

***[The following report was begun by Joan Horsley prior to May 2012.
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**ROBERT DAVIS
(c1755-1816)**

Culpeper County/Madison County, Virginia

Research Report by

Joan Horsley

Based on her research as of May 2012

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There are individuals that collaborated and/or shared with Joan along the way. It is impossible to name them and not leave someone out. Joan appreciated everyone who joined the research journey with her. And I believe I can speak for us when I say, “Joan was the most excellent researcher with the grit to endure the tediousness and preciseness needed to get it right. We miss her still.” ~Pam

Note to researchers: questions that Joan left and need further research are contained inside a box.

OVERVIEW

ROBERT DAVIS (c1755 – 1816)

ROBERT DAVIS

Born c1755, probably Spotsylvania or Orange County, Virginia

Died 1816, Madison (previously Culpeper) County, Virginia

Robert Davis was a resident of Culpeper County Virginia by the beginning of county tax records in 1782. He lived in the part of Culpeper that became Madison County in 1793.

Robert's wife was Ann (maiden name unknown). The first mention of Ann is a deed of sale 18 Dec 1814. Robert previously transferred land the year before 11 Dec 1813 and no wife was included or mentioned as dower.

Their children mentioned in documents in this report are as follows:

- Son, James Davis and his wife Sally (Harrison) Davis
- Son, William Davis
- Son, John Davis
- Daughter, Elizabeth (Davis) Vernon married Richard Vernon Jr.
- Daughter, Nancy (Davis) Beck married James Beck

INTRODUCTION

Since 2002 I have been researching and collecting primary documents on the Davis families in the Culpeper area in an attempt to locate the family and parents of my ancestor Benjamin Davis, a Revolutionary War soldier (who turned out to be the second of three generations of Benjamin Davis's--I have labeled them I, II, III). When I first began finding documentation for ROBERT DAVIS in Culpeper County, I thought he might be a son of BENJAMIN DAVIS I who died in Culpeper in 1763. I investigated other possibilities, such as the DAVIS families in Orange and Albemarle counties, but could find no link to ROBERT in his earlier years, and no link in his later years different from that of the other Culpeper/Madison Davis's who were children of Benjamin Davis I.

However, there were definitely links in all his records that connected ROBERT DAVIS with Benjamin DAVIS I's children. Then as records for all of the Culpeper/Madison County DAVIS families accumulated, the connections between ROBERT and Benjamin's son JAMES DAVIS in particular began to give even clearer evidence that ROBERT was the son of JAMES DAVIS rather than James' father BENJAMIN DAVIS I.

For one thing, ROBERT seems to be more the age of a son of JAMES rather than his father Benjamin; i.e., that ROBERT was born 1755-60 rather than 15-20 years earlier. (Benjamin's eldest known child John was born about 1728, JAMES was born around 1730-1732; the youngest child Mary Davis Jarrell seems born about 1742.) ROBERT indeed could have been born around 1745 with his first child 1780, and thus be Benjamin's son. That is because our DAVIS men and in-laws of the pre-Revolution 1700's seemed to marry later than what is considered average and to have their first child in their 30's rather than 20's. However, the connections between ROBERT and JAMES are striking and hold even stronger for father/son than for brothers.

FACTORS IN SUPPORT OF ROBERT DAVIS AS SON OF JAMES DAVIS, SON OF BENJAMIN DAVIS

(1) The oath of Robert Davis to heirs of Thomas Terry, and then security on Thomas Terry's estate administration bond:

In 1804 and 1811, Robert Davis was intimately involved in the records of the Thomas and Sarah (Davis) Terry family. It would make sense that Robert Davis as the nephew of Sarah (Davis) Terry would serve in this way:

28 June 1804 - Administrator: William Terry - Bond: \$5,000

Securities: ROBERT DAVIS and John Rucker

Know all men by these presents, that we William Terry, ROBERT DAVIS and John Rucker are held and firmly bound unto Daniel James, Daniel Field, Elliott Rucker and Nathaniel Welch Gentlemen, Justices of the Court of Madison County now sitting in the Sum of five thousand Dollars, to the payment whereof well and truly to be made to the said Justices and their Successors, we bind ourselves and each of us, our and each our heirs, executors, and administrators Jointly and Severally, firmly by these presents sealed with our seals this 28th day of June in the year of our lord 1804 and in the 28th year of the Commonwealth. [etc]

Signed Seal and delivered in the presence of the Court
William Terry, Jn'o Rucker, ROBERT DAVIS [all by signature]

At a Court held for Madison County the 28th day of June 1804 - This bond was in Open Court Acknowledged by the Parties thereto and Ordered to be Recorded. Teste: John Walker jr. CMC
[Source: Madison Will Book 1, p.452, Madison County Courthouse, Madison, Virginia. Extract by J. Horsley; original spelling retained; caps and comments in brackets added]

1811: A paper filed at a Court held for Madison County the 28th day of February [page torn, 1811 per court order]

Ordered, that it be certified to the register of the Land Office that THOMAS TERRY, formerly of this county, died Intestate, leaving his widow, Sally Terry and eight children, to wit: Mary, who intermarried with Richard Gulley, which said Mary has since deceased leaving one child Mary Gulley, Joseph Terry, Nancy Terry who intermarried with William Kelly, John Terry, Sally Terry, James Terry, William Terry, and Lucy Terry.

Administration was granted to William Terry on decedents Estate, the other facts were proven to the satisfaction of the Court by ROBERT DAVIS upon oath.

A Copy, Teste, Benjamin Cave, C.M.C.

[Source: Northern Neck Surveys No. A, 1810-1818, p. 53-54 (Reel 318), Library of Virginia. Online images.

Transcribed by J. Horsley; original spelling retained, caps and comments in brackets added]

(2) JAMES DAVIS' WILL:

JAMES DAVIS did not name ROBERT or any other children or grandchildren or a wife in his will, even though we know JAMES was married by 1766 and probably by 1758 when he bought his first land of record and married a second time by 1777. So normally we would expect to find that James had some surviving offspring. I believe there is good evidence from primary records that ROBERT DAVIS is one such child.

JAMES DAVIS wrote his will in February 1817, just 7 months after ROBERT's will was proved in July of 1816. That timing of Robert's death and James' will in itself is telling. Since JAMES was about age 86 at the time, his 1817 will could well be a replacement for an earlier will which James revised precisely because of his son ROBERT's recent death. James wrote this will "revoking all others" not because of his own illness or failing health--he in fact lived another seven years---but "calling to mind the uncertainty of life and certainty of Death."

Furthermore, Robert's children began selling off their inherited property in August 1816, almost immediately after Robert's death. JAMES DAVIS wrote his will within 2 weeks of the last sale of property by ROBERT's widow Ann, a deed dated 3 Mar 1817 from Ann, for her dower, and from Robert's son James Davis and his wife Sally (Harrison) to Leroy Simpson.

Robert's widow ANN and ROBERT's remaining children (that is, James' would-be grandchildren) with their spouses left the State of Virginia before the end of that same year, 1817, James re-wrote his will. So it seems to me very feasible that ROBERT's likely father JAMES DAVIS gave gifts of inheritance to his grandchildren before they left the state and then had no need to mention them in his will. (There were no laws at the time that required all heirs be named or even included, nothing required that previous gifts be mentioned, particularly if the gifts were not lands or slaves, and no reason by law or custom in James' generation to have to name grandchildren.) Instead, James' February 1817 will distributes his land and slaves to his Terry nieces and nephews who continued to live nearby in Madison County, and divides the proceeds from his residual estate among his siblings and/or their children, all of whom lived elsewhere.

Recorded evidence and elimination by research of other Davis groups leaves no doubt that Robert Davis is a member of James Davis' family. Since James's will divides his estate between his brothers John and Benjamin and sisters Mary Jarrell and Sarah Terry or their children, if Robert had been James' brother (rather than son), why would he not include "children of my brother Robert Davis" as well, especially since they had lived all their lives almost next door to him? Except for Sarah Terry's children who remained living next to James, the others, who lived at far distances at the time James wrote this last will, were bequeathed money from the sale of James' residual property. Once divided up, each child received only a rather small token amount. To me, this points again to James having given gifts of inheritance to his grandchildren before their departure to Kentucky, which easily could have amounted to more than they

would have received from the division of his residual estate. Thus, the very fact that James did not include "the children of my brother Robert Davis" speaks to their being his grandchildren, not nieces and nephews.

(3) MUTUAL NEIGHBORS:

In addition to the timing of the will, a link between JAMES as ROBERT's father is where and when ROBERT got his land. As with most others in early Culpeper, there are missing deeds, and we do not know the details of the properties ROBERT held from the first tax record in 1782 until his first deed in 1796. However, we can combine information from deeds of the people (bounds) around the properties ROBERT later sold. We then find ROBERT living among the connecting properties of JAMES, his brother Benjamin Jr., his brother-in-law Thomas Terry, John Harrison (ROBERT's daughter-in-law's uncle who had earlier JAMES DAVIS connections), Jeremiah Jarrell (JAMES' relative through his sister's husband Daniel Jarrell), the Eve's, John Jackson of a Caroline and Spotsylvania family with mutual associations with James' Davis family for many years, and so on. What speaks particularly to ROBERT's being JAMES' son rather than brother is the late date when ROBERT begins to accumulate more property.

JAMES' and ROBERT's estates were appraised eight years apart at the same worth, but ROBERT was more land-wealthy than any of the other related DAVIS's. Although he appeared to be an astute businessman as well as successful farmer and horseman, it would have been easier for him to accumulate land as he did with a prosperous father nearby and he an only child (at least the only surviving one in Virginia and in contact, as there is a slight possibility that James also may have had a son James who left for Kentucky in 1788).

These are some other specific connections I have found between ROBERT DAVIS and the family of JAMES DAVIS, son of Benjamin DAVIS Sr. More will be spelled out in notes for his deeds.

A. ROBERT DAVIS' first property

There is an interesting quote in Elinore Olsen's research from a post July 2001 that says, "Other farms [near ROBERT] were owned by Benjamin DAVIS, Wm Edan, John Simpson and Charles Geo Cook." The woman who posted the message appears now to be deceased, but it looks very much as though she may have had family papers relating to that first unrecorded deed of ROBERT. These names definitely sound like bounds, and the misspelling of "Edan" for Eddins was common on deeds. This land would be not only adjacent to JAMES' brother Benjamin, but JAMES' property also had bounds of William Eddins (spelled in his deed Edens also), John Simpson, and George Cook.

In other words, this appears to be adjacent to JAMES' land bought from Ephraim Rucker May 1775, and acquired by Robert after James' brother Benjamin bought adjacent land from William Walker four months later in Sept 1775.

From 1782 to 1797, ROBERT was taxed for 80 acres (which may be the land just discussed) and an additional 150 acres, the deed for which is also missing. This may be the 158 acres he sold to son John in 1815 but this is not certain.

The primary land of our Davis's was at today's Wolfstown, Virginia. Robert's additional land later known as Allen Mountain Farm was about two miles to the west towards the Rapidan River and Hood, along today's Route 230. From Wolfstown east to Culpeper Route 230 roughly follows the old "Kirtley Road." The land of James and Benjamin Davis and Thomas Terry ran south from Wolfstown about two miles along Neals Mountain on the west side of Route 662/Shelby Road (then called "the road from the mountains to Caves Ford.") Caves Ford on the Rapidan River that separated Culpeper/Madison County from Orange, was where JAMES DAVIS' sister Mary and her husband Daniel Jarrell lived, about 10 miles away.

Although there are problems in the deed descriptions as well as landmarks no longer known by the names given, it appears that at the time of our Davis' sojourn there, "Kirtley Road" came from Culpeper

(and beyond) roughly along Route 230. But then at today's Wolftown, Kirtley's Road turned north towards Graves Mill, running alongside the old Kirtley grants. ROBERT DAVIS' property of residence appears to have an eastern edge along this road to Graves Mill, bounded on the south approximately by today's SR 230 (the approximate northern bound of Benjamin Davis' land), and extending westward for several tracts. A closer scrutiny of the deeds and some additional platting should be able to confirm or correct this. [Some of the platting is already in my DeedMapper software program. -JH]

B. Thomas TERRY and ROBERT DAVIS

ROBERT was security on the administrator's bond 28 June 1804 of William TERRY, son and administrator of the estate of Thomas TERRY. Thomas was the husband of JAMES' sister Sarah/Sallie, so he would have been ROBERT's uncle. Thomas was also a neighbor. His land was adjacent to JAMES' brother Benjamin II, who lived near JAMES and thus ROBERT (as also shown by a 1796 sale of ROBERT to Jackson).

Most significantly, when Thomas Terry died, he had been in the process of obtaining a land patent. After his death the patent was granted to his heirs, each of whose names and any spouses was recorded to assure no rightful heir was overlooked. The person who swore in Court to the heirs of Thomas Terry and Sarah Davis was ROBERT DAVIS.

C. Sarah HARRISON, wife of ROBERT DAVIS' son James

1. Sarah was the granddaughter of Andrew Harrison whose uncle Andrew Harrison got a land patent in 1728 in what became Orange County. In 1758, JAMES DAVIS bought part of that Harrison tract of land. The property was at Terrys Run, a branch of the Pamunkey/North Anna River at the boundary of Spotsylvania and Orange Counties and was probably named for the ancestors of Thomas Terry who married JAMES DAVIS' sister Sarah.

2. Sarah was the daughter of George Harrison. His brother (Sarah's uncle) John Harrison and three of his sons (John C., William, and Thornton Harrison) were purchasers of JAMES DAVIS' Madison County estate in 1824. In 1794 John Harrison had bought property adjacent to JAMES DAVIS, JAMES' brother-in-law Thomas Terry, and John Jackson. The land ROBERT bought in 1796 had a corner to John JACKSON.

3. Sarah's brother, also named John Harrison, married Sarah Wilhoit, daughter of George WILHOIT who sold land in 1784 to JAMES DAVIS. The land had been passed down through the Eastham family. George Wilhoit got the land from his stepfather William Eastham. Then George Wilhoit sold the land to JAMES DAVIS for 5000 lbs tob and "for natural affection", which usually indicates a familial relationship. That along with some other clues in records raises the possibility that JAMES DAVIS' first wife and ROBERT's mother may have been an Eastham.

George Wilhoit also was security on the executors' bond of ROBERT's estate in 1816.

D. Richard Vernon Jr, husband of ROBERT DAVIS' daughter Elizabeth

1. Richard Vernon Jr's sister Joanna married John Vawter and died in Elbert Co., Georgia, where JAMES' brother Benjamin DAVIS II moved in 1791. (Richard Vernon Sr is listed in the Elbert Co., Georgia DAR chapter "Patriots" in 2007, indicating a DAR member descendant still lives in the county.)

2. John Vawter's grandfather John's Orange County land grant was near where JAMES DAVIS had property in the late 1750's. (In 1751 JAMES' father Benjamin DAVIS I witnessed an Orange County deed for land adjacent to "Philip Water" which some think is an Anglicized spelling of the German name "Vawter" pronounced the same way, but I have not been able to verify a relationship between John Vawter and Philip Water.)

3. The younger John Vawter's father is said to be Richard Beverly Vawter, brother of Margaret Vawter who married Ephraim Rucker. JAMES DAVIS' residence was the land he bought from Ephraim Rucker in 1775. JAMES' brother Benjamin bought land there several months later, and apparently after that ROBERT got his land there also.

4. Ephraim Rucker and Margaret Vawter's grandson Larkin Rucker married Lucy Terry, daughter of Sarah DAVIS and her husband Thomas Terry. Sarah was the sister of Benjamin II and JAMES DAVIS.

5. Richard Vernon Jr.'s sister Elizabeth married Benjamin Quinn who is said by Jarrell researchers to have purchased land in 1786 from Daniel Jarrell and wife Mary DAVIS, also a sister of JAMES DAVIS. (I have not yet been able to verify the purchase by Quinn.)

E. George Eve and ROBERT DAVIS

1. George Eve was a noted early Baptist minister in Orange and Culpeper counties. One of the churches he served was the Rapidan (or Rapid Ann) Meeting House which was located almost across the road from where JAMES DAVIS and brother Benjamin DAVIS II lived. (That church is still in existence as Rapidan Baptist Church. It was established in 1773 by, among others, Thomas Graves, whose son Joel Graves bought the land of Benjamin DAVIS II when the latter moved to Georgia in 1791.)

2. All of the descendants of Benjamin DAVIS I for whom we have Virginia marriage records were married by Baptist minister George Eve or his associates.

3. ROBERT bought his first land of record from George Eve in March of 1796. George's son William EVE had a same shared bound as JAMES DAVIS.

F. John Jackson and ROBERT DAVIS

ROBERT's first deed of record that he bought from George Eve in 1796 had a corner to John JACKSON. A deed two years before shows that John JACKSON, John HARRISON (Sarah Harrison Davis' uncle), JAMES DAVIS, and Thomas TERRY (James Davis' brother-in-law), all had adjacent land. Although James' brother Benjamin DAVIS II left for Georgia in 1791, he, too, had land adjacent to these others. I have not been able to establish exactly how many tracts John JACKSON owned in the area or their precise location(s), it seems at least feasible to conclude that Robert's "corner to John Jackson" places him near to the other Davis family members.

John JACKSON's son William JACKSON witnessed the codicil of ROBERT DAVIS' 1816 will and also witnessed the will of his father JAMES DAVIS in 1817.

John JACKSON JR's wife was Mary HERNDON, granddaughter of William Herndon whose brother Edward Herndon (II) with his son Joseph was on a deed with Benjamin DAVIS I in Spotsylvania Co. in 1753. Their brother James Herndon was on two Orange County deeds with Benjamin I in 1751. Their father Edward Herndon I is thought have married Mary Waller, sister of John Waller who lived adjacent to Benjamin DAVIS Sr's birth family (William DAVIS and Mary White) in New Kent/K&Q/King William County in the late 1600's. JAMES DAVIS' brother John DAVIS had a 1758 Spotsylvania deed witnessed by two sons of Edward Herndon II.

John DAVIS moved to Pittsylvania County in 1784 where his wife's release of dower was witnessed by Jeremiah White, whose wife Esther Herndon was another of grandchild of Edward and Mary Waller Herndon. The Herndon connection extended in Virginia over 80 years to JAMES' brother John DAVIS' granddaughter Amanda in Pittsylvania County who married in 1837 William Herndon, another descendant of Edward Herndon and Mary Waller.

That 1784 deed for John Davis, recently moved from Culpeper to Pittsylvania County, is important since it deals with land in King William County that could be land JAMES' brother JOHN DAVIS' land inherited (probably by primogeniture) from their father Benjamin I. Besides any KW land inherited from his parents William and Mary White Davis or land he himself purchased, Benjamin would have been an heir to land from his aunt Rebecca White. It is through the transfers of Rebecca White's land that we learn of Benjamin's siblings (John, Sarah, and one more), his parents (Mary White and William Davis), and grandparents (Henry White and Mary Croshaw, d/o Joseph Croshaw of York Co). Since only a burned fragment of Benjamin's son JOHN DAVIS' King William deed exists, we cannot identify the exact property, and no wills survived, but a large amount of strong evidence supports this is ROBERT DAVIS' and his grandfather Benjamin I's family line [see reports for Benjamin DAVIS I d. 1763 and for John DAVIS d. 1808 for more details].

Before 1802 John DAVIS' son Frederick bought Madison County land from another Herndon descendant, Elliot HERNDON. And in 1798, a Madison County deed of Frederick's was witnessed by ROBERT DAVIS (who would be Frederick's cousin).

G. Graves and Rucker and ROBERT DAVIS

JAMES DAVIS bought first Wolfstown area land from Ephraim Rucker 1775.

Angus Rucker adjacent to JAMES DAVIS by at least 1796.

Angus Rucker, son of Ephraim Rucker - married Jane Allen c1770 d/o George Allen (Sr) -- they had son George Allen Rucker.

George H. Allen married Nancy Graves, d/o Thomas Graves Jr. 20 Mar 1806 [Madison Marr, Vogt & Kethley].

A George Allen on Ephraim Rucker's will; a George H. Allen executor of ROBERT DAVIS estate. Thomas Graves, Jr's daughter Elizabeth Graves (sister of Nancy Graves Allen) b. 1771, m. in Madison Co., Feb. 2. 1807 to ____.

James Clark, son of Reuben Clark and Bathsheba Sampson--her brother Thomas Sampson is a bound on Benjamin DAVIS II, whose land was separated from James Davis by their sister and her husband Sarah Davis and Thomas Terry.

JAMES CLARK on records with ROBERT DAVIS and named an executor of Robert's will.

Benjamin DAVIS II (JAMES' brother) sold his land to Joel Graves, another child of Thomas Graves Jr.

TIMELINE OF RECORDS FOR ROBERT DAVIS with NOTES

23 September 1794 – Deed - Alexander SIMPSON & Anne his wife of Bromfield Parish, to John HARRISON. Land near the mountain called NEALE Mountain in Fork of Rapidan and Robinson Rivers...50 acres...JAMES DAVIS's line...John JACKSON... round the mountain...Joining THOMAS TERRY. Alexander signs by signature, Anne by mark. Not witnessed. Recorded 23 October 1794. On margin: "DD to John Harrison 7th Feby 1795."

[Source: *Madison County Deed Book 1, p. 142, Madison County Courthouse, Madison, Virginia.*]

Note:

Alexander Simpson and Ann "Nancy" Harrison are parents of Leroy Simpson who bought the land later called Allen Mountain Farm from ROBERT DAVIS' son James Davis and wife Sally Harrison, and ROBERT's widow Ann on 3 Mar 1817. Alexander Simpson, the grantor here, was a son of John Simpson whose land was adjacent to ROBERT's father JAMES' brother Benjamin DAVIS II (purchased 1775). Another bound of that land of Benjamin was his brother-in-law Thomas TERRY who was adjacent himself to JAMES DAVIS. [The JAMES DAVIS on all the Culpeper and early Madison records is ROBERT's father JAMES, not his son James who was not 21 until c1808.]

John Harrison, the grantee in this deed, was the brother of Anne/Nancy Harrison Simpson (wife of Alexander, granting her dower here). John and Anne/Nancy were also siblings of George Harrison whose daughter was Robert's son James Davis' wife Sally Harrison.

This deed below from Alexander Simpson's brother William Simpson shows more of the neighbors of JAMES DAVIS and his brother-in-law Thomas TERRY who lived adjacent to James:

11 April 1796 - William SIMPSON & wife Frankey of Parish of Bromfield, County of Madison to John RUCKER of same, for £20, 30 acres in parish and county aforesaid, corner to said [John] RUCKER and JAMES DAVIS, corner to said SIMPSON and RUCKER, on or near top of NEAL'S MOUNTAIN, corner on WALKER's line, corner to said WALKER and RUCKER, corner in or near George EASTHAM's line.

Signed: William Simpson, Frankey (x) Simpson

Witnesses: JAMES DAVIS, Augustine RUCKER, THOMAS (x) TERRY, Merry WALKER, Wm. EVE

[Source: *Madison Deed Book 2, p. 28, Madison County Courthouse, Madison, Virginia.*]

5 February 1796 – Processioners Report - A line of Joseph ROGERS, lines of ROBERT DAVIS, a line between ROBERT DAVIS & Joseph Roberts, present John Booten.

[Source: *Madison County Processioners' Returns 1796-1800, p. 24, Library of Virginia, Richmond, Virginia; film read by Craig Kilby.*]

Original needed to verify names Rogers and Roberts.

Looks like the land of Joseph Rogers was near Jeremiah Jarrell & John Jarrell. Is this the land that Richard Vernon refers to as at the head of the Conway River and possibly one of the early unidentified properties on Robert's land taxes?

27 Oct 1800 – John Young and wife Sarah of Greenbrier Co., Virginia to George Roberts of Madison, for L75, 100 acres adjacent to Hugh Roberts line.

Witnessed by John Jarrell, Jeremiah Jarrell and Joseph Rogers [sp there Rodgers].

[Source: *Madison Deed Book 3:10.*]

4 Oct 1794 – Jeremiah Jarrell and John Jackson were among the appraisers of Hugh Roberts' estate.

[Source: *Madison Will Book 1:56.*]

(John Jackson lived next to James Davis and had sold land near Jeremiah to James Jarrell Sr. in 1785)

Every four years the County (or Parish in pre-Revolution time) appointed at least two "processioners" per sector of the county to go around to each property and renew the marks of the property lines. "Present" were the landowners or their agents whose properties would be processioned that day. Such reports are boons for researchers since adjacent property owners on deed records sometimes were simply transferred from one deed record to another and not necessarily current, whereas processioners returns name the actual owner at the time. So we know from this return that in early 1796 two adjacent landowners to ROBERT were Joseph Rogers and Joseph Roberts, with John Booten owning nearby.

Joseph Rogers was son of Joseph Rogers and Lucy Burgess, and grandson of Thomas Burgess who sold JAMES DAVIS his Orange County property in 1758 near Terrys Run which had previously been granted to Andrew Harrison in 1728. Like JAMES DAVIS' father Benjamin, Thomas Burgess was a carpenter and bridge builder. In 1750 Thomas Burgess was paid for building a bridge over the Northanna River between Louisa and Orange counties, two years after Benjamin built a bridge over the Northanna River between Louisa and Spotsylvania in 1748. The elder Joseph Rogers' brother Thomas Rogers was co-witness with Benjamin DAVIS I to a Spotsylvania deed of Benjamin Martin in 1757. Another daughter of Thomas Burgess married a Rucker. Thomas Burgess was married to Mary Warren. Lewis researchers say that the Warren's were close to the Lewis's of the line of John Lewis of Spotsylvania, and Benjamin Davis was security on his administrator's bond.

Various websites quote portions of a book called "Joseph Rogers, Bryan's Station" by Rauck that says Joseph acquired land at Bryants Station, Fayette Co., Kentucky by 1775 while still a resident of Virginia. (James DAVIS' brother William and his family also lived near Bryants Station, having gone from Culpeper with Rev. Craig's "Traveling Church" in late 1781.) The book says Joseph Rogers "visited" Boones Station at the time of the 1782 seige, he took his family into cabins at the fort 1784, he gave a deposition there in 1791, and built a brick house "about 1796." But the snatches of quotes and little documentation make it unclear when Joseph actually moved there permanently. Whether or not Joseph was living in Madison in 1796 when this processioning was done, he had indeed had lived there, as shown by his wife.

Joseph Rogers Jr. was married to Ann Early, sister of Joel Early, both children of Jeremiah Early who lived on land one removed from JAMES' family in Culpeper/Madison. Another sister, Sarah Early, married William Kirtley with land adjacent to JAMES' son ROBERT. Joel Early moved his family from Culpeper to Georgia in 1791 along with JAMES' brother Benjamin DAVIS II. In 1820, Benjamin II's son Benjamin DAVIS III named his son after Joel's son Eleazer Early with whom he had grown up in Culpeper and Elbert Co., Georgia.

John Booten was the son of Ambrose Booten and Tomagen Rucker and half-brother to Larkin Rucker (by Tomagen's second husband Augustine Rucker). Larkin Rucker married Lucy Terry, niece of JAMES DAVIS by his sister Sarah Davis and Thomas Terry. Tomagen Rucker was the daughter of Ephraim Rucker and Margaret Vawter from whom JAMES DAVIS bought his first Culpeper/Madison land of record in 1775. John Booten's wife was Frances Clark whose brother James Clark was named an executor of ROBERT DAVIS' Madison County will written 27 Apr 1815. The mother of Frances and James Clark was Bathsheba Sampson whose brother Thomas Sampson lived adjacent to JAMES DAVIS' brother Benjamin DAVIS II by 1775. John Booten's son (per Chapman's Bates book) was Richard C. Booten, named an executor of ROBERT's father JAMES DAVIS' Madison County will written 19 Feb 1817. Beginning in 1814, land tax records named an adjacent landowner to the landowner who was taxed, and JAMES DAVIS was listed adjacent to Richard C. Booten.

19 March 1796 – Deed - George EVE and Elizabeth his wife to ROBERT DAVIS both parties of Madison County, 162 acres for 360 pounds, corner to John Jackson, Capt. William Kirtley, Thomas Sampson. Witnessed by William Eve, Merry Walker "witness for George Eve" and William Sampson. George & Elizabeth Eve both sign by signature. Recorded 23 June 1796. On margin, "Examined & delivered Wm. DAVIS [son of ROBERT] Nov 30th 1815."

[Source: Madison County Deed Book 1, p. 395, Madison County Courthouse, Madison, Virginia.]

Release of Elizabeth Eve's dower for sale above:

25 August 1796. Commission to Merry Walker, Adam Banks and William Eve Gents. Whereas George Eve and Elizabeth by Indenture 19 March 1796 sold 162 acres of land to ROBERT DAVIS, privately examined Elizabeth. Recorded 27 Oct 1796.

[Source: *Madison County Deed Book 2, p. 16, Sparacio*]

Note:

This land was part of the vast properties owned by Francis Kirtley Sr. (d. 1763). From there it passed to Francis' son James Kirtley, who sold to Francis' daughter Sarah Kirtley and her husband Jonathan Cowherd, then to Jonathan Cowherd Jr. to George Eve, who soon sold it to Robert Davis. (Robert's will erroneously refers to this as the land he bought from Jonathan Coward.) Francis Kirtley's daughter Mary Kirtley and her husband James Collins were the grandparents of Mary Collins (daughter of Francis Collins), who married William Terry in 1817.

A deed of It seems that this 162 acres from George Eve, originally Kirtley land, is the land Robert gives to his son-in-law James Beck 1 Dec 1815. On the same date, Robert gives an adjacent parcel (on the east side, purchased from Jeremiah Jarrell) of 172 acres to his son William, reserving 50 acres as part of the land Robert and Ann were living at the time.

Simpson deeds in 1794 and 1796 show that their lands are surrounded also by Thomas Terry (husband of James' sister Sarah Davis), Augustine Rucker (father of Larkin, who married Thomas and Sarah's daughter Lucy Terry), John Jackson (whose son John Jr. married a Herndon, a family connected our Davis's in many ways), Merry Walker (whose parents and grandparents were with James in Orange County around 1760), and William Eve, son of Rev. George Eve (with Davis connections in King George County who are probably relatives of our line). James' brother Benjamin left for Georgia in 1791, but his land also was adjacent from 1775, when he bought land next to James (4 months later) from Merry Walker's parents William and Ann Merry Walker. This deed still records his name as bounds:

23 April 1794. Deed from William Walker to Thomas Terry for £100, land adjacent to Benjamin DAVIS's line, John Jackson's line, JAMES DAVIS's line. Recorded 24 April 1794.

[Source: *Madison Deed Book 1, p. 68-69 "Deed Abstracts of Madison County, Virginia 1793-1804" Ruth and Sam Sparacio, The Antient Press, 1986, pg. 8.*]

All of these lands are at present-day Wolftown and running west towards Hood, on both sides of SR 230. Benjamin's land and a land grant to Thomas Terry are on "the road to Caves Ford", which is basically today's Shelby Road (actually a short western fork just before intersecting SR230) where Rev. Eve's Rapidan Meeting House (Baptist Church) was almost across the road. They spread down to Neals Mountain, over to Elk Creek, and Robert's later properties reached west to the part of the Rapidan called Staunton River. Not far south on Caves Ford Road, almost to the Rapidan, which is the Orange County line, lived James' sister Mary Davis and her husband Daniel Jarrell. Also living nearby was Frederick Davis, son of James' brother John Davis who moved to Pittsylvania County about 1784. [Note: The other John Davis in the same tax lists as James and Robert in the 1780's was not in this immediate area, although he, too, was in the later-Madison part of Culpeper. He seems to be the one married by George Eve to Frances Ham. This John Davis' pension application says he was born 1754 in King William, 11 years after Benjamin I was in Spotsylvania, and on average 20 years younger than Benjamin I's other children, so while he may be somehow related, he is not Benjamin Davis I's son or James Davis' brother John. However, he has no recorded interactions with our family in Culpeper/Madison. He went to Elbert Co., Georgia about the time Benjamin II did, and may be the John Davis named as Benjamin's executor in his 1796 will.]

The history of this property is given in a description of Kirtley land by Steve Kirtley (2003) as follows: 1749 William Kirtley to Francis Kirtley, 1764 James Kirtley to Jonathan Cowherd, who later sold to Jonathan Cowherd Jr., who sold to George Eve, who now is selling to ROBERT DAVIS. The will of Francis Kirtley that bequeaths this land to James Kirtley says "the Land Whereon John Forester lives." John Forrester was a bound on JAMES DAVIS' brother Benjamin's land that he bought from Merry Walker's father in 1775 with Cowherds Church Road/Kirtley Road (now SR 230) running between the two properties.

5 Feb 1798 – Deed Witness - Deed from Daniel & Elizabeth Triplett to Frederick DAVIS, ___acre in Hap Hazzrd, by Triplett Meadows.

Witnessed by Thomas Richards, James Wood, ROBERT (x) DAVIS, Francis Blunt.

[Source: *Madison County Deed Book 2, pg 183, "Deed Abstracts of Madison County, Virginia 1793-1804" by Ruth & Sam Sparacio (McLean, Virginia: Private Printing, 1986), p. 67.]*

Copy of full deed would be helpful.

Note:

In 1800, Frederick DAVIS is charged land tax for 2-5/8 acres. Madison Co. Deed Book 4:9 identifies Frederick's land as Haphazard Mill. -JH

The only Frederick DAVIS in the area seems to be Frederick the son named in the will of John DAVIS, a carpenter, son of Benjamin Sr. and brother of JAMES DAVIS (thus making Frederick and ROBERT cousins). John and at least some of his family moved from Culpeper to Pittsylvania Co. about 1784. When they sold their Culpeper land from Pittsylvania in 1794, the deed was witnessed by Daniel Triplett from whom Frederick bought this land in 1798. The location seems to be not far northeast of Wolfstown.

In 1783, Daniel Triplett was in the same tax list as Daniel Jarrell, husband Mary DAVIS who was the sister of JAMES DAVIS.

A 1802 Madison County deed of Frederick DAVIS references "lands adjoining and belonging to Haphazard Mill Tract conveyed to DAVIS by deeds from Elliott Herndon." Elliot Herndon is another descendant of Edward and Mary Waller Herndon mentioned above.

1799

15 Feb 1799 - ROBERT DAVIS buys from Estate of Thomas Kirtley. [per Elinore Olsen]

28 Feb 1799. Robert DAVIS, Joel GRAVES, and Charles HUME returned appraisal of the estate of Thomas Kirtley

[Source: *Madison County Will Book 1, p. 212.*]

Note:

Joel Graves, son of Thomas Graves of Graves Mill, bought Benjamin DAVIS' land adjacent to James DAVIS and Thomas TERRY (his brother and brother-in-law) when Benjamin moved to Georgia in 1791.

Thomas Kirtley was the brother of William Kirtley who died 1795 and is referred to in the next deed below (1 Dec 1800). I can find no other relationship between ROBERT and the Kirtley's except as neighbors and ROBERT's owning land earlier owned by Kirtley's (but so far as we know, not purchased directly from them). The Kirtley's had land all over the area where Robert and his Davis relatives lived, and Kirtley's were intermarried with a number of families the Davis' were related to, including Ruckers and Graves and even ROBERT's cousins the TERRY's.

Thomas Kirtley and William Kirtley were brothers of Mary Kirtley who married James Collins. James and Mary Kirtley Collins were grandparents of Mary "Polly" Collins who in 1817 married ROBERT DAVIS' cousin WILLIAM TERRY (son of Thomas TERRY and Sarah DAVIS, the sister of JAMES DAVIS, ROBERT's father).

The Charles Hume of this record may have been the son of George Hume Sr. and husband of Hannah James, married 1764 in Fauquier, and died 1821 in Madison County. But it seems more likely this one was George Hume Sr.'s grandson, the Charles (Milton) Hume who was the son of George Hume (Jr) and Jane Stanton (daughter of Thomas Stanton and wife Sarah). He married 1st Lizzie Banks, daughter of Adam Banks, and 2nd Elizabeth Kirtley, granddaughter of Thomas Kirtley (whose estate is being

appraised by this record above) and daughter of Francis Kirtley and Sarah Buford. "Charles was a surveyor and assisted his father George Hume [Jr.] in that trade." [Brockman, *Orange County Virginia Families Vol. 3, 1959, cited by James R. Hume, Hume Family Website*] Charles Hume's grandmother was Elizabeth Proctor, daughter of George Proctor, closely associated on records with Edward/Edmund Price, relative and possible father of Kalem Price, James Davis' father-in-law. Charles' grandfather George Hume Sr. was Surveyor to Lord Fairfax, Surveyor of Spotsylvania, Orange, and Frederick Counties, "taught George Washington surveying and was associated with him in many surveys." [Brockman]

Charles Hume's daughter Mary married Azel Simpson (cousin of Leroy Simpson who married Margaret Eddins and son of William Simpson who was brother of Leroy's father Alexander Simpson). Azel and Mary Hume Simpson were living close to Robert's sons William and James Davis in the 1820 census in Warren Co., Kentucky. That same year, these men were all purchasers of the estate of an Aaron Quisenberry (son of John), originally of Orange Co., Virginia. (see record below)

1800

1 Dec 1800 - Adam Banks and Isaac Davis (Jr), Executors of the will of William Kirtley [his will named his son Jeremiah Kirtley and son-in-law Isaac Davis, Jr. as his executors]...to Simeon Buford of Barrion (Barren) County, Kentucky, paid to William Kirtley, Elijah Kirtley's heirs, Isaac Davis and Jeremiah Kirtley, legatees of William Kirtley deceased, land at bank of Rapidan river called Staunton River, adj. ROBERT DAVIS, Blakey's line, Stanton's old line, 183 acres. Witnessed by Reuben Fry, Francis Kirtley, Thomas Y. Pariott [Parrott], John RUCKER.

[Source: *Madison County Deed Book 3, p. 18, "Deed Abstracts of Madison County, Virginia 1793-1804" by Ruth & Sam Sparacio (McLean, Virginia: Private Printing, 1986), p. 104.*]

Note:

William Kirtley was a son of Francis Kirtley, the husband of Sarah Early, and died in Madison County 1795. His daughter Elizabeth Kirtley (b. 1766) married 1781 to Isaac Davis Jr. (b. 9 Jun 1754 Orange Co., Virginia, d. Aug 1835, Orange Co., Virginia).

The land in this deed was also original Kirtley land, as was the adjacent land of Robert Davis. Isaac Davis Jr. married William Kirtley's daughter Elizabeth. Isaac's brother Robert Davis lived in Albemarle Co., Virginia, and married Ann Rogers, d/o of Giles Rogers. In 1805, Robert Davis' daughter Ann married Adam Banks' son Gerard J. Banks, who also had land next of our Robert Davis in Madison. Both Adam Banks and his son Gerard J. Banks obtained Kirtley land, as did our Robert Davis. This appears to be the only connection between our Robert Davis and the Davis family of Albemarle County.

Extensive research has been done regarding the Albemarle Davis family and that Robert Davis in particular to see if our Robert Davis could be part of that family. Given gaps in the records, we cannot definitively disprove any connection; however, no compelling evidence has been found to base any claim of relationship. Our Robert's connection with the Albemarle Davis family seems only by proximity of lands that originated with the same Kirtley family owners. On the contrary, our Robert Davis' association on records with members of the Jarrell and Terry families and with Frederick Davis definitely weights the argument in favor of our Robert being a son of James Davis, especially since a family relationship seems the only thread tying together these unusual associations. That relationship even connects Robert's daughter Elizabeth's marriage to Richard Vernon Jr., whose family did not live in Robert's area of Madison but did live among many Jarrell relations. The fact that Robert Davis was the one who gave oath in court to the heirs of Thomas Terry, brother-in-law of James Davis and, thus, Robert's uncle, seems strong evidence in itself.

According to Steve Kirtley's analysis of Kirtley land, John Blakey had had Kirtley land just to the north of Robert's which he later sold to his son Churchill who was on records with Robert.

Thomas Parrott was related to Elizabeth Parrott, ward in 1825 of Larkin Rucker. Larkin, a relative of John Rucker of this deed, married Lucy Terry, daughter of Thomas Terry and Sarah DAVIS, Benjamin DAVIS Sr's daughter and JAMES' sister.

So far as I can tell from research to date, Isaac Davis (Jr) of Orange County is not related to the Davis's in Culpeper/Madison County unless it was distantly from DAVIS ancestors in the King William County area a hundred years before this. Isaac Davis Jr. owned property through his wife Elizabeth Kirtley, daughter of William Kirtley. But neither Isaac nor parents nor family resided in Culpeper/Madison. However, there is a notable web of connections between families around Wolfstown (eg., Kirtley, Early) and some in Albemarle where Isaac Davis Jr. was born in the same area where Davis relatives John Wansley lived (eg, Durrett and Rogers) that have associations with our Davis's and with each other that makes me think there are more intermarriages and familial relationships here than have so far been found.

Isaac Davis: "Jr." and "Sr." need to be checked in above paragraphs. Are there errors?

1801

14 March 1801 - Jeremiah KIRTLEY and Mary his wife of Boone County, Kentucky, to John HITE of Rockingham County, Virginia

449 acres on both sides of STANTON RIVER, [consideration not noted], bounded by KIRTLEY'S Mountain, patent line of William KIRTLEY Sr., deceased, at present land of William Kirtley, Jr., crossing Stanton River, John Dulaney Sr., Arbour Spring, Charles HUME [WIFE WAS ??], ROBERT DAVIS, John JACKSON. [John Jackson's 413.5 ac in 1814 was "bounded by Robt. Davis & Alexander Simpson" adjacent on the west to his 260 adjacent tract to Benjamin Davis & Terry]

Witnessed by Merry WALKER, Edmond Gaines, Francis KIRTLEY, Thomas Eddings [EDDINS], Wm. KIRTLEY. Signed by Jeremiah Kirtley and Mary Kirtley.

Mary Kirtley examined by Merry WALKER and Edmond Gaines to release dower.

Recorded 26 March 1801.

[Source: *Madison County Deed Book 3, p. 29, "Deed Abstracts of Madison County Virginia 1793-1804" by Ruth & Sam Sparacio (McLean, Virginia: Private Printing, 1986), p. 105.*]

GET FROM ORIGINAL – ROBERT SIGNS BY SIGNATURE

1804

28 June 1804 - Thomas TERRY Estate Administrative Bond; William TERRY, Administrator; John RUCKER and ROBERT DAVIS, security - \$5000

[Source: *Madison Will Book 2, p. 6, Madison County Courthouse, Madison, Virginia.*]

Note:

William Terry was the son of Thomas Terry, husband of Sarah Davis, Robert's aunt. John Rucker was a neighbor, son of Ephraim Rucker who sold Robert's father James Davis his land in 1775 to which Thomas Terry lived adjacent. John Rucker's nephew Larkin Rucker married Thomas' daughter Lucy Terry in 1815. James Davis' will bequeathed to several of Thomas and Sarah's children, including Robert's cousin William Terry, administrator of his father's estate and for whose bond Robert gives security.

23 August 1804 - JAMES DAVIS, John HARRISON, and John JACKSON presented to the Madison County Court the Inventory and Appraisal of Thomas TERRY's estate.

[Source: *Madison Will Book 2, p. 6, Madison County Courthouse, Madison, Virginia.*]

Note:

Robert's father James Davis was the brother of Sarah Davis, wife of Thomas Terry, whose land was adjacent to James. John Harrison and John Jackson were also adjacent neighbors, and John Jackson assigned his Madison County land grant to Thomas Terry in 1799. John Jackson Jr. married Mary Herndon, a great-granddaughter of Edward Herndon and Mary (Waller?) whose descendants have many connections with our Davis family. John Harrison was the uncle of Sarah Harrison who married Robert's son James. Sarah Harrison's father George Harrison and John Harrison were brothers of Ann "Nancy" Harrison who married Alexander Simpson. Their son Leroy Simpson bought Robert's land from his son

James and widow Ann that became known as "Allen Mountain Farm" just west of Hood, Virginia. These Harrisons are almost certainly related to the Andrew Harrison whose land grant of 1728 was where James Davis bought in 1758 at Terrys Run, by then in Orange County just over the Spotsylvania line. John Harrison and two of his sons were purchasers of Robert's father James Davis' estate.

1805 – This is the "Conrad" tract adj. to George H. Allen. Robert deeded it as follows:
112 acres to son James Davis, 158 ac. to son John Davis, 50 ac to son-in-law James Beck.

6 Sep 1805 - Deed - Joseph CONRAD & Catherine his wife, and Obadiah ANDERSON to ROBERT DAVIS for £450. 320 acres on waters of the STANTON & CONWAY RIVERS adj. Merry WALKER, Catlett CONWAY, Thomas GRAVES Sr., and Michael WALLIS.

Signed: Joseph (x) Conrad, Catherine (x) Conrad, Obadiah Anderson. Not witnessed.

Recorded 26 Sep 1805. Teste: John Walker CMC

[Source: Madison County Deed Book 4, p. 148, Madison County Courthouse, Madison, Virginia.]

Metes & bounds:

2 white oaks and one pine corner to Merry Walker in or near Catlett Conoway's line thence with sd Walkers line N24 45min E 86 pole to a red oak and 2 white oaks corner to sd Walker nigh the plantation there with another of sd Walkers line N47E 100 poles to 3 chestnut oaks on the top of a high hill corner to sd Walker, thence continuing sd course 14 pole to 3 chestnuts and a Spanish oak corner to sd Walker in the head of a hollow in Thomas Graves Sen/r line, thence with sd Graves line N66 30min W 82 poles to a dead chestnut and a Spanish oak corner to sd Graves thence with another of his lines N37E 160 pole to a white oak and hickory corner to sd Graves and Michael Wallis thence with sd Wallis line cross the the mountain S80W 370pole to 2 white oaks on the south side of a small branch in or near a line of the aforesaid Catlett Conoway's thence with the courses of the said Catlett Conoway's several lines and binding upon the same to the first mentioned beginning.

* * * * *

NOTE FROM DOVE'S BOOK:

"Old Anderson Place" was called first the Booton tract which John Booten purchased from Newton Walker (s/o Merry Walker). It located 2 miles west of Hood on Rt 613, with Allen Mountain to the east, Barney's (?) Mountain to the west, and faces s-e to Conway River. It was adjacent to Obediah Anderson, whose first wife was Catherine Conrad, d/o Joseph Conrad, and second wife was Emalina Booten, d/o Reubin Booten. [Reuben C. Booton?]

1810

22 Feb 1810 - Two (unspecified) debt suits of Jeremiah Jarrell against Robert Davis were "dismissed by the direction of the Plaintiff" [Jeremiah Jarrell]

[Source: Madison Court Order Book, No. 4, 1808 - 1815, p. 98]

U. S. Census 1810 Madison County, Virginia

ROBERT DAVIS - Males: 2(16-26), 1(45+); Females: 1(10-16), 1(16-26), 1(45+); 18 slaves

Son James DAVIS - Males: 2(>10), 1(26-44); Females: 2(16-44); 6 slaves

Look up James Davis, father of Robert, in this census.
--

Note: Appears that son William and son John, plus John's new wife of Dec 1809, are living with Robert and Ann. The females could be John's wife, plus Robert's daughter Nancy, who married Jan 1812.

22 Nov 1810

Ordered that Charles Hume Jr. be nominated and recommended to the Governor and Council of this Commonwealth, as a fit and proper person to be commissioned as Ensign of a Company of Light Infantry in this County in the room of JAMES DAVIS who has been excused from Military duty by the regimental Court of Inquiry.

Note:

This James Davis would be the son of Robert Davis. The elder James Davis (b.c1732), Robert's likely father, was too old by this time to serve. County militia service was required of males 16-50.

1811

28 Feb 1811

Ordered that it be certified to the register of the Land Office that THOMAS TERRY formerly of this county died Intestate leaving his widow Sally Terry and eight children to wit: Mary who intermarried with Richard Gulley which said Mary is since deceased leaving one child named Mary Gulley, Joseph Terry, Nancy Terry who intermarried with William Kelly, John Terry, Sally Terry, James Terry, William Terry and Lucy Terry. Administration was granted to William Terry on Descendants estate. The other facts were proven to the Satisfaction of the Court by ROBERT DAVIS upon oath.

[Source: *Madison County Virginia Order Book 4 1808-1815, p. 148. Reel 24. Library of Virginia, Richmond, Virginia.*]

1 Mar 1811

ROBERT DAVIS who was summoned to appear before this court to shew cause why he should not be fined according to law for his non-attendance as a witness summoned on behalf of John Sampson at the suit of Esther & Sarah appeared and gave satisfactory reasons to the court for his non-attendance upon which it is ordered that the summons Be Dismissed. (p. 151)

1813

11 Dec 1813 – Deed - ROBERT DAVIS [no wife named] to Richard Vernon and wife Elizabeth, all of Madison. For love and affection, one slave woman Riney and her child Esther.

Signed by signature. [This may be the only time it is recorded that Robert signed. All others are by mark.]

Witnessed by George Harrison and John DAVIS.

Recorded 25 Aug 1814.

In margin, "Examined and delivered to John Ford Oct. 1833".

[Source: *Madison County Deed Book 5, p.407. Abstract by Craig Kilby.*]

Note:

Witness John DAVIS is ROBERT's son. George Harrison is the father of Sarah, married to ROBERT's son James. The numerous connections between the elder JAMES DAVIS and the Harrison's spanning almost 70 years is discussed elsewhere.

This and William Terry's administrative bond for which Robert is security are the only times it was recorded that ROBERT signed by signature. All of his other records are by mark.

What is interesting in this deed is that there is no wife of ROBERT named or mentioned, and no release of dower. The same goes for ROBERT's deed of 14 June 1815. Yet between them are two deeds of 25 April 1815 where his wife Ann is named. By law a wife was due 1/3 of her husband's property (her dower). That land could be sold only with a formal release of dower by the wife upon being examined privately (not in her husband's presence) by court appointed representatives to assure she was forfeiting her dower portion willingly.

1815 - April

25 April 1815 – Deed - ROBERT DAVIS and ANN his wife to John DAVIS [his son], all of Madison. For love and affection. 158 acres adjacent to JAMES DAVIS, Michael WALLACE [sometimes spelled Wallis] and Obadiah ANDERSON. Metes and bounds given. Signed by Robert (x) Davis, his mark. [Ann does not sign.]

Witnessed by James CLARK and Geo. H. ALLEN. Recorded 27 April 1815.

[Source: *Madison County Deed Book 5, p. 446, Madison County Courthouse, Madison, Virginia.*]

[Geo H. Allen married to Nancy Graves d/o Thos Graves Jr (Vogt & Kethley)]

A) red oak in CONWAY's line corner to James Davis N 44 E 36 poles to

- B) white oak, red oak Spanish oak and locust on ridge N 1 W 42 poles to
- C) white oak and a gum in a hollow N 54 W 26 poles to
- D) chestnut oak and walnut in a hollow N 23 E 144 poles to
- E) 3 chestnuts growing up from a stump in or near Michael WALLACE's line thence with his line N 80 W 154 poles to
- F) an ash blazed all around in or near Obadiah ANDERSON's line thence with his line S 6 E 36 poles to
- G) a poplar red oak and double and single dogwood corner to sd Anderson and sd Conway thence with Conway's line to A) the beginning.

[This is part of the land bought 1805: -- Obediah Anderson and Conrad on west side of Hood n. of Kirtley Road.]

6 Sep 1805 - Deed from Joseph Conrad & Catherine his wife, and Obadiah Anderson to ROBERT DAVIS for £450. 320 acres on waters of the Stanton & Conway rivers adj. Merry Walker, Catlett Conway, Thomas Graves Sr., and Michael Wallis.

Check this:

Here we have proof that ROBERT had land adjacent to the elder JAMES DAVIS, whom I believe was his father. In deeds and land records Robert's son James is called "Jr" meaning the younger. And in the next deed of same date from Robert to his son James, it refers to this "new line" between John Davis and James Davis, without saying "the said James Davis" Robert's son of that deed transaction. This property Robert gifts to son John is probably the "150" acres for which ROBERT was taxed in land tax records since 1782 when the lists began.

25 April 1815 – Deed - ROBERT DAVIS and ANN his wife to James DAVIS [his son], all of Madison. For love and affection. 112 acres adjacent to Merry Walker, deceased, Conway's line, new corner between John DAVIS and James DAVIS. ROBERT DAVIS his mark. [Ann does not sign.]
 Witnessed by James Clark, Geo. H. Allen, George Harrison and William H. Price. Recorded 27 April 1815.

[Source: *Madison County Deed Book 5, p. 447, Madison County Courthouse, Madison, Virginia.*]

- A) white oak and pine corner to Merry Walker dec'd in Conway's line with Walker's line N 26 E ___poles to
- B) red oak and 2 white oaks corner to Walker's heirs N 47 E 100 poles to
- C) 3 chestnuts oaks on a ridge same course 14 poles further to
- D) 3 chestnuts and Spanish oak on a ridge corner to said heirs in George Allen's line with his line N 66, 30 minutes W 82 poles to
- E) double chestnut Spanish oak corner to sd Allen thence N 37 E 139 poles to
- F) corner in thence with a new line up the mountain to a corner in Wallaces line on top of the mountain now a corner between James and John Davis then down the courses of John Davis' line the SS [south side??] of mountain to aforesaid Conway's line thence with Conways line to the beginning.

By 1796 Merry Walker shared a third common bound (William Simpson) with JAMES DAVIS, father of ROBERT.

By 1796 Merry Walker shared a third common bound (William Simpson) with JAMES DAVIS, father of ROBERT.

11 April 1796 - William Simpson and Frankey his wife of the Parish of Brumfield and County of Madison to John Rucker of same, £20; 30 acres in parish and county aforesaid, bounded by said Rucker, James DAVIS, said [Wm] Simpson and [John] Rucker, near top of Neals Mountain, on Walker's line, George Eastham's line. /s/ Wm. Simpson, Frankey (x) Simpson

Witnesses: James DAVIS, Augustine Rucker, THOMAS (x) TERRY, Merry Walker, William Eve

Frankey Simpson dower release was ordered to be obtained [refers to deed date as 11 Mar 1796] Deed recorded 27 Oct 1796. In margin: "DD 4 Sep 1798" [ie, deed delivered to purchaser this date]

[Source: *Madison County Deed Book 2, p. 228, Madison County Courthouse, Madison, Virginia. Abstract by J. Horsley, caps and comments in brackets added.*]

1815 - June

ONLY ABSTRACT FOR THIS – DON'T KNOW IF CHAS. HUME INCLUDED OR NOT AS ANOTHER PURCHASER

14 June 1815 - ROBERT DAVIS [no wife named] to Gerard J. BANKS, both of Madison. For \$60. 1-1/2 acres, "PART OF TRACT I NOW LIVE ON" on Rapid Ann River at the head of a canal lately cut by said Banks.

Signed: ROBERT (x) DAVIS

Witnesses: Linn Banks, Charles Hume, James BECK

Recorded 22 June 1815.

[Source: *Madison County Deed Book 5, p. 457; abstract by Craig Kilby.*]

Note:

This deed, like Robert's deed from Jeremiah Jarrell, was written only after Robert mentioned the sale in his will as if the transaction were already completed. I have not seen the original deed to Banks to know whether metes and bounds were included, but subsequent deeds indicate a survey was not made.

Robert's will dated 23 May 1815 mentions "Gerard J Banke's purchase on the river for an abutment of a mill dam." In Robert and Ann's deed on 1 Dec 1815 giving their residence property (originally 162 acres) to James Beck, husband of their daughter Nancy, the tract is described as "162 acres more or less, out of which the said Robert Davis and Ann his wife reserves a certain part on the river which they by a bargain and sale have sold unto Charles Hume and Gerard J. Banks." (No deed sale to Charles Hume has been found.) Then by a deed of 20 Oct 1818 when James Beck and wife Nancy (Davis) sell this land where Robert and Ann had resided to Edwin Nichols, the tract is described as 160 acres with the following explanation: "It is understood that Robert Davis in his life time sold Charles Hume all that land lying on the west side of the river supposed to be about half acre & also on the east side to Gerard J. Banks what lies between his mill race and the river as low down as Whetstone Run which is not intended to be conveyed and is to be excepted by this conveyance."

The Rapidan River is about a mile west of the central intersection of Wolfstown and just to the east of Hood, Virginia. We know from deeds and Kirtley's plats that part of ROBERT's land was on what is now SR 230, the east-west road through Hood and Wolfstown. Just over the road south of ROBERT's land is Banks Mountain.

It seems that this land was for the purpose of a mill. In Robert's will he mentions "Gerard J Banke's purchase on the river for an abutment of a mill dam."

Linn Banks is presumably Gerard Banks' brother of that name (although Gerard also may have had a son named Linn as well). James Beck is Robert's son-in-law by daughter Nancy Davis.

1 Dec 1815 – Deed - ROBERT and ANN DAVIS to James BECK [son-in-law] for natural affection, three parcels 162 + 50 + 50 acres

[1] The first containing 162 acres on the East side of Staunton River, containing 162 acres, more or less, out of which the said Robert Davis and Ann his wife reserves a certain part on the river which they by a bargain and sale have sold unto Charles HUME and Gerard J. BANKS, the above tract of land, bounded by John JACKSON, KIRTLEYS Road, Thomas SAMPSON, Kirtleys old line, STAUNTON RIVER, Capt. William KIRTLEY deceased, near mouth of WHET STONE RUN

[Description matches exactly the land Robert bought from George Eve 19 March 1796];

[2] The second containing 50 acres being part of a tract purchased of JOSEPH CONRAD bounded by Maj. GEORGE H. ALLEN and MICHAEL WALLACE [also spelled Wallis];

[3] The third for 50 acres adjoining the aforesaid 162 acres to be taken in as convenient a manner as can be devised the tract of land from which it is to be taken as bounded by JOHN JACKSON, COWARDS ROAD, NICHOLS, BLAKEY, SOUTH SIDE OF KIRTLEYS ROAD, SARAH DUFF, this last tract to remain with James Beck only for Robert's and Ann's lifetime

Signed: Robert (x) Davis [Ann does not sign]

Witnessed: Charles HUME, Edwin NICHOLS, James CLARK Recorded 25 April 1816

Test: Benjamin Cave

[Source: *Madison Deed Book 6, p. 276, Madison County Courthouse, Madison, Virginia.*]

Metes and Bounds:

1 Dec 1815. ROBERT DAVIS and ANN his wife of Madison to James BECK, for natural affection they bear unto James Beck, and to his heirs give to one certain tract or parcel of land situate in county aforesaid on the East side of STAUNTON RIVER, containing 162 ACRES, more or less, out of which the said Robert Davis and Ann his wife reserves a certain part on the river which they by a bargain and sale have sold unto CHARLES HUME and GERARD J. BANKS the above tract of land, bounded as follows:

[A] Beginning at three white oaks corner to JOHN JACKSON,

[B] thence with said Jackson's line N 13 E 6 pole to a white oak box oak and hickory corner to said Jackson and near Kirtley's Road

[C] thence with said road N64E 24 pole in said road

[D] thence with said road N86E 44 pole

[E] thence N55E10 pole to a Spanish and box oak corner to said JACKSON,

[F] thence leaving said road and running with a path with THOMAS SAMPSON's line N64W 12 pole

[G] thence S87W 26 pole

[H] thence N47W 40 pole to a large white oak and two red oaks on said path near the WHITE STONE RUN

[I] thence with said ruin N10E 130 pole to a large white oak and two gums in KIRTLEY's old line,

[J] thence with the said line S61W 130 pole to a parcel of downed trees,

[K] S72W 64 pole to a standing white oak and two down on the Staunton River,

[L] thence down the meanders of said river S47W 34 pole

[M] thence S6 W 16 pole

[N] thence S20E 30 pole

[O] thence S15W 42 pole to a white oak and hickory corner to Capt. WILLIAM KIRTLEY deceased, and near the mouth of White [Whet] Stone Run,

[P] thence with said run S60E 16 pole to a maple and sycamore on said Run

[A] and from thence to the beginning.

Also, our other certain tract or parcel of land situate lying and being in the county aforesaid containing 50 acres being part of a tract purchased of JOSEPH CONRAD bounded as followeth:

[A] Beginning at a white oak and hickory corner to Maj. GEORGE H. ALLEN and MICHAEL WALLACE on the side of a mountain

[B] thence with Wallace's line up said mountain S80W to the top of said mountain in said Wallace's line,

[C] thence with a new line down the SE side of said mountain as to include the said 50 acres to the aforesaid Maj. Allen's line,

[D] thence with his line N37E

[A] to the aforesaid beginning;

And also 50 acres of land to be taken from a certain tract or parcel of land situate lying and being the county and state aforesaid adjoining the aforesaid 162 acres to be taken in as convenient a manner as can be devised the tract of land from which it is to be taken as bounded as followeth to wit:

[A] Beginning a white oak and pine corner to JOHN JACKSON on the North side of COWHERD'S ROAD

[B] thence down said road S 78 W 26 po.

[C] thence S 70 W 40 po.

[D] thence S 60 W 14 po. to a Spanish oak, red oak and box oak corner to said Jackson, and said Davis on a path
[E] thence with said path N 64 W 12 po.
[F] thence due West 26 po.
[G] thence N 44 W 20 pole to a large white oak and two red oaks corner to said Davis line
[H] N 10 E 186 po. to a Spanish red and white oak corner to NICHOLS AND BLAKEY,
[I] thence with Blakey's line N 45 E 38 po. to a white oak gum and red oak bushes on the south side of Kirtley's Road
[J] thence down the same S 71 E 40 po.
[K] thence S 31 E 141 po. to two white oaks on the south side of said road corner to SARAH DUFF
[L] thence leaving said road S 15 W 90 po.
[A] to the beginning.

Which said last 50 acres together with the appurtenances is to remain unto the said James Beck, him and his heirs clear of any encumbrances for and during the natural life of him the aforesaid Robert Davis and Ann his wife and no longer; and the other before recited tracts and premises together with all and singular the appurtenances thereunto belonging or in any way appertaining (excepted the reservation as before named) shall and will warrant and forever defend the right and title thereof unto him the said James Beck his heirs and assigns forever again any persons....Recorded 25 April 1816.

Signed: Robert (x) Davis [Ann does not sign]

Witnessed: Charles Hume, Edwin Nichols, James Clark

Test: Benjamin Cave

[Source: Madison Deed Book 6, p. 276, Madison County Courthouse, Madison, Virginia.]

Notes:

The first parcel of 162 acres Robert purchased from George Eve 19 Mar 1796. The third parcel of 50 acres is taken (only for Robert's and Ann's lifetime) from a parcel Robert gives to son William Davis on this same date (1 Dec 1815).

Edwin Nichols was an appraiser of Robert Davis' estate, and also a purchaser of Robert's father James Davis' estate in 1824. I have been in e-mail correspondence with Elizabeth Snead whose husband's family was Nichols in Wolfstown. This is part of an e-mail from January 2007:

My husband's family name was Nicol (his grandmother). His great grandfather and Grand uncle fought in the civil war and are buried behind the historical family home in Wolfstown. We recently bought a piece of property that once belonged to the estate and plan to retire there. I have quite a lot of bits and pieces of Madison Co. genealogy. The map symbol [for a mill] was identified by another Rootsweb subscriber. There is one located just below the Wm F. Nicol property line. Wm. owned a dry goods store in Wolfstown that was ransacked by the Union. After this happened one of his brothers took his family and moved west.

"Elizabeth and David Snead" <edsnead1@patmedia.net>

1815 - December

1 Dec 1815 – Deed - ROBERT DAVIS and ANN his wife to William DAVIS [his son], all of Madison County. For love and affection. 172 acres on the Staunton River, with 50 acres to be reserved and attached to a parcel of land whereon ROBERT and ANN NOW RESIDE for their natural lives, then to revert back to William DAVIS; bounded by John JACKSON, COWARDS Church Road, NICHOLS, BLAKEY, KIRTLEY'S Road, and Sarah DUFF. (Metes & bounds included, see below)

Signed: Robert (x) Davis [Ann does not sign]

Witnesses: Charles HUME, Edwin NICHOLS and James CLARK.

Recorded 28 Mar 1816 "proved by oaths of Charles Hume & James Clark; 17 Dec 1818 "fully proved by oath of Edwin Nichols & ordered to be recorded.

[Source: Madison County Deed Book 6, p 321, Madison County Courthouse, Madison, Virginia.]

Metes & bounds:

A white oak and pine corner to John Jackson on north side Cowherds [Cowards] Church Rd thence down said road S78W 26p, thence S70W 40p, thence S60W 14poles to a Spanish oak, red and box oak corner to said Jackson and said Davis on a small path, thence with said path N64W 12 pole, thence due W 26 poles, thence N44W 48 (40?) poles to a large white oak and two red oaks corner to said Davis, thence with said Davis' line N10E 186 poles to a Spanish, red and white oak corner to Nichols and Blakey, thence with Blakey's line N45E 38 poles to a white oak, gum and red oak sapling on south side of Kirtley's Road, thence down said road S71E 40 pole thence S31E 140 poles to two white oaks on the south side of said road corner to Sarah Duff, thence leaving said road S15W, 98 (90?) pole to the Beginning.

1816

30 Jan 1816 – Deed - Jeremiah JARRELL and Sarah his wife to ROBERT DAVIS, all of Madison. All right and interest since the 18th day of Nov 1795 forward in 172 acres, being land Jarrell purchased from Thomas Sampson on 18 Nov 1795 "and was then leased to farm better by said Jarrell to said Sampson during the life of Sampson and his wife", adjacent to John Jackson, north side of Cowards Church Road, ...connects said Jackson and said ROBERT DAVIS on a path...with said path...corner to said Davis, thence with his line..corner to Branham [spelled elsewhere Bronaugh] and Blakey, thence with Blakey's line...south side of Kirtley's Road...then down said road S 71 E 40...S31 E140...on south side of said road corner to Sarah Duff, thence leaving said road S15 W90 to the beginning. [other bounds are given but not included here]

Signed: JEREMIAH (x) JARRELL, SARAH (x) JARRELL.

Witnesses: James Clark, Garland Jarrell, Elisha Beckham and George Simpson.

Recorded 22 Feb 1816. Release of dower 8 Aug 1816. Delivered to William Davis 24? July 1816

[Source: *Madison County Deed Book 6, p. 13, Madison County Courthouse, Madison, Virginia.*]

Note:

This deed from Jeremiah Jarrell to Robert Davis is dated 30 Jan 1816, and Robert is taxed for this land for the first time in 1816. However, Robert apparently was in possession of the land at least by 1814. Land taxes for 1814 describe the 25 acres of Samuel Bronough purchased "of Duff" as being "on Caves Road near the Rapid Ann Meeting House adjoining John Jackson Senr. and Robert Davis." Combining the plat of the former Sampson/Jarrell land as described in Robert's deed to son William Davis and the plat for Benjamin Davis' adjacent former land sold in 1816 by Joel Graves to Reuben C. Sims, the only way for Samuel Bronough to be adjacent to Robert Davis and John Jackson, as the land taxes state, is for the Sampson-to-Jarrell land already to be recognized as Robert's, even though as yet no deed had been written.

A record of 24 Nov 1808 states that Zachariah Jarrell (a son of Richard Jarrell Sr.) was granted administration of the estate of Thomas Sampson, likely the same Sampson in question, giving us an idea of when Thomas Sampson died. [MWB2:184; *Sparacio, p. 89*] Whether or not his wife survived him is not known at this point, but by Jeremiah Jarrell's 1795 deed, she, too, was to have lifetime use of the land. Also, in 1810??1811, Jeremiah had two debt suits against Robert that were withdrawn. Perhaps Robert had a problem paying Jeremiah for this land at that time, and the deed was not formally written until all debts were resolved. Or, in an arrangement such as this, and particularly among relatives, they may simply have forgotten the deed was not formalized until Robert had a deed drawn to transfer the land to his son.

In any case, the information that Robert Davis got possession of this land between Nov 1808 and Spring 1814 clears up two vexing problems. First, Robert's will, dated May 1815, mentions land purchased from Jeremiah Jarrell even though the deed for that land was not dated until Jan 1816. Second, Robert gifted Jarrell's former land from Sampson to his son William Davis by deed dated Dec 1815, even though, again, that was prior to Robert's deed from Jarrell in Jan 1816.

- - - - -

This refers to the same land that Robert eventually obtained from Jeremiah Jarrell:

18 Feb 1760 – William Pierce and Mary his wife of Brumfield Parish, Culpeper County, to Thomas Sampson of same. For 16 pounds current money. 171 ACRES, being part of a tract of land granted to Thomas Stanton, deceased, for 400 acres by patent 10 June 1737...corner to Joseph Ham in John Simpson's line [later adj to Jackson, Terry, Davis]... by a large rock in William Eddin's line [later to Wm Walker, then adj. part to Thomas Terry, part to Benj. Davis]

/s/ William Pierce Mary Pierce Wit: Thomas Stanton, Sr. [s/o Thos Stanton Sr], Richard Stanton, Thomas Stanton Jr., John Benojeman [could this be Bohannan?]. Rec. 21 Feb. 1760. Acknowledged by the parties.

[Source: *Culpeper Co., Virginia Deeds 2, pages 258-260.*]

Online at:

<http://www.ba044ancestry.com/STANTON/ThomasStantonJrsonofThomasStantonSr.html>

Thomas Sampson is listed as a bound of Benjamin DAVIS' (II) land when he purchased it in 1775. Thomas Sampson is probably related to the William Sampson who witness the 1796 sale of land from George Eve to ROBERT DAVIS. The land from Eve, that became Robert's residence, was adjacent on the west of the Sampson land to Jeremiah Jarrell.

Jeremiah Jarrell was a brother of Daniel Jarrell who married Mary DAVIS, sister of JAMES DAVIS. Garland Jarrell who witnessed the deed is Jeremiah's son, and probably the cousin and childhood friend for whom James Davis' nephew Benjamin Davis III (son of James' brother Benjamin Davis II) named his second son, Benjamin Garland DAVIS.

WILL OF ROBERT DAVIS

Written 23 May 1815; Proved 25 July 1816, Madison County, Virginia Court

Legatees: wife Anne; daughters Elizabeth Vernon, Nancy Beck; sons John Davis, James Davis, William Davis

Executors named: George H. Allen, William Davis, James Clark

Witnesses to will: Reuben Kennedy, Churchill Blakey, John Bledsoe

Witnesses to Codicil: Samuel

Bronaugh, William Jackson, James B. Bronaugh

Madison Will Book 3, p. 238-241

In the name of God Amen. I ROBERT DAVIS of Madison County and State of Virginia, knowing the certainty of death and uncertainty of life, and being of sound mind & disposing memory do hereby declare the following to be my Last Will and testament—

Item—I give and bequeath unto my wife ANNE DAVIS immediately after my decease, the tract of Land I purchased of Jonathan Coward [sic, of George Eve] on the East side of the Rapid Ann River, containing one hundred & sixty two [162] acres including Gerard J Bankss purchase on the river for an abutment of a mill dam - also fifty [50] acres of Land adjoining the same to be taken from a tract of Land I purchased of Jeremiah Jarrell, known by the name of Sampsons tract, to be taken at the most convenient part thereof, & also fifty [50] acres part of Conrads tract of Land, adjoining Major George H Allen, also one negro man nam'd Patrick, one negro man nam'd Lewis, one negro woman nam'd Susan, one negro woman nam'd Dauphney, one negro girl nam'd Dinah daughter to Susan, one negro boy nam'd Benjamin son to Susan & one little [negro] girl nam'd little Susan daughter to Susan them and their increase - also one equal sixth part of all my personal Estate that I may hold at my death to be to her during her natural life and after her decease to be divided as I shall hereafter direct—

Item—All the real and personal property which I have given to my following children to Wit ELIZABETH VERNON, JAMES DAVIS, JOHN DAVIS, NANCY BECK & WILLIAM DAVIS whether by Deed or otherwise, it is my will & desire that they hold the same to them & their heirs & assigns forever—

Item—I give and bequeath unto my son JAMES DAVIS one negro woman nam'd Winny & her two children nam'd Benjamin and Burton together with their increase to be taken immediately to him and his heirs forever—

Item—I give and bequeath unto my son WILLIAM DAVIS, one negro woman nam'd Frances & her two children nam'd Malinda and Hannah, together with their increase to be taken immediately to him and his heirs forever—

Item—I give and bequeath unto my son JOHN DAVIS, one negro boy nam'd Armistead, and a negro girl nam'd Maria, together with their increase, to be taken immediately to him and his heirs forever—

Item—I give and bequeath unto my daughter NANCY BECK one negro woman nam'd Catherine & her child nam'd Elizabeth, & negro girl nam'd Rhoda, together with their increase to be taken immediately to her and her heirs forever—

Item—I give and give and bequeath unto my following children (to wit) JAMES DAVIS one negro girl nam'd Silva she and her increase to him and his heirs forever, also to my son WILLIAM DAVIS one negro boy nam'd George to him & his heirs forever, also to my son JOHN DAVIS one negro girl nam'd Matilda and her and her increase to him his heirs and assigns forever - also to my daughter NANCY BECK one negro boy nam'd Jacob to her and her heirs forever to be taken in their immediate possession on or before the 25th day of December next ensuing the date of these presence [presents]—.

Item—I give and bequeath unto my son WILLIAM DAVIS the residue of the land I purchased of Jeremiah Jarrell known by the name of Sampsons tract to be in immediate possession after the 25th day of December next ensuing the date of these presence to be to him his heirs and assigns forever—

Item—I give and bequeath unto my Daughter NANCY BECK immediately after the death of myself & my wife ANNE DAVIS all the land that I have heretofore Will'd my wife during her natural life, excepting the fifty [50] acres to be taken from Sampson's tract the s'd fifty acres my will and desire is that after the death of my wife shall revert unto the afores'd WILLIAM DAVIS to him and his heirs forever and the afores'd residue of the land herein nam'd it is my will and desire that my afores'd daughter NANCY BECK shall have the same together with the fifty [50] acres adjoining Major George H Allen to her and her heirs forever—

Item—All the property which I may die lawfully possess'd of which have not been heretofore nam'd it is my will the same shall be equally divided among my following children (to wit) JAMES DAVIS, WILLIAM DAVIS, JOHN DAVIS & NANCY BECK to them & their heirs forever—

Item—My will and desire is, after the death of my wife ANNE DAVIS that all the property which I have heretofore will'd her either real or personal shall immediately after her decease, my will and desire is the same shall be equally divided among all my children to wit ELIZABETH VERNON, JAMES DAVIS, WILLIAM DAVIS, JOHN DAVIS & NANCY BECK to them and their heirs forever—

Item—Lastly I appoint GEORGE H. ALLEN, WILLIAM DAVIS and JAMES CLARK Executors of this my last Will & testament. I do hereby revoke & disannul all wills heretofore by me made and declare this to be my last Will and testament In Testimony whereof I have hereunto set my hand and affixed my seat this twenty third day of May one thousand eight hundred & fifteen [23 May 1815] —

[Signed:] Robert (x) Davis (his mark)

Sign'd Seal'd & acknowle'd In presence of

Reuben Kennedy
Churchill Blakey
John Bledsoe

This being a Codicile to my last Will and testament of me the date & year above written, wherein I devis'd to JOHN DAVIS his heirs & assigns forever in addition to the same I have heretofore devis'd I give and devise afores'd unto the s'd John Davis his heirs or assigns a negro girl by the name little Suck to him & [his] heirs forever, and according to disributions [sic, distributions] herein made by my afors'd last Will and testament I acknowlewdg [sic, acknowledge] this to be my codicilile [sic, codicil] to this my last Will & testament

[Signed:] Rob't (x) Davis (his mark)

Sign'd Seal'd & acknowledged as his last Will & codicile In presence of

Teste:

Samuel Bronaugh
W'm Jackson
James B Bronaugh

[Source: Madison Will Book 3, p. 238-240. Madison County Courthouse, Madison, Virginia. Transcribed by Joan Horsley; original spelling retained, caps and comments in brackets added.]

Note:

It appears that the date the will was written may have been entered into the record incorrectly. Instead of being dated 23 May 1815, it should be 23 May 1816 instead. That is because in the will itself Robert Davis refers specifically to land "purchased of Jeremiah Jarrell known by the name of Sampson." That land was not purchased until 13 Jan 1816 (recorded 22 Feb 1816), described in the deed as land bought by Jarrell from Thomas Sampson, who then leased back to Sampson. This land not purchased until January 1816 would not be mentioned in a document written May 1815. (It is possible but less likely that the deed date was entered incorrectly instead of the will. However, land tax records do not show this land transfer to Robert Davis "of Jarrell" until the 1816 tax list, and if purchased in January of 1815, it should have appeared in that year's list of adjustments instead.)

George H. Allen was a sheriff of Madison County. He was married to Ann Graves, daughter of Thomas Graves Sr. discussed above.

Churchill Blakey is of the Blakey family adjacent to ROBERT's property referred to in the 1800 deed Banks/Isaac Davis to Buford. This would be Churchill Jr, as his father Churchill died 1813. Churchill Sr's father John Blakey had lived very near the elder JAMES DAVIS and his brother Benjamin. Barbara Henry, a long-time Blakey researcher, told me by e-mail that in 1780 John sold 345 acres of his land to his son Churchill (c1760-1813). That land was adjacent to Thomas Stanton, Thomas Sampson, William Booton, and William Kirtley. That same year Churchill Blakey acquired 79 acres from John and Mary Forrest[er]. Also John Blakey had sold land to his neighbors John Forrester and Jeremiah Jarrell. All of these names are bounds and associates of JAMES DAVIS, brother Benjamin DAVIS, and sisters Sarah Terry and Mary Jarrell.

In the 1783 personal property tax list, living in the household of Churchill Blakey was George Harrison, father of ROBERT's daughter-in-law Sarah. The Harrison's had long-time connections with JAMES DAVIS (as discussed elsewhere). Churchill Blakey Sr's wife was Mary Clark, granddaughter of John Sampson whose land was adjacent to the elder JAMES DAVIS' brother Benjamin DAVIS in 1775.

JAMES Clark was Churchill Blakey's wife Mary Clark's brother, married to Elizabeth Graves, another daughter of Thomas Graves Sr., and sister of Joel Graves who purchased Benjamin Davis' land in 1790 when Benjamin moved to Georgia. John K. Booten was also grandson of Ephraim Rucker (who sold land to JAMES DAVIS in 1775), and son of Thomagen Rucker by her first husband, Ambrose Booten, Jr. Tomagen's son by her second husband (cousin Augustine Rucker) was Larkin Rucker who married JAMES DAVIS' niece Lucy Terry. (Except for Larkin Rucker and Lucy Terry, I have relied upon web files for these other relationships so cannot assure their exact accuracy. But the point being, they are all "in the family," so to speak.)

Churchill Blakey's sister Frances married Joshua BUSH, who could be related in a yet unknown way to Benjamin Davis II's wife Mary BUSH. Churchill Blakey' Sr's sister Elizabeth was named in her father's 1781 will as Elizabeth "DAVIS". Blakey researcher Barbara Henry tells me no one has been able to learn what DAVIS her husband was. Given the proximity of JAMES DAVIS' land with John Blakey, the family interconnections, and with ROBERT's obvious connection with his son Churchill, there is a possibility that Elizabeth may have married a DAVIS related to Robert's family.

Probate of Estate of ROBERT DAVIS

Will proved 25 July 1816. Son William, named in will as an executor, does not serve.
[Source: Madison County Will Book 3, p. 238, microfilm, Library of Virginia, Richmond, Virginia.]

Robert Davis will proved 25 July 1816. Codicil to will proved 26 Sept 1816. Teste: Benjamin Cave

George H. Allen and James Clark granted Certificate of Probate with George WILHOIT and Henry PRICE their security. 25 July 1816.

Bound to Justices of Madison County Court for \$12,000, John Walker, Robert Thomas, William Mallory, Richard C. Booton, Gentlemen, Justices of MCC

Ordered to make or cause to be made a true and perfect inventory.

Inventory & Appraisal of Estate of Robert Davis

27 July 1816 - Inventory of Estate of ROBERT DAVIS, and recorded twice for some reason, once on 15 August 1816 and again on 26 Sep 1816. The one has a total of \$3,539.75.
[Source: Madison Co. Will Book 3, pp. 265 and 383; microfilm, Library of Virginia, Richmond, Virginia; abstract Craig Kilby.]

27 July 1816. Inventory of Estate of Robert Davis. Recorded 26 SEP 1816.
pp. 265-267. Madison County Will Book 3. (Copy = Fair)
Appraisers: Charles Hume, Edwin Nichols, Frances Kirtley
Total Value: Not given

Negros:

Man Lewis	\$1,000
Man Patrick	\$300
Boy Elsee [?]	\$400
Boy Benjamin	\$180
Woman Susan	\$250
Woman Daphne	\$300
Woman Dinah	\$400

Equine:

Horse named Bull	\$25
Horse named Charley	\$25
Horse named Kit	\$60
young mare 3 years old	\$20
young mare 1 year old	\$15

Bovine: 5 cows, 5 bulls, 4 calves

NOTE: This suggests he was breeding cows. The number of bulls is over one, the number of calves is low.

Ovine: 17 head of sheep

Porcine: 25 hogs

Other items of interest: Various household furniture and household goods. Various farm implements and tools.

Recorded a second time:

27 July 1816. Inventory of Estate of Robert Davis.
pp. 382-384. Same appraisers, same dates.
Recorded 13 AUG 1818.
Total value = \$3,639.75

Estate Account of Robert Davis - Settlement – Period 14 Sep 1816 to 14 May 1819

Dr [Debit] The Estate of Robert Davis Deceased in acct with George H. Allen & James Allen Executors.
Payments include to:

Francis Kirtley, Michael WALLACE, JAS. DAVIS for Jno. Long, JAS. BECK (for finishing the crop), Doctor Briggs, S. [Samuel] BRANAUGH (2), H. [Henry] PRICE Sen/r, M (Michael) WEAVER, Robt. BEALE, John JACKSON, Nancy JARRELL [a weaver: Madison Deed Book 5:379] Wm. BOOTON, E. NICHOLS, JAS. COLLINS.

Mar 1819 – Cash paid the legatees Jas., Wm, & John Davis, Richard Vernon who intermarried with Elizabeth Davis and Jas. Beck who intermarried with Nancy Davis. (\$200 each)

Balance in estate = \$2,110.16

By amount of sales of the whole estate that came to our hands - \$2,116.77

Agreeable to an order of the County Court of Madison the 11th day June 1818 we the undersigned have settled the account of George H. Allen & Jas. Clark executors of Robert Davis dec'd & have allowed the executors a commission of 5 p/cent given under our hands this 10th day March 1819.

Signed: Edwin Nichols, Charles Hume, Reuben C. Simms [land was adj. to Wm Terry]

At a Court continued and held for Madison County the 14th day of May 1819 this Settlement of the accounts of George H. Allen and James Clark Executors of Robert Davis dec'd was returned into Court and ordered to be recorded. Tests: Benjamin Cave, CMC

[Madison Will Book 3, p. 440-441, Library of Virginia Microfilm Roll 17, Library of Virginia, Richmond, Virginia.]

Aug 1816 - Land from Jeremiah Jarrell now sold by Robert's son William to James Gibbs

Robert deeded this land to William 1 Dec 1815, after his will of May 1815 divided this tract differently; i.e., part to Ann for life, then to Beck(?):

8 Aug 1816 – Deed - WILLIAM DAVIS and MARTHA his wife, and ANN DAVIS widow of ROBERT DAVIS dec'd, to James GIBBS, all of Madison County. For \$1890 "lawful money of Virginia to them in hand paid...", 169 acres by late survey, bounded on KIRTLEY's old patent line, Henry PRICE, heirs of Churchill BLAKEY, Samuel BRANAUGH [BRONAUGH, BRANHAM], COWARD's Church Road, John JACKSON, and said widow DAVIS.

All grantors signed by signature in this order: William Davis, Martha Davis, Ann Davis

Witnessed by James CLARK, Geo. H. ALLEN and John BOOTEN.

Recorded 22 Aug 1816.

Martha relinquished her dower on 8 Aug 1816 before Wm. Booten and Richard C. Booten, Justices of the Peace.

In margin, "Examined and Delivered James Gibbs March 1819"

[Source: Madison County Deed Book 6, p. 42-44; abstract and metes & bounds by Craig Kilby. Copy in file, but barely legible.]

- A) large white oak and gate at the old patent line of Kirtley N 9 E 188 poles to
- B) Henry Price corner in sd patent line with Price's line N 44 E 55 poles to
- C) red oak and white oak and a gum corner to heirs of Churchill Blakey dec'd the south side of old road with road and line between sd heirs [Blakey] and the tract of land S 72 E 40 poles thence
- D) S 27 E 154 poles to
- E) 2 white oaks of sd side of road corner to Samuel Branaugh with his line S 23 W 79 poles to
- F) 2 white oaks and old road called Cowards Church road corner to John Jackson thence with road S 77 W 26 poles
- G) thence S 69 W 40 poles
- H) thence S 59 W 14 poles to

I) large Spanish oak at corner of the forks of the road corner to sd Jackson and widow Davis thence south with line of sd widow in a road N 65 W 12 poles to
J) thence S 89 W 20 poles
K) thence N 88 W 48 poles to A) the beginning
- - - - -

Note:

This land was given to William Davis by his father Robert Davis and wife Ann 1 Dec 1815, recorded then as 172 acres, and stated adjacent to where Robert and Ann then resided.

[Source: *Madison Deed Book 6:321*]

Richard C. Booten was the executor of the will of JAMES DAVIS, ROBERT's probable father. John and William Booten may be Richard C. Booten's brothers of those same names.

According to online files I have not yet verified, there is a much earlier relationship between the Bronaugh family of Fauquier and King George County and the family of Waugh Darnell, JAMES DAVIS' brother-in-law through JAMES' second wife MARY PRICE, whose sister Ann Price married Waugh Darnell. Samuel and James B. Bronaugh were witnesses to the Codicil of Robert Davis' will.

Check for deeds from Coward & Conrad.

[Land from Jonathan Coward]

22 AUG 1816 – Deed - Ann DAVIS, widow and relict of ROBERT DAVIS, to JAMES BECK, all of Madison. [Beck being husband of Robert's daughter Nancy.] For love and affection. All right, title and interest by virtue of the last will and testament [in estate] of ROBERT DAVIS, and to a tract of land containing 160 acres bounded on the North by Edwin NICHOLS, on the West by the Staunton River & Gerard BANKS' canal, on the South by Gerald J. Banks, and on the Southeast and East by William Jackson and WILLIAM DAVIS [Robert's son], being land purchased of Jonathan COWARD. Also, right, title and interest by last will and testament of the said Robert Davis to 50 acres bounded by the lines of Michael WALLACE, JAMES DAVIS [Robert's son] and George H. ALLEN, being part of a tract purchased from Joseph CONRAD.

Signed: Ann (x) Davis. Witnessed by James CLARK, Geo. H. ALLEN and Thomas P. Simms. Recorded 22 Aug 1816.

[Source: *Madison County Deed Book 6, p. 41, Library of Virginia, Richmond, Virginia; abstract by Craig Kilby.*]

Note:

This is a quit deed whereby Ann Davis relinquishes her life interest in the land as devised by her husband Robert's will. After writing his will in May 1815, Robert and Ann deeded both of these properties to son-in-law James Beck, husband of Nancy Davis, by deed of 1 Dec 1815 (above) but never revised his will accordingly.

31 Oct 1816 – Deed - John DAVIS and wife Fanny to JAMES DAVIS Jun/r, all of Madison. For \$1,000. 158 acres being land ROBERT DAVIS made a deed of gift to his son John DAVIS.

Signed: John Davis, Fanny (x) Davis No witnesses. Recorded 26 Dec 1816.

[Source: *Madison County Deed Book 6, p. 121, Madison County Courthouse, Madison, Virginia.*]

Note:

This is the same land John's father Robert Davis gave to John on 25 April 1815, adjacent to the land Robert had given his son James the same day. (See copy of deed in file for exact metes & bounds.)

THIS IS FROM ORIGINAL DEED.

31 Oct 1816 – Deed - JOHN DAVIS and wife FANNY to JAMES DAVIS Jr. [i.e., the younger, meaning Robert Davis' son James] all of Madison County. For \$1000. 158 acres. Being land ROBERT DAVIS made a deed of gift to son JOHN DAVIS.

- A) a red oak in Capt. C. CONWAY's line thence with a new line N [11?] degrees E 36 poles to a white red and spanish oak and a locust and stony ridge
- B) thence with another new line N [1?] degree W 12 poles to a white oak and black gum in a valley
- C) thence with another new line N 54 degrees W 26 poles to a chestnut and walnut in another valley
- D) thence with another new line and up a mountain N 23 degrees E 11 (111?) poles [??] WALLACE's [Wallis] line
- E) thence with the side of DELANY's mountain near the top
- F) thence with his line N 80 degrees W 151 poles to a small oak blazed square instead of two white oaks (supposed to be down [?]) in a line of said CONWAY's but now Obadiah ANDERSON's
- G) thence with said line S 6 degrees E 36 poles to a poplar red oak a double and single dogwood corner to said Anderson
- H) thence with said Conway's line S 19 degrees W 61 poles to two white oaks on a branch
- I) thence with said Conway's line S 53 degrees E 30 poles to a large white oak at a poplar sprung
- J) thence with said Conway's line S 6 degrees E 91 [94?] poles to a red oak and hickory on a rising near an old path
- K) thence with said Conway's line S 66 degrees E 89 poles
- A) to the beginning.

Signed: John Davis, Fanny (X) Davis; no witnesses. Ack. 31 Oct 1816 (?Rec. 26 Dec 1816?)
 [Source: Madison County Deed Book 6, p. 121, Library of Virginia, Richmond, Virginia.]

1817 - March

3 Mar 1817 – Deed - JAMES DAVIS and SALLY his wife, and ANN DAVIS widow and relict of ROBERT DAVIS deceased, to Leroy SIMPSON, all of Madison County. For \$2,800. 298 acres bounded by George H. Allen, James Beck, James Davis, Obadiah Anderson, John F. Conway, Merry Walker's heirs. (Metes and bounds included—see below)

Signed: James Davis, Sally Davis, Ann Davis

Witnessed: A. W. Graves, Theophilus Eddins, William Jarrell and Blake Eddins

Sally released her dower 3 March 1817. Recorded 11 Sep 1817.

[Source: Madison County Deed Book 6, p. 201, Madison County Courthouse, Madison, Virginia.]

Metes and Bounds:

Beginning at corner to George H. Allen and James Beck, also to James Davis and running thence with the dividing line between the lands of the aforesaid Beck and Davis N28W 112 poles to a hickory and red oak corner to James Beck and James Davis; thence S80W 42 poles to a dogwood; thence N73degrees30minW 150 poles to red oak and dogwood in Obediah Anderson's line; thence S1W 68 poles to a white oak in John F. Conway's line; thence S3degrees30minE 105 poles to the center of a fallen down corner a red oak and hickory (standing) corner to said Conway and Davis; thence with said Conway's line S60E 138 poles to a stake in James Davis's cornfield, being made by the consent of parties a substitute for the former corner (down), thence with Conway's line S33E 115 poles to 3 white oaks and a pine corner to the heirs of Merry Walker and James Davis in Conway's line; thence with the line of said Walkers heirs N23E 87 poles to a large red oak corner to the heirs of said Walker and James Davis; thence N47E 115 poles to three chestnuts and a Spanish oak in George H. Allen's line; thence with said Allen's line N66 80 min W 84 poles to the Beginning, containing 298 acres. (also mentioned dove houses and stables with regular appurtenances).

Note:

Leroy Simpson b. c1783 m. Margaret Harvey Eddins (wid. Churchill Eddins) - bought Allen Mountain Farm from Robert Davis heirs.

Julius Simpson b. About 1786 m. Lucy Harvey, d/o Elijah Harvey & Mary Jarrell.

This land was later known as Allen Mountain Farm. ROBERT DAVIS' son JAMES and his wife Sarah (Harrison) with dower rights, and ROBERT's widow ANN with dower rights, sell the land to Leroy SIMPSON, a cousin of son JAMES' wife Sarah HARRISON. Both Sarah HARRISON and Leroy SIMPSON were grandchildren of Andrew HARRISON with whose family ROBERT DAVIS' father the elder

JAMES DAVIS was associated from at least 1758 in Orange County (see notes elsewhere about Harrison connections.). Leroy's father John SIMPSON's land was adjacent to both the elder JAMES DAVIS (Robert's father) and his brother Benjamin DAVIS II (Robert's uncle) with their brother-in-law Thomas Terry (Robert's uncle) also adjacent and ROBERT DAVIS's residence close by.

Madison County Homes: A Collection of Pre-Civil War Homes and Family Heritages by Vee Dove (privately published by the author, 1975), p. 100-101.

Allen Mountain Farm (Excerpts)

"Home of Mr. and Mrs. Johnny Shifflett. Deeds in the Madison County Clerk's office date home of Johnny & Marie Shifflett back to 1817 when Leroy Simpson bought the house and 298 acres from James Davis and Sally his wife and Ann Davis widow of Robert Davis.

"Eight tenths of a mile west of Hood on Route 613 is located the Shifflett home called Allen Mountain Farm. Allen Mountain is named for a family of that name who once owned land there and possibly owned the mountain as well. Facing east, the frame house stands on a rock foundation with two rock outside end chimneys. A series of steps lead to the front porch where two doors open into a parlor and a bedroom. The north room, possibly the parlor, has a large mantel over the fireplace the original floors two windows and from this room the stairway goes to the basement. The south room has a smaller fireplace and a mantel decorated with hand-carved medallions, one large one in the center and a small one on each side of the apron. Wainscoting in this room is 36 inches high constructed of 3 12-inch boards. An enclosed stairway goes to two bedrooms, one with a fireplace. Several of the doors have the original wooden latches.

"The basement ceiling shows large handhewn timbers. There are two rooms, each with dirt floors, and one with a large fireplace. For many years family meals were cooked in the basement. It is no longer used.

"An addition of two rooms has been made to the back making the house an L shape.

"Although the house can be traced to 1817, it is believed to be older. During repairs some timbers were uncovered bearing the date 17--, but the carpenter recovered the timbers and was unable to recall the exact date.

"A graveyard north of the house has the following markers: Thomas H. Groom Feb 5 1812, Feb 17 1908; W. V. Simpson Nov 25 1854, Nov 1880."

Note:

Robert's uncle BENJAMIN DAVIS (II) was a carpenter who lived next to his brother James, Robert's father. Benjamin did not move from Culpeper to Elbert Co., Georgia until 1791, and may well have built this house, along with others in the area.

Need deed from James Beck to Edwin Nichols for Robert's residence property.
Also, looking for deed of sale for "land on the Conway" mentioned in Richard Vernon's POA.

1818

20 Oct 1818 – James Beck and wife Nancy (Davis) to Edwin Nichol, "160 acres more or less" in the County of Madison

"for \$2100 in hand ... being in the County of Madison and bounded as followeth _ Beginning at a white oak and two down on the Staunton or Rapid Ann river thence down the meanders and now in the water of said river South 47 & West __ Poles, then South 65 & West and running at this line on the west side of the said river 16 poles then South 20 & East and __ to the East side of said river 30 poles then South 15 & West _2 poles to a white oak & hickory on the bank of said river at the mouth of whetstone run then

with said..." (this description continues 20+ more lines of writing). "It is understood that Robert Davis in his lifetime sold Charles Hume all that land lying on the west side of the river supposed to be about half acre & also on the East side to Gerard J. Banks what lies between his mill race and the river as low down as whetstone run which is not intended to be conveyed and is to be excepted by this conveyance." (This is the end of the paragraph just before signatures.)

[Source: *Madison Deed Book 6, p. 346-348.*]

[This was Robert's residence property, plus 50 acres of the Conrad tract, both deeded by Robert and Ann to James Beck 1 Dec 1815, after Robert's May 1815 will that devised lifetime rights on both these properties to wife Ann. After Robert died (with his will unrevised per interim deeds), Ann relinquished her claim to James Beck 22 Aug 1816 before leaving for Kentucky with her other children. The other two parcels of the Conrad tract were deeded in April 1815 to sons John and James. After Robert's death, John sold his portion to James, and James and Ann then sold both parcels to Leroy Simpson, later called Allen Mountain Farm. (Ann actually had no claim upon those two parcels at that time, so far as I can see, but perhaps they were as confused as I became trying to reconcile the will and the later contradictory deeds, so played it safe by including Ann in the deed.) In fact, the Davis heirs ended up selling 28 acres more than they owned of the Conrad tract because of the multiple ways it was split and dower-apportioned).]

20 Oct 1818 - James Beck and wife Nancy (no residence given) to Edwin Nichol, for \$2100, one tract of 160 acres more or less at the Rapid Ann River and Whet Stone Run, along Kirtley Road, adjacent to John Jackson, Thomas Sampson [now Gibbs from Wm. Davis], Kirtley's old patent line now Edwin Nichols; also, one tract of 50 acres adjoining George H. Allen, Michael Wallace, Leroy Slmpson [formerly Robert's sons John and James Davis]. Metes and bounds included.

/s/ James Beck, Nancy (x) Davis (her mark)

No witnesses

20 Oct 1818 - Michael Wallace and Richard C. Booton, Magistrates of Madison County, certify that James Beck acknowledged this deed to them on the 20th day of October 1818 and desires them to acknowledge this deed for him to the Clerk of Madison County Court in order that this conveyance be recorded. /s/ Michael Wallace, Richard C. Booton

20 Oct 1818 - Michael Wallace and Richard C. Booton, Justices of the Peace in Madison County, certify "that Nancy Beck, wife of James Beck, parties to the above conveyance, did personally appear before us in our county aforesaid and being examined privily and apart from her husband and having the deed aforesaid fully explained to her, the said Nancy Beck acknowledged the same to be her act and deed and declared that she had willingly signed sealed and delivered the same and that she wished not to retract it. Given under our hands and seals this 20th day of October in the year 1818." /s/ Michael Wallace, Richard C. Booton

15 Apr 1819 - Madison County Court

The deed between James Beck and Nancy his wife and Edwin Nichols was presented to the court with the acknowledgement of James Beck and the relinquishment [of dower rights] of the said Nancy being certified by Michael Wallace and Richard C. Booton, Justices of Madison County, and ordered to be recorded. Teste: Benjamin Cave, CMC

After 1817 – All Davis children gone except son-in-law James Beck—sells Oct 1818

There are no longer any of ROBERT's family on Madison County tax lists after 1817, and only his son JAMES listed in 1817. This indicates that JAMES, the last of ROBERT's children remaining in Madison County, left with his wife and mother for Kentucky shortly after the sale of their land 3 Mar 1817. As the next record shows, by the end of 1818 ROBERT's son James DAVIS was in Warren County, Kentucky.

I believe it is significant that JAMES DAVIS, son of Benjamin DAVIS I, wrote (or most likely re-wrote) his will on 19 Feb 1817, just as the remaining members of ROBERT's family were selling the last of their land

in preparation to depart the state. To me this is part of the evidence that JAMES DAVIS is ROBERT's father. (See Introduction above and Notes for James Davis for more details.)

9 Dec 1818 - RICHARD VERNON, of Hardin Co., Kentucky to my friend JAMES DAVIS of Warren Co., Kentucky.

Power of Attorney to sell 80 acres in Madison County, Virginia on waters of Conway River near its head that was devised to Richard VERNON and Elizabeth his wife late ELIZABETH DAVIS by will of ROBERT DAVIS and to ask for and receive from George H. Allen, executor, now due. No consideration mentioned. Signed by Richard Vernon at Elizabeth Town, Hardin Co., Kentucky on 9 December 1818.

Wit: William Fairleigh, John L. Helm, Rec. 14 Jan 1819

[Source: Madison Deed Book 6, p. 317, Library of Virginia, Abstract by Craig Kilby. Copy of original in my photo file.]

Note:

James Davis is Richard Vernon's brother-in-law.

Elinore Olsen mistakenly gives date as 9 Dec 1816.

Richard Vernon sold his own land in 1817:

Book 6, p. 270 - Vernon to William Booton - 7 Oct 1817

275-2/3 ac. on Beautiful Run, corner John Jackson, Martin Deer, Mary Roebuck, etc

(Could this be part of the Conrad tract? It's the only tract "adjacent to Geo. Allen." Robert devises no land to the Vernon's—even Ann's residual is otherwise devised.)

1820 Census

These census entries for Warren County in 1820 show the residences of Robert's children John Davis, James Davis, William Davis, and James Beck. (Son-in-law Richard Vernon was in Hardin County in 1818, and in Warren County by 1830.) The Quisenberry's listed are referred to in an estate record (next item below).

Warren County, Kentucky 1820 Census

p. 43:

JOHN DAVIS - Males: 5>10, 1(26-45); Females: 1(16-26), 1(26-45, prob. Fanny), 1(45+)

[Next entry: John Long - Males: 1(16-26), then next entry is James Davis...]

JAMES DAVIS - Males: 2>10, 2(10-16), 1(26-45); Female: 1>10, 1(26-45)

JAMES BECK - Males: 3>10, 1(16-26), 1(26-45); Female: 1(16-26), 1(45+)

[Next two entries: Henry Isbell, James Isbell; 4 entries down was...

Nicholas QUISENBERRY]

p. 44

WILLIAM DAVIS - Males: 2>10, 1(16-26) 1(26-45); Females: 1(16-26), 1(45+)

On same page is: Azel SIMPSON, John Isbell

p. 45

John QUISHINGBERRY [sic]: Oldest male in household is 45 or over; so this would be the father John Quishenberry of this Warren Co. family with sons Aaron, John, Nicholas, etc.

Elizabeth QUISHINGBERRY (sic): Males: 2>10, 1(10-16); [no adult males]; Females: 2>10, 1(26-45)

1820 - Warren Co., Kentucky

ROBERT DAVIS' sons William DAVIS and James DAVIS, Buyers of Estate of Aaron Quisenberry.

"Aaron Quisenberry Oct 1820...list of property...submitted by Elizabeth Quesenberry:

Estate Sales to Nicholas Quesenberry, John Quesenberry, Elizabeth Quesenberry, Isaac Newton, A.T. Mitchell, Axel Simpson and WILLIAM and JAMES DAVIS.”

Need to check Warren Co., Kentucky wills.

Note:

The 1820 census shows they were also neighbors in Warren County. This is particularly interesting since there were numerous shared associations between Aaron Quisenberry's grandfather back in Spotsylvania and Orange County, Virginia and ROBERT DAVIS' father and grandfather.

This Aaron Quisenberry was probably the Aaron who was son of John Quisenberry, a buyer of the estate. John Quisenberry was a son of Aaron Quisenberry and Joyce Dudley of Orange County, Virginia. John's father Aaron Quisenberry was son of Thomas Quisenberry, and probably the brother of Moses Cusenberry (d. 1792) of Fayette and Bourbon County, Kentucky. This Kentucky Moses Cusenberry had two sons Vincent and Daniel who married two daughters of WILLIAM DAVIS, brother of JAMES DAVIS, likely grandfather of the two estate buyers William DAVIS and James DAVIS.

The estate buyers WILLIAM DAVIS and JAMES DAVIS were sons of ROBERT DAVIS who died in Madison Co., Virginia in 1816. It appears that almost all Robert's children moved from Madison Co., Virginia to Warren Co., Kentucky about the end of 1817, as shown by the Madison Co., Virginia personal property tax lists and the 1820 Virginia and Kentucky censuses.

Estate buyer Azel SIMPSON was a close neighbor of the DAVIS's in Madison County, Virginia. Azel Simpson was the son of William Simpson who prior to 11 April 1796 owned Culpeper/Madison Co., Virginia land adjacent to ROBERT DAVIS' father James DAVIS. This James DAVIS was brother of William DAVIS of Fayette Co., Kentucky with the Quisenberry/Cusenbury sons-in-law, and James DAVIS was also grandfather of James DAVIS and William DAVIS who were the buyers in 1820 of this Aaron Quisenberry's estate in Warren Co., Kentucky. Azel SIMPSON's father William Simpson was brother of Alexander SIMPSON whose son Leroy SIMPSON bought Madison Co., Virginia property from ROBERT DAVIS' son James DAVIS just prior to James' move to Warren County, Kentucky at the end of 1817 or early 1818. Azel Simpson was also the grandson of John Simpson whose Culpeper/Madison land was adjacent to Benjamin DAVIS II, brother of ROBERT DAVIS' father James DAVIS (James Davis and Benjamin Davis II were brothers of William Davis, father-in-law of Vincent and Daniel Cushenbury of Kentucky). Azel Simpson was married in Madison Co., Virginia to Mary HUME, daughter of Charles HUME, who had Culpeper/Madison Co., Virginia land adjacent to ROBERT DAVIS, father of William and James DAVIS, buyers of Aaron Quisenberry's estate buyers in 1820 in Warren Co., Kentucky.

APPENDIX A
ROBERT DAVIS - LAND TAX RECORDS - CULPEPER/MADISON COUNTY 1782 - 1817

Note: Beginning 1782, ROBERT is on the same tax list as JAMES and Benjamin DAVIS and their foster brother John DAVIS. These four are the only DAVIS's on the land tax list until 1800 when they are joined by Frederick DAVIS, son of John DAVIS, their brother by birth, who moved to Pittsylvania County, Virginia in 1784.

1782: List of Henry Wright: ROBERT DAVIS - 80 & 150 acres
1787: List of Goodrich Lightfoot: ROBERT DAVIS - 80 & 150 acres
1788: List of John Hume: ROBERT DAVIS - 80 & 150 acres
1789: List of Gibbs: ROBERT DAVIS - 80 & 150 acres
1790: List of John Gibbs: ROBERT DAVIS - 80 & 150 acres
1791: List of John Gibbs: ROBERT DAVIS - 80 & 150 acres
1792: List of John Gibbs: ROBERT DAVIS - 150 acres

Madison County was formed from Culpeper in 1793. There are no longer different district lists for the county.

1793 - 1796: ROBERT DAVIS, 150 acres
1797-1805: ROBERT DAVIS, 150 & 162 - "of Eve", 1797
1806: ROBERT DAVIS, 150 & 162 & 320 "of J. Conrad"
1809: ROBERT 150 & 162, & 320 [years 1807-1814 land tax lists missing]
1815:

ROBERT, 162 & 208 - 9 mi. SW of Court House
John DAVIS, 158 acres adj. Michael Wallace [Wallis] - 9 miles SW of Court House [son of ROBERT]
JAMES DAVIS, Jr., 112 acres - 9 mi. SW of Court House [son of ROBERT]
Note: The "Jr" is distinguishing him from elder JAMES DAVIS (sometimes called "Sr"), ROBERT's likely father.

1816:
ROBERT DAVIS - 162, 120, & 172 "of Jarrell"
John DAVIS - 158 acres [Robert's son]
James DAVIS Jr. - 112 [Robert's son, James Davis "the younger"]

1817:
James DAVIS Jr. - 112 acres adjacent to John F. Conway [Robert's son]
James DAVIS Jr.- 158 acres "of DAVIS" [Robert's son James from his brother John 31 Oct 1816]

ROBERT DAVIS died by 25 July 1816, son John DAVIS now left the area. James DAVIS, his wife Sally and his mother Ann sell the last of Robert's land in Madison County to Leroy Simpson 3 Mar 1817, and son James DAVIS leaves the area before December 1817.

No further land tax records in Madison or Culpeper for Robert Davis' widow or children or widow.

[Sources:
Culpeper County Personal Property Tax Lists, 1782-1802 (Reel 89) and 1803-1823 (Reel 90), Library of Virginia, Richmond, Virginia.

Madison County, Virginia Land Tax Records 1793-1829 (Reel 184), Library of Virginia, Richmond, Virginia; microfilm research by Craig Kilby.]

APPENDIX B
ROBERT DAVIS - PERSONAL PROPERTY TAX RECORDS - CULPEPER/MADISON CO.
1782 - 1813

Except where otherwise stated, the number of "tithes" or taxable persons is for white males 16 and over, and for male slaves 16 and over. Various years taxed other assets, such as horses, cattle, or "wheels" (carts, carriages, wagons, stud horses, etc.).

1782: List of Elijah Kirtley
ROBERT DAVIS, white tithe, 1 slave (not named), 3 horses, 6 cattle, no wheels, £1.7.6

1783: List of Elijah Kirtley
ROBERT DAVIS, negro Philis, 1 white tithe, 2 slaves, 2 horses, 3 cows, tax £1.14.9

1784: List of Elijah Kirtley
ROBERT DAVIS, 1 white male over 21, 3 slaves under 16, 3 horses, 7 horses, tax £2.7.9; 1 tithe

1786: List of William Walker
ROBERT DAVIS, 1 male, 2 slaves, 5 horses, 8 cattle

1787: List of Goodrich Lightfoot:
ROBERT DAVIS, 1 male, 5 slaves 16+, 3 slaves under 16, 7 horses, 9 cows

1788: List of John Hume
ROBERT DAVIS, 2 males, 6 slaves, 8 horses [unknown who 2nd male over 16 is]

1789: List of John Gibbs
ROBERT DAVIS & Edmond TAYLOR, 2 males, 5 slaves, 5 horses
Note: Edmond Taylor may be related to Fanny Taylor who married ROBERT's son John in 1809.

1790: List of John Gibbs
ROBERT DAVIS, 1 male, 4 slaves, 6 horses

1791: List of John Gibbs
ROBERT DAVIS, 1 male, 4 slaves, 6 horses

1792: List of John Gibbs
ROBERT DAVIS, 1 male, 2 slaves, 6 horses

Madison County formed from Culpeper County in 1793 - Lists are for county as a whole, no districts

1793: ROBERT DAVIS - 1 male, 4 slaves, 9 horses
1794: ROBERT DAVIS - 1 male, 4 slaves, 9 horses
1795: ROBERT DAVIS - 1 male, 7 slaves, 7 horses
1796: ROBERT DAVIS - 1 male 5 slaves, 11 horses
1797: ROBERT DAVIS - 1 male, 6 slaves, 7 horses
1798: ROBERT DAVIS - 1 male, 6 slaves, 7 horses
1799: ROBERT DAVIS - 1 male, 6 slaves, 7 horses
1800: ROBERT DAVIS - 1 male, 4 slaves, 8 horses
1802: ROBERT DAVIS and son - 2 males, 4 slaves, 7 horses [thus 1st son born 1785-1786]
1803: ROBERT DAVIS and son - 2 males, 5 slaves, 8 horses
1804: ROBERT DAVIS and sons - 3 males, 5 horses, 8 horses [2nd son born 1787-1788]

1805: ROBERT DAVIS and sons - 3 males, 6 slaves, 7 horses
1806: ROBERT DAVIS and sons - 4 males, 8 slaves, 9 horses [3rd son born 1789-1790]
1807: ROBERT DAVIS and sons - 4 males, 9 slaves, 8 horses
1809: ROBERT DAVIS & son [singular] - 2 males, 9 slaves, 8 horses
1810:
ROBERT DAVIS - 1 male, 6 slaves, 7 horses
JAMES DAVIS, Jr. - 1 male, 3 slaves, 2 horses [son of ROBERT]
John DAVIS - 1 male, 1 horse [son of ROBERT]
William DAVIS - 1 male, no slaves or horses [son of ROBERT]
1811:
ROBERT DAVIS - 1 male, 6 slaves, 8 horses
JAMES DAVIS, Jr. - 1 male, 2 slaves, 7 horses
John DAVIS - 1 male, 1 slave, 1 horse
William DAVIS - 1 male, no slaves, 2 horses
1812:
ROBERT DAVIS - missing from list
JAMES DAVIS, Jr. - 1 male, 2 slaves, 5 horses
John DAVIS - 1 male, 1 slave under 16, 2 horses
William DAVIS - 1 male
1813:
ROBERT DAVIS - 1 male, 6 slaves, 9 horses
John DAVIS - 1 male, 1 slave under 16, 2 horses
William DAVIS - 1 male
ROBERT's son JAMES missing from this list, but still in Madison per deeds

[No further years viewed.]

Sources:

Culpeper County Personal Property Tax Lists 1782-1802, Reel 89, Library of Virginia, Richmond, Virginia.
(Not paginated) Researched Nov 2006 and Mar 2007 by Craig Kilby.

Madison County Personal Property Tax Lists 1793-1815, Library of Virginia Reel 220.
Microfilm transcribed March 2007 by Craig Kilby.

ADDENDUM
The Wilhoit to DAVIS 1784 Deed

The series of land transactions for the same 150 acres which deed was in possession of JAMES the elder at his death in 1824.

1. Land Grant to George Eastham

6 Apr 1736 - Granted George Essome [EASTHAM] 300 acres St. Marks Parish, Spotsylvania Co, in the Fork of the Rappahannock, bounded as follows...corner of Thomas and John Rucker...then alongside of Neal Mountain...in consideration of transporting one person John Cann[es?].

[Source: *Virginia Land Office Patents No. 15, 1732-1735 (v.1 & 2 p.1-522), p. 201 (Reel 13), Library of Virginia on-line images.*]

2. Same land from William Eastham to George Wilhoit, "for fatherly love and natural affection for his son-in-law"

12 Aug 1769 - William Eastham [eldest son of George Eastham's son Robert Eastham Sr.] of Bromfield Parish ... to George WILHOIT of same...for natural love and fatherly affection for his son-in-law, George WILHOIT.... 150 a. in fork of Rappidan River ... adj. to Thomas & John Rucher [Rucker]...

Witnesses by Richard Vawter, Michael Garr & John Finks

Culpeper Co., Virginia Deed Book E p. 714-715.

From: Nancy Moyers Dodge

http://archiver.rootsweb.com/th/read/germanna_colonies/1998-04/0891706861

She also cites "Beyond Germanna" - "The Case of George Wilhoit" - John C. Wilhoit Jr.v.10,n.5, pp.588-589, 1998.

See also: http://archiver.rootsweb.com/th/read/GERMANNNA_COLONIES/2005-09/1126838985

3. Same land George got from father-in-law William Eastham he now gives to John DAVIS for 5000 lbs tobacco and "natural affection"

9 Aug 1784 - George WILHOIT and wife ELIZABETH to JAMES DAVIS for 5000 lbs tobacco and "also for the natural affection they have and do bear to said JAMES DAVIS...150 acres of land...corner to Thomas & John Rucker...side of Neal Mountain...part of a patent formerly granted to George EASTHAM 6 Apr 1734. [Source: *Culpeper Co., Virginia Deed Book M, pp 305-307.*]

Sampson land (part of Jeremiah Jarrell?)

From my files: Gen/Misc/Culpeper Co - Deeds - Stanton

Thomas Stanton patent 10 June 1737 to Ham & Pierce

To Thomas Sampson by 17 May 1771 when Sampson sells 30 acres to John Simpson [Jr?]

[Source: *Culpeper Co., Virginia Deeds F 1769-1772 pp. 274-275.*]

Thomas Sampson and Mary Sampson his wife of Brumfield Parish, Culpeper County, to John Simpson of same. For £ 10 current money. 30 acres in the aforesaid parish, part of a tract formerly granted to Thomas Stanton and conveyed by Stanton to Joseph Ham and William Pierce and from Ham and Pierce to Thomas Sampson ... at the aforesaid Stanton and Simpson's (sic) corner in Jonathon Cowherd's line ... across William Kirtley's road ... courses of the said road to the County road at the Thoroughfair ... Simpson's corner ... woods and underwoods [Joseph Ham married Seth Stanton, daughter of Thomas Stanton, Jr. and sister to the hypothetical Mary Stanton and Richard Stanton.]

Thomas (x) Sampson

Mary (x) Sampson

Wit: Jonathon Cowherd, John Foulkner [Forester?], William Simpson

20 May 1771. Acknowledged by Thomas

[Source: *Culpeper Co., Virginia Deeds F 1769-1772 pp. 274-275: 17 May 1771.*]

Note: Sampson also had a land grant adj. NW from Benjamin Davis.

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