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THE YEARS 1760—1770

20-21 May 1761 – LEASE & RELEASE: Francis Tyler, wife Ann, of Augusta County, to Anthony Strother, of Culpeper County, for £25 Virginia, 200 acres in **Culpeper County** on the head of Rush River and Kennerly Mountain, adjoining another tract of Tyler's on the mountain... /s/ Francis Tyler, Anne Tyler. Wit: George Strother, John Gambill, Francis Strother. (*Culpeper County Deeds*, 2:554)

Henry and Mary Davenport Gambill had many children, but their identities are not entirely clear to this researcher. Davenport family researchers do not show a child named John; Gambill family researchers do. This record supports the Gambill researchers.

◇ **17 August 1761** - DEED: Sarah Minor, widow and relict of John Minor, Gentleman, late of Spotsylvania County, Decd., and John Minor, acting executor of said Minor, Decd., to William Davis, planter, of Spotsylvania County, for £150, 850 acres in **Culpeper County** on both sides of North Rush River, being land purchased by John Minor, Decd., from Francis and John Strother, and devised by said Minor, Decd., to his son William, who has since died under age and unmarried... /s/ Sarah Minor, John Minor. Wit: John Waller (Clerk), **Wm Davenport**, Jno Arnold, Thomas Minor, J. Lewis, Thos Minor [sic], Francis Meriwether, James Graves. (*Culpeper County Deeds*, C:605)

Based on the witnesses, this Culpeper deed was obviously made in Spotsylvania County. William Davis was the son of John Davis of King William County, who appears to have been John, son of William Davis, whose plantation was on the opposite of Major John Waller's 1696 from the Davis Davenport Plantation. William Davenport was the son of Martin, Sr., and was neighbor to the principals and witnesses of this deed. The two Thomas Minors were father and son. Thomas, Sr., was son of John Minor, Decd., and died before the Revolution. Thomas, Jr., had an active role in Davenport affairs from the mid-1770s on, and was one of the executors of William Davenport's will in 1798. John Arnold was a brother-in-law to William Davenport, and lived on Davenport land.

◇ **17 November 1761** - DEED OF GIFT: Henry Gambill to son William Gambill, both of Brumfield Parish, Culpeper County, for good will, love and affection, 180 acres in **Culpeper County** on both sides of Kennerly River, adjoining Mr. John Minor, Kennerly, Strothers. /s/ Henry Gambill. Wit: W. Eastham, John Strother, **Thomas Davenport**. (*Culpeper County Deeds*, C:609)

Henry Gambill, wife Mary Davenport, daughter of Martin, Sr., were preparing to move to South Carolina. Their eldest son William, married to a Wash from Louisa, did not accompany them. Nor did his brother-in-law Thomas Davenport, who would

remain in Culpeper until the mid-1770s, and then would move to the North Carolina backcountry, where Henry Gambill's widow and some of his sons would join him from South Carolina. Note however that although land was readily available in South Carolina, and grants were issued to many members of the related families from Culpeper County throughout the 1760s and 1770s, not even a single land grant was issued to Henry Gambill in South Carolina.

- ◇ **2 February 1762** - BIRTH: **Charles Baker**, tenth son and thirteenth child of **Thomas Baker** and his wife **Dorothy Davenport**, daughter of **Martin Davenport, Sr.**, born in **Culpeper County**. (Baker Bible Data provided by Pearl Foster O'Donnell, Fort Wayne, Indiana, 1982)

There is no record documentation of the place of Charles Baker's birth. The date appears in various Baker family records. There is evidence that Charles married twice: (1) Ann Blair, c1790, in North Carolina, and (2) Mary Clark in Georgia. He died in 1848 in Case County, Georgia, according to Baker Family records.

- 14 June 1762** — ACCOUNT RECORDS: Zachary Lewis, a jeweler and watchmaker who appears to have lived and worked in the Spotsylvania County area, began a ledger setting out the work he had done, the amounts he was owed and the amounts he was paid.

Zachary Lewis, it appears, was the son or perhaps grandson of another Zachary Lewis who, for many years, was the King's Attorney in both Spotsylvania and Caroline Counties. (There were three or four Zachary Lewises in a row.) Lewis began his account records with a careful notation of the date his ledger began:

Began in
June 14th
1762.
~~~~~  
~~~~~  
~~~~~  
~~~~~  
}

[Source: *Zachary Lewis Account Book, 1762-1775*, Collection MS 86.11, John D. Rockefeller Library of the Colonial Williamsburg Foundation, Williamsburg, Virginia. Sketch by abstractor Luke Davis, October 2006]

The significance for us is that, in 1769, Thomas Baker was one of his customers. (See below.)

24 July 1762 – LAND GRANT PLAT: Plat for 300 acres on Buckhead Creek, Amelia Township, **Berkeley County**, South Carolina, for **William Baker**. Shown as adjoining landholder: Jeremiah Strother. [Online index, South Carolina Land Grants, Series: S213184 Volume - 0007 Page - 00255 Item - 01]

More research is required to determine the exact identities of this Jeremiah Strother and this William Baker, who may very well turn out to be Thomas Baker's brother. Jeremiah Strother's daughter Katherine, born around 1760 in South Carolina, ended up marrying a Thomas Baker in South Carolina. This entire question requires more research but offers interesting possibilities.

♦ **9 August 1762** – EXECUTION: A Spotsylvania Court judgment in the matter of *Larkin Chew vs. Davenport Kennedy* in favor of Chew was returned by the Sheriff of **Culpeper County** as having been executed and satisfied. John Johnson, Deputy, for James Slaughter, Sheriff of Culpeper. (*Spotsylvania County Executions*, ?)

This record indicates that Davenport Kennedy was a resident of Culpeper at this time. Davenport research shows that he possibly was associated with Thomas Davenport; Henry Gambill, wife Mary Davenport; and Thomas Baker, wife Dorothy Davenport, all in-laws or children of Martin Davenport, Sr.

19 August 1762 – DEED: James Kennerly and Elizabeth, his wife, to George Strother, 156 acres corner to Henry Gambill, acknowledged by the parties 19 August 1762. [Culpeper County Deed Book D:79-82]

This record shows James Kennerly and his wife selling out their Culpeper property as they prepared to move further west in Virginia.

♦ **19 August 1762** - DEED: Henry Gambill, wife **Mary**, to George Strother, all of Brumfield Parish, Culpeper County, for £64/16, 432 acres in Brumfield Parish, **Culpeper County**, in the Fork of Rush River, adjoining the top of the Mountain in **Baker's** line, Kennerly... /s/ Henry Gambill, [no wife signs]. Wit: None. Acknowledged by Gambill in Culpeper Court the same day. (*Culpeper County Deeds*, D:103)

With this deed Gambill completed liquidation of his Virginia land, would move on to Great Pee Dee waters of South Carolina, where he would soon die. Strother, the grantee, was the son of Francis Strother, who owned the plantation adjoining Martin Davenport, Sr., down river in Hanover County. The Baker cited as an adjoining owner was Thomas Baker, whose wife Dorothy was a daughter of Martin, Sr., and a sister to Gambill's wife Mary.

♦ **29 January 1763** – INDENTURE OF MORTGAGE: **William Baker**, to George Strother, of Brumfield Parish, **Culpeper County**, 100 acres given him by deed of gift from his father **Thomas Baker**, for £60. Wit: Anthony Strother, Robert Strother.

Acknowledged by **William Baker** in Culpeper Court on 17 March 1763. [Culpeper County Deed Book D:425-428]

William Baker had much to learn about managing money. Here, in January, he mortgaged the property he received from his father by gift to a member of the Strother family, and not two months later was in default on yet another debt (see below).

19 March 1763 – DEFAULT JUDGMENT: Upon the Petition of David Harris agst. **William Baker**, this day came the Petitioner and the Defendt. Being summoned and not appearing, therefore it is considered by the Court that the Petitioner recover against the Defendt. two pounds, 16 shillings and eight pence due by Note of Hand and his costs by him in this behalf expended, including seven shillings and six pence for Attorney's fee. [**Culpeper County** Minute Book, 1763-1764, p. 296]

The Minute Book of 1763-1764 is the only early Culpeper County Court record that survives. It offers an extraordinary view of the lives of the families in which we are interested.

19 March 1763 – DISMISSED: Petition of John Strother against Henry Gambill dismissed on the agreement of the parties. [**Culpeper County** Minute Book, 1763-1764, p. 300]

19 March 1763 – COURT APPEARANCE ORDERED: John Strother v. Henry Gambill, In Case, defendant arrested and not appearing, ordered that unless he makes a personal appearance at the next Court, judgment be entered against him and his security, Benjamin Gambill, for £100. [**Culpeper County** Minute Book, 1763-1764, p. 301]

19 March 1763 – COURT APPEARANCE ORDERED: Thomas Edghill v. Benjamin Gambill, defendant being summoned and not appearing, ordered that unless he makes a personal appearance at the next Court, judgment entered against him for £ 4/5/0 for Note in Hand. [**Culpeper County** Minute Book, 1763-1764, p. 301]

22 April 1763 – IN CASE – Culpeper County Court, Andrew Cockran & Co. vs. **Martin Baker**. The defendant not arrested and not appearing, on motion of plaintiff by his attorney, an Alias Capias awarded against Defendant returnable to the next Court. [**Culpeper County** Minute Book, 1763-1764, p. 314]

The Martin Baker here referenced is almost undoubtedly Thomas and Dorothy Davenport Baker's third son, born in 1741. Just 22 years old, he was already in debt and being chased by creditors.

As explained by John Scott Davenport of The Pamunkey Davenport Chronicles, the difference between an action In Case such as this one and an action In Debt such as the one below was that an action In Case was for damages and one In Debt sought only the debt plus costs. ("When a creditor had either a note or a book account that was documented, and the debtor was in default, the creditor petitioned the Court for a judgment of the amount owed and whatever costs had occurred in having to collect through the Court. The matter was accomplished by petition, filing a lawsuit was not required. The judgment in this case was unusually stiff when the interest penalty was attached. If the creditor wanted damages as well as the amount owed and costs, a lawsuit for damages (In Case) was filed. Petition judgments often degenerated into

lawsuits when the debtor refused to recognize the debt and pay or even refused to attend Court and answer the creditor.”)

- 22 April 1763** – IN DEBT – Culpeper County Court, Andrew Cockran & Co. vs. **Martin Baker**. The defendant not arrested and not appearing, on motion of plaintiff by his attorney, an Alias Capias awarded against Defendant returnable to the next Court. [**Culpeper County** Minute Book, 1763-1764, p. 314]
- 22 April 1763** – ORDER: Witnesses for Samuel Moore against John and Robert Gouge ordered to be paid: [illegible] paid 225 pounds of tobacco for nine days; Benjamin Roberts paid 225 pounds for nine days; William Johnston Jr., paid 225 pounds for nine days; and Cornelius Mitchell, paid 150 pounds for six days; and for the Gouges, Courtney Norman, paid 125 pounds for five days; and John Poe, paid 200 pounds for eight days. [**Culpeper County** Minute Book, 1763-1764, p. 320]
- 19 May 1763** – WILL PROVED: The Last Will & Testament of John Hemingway, decd, was exhibited to the Court by James Kennerly and was partly proved by the Oath of **Thomas Baker**, a witness thereto, and Kennerly given certificate for obtaining Letters of Administration. Ordered that John Strother, William Covington, Henry Gambill and **Thomas Baker** or any three of them, first being sworn before a Justice of the Peace, do value and appraise the estate. [**Culpeper County** Minute Book, 1763-1764, p. 325]
- 20 May 1763** – DISMISSED: John Strother v. Henry Gambill, in case, dismissed as per agreement of the parties. [**Culpeper County** Minute Book, 1763-1764, p. 344]
- 20 May 1763** – JURY: **William Wiseman** impanelled as part of a jury to hear the case of John Tackett vs. Richard Price, finding for plaintiff and returning a verdict against him in the amount of £5 plus costs in suit. [**Culpeper County** Minute Book, 1763-1764, p. 347]
- ◇ **21 May 1763** - DISMISSED: The petition of Decker Thompson against **Thomas Davenport** being heard, case dismissed, the Defendant to pay costs. (**Culpeper County** Court Minutes, ?:?)
- Another instance where a debtor did not pay a note or an account until he was threatened with Court—which was imprudent, for then he had to pay the collection costs incurred by his creditor.*
- 21 May 1763** – MORE SECURITY: In Case – Peter How Esq. vs. **Thomas Baker**, John Strother undertook to stand for defendant. [**Culpeper County** Minute Book, 1763-1764, p. 352]
- 21 May 1763** – MORE SECURITY: Richard Parks, assignee of William Tutt, vs. **Martin Baker** and **Thomas Baker**, John Strother undertaking to stand for them. [**Culpeper County** Minute Book, 1763-1764, p. 352]
- 21 May 1763** – DEFAULT JUDGMENT: Andrew Cockran & Co., vs. Benjamin Gambill, defendant being summoned and not appearing, judgment for plaintiff for £4/4/ and a penny plus costs including seven shillings, six pence for attorney's fees. [**Culpeper County** Minute Book, 1763-1764, p. 360]

- 21 May 1763** – MORE SECURITY: In Case – Andrew Cockran & Co., vs. **Martin Baker**, and **Thomas Baker** undertook to stand for him. [**Culpeper County** Minute Book, 1763-1764, p. 360]
- 21 May 1763** – MORE SECURITY: In Debt – Andrew Cockran & Co., vs. **Martin Baker**, and **Thomas Baker** undertook to stand for him. [**Culpeper County** Minute Book, 1763-1764, p. 361]
- 16 June 1763** – WILL: Culpeper County Court - Instrument called last Will and Testament of John Hemingway and Margaret Crone proved by the Oath of **William Baker**, a witness thereto. [**Culpeper County** Minute Book, 1763-1764, p. 369]
- 21 July 1763** – DEFAULT JUDGMENT: Child & Crap v. **Martin Baker**, defendant being arrested and not appearing, judgment ordered for plaintiff in the amount of £4/8/2.3, with costs including seven shillings, six pence for attorneys fees. [**Culpeper County** Minute Book, 1763-1764, p. 374]
- 23 July 1763** – PLEA ENTERED IN CASE: Andrew Cockran & Co. v. **Martin Baker**, parties appearing through their attorneys and defendant saying he did not assume debt as stated, trial referred to next court. [**Culpeper County** Minute Book, 1763-1764, p. 388]
- 23 July 1763** – PLEA ENTERED IN DEBT: Andrew Cockran & Co. v. **Martin Baker**, parties appearing through their attorneys and defendant saying he paid the debt alleged, trial referred to next court. [**Culpeper County** Minute Book, 1763-1764, p. 388]
- 23 July 1763** – PLEA ENTERED IN CASE: Peter How Esq. v. **Thomas Baker**, parties appearing through their attorneys and defendant saying he did not assume debt as stated, trial referred to next court. [**Culpeper County** Minute Book, 1763-1764, p. 390]
- 23 July 1763** – PLEA ENTERED IN DEBT: Andrew Cockran & Co. v. **Thomas Baker** and **Martin Baker**, parties appearing through their attorneys and defendants saying they paid the debt alleged, trial referred to next court. [**Culpeper County** Minute Book, 1763-1764, p. 392]
- 20 August 1763** – DEFAULT JUDGMENT: Culpeper County Court, Ambrose Bohannon v. John Gambill, defendant being summoned and not appearing, judgment for plaintiff in the amount of £5/3/0 plus his costs. [**Culpeper County** Minute Book, 1763-1764, p. 430]
- 20 August 1763** – DEFAULT JUDGMENT: Culpeper County Court, Ambrose Bohannon v. **Martin Baker**, defendant being summoned and not appearing, judgment for plaintiff in the amount of £3/8/5, plus his costs, but judgment to be discharged by payment of £ 1/14/2.3 with interest at 5% per annum from the 23rd of February 1760 until paid. [**Culpeper County** Minute Book, 1763-1764, p. 430]

20 August 1763 – DEFAULT JUDGMENT: Culpeper County Court, Ambrose Bohannon v. **William Baker**, defendant being summoned and not appearing, judgment for plaintiff in the amount of £2/13/10 due by note of hand, plus his costs, but judgment to be discharged by payment of £1/6/11 with interest at 5% per annum from the 23rd of February 1760 until paid. [**Culpeper County** Minute Book, 1763-1764, p. 430]

20 August 1763 – DISMISSED: Culpeper County Court, Ambrose Bohannon v. **Martin Davenport**, dismissed as agreed by the parties. [**Culpeper County** Minute Book, 1763-1764, p. 431]

20 August 1763 – JURY TRIAL: Andrew Cockran & Co. v. **Martin Baker**, In Case, jury including another creditor Ambrose Bohannon (and James Graves), returned verdict for plaintiff, of £7/12/8 plus costs. [**Culpeper County** Minute Book, 1763-1764, p. 438]

20 August 1763 – JURY TRIAL: Andrew Cockran & Co. v. **Martin Baker**, In Case, jury including another creditor Ambrose Bohannon (and James Graves), returned verdict for plaintiff, of £21 plus costs. Judgment to be discharged by paying £10/9/6 with annual interest of 5% from 8 December 1761 until paid. [**Culpeper County** Minute Book, 1763-1764, p. 438]

◇ **15 September 1763** – MORE SECURITY: In the matter of *James Kennerly, administrator of John Hemingway, Decd.*, vs. **Thomas Baker** in Debt, **Thomas Davenport** appeared in Court to become Special Bail for **Baker**. (**Culpeper County** Court Minutes, ?:?)

Thomas Baker was married to Dorothy Davenport, daughter of Martin, Sr., of Hanover, and sister to Thomas Davenport who supported his brother-in-law in this action by being his security.

23 September 1763 – AGREEMENT: **Thomas Baker** v. James Kennerly, Admin. of John Hemingway, on motion, by consent agree that all matters between them to be submitted for decision to John Lewis and Cuthbert Bullitt, and their award to be the judgment of the court. [**Culpeper County** Minute Book, 1763-1764, p. 451]

The dispute between Thomas Baker and James Kennerly was submitted to a form of early binding arbitration.

23 September 1763 – CONTINUANCE: Francis Strother v. John Gambill - continued to next Court. [**Culpeper County** Minute Book, 1763-1764, p. 451]

16 October 1763 – SHERIFF'S PRISONERS IN DEBT: Culpeper County Court, William Green, late Sheriff, came into Court and delivered up to Ambrose Powell, present Sheriff, the following persons now in the custody of the Gaol in this County, to wit ... **Martin Baker** upon two Writs of Capias Adsatisfaciondum issued by Andrew Cockran & Co., one for £8/2/8, and 195 pounds of nett tobacco, the other for £21/15/0 and 195 pounds of nett tobacco [and] **Thomas Baker** upon a Capias

Adsatisfactiondum issued by Peter How Esq. for £21/19/10 and 65 pounds of nett tobacco. [**Culpeper County** Minute Book, 1763-1764, p. 457]

There is a suggestion in Maribeth Lang Vineyard's book on the Wiseman family (Maribeth Lang Vineyard, William Wiseman and the Davenports (Genealogy Publishing Service, SC: 1997) that the Baker brothers were imprisoned in Culpeper County because they were practicing Baptists at a time and place where the Episcopal Church held total control. It is probably true that the Bakers were Baptists. However, the original record shows that their imprisonment was as debtors, not as Baptists.

29 November 1763 – DEED: **William Baker** and Ann, his wife, to George Strother, all of Brumfield Parish, **Culpeper County**, 100 acres given by deed of gift from his father **Thomas Baker**, for £60. Wit: William Meldrum, James Kennerly, John Strother. Proved 17 May 1764 by all three. [Culpeper County Deed Book D, p. 425-428]

15 December 1763 – BOUNTY PAID: to **William Baker** on the County Levy, for a Wolf's head. [**Culpeper County** Minute Book, 1763-1764, p. 462]

Wolves were a major threat to the early colonists and, as early as the middle of the 16th century, a bounty would be paid to any colonist who killed a wolf and proved it by producing the wolf's head.

19 January 1764 – OATH OF OFFICE: William Gambill, being appointed a Constable, took the oath of office. [**Culpeper County** Minute Book, 1763-1764, p. 466]

◇ **27 January 1764** - DEED OF GIFT: Thomas Wash to son William Wash, both of St. Martin's Parish, Louisa County, gift, 138 acres in **Louisa County** [on waters of Little Rocky Creek], on the South and Southwest side of the Road, and Negroes Phillis, Daniel, Harry, Joe, and sundry chattel, household stuff, and working tools.. /s/ Thomas "X" Wash. Wit: John Smith, William Kimbrow, John Sandy Hall, Thomas Wash, Jr., William Gambill. (*Louisa County Deeds*, D½:12)

William Wash was married to a daughter of Charles Kennedy and Crotia Davenport, daughter of Martin, Sr. William Gambill was the eldest son of Henry Gambill, Sr., and Mary Davenport, eldest daughter and child of Martin, Sr., of Hanover, and was a son-in-law to Thomas Wash, the grantor. William lived in Culpeper. John Smith was an in-law to some degree to John Davenport, son of Martin, Sr.

◇ **27 January 1764** - DEED OF GIFT: Thomas Wash to son Thomas Wash, Jr., both of St. Martin's Parish, Louisa County, gift, plantation and 198 acres in **Louisa County**, being the plantation 'whereon I live on the South and Southwest side of the Road, and one Negro boy named Jin... /s/ Thomas "X" Wash. Wit: John Smith, William Kimbrow, John Sandy Hall, William Wash, William Gambill. (*Louisa County Deeds*, D½:12)

◇ **27 January 1764** - DEED OF GIFT: Thomas Wash, of St. Martin's Parish, Louisa County, to son-in-law William Gambill, of Brumfield Parish, Culpeper County, gift, one Negro boy named Davy, one Negro girl named Sue... /s/ Thomas "X" Wash. Wit: John Smith, William Kimbrow, William Wash, John Sandy Hall, Thomas Wash, Jr., (**Louisa County** Deeds, C½:23)

19 April 1764 – DEED: **Thomas Baker** and **Dorothy Baker** of **Culpeper County** to John Strother, for £180, 609 acres on Kennerley's Mountain, adjoining **William Baker**. Acknowledged by **Thomas Baker** in Culpeper County Court on 19 April 1764. On 20 April 1764, a commission comprised of Wm Brown, John Slaughter and William Eastham was appointed to take **Dorothy Baker's** acknowledgement. On 14 May 1764, Dorothy acknowledged the deed before John Slaughter and William Eastham. [Culpeper County Deed Book D, pp 392-398]

Wives in colonial Virginia had dower rights in the real estate of their husbands and such real estate could not be sold without their consent For fear that such consent might be coerced, the courts required an independent examination of a wife to ensure that she freely and willingly consented to the sale.

17 May 1764 – ESTATE ACCOUNT: Estate of Margaret Crone, James Kennerly administrator. "A proved account by **William Baker, Thomas Baker** paid a total of £12/17/8 including £10/7/6 cash and 301 lb of tobacco, plus additional amounts with John Strother, Benja. Gambill by account proved by Simon Casson, John Strother, Thomas Walker & Henry Gambill for 1 day appraising the estate, John Strother for selling the estate, balance of **William Baker's** bond." [**Culpeper County** Will Book A, pp. 373]

19 July 1764 – APPRAISAL: Estate of John Hemmingway. "Pursuant to an Order of the Worshipful Court of Culpeper bearing date the 19th day of May 1763, We the Subscribers being first sworn went to appraise the Estate of John Hemmingway decd and Margaret Crone being sworn to deliver up the Estate and debts belonging to Hemmingway declared on oath, that by Agreement between John Hemmingway and herself when they last agreed and came to live together that if ever they parted again to divide what they had got and was willing that every living thing should be appraised and sold and one half to be Hemingways and the other half to be hers as she said on her Oath she did not know what to call Hemingways and what her own And accordingly delivered bonds to us to the Amount of 18 pounds that was drawn payable to herself for money lent and nine head of cattle that she said was her own property on which we began to appraise as follows... Given under our hand this 11th day of June 1763, John Strother, **Thomas Baker**, Henry Gambill." On the 14th day of May 1764 the following articles were appraised by the subscribers... John Strother and **Thomas Baker**. Recorded 19 July 1764. [**Culpeper County** Will Book A, pp. 376-377]

17 December 1764 – DEED: James Compton, Esqr., of England to **Thomas Baker** of Bromfield Parish, Culpeper County. For £50 current money, 1000 acres in Little Fork of Rappahannock River, corner to Peyton, Frogg. By Fielding Lewis, attorney. Wit: Francis Tyler, Alexr. Wright, Henry Mitchell, Daniel Brown. Proved 20 June 1765 by all four. [**Culpeper County** Deed Book D:692-695]

Thomas Baker was a substantial landholder in Culpeper County. He had received two grants, for 400 and 209 acres respectively, and here bought another 1000 acres that had been originally patented by an Englishman.

5 February 1765 – BIRTH: Dorothy Wiseman, daughter of William Wiseman and Mary Davenport, probably in South Carolina. [Bible of Dorothy's son Josiah Baker, see image at 3 June 1749, above.]

There is no definitive documentary proof as to where Dorothy Wiseman was born. The 1850 Yancey County, North Carolina, census states South Carolina and that is certainly possible. Her father, William Wiseman, certainly went to South Carolina in the 1760s, and completed much of the process of obtaining a land grant in South Carolina by 1766. As shown below, he was absent from Virginia in 1767 as well. Everything else being equal, there is no reason not to accept the 1850 census information as Dorothy's birthplace.

♦ **11 April 1765** – FAIRFAX LAND GRANT: **Thomas Baker**, of Culpeper County, 1,196 acres in **Culpeper County** on Rush River, on the south side of Kennerly's Mountain adjoining James Kennerly, Peaked Mountain, Francis Tyler, being a resurvey of grants for 400 acres and 309 acres, found to have a surplus of 82 acres, and the addition of 405 acres adjoining. Surveyed by John Mauzy. (*Northern Neck Land Grants*, M:342)

Here Baker, husband of Dorothy Davenport, daughter of Martin, Sr., consolidated his Northern Neck land holdings into one comprehensive grant, a convenient, albeit expensive, means of clearing land titles. Note that, by the time he repatented his land into this one new grant, he had already conveyed 200 acres away, 100 acres each to sons William and Thomas Jr.

22 June 1765 – DEED: John Strother and Mary, his wife, Anthony Strother and Frances, his wife, **Thomas Baker** and Dorothy, his wife, to Philip Jacob Irion, James Christy, Harmon Moyer, Christian Moyer and John Jacob Slusser and Co., 1696 acres on Kennerley's Mountain, for £360. [**Culpeper County** Deed Book E, pp. 117-121]

Baker and his Strother neighbors (who may well have been relatives of one degree or another) joined together to convey a substantial tract of land – 1696 acres – to a consortium of buyers, presumably land speculators.

24 August 1765 – WILL: John Menefee, naming children John, Harry, Patty, Molly, Nancy, Bathsheba, brother Jonas. Witnesses Charles Smith, William Mallory and Gerard Menefee. Proved by the testimony of William Mallory and Gerard Menefee on 18 October 176[5]. [**Culpeper County** Will Book A, pp. 405-409]

Gerard (Jared) Menefee was either the father or the brother of the decedent John Menefee. The named brother Jonas was the father of, among others, Nancy Ann Menefee, who married Henry Baker. Henry's sister Mary was married to witness William Mallory; Charles Smith may well have been a relative of some degree.

7 September 1765 – DEED: Charles Crenshaw of Hanover County, wife Sarah, sell to **Martin Baker** of Hanover County, 425 acres in Trinity Parish **Louisa County**. [Louisa Deed Book C½:108-111]

October 1765 – MILITIA RECOGNIZED: The Virginia Legislature sought to recognize those militiamen who had served in the French and Indian Wars. Soldiers mentioned

in the schedule attached to the Act of October 1765, providing for the appointment of commissioners to examine the accounts to determine those who had actually been called into service, included the following from **Culpeper County**: **Thomas Baker**; **William Baker**; John Payton; Thomas Slaughter; William Slaughter; Anthony Strother; Francis Strother; and French Strother. [Lloyd DeWitt Bockstruck, *Virginia's Colonial Soldiers*, Baltimore: Genealogical Publishing Co. (1988) at 210]

Well after the end of the French and Indian Wars, the colonial legislature sought to give credit to those who had actually served in that lengthy conflict.

- ♦ **30 October 1765** - DEED: **Thomas Baker** to James Kennerly, John Payton, James Graves, and William Gambill, all of Brumfield Parish, **Culpeper County**, for £55 Virginia, 1,000 acres adjoining the Long Mountain, Payton, Francis Slaughter, William Davis, Jacoby, the Round Mountain—a grant to James Compton, Esqr., of Great Britain, by Lord Fairfax, said Compton having conveyed to said **Baker**. /s/ **Thomas Baker**. Wit: Thomas Hutchings, Richd Thomas, John Grayson, Wm Brown. (*Culpeper County Deeds*, E:152)

Davenport in-laws or cousins, namely Thomas Baker, James Graves, and William Gambill, living as neighbors in Culpeper, joined in a land transaction. Baker sold the land he had acquired by purchase from Compton not quite a year earlier to a consortium that included Graves and Gambill. Presumably the buyers intended to speculate in the land rather than occupy it themselves. The William Davis cited was on the land formerly owned by John Minor, Gentleman, Decd.

- ♦ **15 March 1766** – DEED: William Gambill, of Bristol Parish, **Culpeper County**, to Joseph Poindexter, of Fredericksville Parish, Louisa County, for £60, 180 acres in Brumfield Parish, Culpeper County, on both sides of the North Fork of Rush River, adjoining William Davis, James Kennerly, Minor... /s/ Wm Gambill. Wit: None. Acknowledged by said Gambill in Court same day. (*Culpeper County Deeds*, E:150)
- 15 May 1766** – DEED: William Gambill of Brumfield Parish, **Culpeper County**, to Joseph Poindexter of Fredericksville Parish, Louisa County, 180 acres being part of a grant to Thomas Kennerly and by Henry Gambill given to his son by deed of gift in 1761, for £60. Acknowledged by William Gambill in Culpeper Court that day, and Mary his wife relinquished her right of dower. [Culpeper County Deed Book E:150-152]
- ♦ **18 June 1766** - DEED: **Thomas Baker**, wife **Dorothy**, to William Gambill, all of Brumfield Parish, Culpeper County, for £15, 100 acres in Brumfield Parish, **Culpeper County**, in Little Fork of Rappahannock River, adjoining William Davis, Payton, and the Long Mountain—part of a 1,000-acre grant to James Compton, Esqr., by Lord Fairfax, who conveyed to said **Baker** on 16 December 1764... /s/ **Thomas Baker**, [no wife signs]. Wit: None. Acknowledged by **Baker** in Culpeper Court same day. (*Culpeper County Deeds*, E:381)

Thomas Baker, formerly of Louisa County, was married to Dorothy, daughter of Martin Davenport, Sr. Here he sold land to his nephew William Gambill, eldest son of Henry and Mary Davenport Gambill. What is most extraordinary about this deed – in modern terms – is that it includes acreage apparently included within the land sold on

30 October 1765 by Baker to James Kennerly, John Payton, James Graves, and William Gambill. Such record transactions make it difficult indeed to follow the land ownership in colonial times.

24 June 1766 – LAND GRANT PLAT: Plat for 200 acres, on Jeffreys Creek in **Craven County**, for **William Wiseman**. [Online index, South Carolina Land Grants, Series: S213184 Volume - 0010 Page - 00018 Item - 03]

This plat (survey) is the only identified land grant record in the online index at the South Carolina Archives for William Wiseman, husband of Mary Davenport (daughter of Thomas Davenport and granddaughter of Martin Sr.). This and other records establish that Wiseman perfected a grant for 200 acres of land, but never occupied the land, but rather promptly sold the rights to or assigned the grant to one James Riggs.

16 July 1766 – MORTGAGE DEED OF TRUST: **William Baker**, of **Culpeper County**, to Philip Jacob Irion and Jacob Slusser, trustees, of Culpeper County, for the benefit of James Christy and Jacob Moyer, of London, for £20 Virginia, tract of land in Culpeper County on Rush River, adjoining Francis Taylor, being part of grant by Lord Fairfax to **Thomas Baker**... /s/ **William Baker**. Wit: James Kennerly, **Thomas Baker**, Wm Gambill, George Strother. (Culpeper County Deeds, 4:165)

William Baker mortgaged the land he had received from his father to a consortium of land speculators from London.

It is not entirely clear from this and similar transactions whether William Baker, Thomas' son, was still living in Culpeper County at this point. Thus, the question still remains as to whether, if there is a family relationship to the William Baker who can be found in the South Carolina land records, it was Thomas's son or his brother. Many years later, Thomas's youngest son, Charles, identified his uncles as Josias and William and reported that his uncle William had died in South Carolina, leaving two sons and three daughters.

One fact makes it more likely that this was Thomas's brother rather than his son is the presence of a William Baker integrally involved with other of Thomas' sons right up to the 1800 census (and perhaps beyond) although there is no indication that the William Baker of South Carolina ended up leaving South Carolina (as other extended family members did).

16 July 1766 – ESTATE APPRAISAL: Estate of John Menefee, by James Kennerly, George Strother and Anthony Strother. [**Culpeper County** Will Book A, pp. 424-426]

Yet another intertwining of the families of interest here. Henry Baker, son of Thomas Baker and Dorothy Davenport, later married a Menefee daughter.

◇ **9 March 1767** - LAW SUIT: In the action of Alexander Baine vs. Henry Gambill for Debt, the Defendant not appearing, ordered him to appear at next Court or risk default judgment. John Jouett, said Gambill's security, to be notified. (**Louisa County** Court Orders 1766-1772, 21-22)

This was Henry, Jr., son of Henry Gambill and Mary Davenport, daughter of Martin, Sr. Henry was married to Catherine Jouett, daughter of Matthew Jouett, Decd., and elected to live among his Jouett relatives on their land in Louisa.

- ◇ **11 August 1767** – TO IMPARLE: In the matter of *Richard Harvie & Co. vs. Henry Gambill*, William Smith came forward to guarantee the Debt and be Gambill's security. Imparlance asked and granted. (*Louisa County Court Orders 1766-1772*, 81)

Henry Gambill, son of Henry, Sr., and Mary Davenport, and married to Charlotte Jouett, remained in Louisa after the rest of his family moved elsewhere. William Smith was a Davenport in-law. Imparlance at law was a time before pleading was required when the parties were expected by the court to attempt to settle their differences. It came to be simply a method of securing additional time before an answer to a lawsuit was required.

- 17 September 1767** – PROBATE: The Last Will and Testament of Robert Covington of Brumfield Parish, Culpeper County, was admitted to probate on the testimony of witness John Clayton that decedent signed the will and that **William Wiseman** subscribed the same. [*Culpeper County Will Book A*, pp. 432-434]

Note that William Wiseman was not called upon to prove the will, but instead the testimony of another subscribing witness was used to establish that Wiseman had witnessed its execution. That was the normal course when a subscribing witness was unavailable, and the time period around the probate of this will was roughly the time when Wiseman and others from the extended family tried their hand at life in South Carolina.

- 20 June 1767** – WILL: George Strother, mentions "land I bought of Henry Gambill & Capt. James Kennerly" and 100 acres "I bought of **Wm. Baker**". James Kennerly, John & Francis Strother to be executors. Wit: Jos. Poindexter, John Jas. Kennerly, Jas. Kennerly Jr. Recorded 20 August 1767. [*Culpeper County Will Book A*, pp. 450-451]

- 10 September 1767** – DEED: Reference to property owned by **William Baker** in deed by William Poindexter and John Austin to Thomas Peers [*Louisa County Deed Book D* ½ p 38-39]

- 3 November 1767** – LAND GRANT PETITION: A petition for a grant of the 200 acres, on Jeffreys Creek in **Craven County**, surveyed in 1766 for **William Wiseman**, was made James Riggs. [Kathy Gunter Sullivan, CG, citing Brent H. Holcomb, *Petitions for Land from the South Carolina Council Journals, Volume VI: 1766-1770* (Columbia, SC: SCMAR, 1999), p. 120]

Wiseman never actually took up a land grant in South Carolina. Instead, he sold or assigned the rights to Riggs, who was issued the grant in November of 1771.

- ◇ **8 August 1768** - JUDGMENT: In the matter of Alexander Baine vs. Henry Gambill for Debt, judgment for Baine against said Gambill, and John Jouett his security, for £36/16 and costs. (*Louisa County Court Orders 1766-1772*, 200)

John Jouett was Henry Gambill's brother-in-law and was the proprietor of the famed Cuckoo Tavern in Louisa.

18 August 1768 – APPRAISAL: The Estate of John Daniel Jacoby was ordered appraised by Thomas McClanahan, **Thomas Baker** and Sebastian Hatler, who reported their findings to the Court. A second appraisal, of the land alone, was conducted by McClanahan and **Thomas Baker** only. [**Culpeper County** Will Book A, pp. 462-464]

Keep in mind the possibility that Thomas Baker's mother Mary was a Jacoby rather than a Corbie.

♦ **24 November 1768** - PROBATE: Estate of George Strother, late of **Culpeper County**, Decd. In statement of Final Accounting, among payments made were amounts to **Thomas Davenport, Martin Davenport...** (*Culpeper County Wills*, A:468)

Thomas was the eldest son of Martin, Sr., of Hanover. Martin was the only son of Thomas. By the late 1770s they would be settled in mountain fastnesses of the North Carolina backcountry in Burke County, along with various in-laws.

15 March 1769 – WILL: John Wright, indicating wife and two sons (Ezekiel and one not yet baptized) and two daughters Ann & Elizabeth. Exec: John Strother, John Slaughter. Wit: Charles Browning, Ann White, Sarah Strother. [**Culpeper County** Will Book A, pp. 474-475]

Various marriages united the Browning, White and Davenport families, and research is needed to determine the relationship if any of the Strothers.

April 1769 – INVENTORY: Estate of James Trice, appraised by Thomas Crenshaw, George Dabney Jr. and **Thomas Baker**, pursuant to an order of the **King William County** Court. [Crenshaw vs. Trice, abstracted by Barbara Vines Little, Magazine of Virginia Genealogy, 42:27]

6 May 1769 – REPAIR BILL: Zachary Lewis, the jeweler-watchmaker, charged Thomas Baker £0/4/0 to clean his watch and £0/6/0 to repair it:

Date	Description	Amount
1769 May 6	Mr Thomas Baker Dr To Cleaning of Watch	0-4-0
	To Repairing do	0-6-0
		Let 10-0
1772 Nov 3	Contra Cr By Cash recd	0-10-0

[Source: *Zachary Lewis Account Book, 1762-1775*, Collection MS 86.11, John D. Rockefeller Library of the Colonial Williamsburg Foundation; Sketch by abstractor Luke Davis, October 2006]

Note that, if the ledger can be believed, Zachary Lewis wasn't paid for this work for more than three years, finally collecting in November 1772.

For purposes of our family history, other transactions recorded in the Lewis Ledger are interesting. William Davenport, Thomas Baker's brother-in-law, paid to have a watch repaired, an old ring mended and – incongruously – a mare covered for the season. Davenport Kennedy, a Davenport connection whose precise place in the family tree is a matter of much debate, was charged for mending a gold ring, with a cryptic notation that someone else would pay the bill.

For purposes of American history, other transactions in the Lewis Ledger are equally interesting. In June of 1763, Patrick Henry – future Virginia Governor and Revolutionary firebrand -- had a watch cleaned and repaired. In November 1763, Lewis fixed a hook for a watch chain and repaired the teeth of the watch ratchet wheel for James Madison – future President of the United States. And in March 1764, Lewis cleaned and repaired a watch for John Marshall – who later became Chief Justice of the United States Supreme Court.

June 1769 – Deed references in **Culpeper County** established that James Kennerly and Elizabeth his wife had moved to Augusta County, and that Mary Strother, a daughter of John Strother and wife, had married Charles Browning by then.

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