, No. 26, p. 356. MSA, Annapolis, MD. Abstract and transcription by Joan Horsley, comments in brackets and caps added, original spelling and punctuation retained.]

Related record:

12 June 1769

50 acres of Bishop's Field to Thomas Wright from MARY SLOCUM

[Source: Land Office Rent Rolls. Queen Anne's County., p. 383, "Bishops Field." Maryland State Archives, Annapolis, MD.]

Note:

This deed clearly proves that the land Mary Seward Horsley Slocum is selling is the same part of Bishopsfield that her father Thomas Seward deeded in 1728 to James Horsley and wife Mary, Thomas' daughter. As discussed previously, it appears by that deed and by his will to be Thomas Seward's intent that Mary be full owner of this land after James' death, and that only her natural-born legitimate children should inherit.

The court case mentioned in the deed apparently related to proving rightful ownership by Mary Slocum (especially since the Rent Rolls listed the property in the name of James Horsley), but I have been unable to learn more about the details of the case, nor have I been able to identify the William Rawlings mentioned. (In 1734, there was a Robert Rawley who witnessed the Dorchester will of Henry Ennalls with Richard Horsley, but it is unknown if these Rawley/Rawlings, also spelled Raleigh, were related.)

Again, the transfer of land by this deed was entered into the Rent Roll books for "Bishop's Field."

Mary's second husband Joseph Slocum was deceased at least by this date, since a married woman could not sell property in her own name without her husband, and indeed she is named "Widow" in the deed itself. The timing of her sale is intriguing, in that her eldest son James Horsley Jr., who appears also to have lived on this part of Bishopsfield, left shortly afterwards with his family for Virginia. One cannot help but wonder if his mother Mary may have gone with him.

1734 - 1769

JAMES HORSLEY (Sr., then Jr.) in Quit Rent Rolls – Bishopsfield – Queen Anne's County

50 acres of "Bishops Fields" ("Bishopsfield") taxed to James Horsley:

1734 (1735-46 missing), 1747 (1748-62 missing), 1763, 1765, 1766 (as Harsley), 1767, and 1769 (1770-1775 missing)

[Source: Queen Anne's County Debt Book 1734-1775. Maryland State Archives, Annapolis, MD]

Note:

Quit rents (sometimes called simply "rents") were in essence a land tax paid by each Colonial landowner to the British Crown or to the Crown's appointed Proprietors, who in Maryland were the successive Lords Baltimore of the Calvert family. Technically either the Crown or the Proprietors owned all the land (and even the Proprietors owed to the Crown), and if quit rents were not paid, the Crown/Proprietor could confiscate the land, even though it was legally titled to the landowner. Quit rents evolved from the old Medieval land organization, whereby a nobleman owned all the land, and the people who lived on and worked it owed personal service (such as mandatory participation in their lords' wars) and a part of their harvests to the noble overlord. Gradually this was replaced with a

monetary fee, which when paid, then “quit” or acquitted the underlings from the more personal obligations.

Each year a list of landowners owing quit rent (called a debt or rent roll list) was compiled by commissioners in each county based upon land records, property transfers, etc. In Maryland the name of the property (Bishopsfield, Bishopton, Ye Old Range, etc.) was also included in the list.

Records from the still-surviving Queen Anne’s quit rent debt lists from 1734 through 1769 show a James Horsley was paying the quit rent or land tax for 50 acres of “Bishops Fields” or “Bishopsfield” in Queen Anne’s County, MD. This would refer first to James Sr., then to James, Jr. after his father’s death. The surviving rent roll records list no Mary Horsley, Mary Slocum, or Joseph Slocum paying quit rents. The land Mary sells in 1769 was the same 50 acres of Bishopsfield for which her son James Horsley Jr. had been listed as paying the quit rent through 1769, the last year for which the records have survived.

After the Revolution, the former colonies, now states, continued to charge a land tax on properties beginning in 1782, but not all states or all counties of a state have surviving tax records from that early a time. Unfortunately, 1783 is the only year prior to the 1850’s with surviving tax records for Queen Anne’s County, so the information these post-Revolution tax records could provide for James and Mary’s sons Thomas and Richard Horsley and widowed daughter Hannah Horsley Tharp is lost.

Their son James Horsley Jr. moved his family to Halifax County, VA sometime between the last surviving rent roll of 1769 and Jan 1775, when James first appears in Halifax records. (For their continuing story, see my research report on James Horsley Jr. at www.JoanHorsley.org)

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*End of Part II*

### ***Dale Grammer Hopper Statement***

In 1940, Dale Grammer Hopper in El Paso County, Texas presented to a notary a typed list of names and dates she stated were in a Bible which Hopper identified as originally belonging to her grandfather William G. Horsley's first wife. The notarization is typed and reads:

*Before me the under signed authority on this day appeared Dale Grammer Hopper who being by me duly sworn on oath deposes and says—*

*That the above is a true and correct copy of a record in the family Bible of her grandfather S. H. J. Horsley*

*Sworn to and subscribed before me this 29th day of April, a.d. 1940*

*Notary public in and for El Paso County, Texas. /s/ O. Wood [by signature]*

Added in script handwriting under "grandfather" is "Wm Horsley" and after "S. H. J. Horsley" is written in script "(wife) as their wedding gift."

**Note:**

A notary is not responsible for verifying information in a document, only for certifying that the document was presented in person and that the person presenting it and making any statement regarding it had proof of his/her identity. Any additions, strikeouts, or changes to a notarized document that are not initialed or acknowledged by the notary nullifies the official notarization. Hopper, or whoever made the additional comments, obviously was unaware of this fact, since there is no initialing or other official acknowledgement of the handwritten corrections made to the document.

Dale Grammer Hopper's grandfather William G. Horsley was a great-great-grandson of James Horsley Sr. William G. Horsley married his first wife Salina Haseltine Judson Preston in Jasper County, Georgia on 26 Aug 1863 *[date from Sandra Franklin]*. However, neither William and Salina's marriage date nor the date of her death a year later are included in Hopper's Bible entries. This leads me to think that the Bible may have been a gift when William G. married his second wife (and Hopper's grandmother), Margery Dunklin, whose marriage in 1874 is in the list of Bible dates. There are only three dates that post-date William G. and Margery's marriage: the death of William G.'s father James Horsley (son of Valentine) in 1886, Margery's death in 1883, and William G.'s death in 1930. The only dates given prior to William G. and Margery's marriage in 1874 are the birth and death dates of William G. Horsley's grandfather Valentine Horsley, 1758-1843, which can be found in his obituary, and for his grandmother Sarah Kendrick Horsley, 1766-1836. Since the Hopper list is a typed one, there is no way to compare handwriting that could indicate when and by how many different people these Bible entries were made, but obviously at least the dates for Valentine and Sarah Kendrick Horsley were entered at a later time than the events, since the Bible only originated with their grandson William G. Horsley's marriage.

In addition to the above dates (given as full dates in the affidavit) and a few other names and dates for William G. Horsley's parents and siblings, there is an introductory statement purportedly about James Horsley Sr. that has become very problematic. Being part of a notarized statement of names and dates said to be from a family Bible, this introduction has the appearance of authentic information. However I have found almost every part to be in error when compared to primary records (that is, those made at the time of the event) or at the least unsupported by the documented evidence.

Another disconcerting problem is that this introductory statement seems to be the basis for the information about our earliest known ancestor James Horsley Sr. of Maryland given in *Horsley Families of America* by Brenda Horsley Scott and Roy Horsley (published 1986). That erroneous information has now been disseminated throughout the Internet in genealogy files of submitters to websites such as Ancestry.com and RootsWeb, two of the most widely-used sources for today's family history researchers.

\* \* \* \* \*

Below is the introductory statement from my photocopy of Hopper's original affidavit:

In a history of Northumberland County at the city library in Morpeth, England may be found an account of the Horsley Family for several hundred years. Seven miles from Morpeth in a village with a Knights castle called, "Horsley". History says the Horsley family resided here as early as the Norman conquest and how much earlier is not known. The ancestors of Nash Horsley [whose identity is now unknown] were James Horsley a merchant from England about the time of the terrible) from Cromwell. He settled in the city of Baltimore, and failed in business. He died and was buried on Kent Island in the Chesapeake Bay. One of his sons named James lived in Halifax County, Va., and had sons James, Richard, William, and Valentine; and daughters Susan, Rachel, Elizabeth, and Mary.

*[Transcribed by J. Horsley. Spelling and punctuation retained, comment in bracket added. The single parenthesis mark after "terrible" is in the original. My copy from Gerald Horsley.]*

\* \* \* \* \*

The following is a brief summary of my research findings regarding the above statement which I discuss in detail in Part I of this research report:

1. Our Horsley family could not have come from the Horsley's of Horsley Manor near Morpeth, because the last Horsley male of that line was born 1612 and left no male heirs.

Bill Ricalton, Chairman of the Longhorsley Local History Society, Northumberland, England responded to me by e-mail 31 Jul 2006 regarding the Horsley family who were of "Horsley Manor" of Longhorsley north of Morpeth to whom the Hopper statement refers:

"I have added as an attachment to this e-mail a pdf file of the family tree of the Horsley Horsleys for your interest, you will see that the Horsley line, who were Lords of the Manor here at Longhorsley, ceased when Sir Thomas died. The Horsley lands passed through marriage of his daughter to the Widdringtons."

What Mr. Ricalton sent me was a copy of the family tree certified by "Sir Thomas Horsley, Knt" and dated Newcastle, 25 August 1666. This chart clearly shows that our Horsley's could not be one of this knighted Horsley family line.

There were a number of places named Horsley (meaning basically “horse pasture”) all over early England. Then when surnames came into use after the Norman Conquest, the name Horsley was taken by some of the people who lived in these various Horsley places. Hopper's Bible entry probably was written by someone in the early 1900's who found information on the knighted Horsley line in the popular peerage books of that era and mistakenly thought it was the only Horsley family from which all English Horsley's descend (another widespread misconception about family origins around the turn of the 20<sup>th</sup> century).

2. The Cromwellian rule in England lasted from 1649 - 1660, and our James Horsley Sr. could not have been born in 1640 or earlier in order to be of age to migrate during the Cromwells' time. James Sr. was almost certainly at least 21, and probably older, when he contracted with Thomas Macnemara in 1712, the earliest record found for him so far. If James was born in 1690, he would have been 38 at the time of his marriage to Mary, who was age 18 (not uncommon ages for either one), but if James was born in 1640, he would have been almost 90 at his only marriage of record, and that to an 18-year-old. Also James would have been 80 or over when he was felling trees, hewing, shingling and letting down roof girders in heavy carpentry work in 1721, which is highly unlikely, especially combined with other information. So obviously it was not James Sr. who could have migrated during the “terrible” Cromwellian era, although there are indications in the records discussed in Part I above that some of James' ancestors (e.g., his grandfather) may have done so.

3. Even though our Horsley family, by the name itself, does go back to England, almost certainly James Horsley Sr. was not the immigrant but instead was born in Maryland or even Virginia, not England. There is no record of James being transported or used as a headright, his “indenture” or contract for services was not in payment of passage, and records show numerous family interconnections stemming from the earlier Horsley's in Calvert County, Maryland by the 1660's and on the Eastern Shore in Talbot and Dorchester by the 1690's.

4. I have found no records indicating that James Horsley Sr. was a merchant, failed or otherwise, only that he was a skilled carpenter with trained expertise and experience. I have found no records of his owing any debts, but many records where debts were owed and paid to him.

5. There are no records for James Horsley Sr. in Baltimore County or City, nor have I found any primary records indicating an ancestor of James Horsley was there. The city of Baltimore, which Hopper specifically names, was not even created until 1729, the year after James' marriage in Queen Anne's County on the Eastern Shore where he lived the rest of his life.

6. Although it is not impossible that James Horsley Sr. could have been buried on Kent Island for some unusual reason, his only residence and property of record from 1728 to his death was on the mainland of Queen Anne's County near Church Hill, 25-30 miles upriver from Kent Island. Since people of James' day were buried on their own land or near where they lived, normally James would not have been buried on Kent Island. The oldest part of the original island cemetery on the northern edge of Kent Island has long been eroded into Chesapeake Bay, and there are no surviving records of graves that were there. James did have associations with people living on Kent Island and easily could have done work there, but records prove that neither James Horsley Sr. nor his son James Jr. resided on Kent Island.

7. Some of the names given as the children of James Horsley Jr. (who moved from Maryland to Halifax County, VA) appear to be in error when compared to primary records. James Jr. did not have a son named James, as there are no records in Halifax County, VA or in York County, SC for any



James Horsley other than James Jr. and tax and census lists do not indicate he had a missing unnamed son. (The James Horsley in Queen Anne's County, MD in the 1800 census was too young to be James Jr.'s son left behind in Maryland, and there is good evidence he is the son of James Jr.'s brother.) Also, no records have been found for the alleged daughters Rachel, Elizabeth, and Mary. (See my research report on James Horsley Jr. for details.)

8. The statement refers to James Horsley Sr. being one of "the ancestors of Nash Horsley." I have not located a Nash Horsley in any census or found any information to identify him. Also, from my communications with some of Mrs. Hopper's relatives, none of them or their families know who Nash Horsley might have been. (They also did not know the current whereabouts of the Bible in question.) Identifying Nash Horsley could help us discover who wrote the statement and when.

The introductory statement included with Hopper's Bible dates resembles the commonly-found genre of family histories written in the late 1800's and early 1900's. These typically combined bits of sometimes confused family stories and legends with information found for a person of the same family name (most frequently a notable historical personage) and are almost never accurate or factual in their details. Such family stories need not be dismissed summarily, as there may be kernels of truth in them regarding other early family members or even collateral lines who were not married with the Horsley's until much later generations but whose own passed-down stories got confused or merged with the Horsley line over time.

Taken as a whole, however, such writings present a misleading and inaccurate picture, as this one from Hopper certainly does, since primary records made at the time of the events tell us a quite different story. Hopefully the records upon which this report is based will help correct, clarify and expand our understanding of James Horsley Sr. and our Horsley family beginnings.

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General Research Notes

Note on Punctuation:

In my research papers I use an apostrophe with an "s" (i.e., Horsley's) as the plural form of a proper name, a usage that in today's American English is often deemed archaic. The advantage for our research purposes is that this form clearly delineates the core surname in a way that simply adding "s" or "es" often does not. Although I find this outdated form very useful for research clarity, I hope other grammar-sensitive readers do not find it overly irritating or distracting.

Note on Relationships Among Horsley Family Associates:

Information on the Horsley families' relationships is from my own research based upon primary records, which I attempt to hold to current standards for evidence and proof (or specifically note when that could not be done). However, relationships within families associated with them often are based chiefly on the most reliable secondary sources to which I had access, some of which have more documentation than others. These auxiliary and associated family relationships could not be held to the same proof standards as the primary families in this report due to limitations of time and resources. They are included in this report only as reference points, not necessarily as proved or fully documented relationships.

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An early version of this report was written 6 Aug 2006 for the personal use of B. Gerald Horsley, whose assistance, encouragement, and enthusiasm initially helped fuel my desire to do in-depth research on James Horsley Sr. and who has continued to stoke the fires and keep them burning. Bill Horsley, a North Carolina lawyer, gave me several important leads, particularly the heads-up about Macnemara's court case with Dobson in C. Ashley Ellefson's book on William Bladen. My ensuing e-mail conversations about Macnemara with Dr. Ellefson, who graciously and generously discussed my questions and provided a wealth of background information, were one of the highlights of this research. Not only did I find him to be an impeccable scholar, but I have no doubt that Macnemara himself would broadly tip his hat to Dr. Ellefson's professional integrity, honesty, and courage. (Any errors and all conjectures in my material on Macnemara are mine alone.) My thanks go as well to Liz Gilbert and Alvin Soward for their crucial contributions in locating and sharing original documents. And once more I owe a special debt of gratitude to Phyllis Harrison without whose able assistance this report which I began writing four years ago would be another four, or fourteen, in coming.

Many thanks also go to all those whose public information has assisted and contributed to this research. If I have neglected to give proper credit for material used in this paper, please let me know so I can correct this oversight.

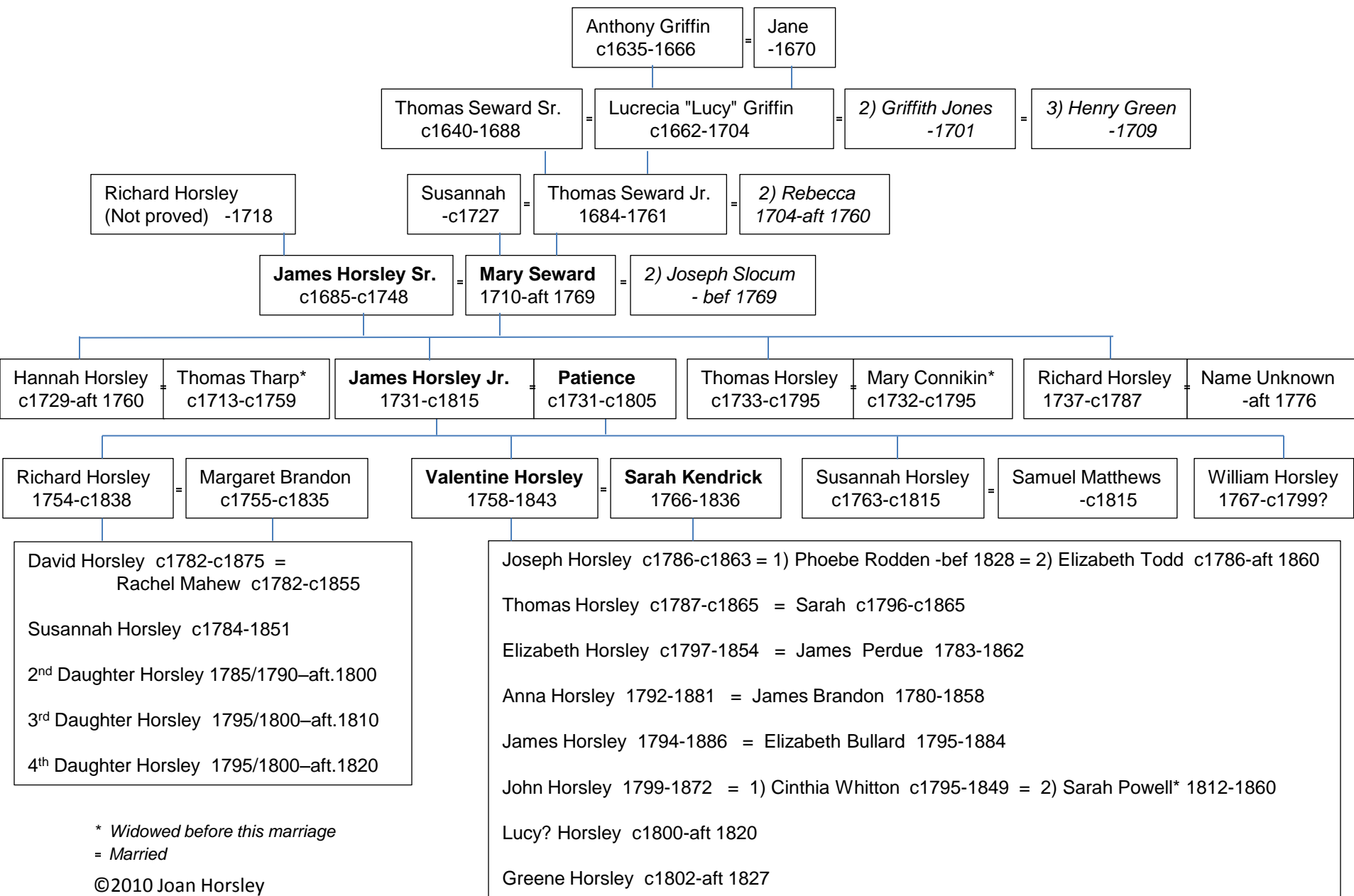
Research on this Horsley family line continues. Questions, documented corrections and additional information are welcome. Any changes will be posted on my website at: <[www.joanhorsley.org](http://www.joanhorsley.org)>

*Joan Horsley*

Fall 2010

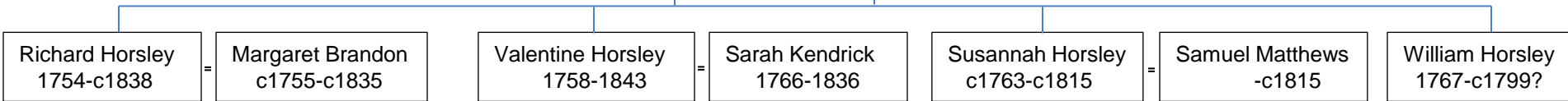
Contact: [JHGenResearch-Horsley@yahoo.com](mailto:JHGenResearch-Horsley@yahoo.com)

## Horsley Family Tree: Focusing on the Line of James Sr., James Jr. & Valentine Horsley



## Horsley Family Tree: Focusing on the Line of James and Patience Horsley

James Horsley Jr. 1731-c1815 = Patience c1731-c1805



1. David Horsley c1782-c1875 m. Rachel Mahew c1782-c1855  
 Children:  
 Jane c1804 - c1844 (m. David D. Howe)  
 Nancy c1807 - aft. 1870 (m. Augustine D. Choate)  
 Rebecca c1810 - aft. 1880 (never married)  
 Elenor "Ellen" c1811 - c1875 (never married)  
 William N. c1812 - c1875 (m. Lucinda c1833-c1865)  
 Margaret Elizabeth c1817 - aft.1880 (never married)  
 Richard R. c1818 - aft. 1880 (m. Martha Stowe)  
 Reason c1822 - c1865

2. Susannah Horsley c1784-1851 (never married)

3. 2<sup>nd</sup> Daughter Horsley 1785/1790–aft.1800

4. 3<sup>rd</sup> Daughter Horsley 1795/1800–aft.1810

5. 4<sup>th</sup> Daughter Horsley 1795/1800–aft.1820

Children have not been identified      Apparently died with no children

1. Joseph Horsley c1786-c1863 m1 Phoebe Rodden d. bef 1828  
 m2 Elizabeth Todd c1786-aft 1860  
 Nancy (Knowles), Smith, Sarah (Brady), Margaret (Clark), Malinda (Hamrick), Greene B., Mary K. (possibly also: Jack, David, Lucinda)

2. Thomas Horsley c1787-c1865 m. Sarah c1796-c1865  
 Andrew J., David V., Jacob K., Abram G., Martha A., Sarah Texas K.

3. Elizabeth Horsley c1797-1854 m. James Perdue 1783-1862  
 Greene H., Caroline, James Kendrick, Hiram, Enock, Elijah

4. Anna Horsley 1792-1881 m. James Brandon 1780-1858  
 John, Alexander, Thomas, Elizabeth, Mary, David, Sarah, Joseph, Greene, James Lawson, William, Nancy

5. James Horsley 1794-1886 m. Elizabeth Bullard 1795-1884  
 Sarah K. (Harp), James B., William G., Nancy Jane (Witchard), Elizabeth A. (Leggett), George W., Lucille "Lucy" A. (Kaigler)

6. John Horsley 1799-1872 m1 Cinthia Whitton c1795-1849; m2 Sarah Powell 1812-1860  
 Children of John & Cinthia: Eliza Ann (Rogers), George W., Joseph R., Green V., John Thomas, Sarah C.  
 Children of John & Sarah: Henry Marion, Leroy "Lee" Moseley, Benjamin Franklin

7. Lucy? Horsley c1800-aft 1820. Children, if any, unknown

8. Greene Horsley c1802-aft 1827. Children, if any, unknown

*For dates and marriages of Valentine & Sarah's grandchildren, see Addendum in "Valentine Horsley and Sara Kendrick Family" at [www.JoanHorsley.org](http://www.JoanHorsley.org)*

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Index**A**

Abrahams, Ann, 33, 38
 Abrahams, Hugh, 33, 38
 Abrahams, Isaac, 13, 33, 34, 37, 38, 48, 78
 Abrahams, Sarah, 33, 38
 Abrahams, Sophia, 38, 78
 Ahalwen, Lathline, 8, 9
 Annapolis, MD, 2, 3, 14, 15, 17, 18, 20, 22, 23, 26,
 27, 28, 29, 30, 32, 33, 34, 36, 42, 54, 59, 60, 61,
 70, 71, 72, 73, 81, 83, 84, 92, 94, 96, 97, 98, 99,
 100
 Anne Arundel County, MD, 14, 17, 20, 21, 22, 23,
 25, 28, 33, 36, 60, 61, 69, 70, 71, 72, 75, 92
 Armstrong, Francis, 8, 9, 10, 16, 17, 21, 48, 80
 Armstrong, Philemon, 9
 Armstrong, Richard, 17, 80
 Austin, Elinore, 43
 Austin, Jane, 18, 21, 42, 43, 51, 95
 Austin, William, 21, 43, 51, 58, 63, 67, 69, 94, 95,
 96, 97

B

Baltimore (City), MD, 13, 14, 15, 103, 104
 Baltimore County, MD, 12, 14, 45, 56, 104
 Beard, Mathew, 28, 29, 72
 Beard, Richard, 29
 Beckett, Elizabeth, 33
 Birchfield, Maurice, 30, 60
 Birmingham, Elizabeth, 43
 Bishop, Elizabeth, 38
 Bishop, Richard, 38
 Bishop, William, 21, 38, 40, 44, 83, 84, 88
 Bishopsfield, 40, 41, 44, 49, 50, 51, 65, 77, 81, 82,
 83, 84, 88, 91, 92, 93, 98, 99, 100, 101
 Bladen, William, 26, 27, 29, 31, 32, 59, 60, 61, 62,
 71, 72, 73
 Bradley, Thomas, 8, 9
 Brooke, Robert, 11
 Brooke, Roger, 11
 Brooke, Thomas, 10, 11, 19, 71
 Brooks, Robert, 32
 Brown, James, 45, 91
 Brown, John, 98, 99
 Brumly, Thomas, 89
 Bryan, Elizabeth, 78
 Buck, John, 47, 49, 90
 Busell, John, 49, 90

C

Calvert County, MD, 8, 9, 10, 11, 12, 16, 17, 18, 19,
 33, 48, 54, 55, 71, 75, 79, 80, 85, 88, 104
 Carpenter, John, 37, 78
 Carroll, Charles, 3, 20, 22, 23, 24, 25, 28, 29, 33,
 34, 35, 59, 60, 71, 72, 74, 75, 79, 80
 Carroll, James, 3, 14, 20, 22, 23, 24, 25, 28, 29, 30,
 32, 33, 34, 58, 59, 70, 71, 72, 92
 Carroll, Margaret, 25, 26, 27, 71
 Carter, Elizabeth, 36
 Carter, Henry, 33, 35, 36, 44
 Carter, John, 36, 44

Carter, Valentine, 33, 35, 36, 37, 38, 44, 76, 80
 Catholics, 3, 9, 17, 18, 22, 23, 24, 25, 27, 29, 32,
 33, 34, 59, 72
 Centreville, MD, 35, 62, 76
 Chester River, 35, 39, 40, 42, 50, 84
 Chestertown, MD, 39
 Choptank River, 9, 16, 17, 18, 19, 42, 85, 88
 Christ Church Parish, 35, 50
 Church Hill, MD, 3, 35, 39, 40, 41, 50, 62, 76, 85,
 104
 Cloud, Nicholas, 38, 88
 coat of arms, 6
 Coles, Henry, 18
 Collins, Thomas, 40, 89
 Connikin, John, 44, 67
 Connikin, Mary, 43, 44

D

Daniel, John, 46
 Dempster, John, 93
 Dent, Thomas, 71
 Dent, William, 71
 Devonshire, England, 38
 Dobson, James, 78
 Dobson, William, 31, 32, 70, 72, 73
 Dorchester County, MD, 9, 13, 15, 16, 17, 18, 19,
 20, 21, 33, 34, 36, 38, 41, 42, 48, 54, 56, 57, 58,
 85, 86, 88, 89, 92, 100, 104
 Dunklin, Margery, 102
 Dunn, Robert, 35

E

Easton, MD, 9, 16, 19
 Edmondson, John, 9, 10, 16
 Ellis, George, 75
 Elly, James, 8, 9, 48
 Elly, John, 8, 9, 48
 Ennalls, Henry, 19, 34, 100
 Ennalls, Joseph, 19, 34, 58
 Ennalls, Thomas, 19, 34, 58
 Ennalls, William, 19
 Erick, Robert, 43
 Esgate, Caleb, 38, 78
 Ewen, William, 9

F

Findley, Andrew, 87
 Frame, Major, 19
 Frederick County, MD, 20

G

Gafford, Charles, 20, 21, 45, 46, 51, 95, 97
 Gafford, Jacob, 95
 Gafford, Richard, 51, 94, 95, 96, 97
 Gloucester County, VA, 46
 Gould, Benjamin, 44, 45
 Gould, Frances, 44, 67, 89
 Gould, James, 44, 45, 47, 67, 87, 89
 Graham, Thomas, 27, 28, 60, 71
 Green, Henry, 39, 40

Griffin, Anthony, 10, 16, 39
 Griffin, Jane, 10, 16, 39
 Griffin, Lewciveia, 39
 Griffin, Lucretia "Lucy", 39, 40

H

Halifax County, VA, 15, 33, 35, 41, 49, 51, 52, 65, 69, 101, 103, 104
 Hallowes, John, 79
 Hansley, Edmond, 12
 Harsley, Edward, 12
 Hart, John, Gov., 24, 26, 32, 34, 61, 74
 headrights, 10, 11, 12, 19, 80, 104
 Hedge, Thomas Sr., 12
 Hewitt, Robert, 80
 Holland, James, 20, 56, 58, 92
 Holt, Arthur, 49, 91
 Hopper, Dale Grammer, 2, 4, 5, 7, 13, 14, 15, 50, 53, 92, 102, 103, 104, 105
 Horsey Family, 12, 35, 57, 58, 81
 Horsley (Horsey?), Rebacka, 12
 Horsley Families of America, 4, 41, 45, 46, 50, 66, 92, 103
 Horsley, Belsey, 46
 Horsley, Hannah, 2, 3, 18, 21, 34, 41, 42, 43, 44, 46, 51, 52, 95
 Horsley, James (son of Valentine), 102
 Horsley, James III, 45, 52, 105
 Horsley, James Jr., 2, 3, 4, 8, 10, 17, 20, 21, 33, 35, 36, 40, 41, 43, 44, 45, 46, 49, 50, 51, 52, 53, 65, 77, 83, 91, 95, 100, 101, 104, 105
Horsley, James Sr., 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28, 30, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 45, 46, 47, 48, 49, 50, 51, 52, 53, 69, 70, 71, 72, 73, 74, 76, 77, 78, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 100, 101, 102, 103, 104, 105, 106
 Horsley, James, of Calvert Co., 8, 9, 10, 12, 16, 17, 33, 48, 79, 80, 85, 88
 Horsley, Joseph, 8, 9, 10, 11, 12, 13, 16, 17, 18, 48, 54, 79, 80, 85, 88
 Horsley, Manor of, 6, 7, 15, 103
 Horsley, Nash, 7, 103, 105
 Horsley, Patience, 3, 41, 52
 Horsley, Ralph, 11, 12, 13, 17, 19, 21, 79, 80, 81
 Horsley, Richard, 2, 3, 9, 10, 13, 16, 17, 18, 19, 20, 21, 22, 34, 35, 36, 38, 41, 42, 43, 45, 46, 48, 51, 52, 56, 57, 65, 79, 80, 88, 89, 92, 95, 100, 101
 Horsley, Robert, 79
 Horsley, Sir Thomas, 7, 103
 Horsley, Smith, 46
 Horsley, Susannah, 41, 52
 Horsley, Thomas, 2, 3, 41, 43, 44, 45, 46, 52, 53, 101, 103
 Horsley, Valentine, 5, 36, 41, 52, 66, 102
 Horsley, William, 52
 Horsley, William G., 7, 102
 Horsley, Robert, 80
 Hosley, Lewis, 10, 11, 12, 19, 79, 80, 88
 Howerton, John, 75
 Hussley, Mary, 47

I

indenture of servitude, 24
 indirect evidence, 5, 21

J

Johnson, Elizabeth, 97
 Johnson, Henry, 95, 96, 97
 Johnson, John, 79, 90, 97
 Johnson, Mary, 47, 89, 90, 97
 Jones, David, 39
 Jones, Griffith, 39, 40
 Jones, Mary, 39
 Jones, Richard, 39

K

Keld, John, 43
 Kendrick, Sarah, 52, 66, 102
 Kent County, MD, 13, 18, 20, 21, 35, 38, 39, 40, 41, 42, 43, 44, 55, 56, 58, 63, 64, 65, 66, 67, 94
 Kent Island, MD, 11, 13, 15, 25, 35, 36, 38, 39, 40, 41, 44, 50, 51, 56, 64, 69, 80, 81, 92, 103, 104

L

Ladd, Richard, 9, 11
 Larwood, John, 47
 LeCompt, Philemon, 18
 Lee, Alexander, 79, 80, 88
 Lee, Hugh, 17, 80, 81
 Lee, William, 78, 79, 80, 88, 89
 Lloyd, Edward, 24
 Long, John, 48, 85
 Longhorsley, England, 6, 7, 53, 103
 Lord Baltimore, 8, 9, 15, 16, 18, 22, 24, 25, 28, 34, 39, 100
 Lowder, Charles, 84, 85
 Lusby, Mary, 36
 Lusby, Thomas, 36

M

Macklin, Robert, 95
 Macnemara, Thomas, 3, 14, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 59, 60, 70, 71, 72, 73, 74, 77, 91, 92, 104
 Maddox, Rice, 13
 Manning, Thomas, 8, 9, 10, 54
 Massey, James, 78
 Matthews, Samuel, 52
 McConnikin, John, 44
 Medcalfe, William, 80
 Middlesex County, VA, 46, 67
 Minish, John, 18, 19
 Minish, Sarah, 18
 Mitchell, Henry, 8, 11, 54
 Mitchell, John, 27, 28, 30, 70, 71
 Mockbee, Brock, 33
 Morpeth, England, 7, 15, 103

N

Navarre, John, 32, 62, 73
 Nevil, John, 8, 48, 85
 Nevill, Walter, 48, 88
 New Yarmouth, MD, 39

Newman, Benjamin, 46
 Newman, William, 46, 66
 Nicholson, Francis, Gov., 29
 Northampton County, VA, 12
 Northumberland County, VA, 6, 7, 11, 12, 13, 17,
 19, 53, 55, 79, 80, 81, 103

O

Orange County, VA, 20
 Oxford, MD, 9, 16, 17, 19

P

Parrott, Benjamin, 38
 Parrott, Francis, 33, 38
 Parrott, Gabriel, 33, 75
 Parrott, George, 38
 Parrott, William, 33, 38
 Patuxent River, 33, 75
 Pearsall/Peshall Family, 25
 Pierce, Elizabeth, 97
 Pinder, Christopher, 88
 Pinder, Edward, 88
 Pinder, Elizabeth, 88
 Pinder, William, 40, 47, 48, 65, 79, 85, 87, 88, 89
 Preston, John, 45
 Preston, Richard, 8, 9, 11, 17, 80, 88
 Preston, Salina Haseltine Judson, 7, 53, 102
 Preston, Sarah, 88
 Prince George's County, MD, 2, 11, 19, 20, 32, 33,
 34, 62, 71, 74, 75, 79, 80
 Protestants, 3, 9, 17, 22, 24, 25, 29, 32, 34, 59, 60

Q

Quakers (Religious Society of Friends), 8, 9, 10, 27,
 32, 42, 43, 80, 88
 Queen Anne's County, MD, 2, 3, 4, 8, 11, 13, 14,
 16, 18, 19, 20, 21, 33, 35, 36, 37, 38, 39, 40, 41,
 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 58, 62,
 63, 65, 66, 67, 68, 69, 76, 77, 78, 79, 80, 81, 83,
 84, 85, 86, 87, 89, 90, 91, 92, 93, 94, 95, 96, 97,
 98, 99, 100, 101, 104, 105
 quit rent, 100

R

Rawley, Robert, 58, 100
 Rawlings, William, 98, 100
 rent roll, 101
 Reynolds, George, 17, 56, 57, 80
 Reynolds, John, 17, 57, 80
 Richardson, George, 9
 Rider, John Sr., 18
 Roseberry, James, 93
 Rosewell, William, 18, 57

S

Salisbury, William, 95
 Seward, Daniel, 51, 91, 94, 97
 Seward, George, 15, 16, 18, 21, 33, 89
 Seward, Isaac, 92
 Seward, John, 51, 89, 91, 92, 94, 95, 97

Seward, Mary, 2, 3, 10, 15, 18, 35, 38, 39, 40, 41,
 42, 43, 44, 46, 47, 49, 50, 51, 52, 66, 81, 82, 83,
 84, 89, 91, 92, 93, 94, 95, 100

Seward, Michael, 39, 84
 Seward, Rebecca, 40, 82, 83
 Seward, Sarah, 89
 Seward, Susannah, 38, 40
 Seward, Thomas, 3, 15, 18, 21, 35, 38, 39, 40, 41,
 42, 44, 49, 50, 51, 63, 81, 82, 83, 84, 88, 89, 91,
 92, 93, 94, 95, 96, 97, 98, 100
 Seward, William, 15, 18, 33, 51, 91, 94, 95, 96, 97
 Seymour, John, Gov., 24, 26, 59, 60, 62

Sharp, Peter, 80
 Sharp, Robert, 80
 Skinner, Andrew, 21
 Slocum, Ann, 50
 Slocum, Benjamin, 51
 Slocum, George, 92
 Slocum, John, 50
 Slocum, Joseph, 50, 51, 83, 92, 93, 94, 100, 101
 Slocum, Mary (nee Seward), 43, 44, 50, 51, 63, 92,
 93, 94, 96, 98, 99, 100, 101
 Smith, Benjamin, 46
 Smith, Casperus, 46, 48, 85, 86, 87
 Somerset County, MD, 12, 13, 21, 35, 55, 64, 67,
 81
 St. Luke's Parish, 3, 18, 35, 38, 40, 41, 42, 43, 47,
 49, 50, 62, 63, 66, 68, 69, 76, 81, 88, 91, 92, 93,
 97

St. Mary's County, MD, 17, 18, 19, 29, 56, 79, 80
 St. Michael's Parish, 16, 56
 St. Paul's Parish, 16, 35, 47, 95
 St. Peter's Parish, 3, 10, 16, 18, 21, 42, 56
 Stanley, Adam, 8, 9, 11
 Stuney, Priscilla, 33
 Sturney, William, 33
 Sullivant, Daniel, 33
 Sullivant, William, 34
 Sweatman, Edward, 42

T

Talbot County, MD, 3, 9, 10, 13, 16, 17, 18, 19, 20,
 21, 22, 33, 36, 38, 39, 41, 42, 43, 48, 55, 56, 59,
 64, 65, 66, 67, 79, 84, 85, 88, 95, 104
 Tanner, Thomas, 44
 Tharp, Thomas, 3, 18, 21, 42, 43, 44, 46, 51, 52, 95
 Tharp, William, 18, 42, 43
 Third Haven Meeting House, 9
 Thompson, Augustine, 45, 47, 49, 78, 79, 80, 81,
 82, 85, 87, 88, 89, 90
 Thompson, Dowdall, 90
 Thompson, John, 80, 81, 98, 99
 Thompson, Sarah, 78
 Tilghman, Richard, 95, 99

V

Valentine, Margaret, 41
 Valliant, Dorothy, 38
 Valliant, John, 38
 Vanderford, James, 93
 Vickers, Ann, 18
 Vickers, John, 20

Vickers, Mary, 20
Vickers, Thomas Sr., 18
Vickery, Anne, 20
Vickery, Hezekiah, 20, 56, 58
Vickery, John, 20, 58
Vickery, Luke, 20
Vickery, Luke Holland, 20
Vickery, Mary, 10, 16, 17, 18, 20, 42, 43, 79, 88
Vienna, MD, 19

W

Watson, Elizabeth, 48, 86
Watson, Ralph, 79
Wedge, John, 42
Weekes, John, 87
Wells, Humphrey, 47, 49, 78, 79, 80, 81, 82, 84, 85,
90

Wells, Richard, 49, 79, 80, 84, 90, 91
Wells, Thomas, 34, 74, 79
Wells, Zorobabel, 79
Wharton, Robert, 65, 85
White, James, 75
Whittington, Joseph, 89
Winchester, Isaac, 13
Winchester, John, 13
Wright, John, 44
Wright, Solomon, 98
Wright, Thomas, 44, 51, 98, 99, 100
Wyatt, Thomas, 37, 78, 79, 85, 86, 88, 90, 97

Y

York County, SC, 20
York County, VA, 19, 52, 79, 80, 104