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# Phillips DNA News

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Editor: [Nancy Kiser](#)

Please submit news articles or ideas for articles to the editor. Questions about Genetic Genealogy can always be sent to the editor.

## Project News

Hello, everyone! It is finally March, time for St. Patrick's Day, the spring equinox and some crazy basketball here in the USA. It has been a long, cold winter and I am definitely looking forward to springtime. For those of you residing in the southern hemisphere, I hope your winter will not be as difficult as ours has been.

There are some new developments at Family Tree DNA. Here is an announcement they sent to Group Administrators on 16 February 2010:

Family Tree DNA is pleased to inform you of the pre-launch of our newest test: the autosomal-based Family Finder test. This pre-launch will progress in phases so that we do not exceed our lab's capacity, and to ensure delivering results in a timely basis. A limited number of our customers are being offered the Family Finder Test during the prelaunch. We anticipate Family Finder will be offered for general release in the middle of March at the breakthrough price of \$249.

While the Y-DNA matches men with a specific paternal line, and the mtDNA finds potential relatives only along the maternal line, Family Finder can look for close relationships along all ancestral lines. You may now match to male and female cousins from any of your family lines within five generations. The science behind it uses linked blocks of DNA across the 22 autosomal chromosomes and matches them between two people. Based on this concept, our bioinformatics team has worked extensively to develop the calculations that would tell you the closeness of the relationship.

The possibilities to find matches abound:

- Aunts & Uncles, Parents and Grandparents
- Half siblings and 1<sup>st</sup> cousins
- 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> cousins
- Possibly 5<sup>th</sup> cousins and beyond

When you take the Family Finder test, your results are compared against our Family Finder database. You will be able to:

- Sort your matches by degree of relationship
- View their names and email address for immediate communication
- Download your raw data

[Read more about Family Finder testing and Projects.](#)

Special Note: The Family Finder test requires an untouched vial of DNA. If your kit does not have an extra vial on file, we will mail a collection kit for a new FREE DNA extraction. After ordering you will be notified by email whether we are able to use a stored vial or will be mailing a new collection kit.

If you have any questions about this new DNA test, please don't hesitate to contact us.

## Featured Family Story

### **A Few 18th Century Phillips from Charles City County**

*By Mike Phillips, Phillips Family Group 3*

PREFACE: Charles City County is one of the “burned record counties” of Virginia which makes genealogy involving pre-Civil War research there somewhat difficult, yet it apparently suffered less loss of records than many other counties in the area. Still, of the thousands of marriages in the county before the Civil War, fewer than 150 or so marriage bonds survive, two of which are for Henry Phillips to Francis Pearman in 1784 and, ironically, his son William Henry Phillips to Susan Beckett in 1818.

The following very concisely states the problems associated with researching the “Burned Counties” and is taken from the Library of Virginia website at:

[http://www.lva.virginia.gov/public/guides/va22\\_burnedco.htm](http://www.lva.virginia.gov/public/guides/va22_burnedco.htm)

*“Several Virginia counties, most of them in the eastern part of the state, have suffered tremendous loss of their early records during the intense military activity that occurred during the Civil War, and others lost records in fires. At some point, almost everyone conducting genealogical or historical research will face the problem of finding information from a so-called “Burned Record county.” Burned record counties might be grouped into three basic categories: Hopeless, Almost Hopeless, and Difficult. Included in the Hopeless category are James City, New Kent, Buckingham, Nansemond, Dinwiddie (before 1782), Appomattox, Buchanan, King and Queen, Warwick, and Henrico (before 1677). Almost Hopeless are Hanover,*

*Prince George, Elizabeth City, and Gloucester. Difficult counties are Caroline, Charles City, King William, Mathews, Prince William, Stafford, Rockingham, and Nottoway.”*

Too often there tends to be a great deal of speculation and conjecture associated with genealogy in the absence of documentation, often coupled with an all too common acceptance by many of information that omits what should be obligatory disclaimers. In the absence of sufficient information, a number of feasible scenarios may be woven without any guarantees as to which ones may be grounded in reality. The following is rife speculation and conjecture; however, I have tried to keep that in focus and I have also tried to add all of the existing documentation at my disposal, in order for the readers to draw their own conclusions independently if they wish.

Incidentally, I do not attribute any significance as to whether Phillips occurs spelled with one “L” or two in these particular records.

INTRODUCTION: There was a John Phillips who died ca. 1740 in Charles City County who was related to a Robert Phillips. About the same time there was also a John Phillips living in Charles City County who appears to be an heir (and presumably a relative) of a William Phillips who owned the same land in the late 17th century. The question arises as to whether these two John Phillips are one and the same or not and, if not, what might their relationship be, if indeed there is any.

## Section 1. William and John Phillips

### 1.1 WILLIAM PHILLIPS

There is a 1730 Charles City County record for a land sale by a John Phillips and his wife Margery that was part of a 700 acre tract for which a patent was granted to William Phillips on December 2, 1663.<sup>1</sup> The land is described as being bound by Moses Creek and Oyster Shell Point. Moses or Moyses Creek (and sometimes Maysers?) is today known as Morris Creek<sup>2</sup>, a stream that flows into the Chickahominy River in the SE corner of the county across the river from James City County about two miles upstream from the confluence of the Chickahominy with the James River.

William Phillips' patent is not given in Nugent (2004); however, several other patents in this general area such as the one to Griffith Dickerson<sup>3</sup> or the one to John Shell<sup>4</sup> refer to a Phillips property line. Both of these 1656 patents suggest that William Phillips may have already owned land in this area even before his 1663 patent was granted. Although the population of the Virginia colony began growing very rapidly after about 1630, there were still only about 25,000 colonists in Virginia at this time and it was probably not nearly as difficult to obtain a patent for land near property already owned as it became later once the population increased and more land was claimed.

Geer (1912) lists a total of five William Phillips (and one Phillipps) who immigrated to the Virginia colony as “headrights” between the years 1623-1666. Additional information about these six are given in Nugent (2004).<sup>5</sup> It is not obvious if any of these is the William Phillips who owned land along Moses/Moses Creek; however, the latter three listed probably arrived too late to be this William.

The William Phillips transported by William Justice does show up in the Charles City County records but only because Justice evidently had to go to court to prove his claim and Charles City Court<sup>6</sup> was the site of Justice’s patent application. However, this does not indicate whether this Wm. Phillips was still in the area or not as headrights included a wide variety of social and economic classes and were not necessarily bound or indentured to someone upon their arrival. There are a couple of additional court records pertaining to a claim against John Merywether<sup>7</sup> in which a William Phillips was involved; however, there is not much information on any William Phillips in this period in the surviving Charles City records. As indicated in footnote #2, the Wm Phillips property on Moses Creek resided in James City County until 1720, but most of the records from James City County from this time period were also destroyed during the Civil War.

Tyler (2000, p.412) indicates that a petition regarding the estate of a William Phillips was filed by his executrix in Charles City in 1693, indicating he was dead by that time. If this is the same William Phillips, he would have likely owned property in Charles City County as well as the Moses Creek property that was still considered part of James City County at the time of his death. It was common practice in Virginia during this period for a widow (or widower) to remarry shortly after the death of a spouse, and William Phillips’ widow Elizabeth had married Charles Holdsworth by April 1694 when they filed a petition against the estate of a widow Hodges on behalf of William’s estate.<sup>8</sup> Weisiger (1992) also lists two additional court records regarding a petition filed against William’s estate on behalf of the estate of James Watkins.<sup>9</sup>

To summarize, it is not known if the citations in this section refer to more than one William Phillips or not, but what is noteworthy is that a Wm. Phillips owned land along Moses creek that was later owned by a John Phillips.

## 1.2 JOHN PHILLIPS

On October 1726, a William Tyree “took 550 acres from Isaac Williams for 100 pounds in Westover Parish, Charles City Co., VA, bounded by western branch of Ware Cut, Halie’s Corner, Philip’s Line, Hawks’ Nest Cut, Mayser’s Creek, with all houses; among witnesses Edward Cooke” according to the website

<http://www.livelyroots.com/things/williamtyree.htm>. “Philips line” most probably refers to land owned by John Philips and his wife Margery, some of which was sold to James Williams (as described in footnote #1).

In addition to the land sold to James Williams in July 1730, a few months later, John and Margery also sold an additional 100 acres in the same area to Capt. John Edloe.<sup>10</sup> This tract was also likely part of the original land patented by William Phillips in 1663 that apparently passed down to John Phillips, as an inheritance, directly or indirectly from William. For whatever reason, it is still Isaac Williams, not William Tyree, noted in both 1730 transactions, as owning land bordering the tracts being sold by John and Margery, although presumably this is the William Tyree who continues to appear in the county records until his last will and testament was submitted to the April 1740 Court (Order Book, p. 121).<sup>11</sup>

## Section 2. Robert and John Phillips

### 2.1 THE DEATH OF JOHN PHILLIPS

As indicated above, the John Phillips living on land previously owned by William Phillips had a wife Margery; yet court orders given below indicate a Mary is the “relict” (= widow) of the John Phillips who died in 1740. There is a question as to whether or not John h/o Margery (in 1730) is the same person as John h/o Mary (in 1740). While it is quite possible for Margery to have died between 1730 and 1740 and John to have then married Mary, the information given below is consistent with there being two John Phillips living and, as improbable as it might seem, both dying in the county within about a year of each other. The information relevant to this section is taken from the Court Orders of the monthly meetings of the County Court of Charles City between 1740 and 1742 and is listed in chronological order with comments interspersed.

Court Orders from the Charles City County Order Book<sup>12</sup>: 1737-1751

*May Court 1740 (starts on p. 126)*

*p. 130 “... Whereupon the Sheriff is commanded to empanel a Jury who causeth to come Ling Thompson, William Mumford, William Parrish, John Thomson, John West, John Phillips, Jeffry Murrell, James Balfour, Francis Tyree, John Edloe Junior, Peter Royster, John Bachurst, who being sworn to enquire into the damages sustained...”*

This John Phillips was alive as of early May when the May Count was held.

*July Court 1740 (starts on p. 135)*

*p.139 “Mary Philips, relict of John Philips, dec’d, came into court and made oath that he departed this life without making any will so far as she knows or believes, and on her motion and performing what is usual in such cases certificate is granted her for obtaining letters of administration in due form.”*

This suggests that this John (h/o Mary) most likely died in 1740 and may (or may not) have been the John Phillips on the jury in the May 1740 Court.

The very next entry in the Order Book is a request for an appraisal of the estate of John Phillips, husband of Mary.

*p. 139 "Ordered that Sam Gregory, John Gregory, Thomas Cradock and Thomas Hood or any three of them being first sworn do appraise the Estate of John Philips. dec'd and make return thereof to the next Count."*

*May Court 1741 (starts on p. 158)*

*p. 160 " Benjamin Harris against John Philips dismissed the defendant being dead."*

Although this is a year after Mary informed the Court of the death of her husband, she continued to administer his estate into 1742. Therefore, the appointment of Edward Dancy and John Southall as administrators for the estate of this John Phillips (shown below), followed immediately by an order for the appraisal of his estate, indicates this is a different John Phillips who probably died about a year after John Phillips, husband of Mary.

*May Court 1741*

*p. 161 " On the petition of Edward Dancy and John Southall, administration is granted them on the estate of John Philips, dec'd"*

*May Court 1741*

*p. 161 " Ordered that John Williams, John Dancy, Thomas Spragins and Isaac Williams or any three of them being first sworn do appraise the estate of John Philips dec'd and make a return."*

Estate inventories and appraisals were commonly performed by nearby neighbors of the deceased; therefore, the presence of Isaac Williams whose property adjoined the two tracts sold by John and Margery in 1730, suggests that this is the John Phillips married to Margery in 1730. If so, she may have been dead by this time as there is no mention of her in any of these proceedings. Both the Dancys and the Southalls also lived in the same area.

At this point there were simultaneously two administrators and two inventories and thus clearly two John Phillips decedents, one who is clearly the husband of Mary and the other who is probably the husband (or widower) of Margery. Rex Phillips, a fellow member of Group 3 and a previous contributor to this newsletter, has raised the possibility that these two may represent a father and son. While I have not seen evidence to totally reject that idea, neither have I seen enough evidence to support it. At present I am not ready to make any such connection, although it should not be summarily ruled out from future consideration.

*June Court 1741 (starts on p. 162)*

*p. 162 “An inventory of the estate of John Philips, dec’d, is returned and ordered to be recorded.”*

It is not clear which John Phillips this estate inventory is for.

*August Court 1741 (starts on p. 168)*

*p. 173 “On motion of William Austin, it is ordered that Sarah Phillips, daughter and orphan of John Phillips, dec’d, be bound by the Churchwardens to the said Austin as the Law directs.”*

This William Austin is likely the William Auston mentioned in footnote 10 as a witness to the sale of a tract of land by John and his wife Margery to Captain John Edloe. Thus, he was probably a neighbor, friend or perhaps even a relative who would have known them and their daughter Sarah. The fact that she was “bound” rather than assigned a guardian suggests that this John may not have left a very large estate. In any event, it indicates that he had a minor daughter which has implications as to his age.

*September Court 1741 (starts on p. 176)*

*p. 179 “Upon the action of [the] case of James Balfour against John Southall and Edward Dancy administrators of the goods and chattels of John Philips, dec’d, for five pounds, twelve schillings and eleven pence farthing current money due on balance of an account here in Court produced, the plaintiff making oath that the said sum is just. It is considered by the Court that he recover against the defendant the said sum of five pounds, twelve schillings and eleven pence farthing together with his [word unclear] in this behalf expended to be levied against the goods and chattels of the decedent when assets shall be to the defendants hands to be administered.”*

*February Court 1741 (starts on p. 189) [March 25 was the first day of 1742]*

*p. 189 “Ordered that Mary Philips be summoned to the next court to answer the petition of Robert Philips and Thomas Hudson.”*

At this time, Thomas Hudson was a Charles City County constable as indicated by his annual salary recorded in the December 1741 Court records (p. 185, Order Books). If his inclusion in this suit without any reference to his post as constable indicates his involvement was personal and not official, that could mean that he was a family member, such as Robert Phillips’ brother-in-law, for example.

*April Court 1742 (starts on p. 200)*

*p. 200 “Mary Philips being summoned to answer a petition of Robert Philips and Thomas Hudson is continued.”*



*May Court 1742 (starts on p. 204)*

*p. 205 “Mary Philips being summoned to give new security for the just and faithful administration of estate of her dec’d husband John Philips. In the room [presence of ?] of Robert Philips and Thomas Hudson & failing therein it is ordered that Samuel Harwood Junior and David Stokes, Gent do audit and settle all the outstanding debts of the estate of the said John Philips and make report thereto to the next court and if she then fails to give such security that then such a part of the estate as appears to belong to the children of the dec’d husband be delivered to the above security.”*

It appears that Mary was unable or unwilling to post the required security

*June Court 1742 (starts on p. 210)*

*p. 210 “An accounting of the estate of John Philips dec’d is together with [?] the auditors report thereon is ordered to be recorded”*

This is on the same page as the entry below.

*June Court 1742*

*p.210. “Mary Philips failing to give new security for her just and faithful administration of her dec’d husband John Philips estate in the room of Robert Philips and Thomas Hudson pursuant to an order of court, it is ordered that Robert Philips do possess himself of that part of the decedent’s estate as of right doth belong to his children, he giving security at the next Court.”*

This entry is given in Weisiger (1996, p. 95) but not the previous record from May Court (p. 205, order book). The June Court wording regarding parts of the estate that “belong to his children” is easily misconstrued to mean the children of Robert; however, the May Court record (p. 205 of the order book), which is omitted from Weisiger (1996), makes it clear that the reference is to the children of John, not Robert. That Robert was acting on behalf of John’s children suggests that some were probably minors and also raises the question as to whether Mary may have been their step-mother rather than their mother.

*January Court 1742 (starts on p.229)*

*p.231. James Mitchell against Mary Philips: dismissed*

About five entries down on the same page is another suit against Mary.

*January Court 1742 (starts on p.229)*

*p.231. Benjamin Harris vs Mary Philips continued.*



*February (or March?) Court 1742 (starts on p.234?)*

*p.242. Benjamin Harris against Mary Philips: no prosecution; dismissed.*

The Harris entries are likely the same suit against John Phillips that was dropped in May Court 1741 due to his death and was subsequently filed against Mary, presumably as the administrator of his estate.

## 2.2 THE WILL OF ANN WOODHOUSE

Ann Woodhouse, a widow from Charles City County, wrote a will on June 18, 1728, that was entered into court on July 3, 1728, indicating that she died sometime during that two week interval.<sup>13</sup> In the will, she mentions her grandsons John Phillips and Robert Phillips, who are presumably brothers rather than cousins. It is not clear whether Ann was previously married to a Phillips herself or whether she had a Woodhouse daughter (perhaps deceased) who married a Phillips. Ann Woodhouse's will also lists a daughter, Mary Gunn, and the orphans of James Woodhouse. The context in which "the orphans"<sup>14</sup> of James Woodhouse" is mentioned is also confusing---was this a transcription error on the part of the Clerk of Court or was she asking Robert Phillips to act as guardian for the minor children of the deceased James Woodhouse? If so, how was James Woodhouse related to her---it seems unlikely that Ann would be his widow (with minor children) as she had an adult grandson at this time and confessed to being "weak and impotent with age" in her will.

The inventory of Ann Woodhouse's estate was valued at 32 pounds, 15 schillings and 4 pence and was submitted to the court and recorded on October 2, 1728<sup>15</sup>.

In summary, there is no way to know with certainty the exact connection (or if there even is one), between Ann's grandsons and the John and Robert reported in the 1741-1742 Court Records. However, it seems reasonable to assume some connection and if they are not the brothers themselves (as I suspect they are), perhaps it is a father or son relationship such that one of them is the grandson of Ann Woodhouse. The Robert who died in 1762 is assumed to be the same Robert listed in the 1741-1742 Court Records and is of an age that is not inconsistent with Ann's grandson Robert. When Robert died, he left two daughters younger than 21, one of whom had to be no more than 14 (as she changed to a new guardian in 1769) and three sons older than 21, one of whom had just become a new father himself (or was about to become one), all of which suggests that Robert was probably in his mid-fifties at the time of his death, putting his birth date somewhere around 1707. As administrator of Ann's estate in 1728, Robert must have been at least in his 20's at that time but still young enough to have a living grandmother, which suggests that he may have been in his mid-twenties and was also probably born around 1707 or slightly before. There is a high degree of variability in ages at which one may become a parent or grandparent, so analyses such as this are risky, but at least it appears plausible that these were the same Robert although plausibility does always imply that reality must follow.

### 2.3. ROBERT PHILLIPS: EPILOGUE

In the absence of any compelling evidence to suggest more than one Robert Phillips residing in Charles City County during this period (1728-1762), I have worked on the assumption (for better or worse) that all references to a Robert Phillips in the Charles City County records during this period are probably about the same person, namely the Robert Phillips who died in Charles City County in 1762 and the earliest known member of my line for which I have total confidence.

As was the case for John's estate, Robert also left a widow named Mary, and also an estate that encountered some delays in settlement. Fortunately these court records have survived and they include enough information pertaining to his estate, including the guardianships of his two daughters, as well as a will from one of the daughters (Ann) who died in 1769 at a young age.<sup>16</sup> Her will named her five siblings, so it is known that Robert's children were: Henry, James, William, Ann and Henrietta Maria, probably born in that order. Fortunately, with a couple of notable exceptions, tracking Robert's children and grandchildren has been much less of a challenge than tracking his forbearers.

### FOOTNOTES

<sup>1</sup> From Weisiger (1995, p.42), p. 293 CCC Will & Deed Book: Deed 1 July 1730 John Phillips and Margery his wife of Westover Parrish, Charles City Co., to James Williams of same for 50 pounds, land with houses, part of 700 acres which William Phillips escheated and had patent granted for 2 Dec. 1663; bounded by Moses Creek, Oyster Shell Poynt, Capt. John Edloe and said Williams, 175 acres. Wit: Jno. Minge, Isaac Williams, William Woodard. Signed: John Phillips, Margery Phillips, Recorded 5 Aug. 1730.

<sup>2</sup> The following is taken from a Charles City County Historic Highway Marker on Wilcox Neck Road (VA 623) 1.2 miles south of Eagles Nest Road (VA 621): "These communities [Mt Zion & Rustic] were established on opposite banks of Morris Creek, earlier known as Tanks Pasbye hayes the Indian name, Moyses Creek after Theodore Moyses who patented land there, and as Moses Creek. Before 1720 this area was part of James City County and Wallingford Parish."

<sup>3</sup> From Nugent (2004): p.335: Griffin Dickerson, 300 acres James City Co. [Charles City Co. after 1720---see footnote # 2, above] (p. 26, Patent Book No. 4) 14 Jan. 1656 on SW side of Moyses Cr ..... Bounded .... northerly Wm. Phillips [line]. Transportation of 6 persons, himself twice, Eliz Dickerson....

<sup>4</sup> From Nugent (2004): p.342: John Shell, 300 acres James City Co. [Charles City Co. after 1720---see footnote # 2, above] (p. 80 (117), Patent Book No. 4) 4 March 1656 on N side of James River & SW side of Moses Cr. Bound N on Wm. Phillips land..... Transportation of 6 persons.

<sup>5</sup> From Nugent (2004): p. 148: Rice Hoe, Gentleman, 1,969 acres, October 18, 1643 (p. 914, Patent Book 1, Part II). Bounding E. upon Alice Edloe, N. towards David Joanes [Jones]. 1000 acres by virtue of 2 former patents and for transportation of 20 persons (including one Wm. Phillipps)

p. 176: William Ewen, Merchant, 1,400 acres, James City Co., July 8, 1648 (p. 143, Patent Book 2) for transportation of 28 persons (including one Wm. Phillips)

p. 192: Edward James, 350 acres in Rappa. River lying about 30 miles up on the N. side, 22 May 1650 (p. 219, Patent Book 2) for transportation of 7 persons (including one William Phillips)

p. 232: Augustine Gillet, 250 acres Upper Norfolk Co., March 1653 (p. 10, Patent Book No. 3) for transportation of 5 persons (including one Wm. Phillips)

p. 300: Arthur Nash, 950 acres, New Kent Co., 6 December 1654 (p. 309 Patent Book 3) for transportation of 19 persons (including one William Phillips)

p. 329: William Justice 1,198 acres Charles City Co., near Flower de Hundred Creek, 26 April 1656 (p. 26, Patent Book No. 4) Adjacent land of Cheney Boice. Granted Capt. John Frame, 1 September 1643 and due said Justice [as he] married the daughter and heir of said Frame as also for transportation of 24 persons (including one Wm. Phillips)

<sup>6</sup> From Fleet (1988, p.164), Court Orders 1655-1658 p. 50: Wm. Justice hath proved right by testam't of Capt. Thomas Stegge and Mrs. Mary ffjtagarrett, to 1200 acres of land for the charge of Importation of Mary Sherwood, Francis Nelson, Ann Lawrence, Wm Phillips, Jo Barber, Arthur Lawrence, Ales Mitchell, Joseph Erreene, Sara Lawrence, Mathew Bayle, Wm Prise, Wm. Ballance, Thomas Whittier [Whitter], Edmond Joyner, Jo: Halley, Rebecca fframe, Tho: Hayslwood, Eliz: Heath, Rich: Lee, Wm Lawrence, Peter Plum'er, Wm Coleman, Mary Lawrence twice.

<sup>7</sup> From Fleet (1988, p.279), Court Orders 1661-1664 p. 394: Abstract. John Merywether conf judgt to Wm Phillips assignee of Cornelius Clemance for lb tobo.

From Fleet (1988, p.281), Court Orders 1661-1664 p. 400: Abstract. Power of Atty. 16 June 1663, Wm. x Phillips to "my trusty and well beloved friend Robert Evans" to receive paymt of tobo from John Merywether. Wit by Curtis x Laun [or Land] and Jas. Powell.

<sup>8</sup> From Weisiger (1992, p.173), p. 491 CCC Order Book: 03 April 1694, Court Holden at Westover Upon petition of Charles Holdsworth and Elizabeth, his wife, Executrix of William Phillips, dec'd, it is ordered that at next court he bring inventory of estate late of ??? Hodges, widow dying intestate; and Court assigns said Charles Trustee of the estate to secure it till the end of 9 months from the time of said Hodges death. [Note: At this time the Law recognized a marriage as a single legal entity which was represented by the husband in legal matters. Hence upon marrying Holdsworth he had to help represent her in court regarding the administration of her former late husband's estate.]

<sup>9</sup> From Weisiger (1992, p.191), p. 537 CCC Order Book: 09 November 1694, George Nicholson, assignee of Judith Watkins, Adm'x of James Watkins, against William Phillips, action of debt. Sheriff returns deft. non est inventus [the sheriff could not find the defendant (estate executrix) within the county], and attachment awarded against estate of deft. to value of 430 lbs. tobacco.

From Weisiger (1992, p.194), p. 540 CCC Order Book: 03 December 1694, Attachment awarded against estate of William Phillips at last court to George Nicholson, assignee of Watkins. Defendant [presumably Charles & Elizabeth Holdsworth] appears to answer suit and judgment awarded Nicholson. Assignee of Judith Watkins Adm'x of James Watkins, against defendant for 430 lbs. tobacco.

<sup>10</sup> From Weisiger (1995, p.45), p. 321 CCC Will & Deed Book: Deed 06 October 1730 Deed : John Phillips of Charles City Co., to Capt. John Edloe of same, for 12 pounds, 100 acres on south side of Maysers Creek, bounded by Isaac Williams, Buckford, Hawks Nest Gut. and John Edloe, Sr. Wit: John Edloe, Jr., William Young, William Auston, Rebecca Denam. Signed: John Phillips. Recorded 1st We. in Jan. 1730 Margery, wife of Phillips, relinquished her dower right. [NOTE: at this time (prior to 1752), the first day of the new year was March 25, not January 1;

hence the date the deed was written (October) and the date it was recorded (the following January) both occurred in the year 1730].

<sup>11</sup> From Library of Virginia, Charles City County Microfilm, p. 121, 1737-1751 order book; Reel 14, Order Books 1696, 1737-1751 & orders 1751-1757.

<sup>12</sup> From Library of Virginia, Charles City County Microfilm, Reel 14, Order Books 1696, 1737-1751 & orders 1751-1757. The page numbers cited here correspond to the pages numbers of the 1737-1751 order book.

<sup>13</sup> From Library of Virginia, Charles City County Microfilm, Reel 23, Deeds and Wills 1724/ 1725-1731, p.124: "In the name of God amen. I Ann Woodhouse being very weak and impotent with age but in perfect sense and memory, thanks to God, but considering the frailty of this life have thought fit to make this my last will and testament. Imprimis: [in the first place] I give to my daughter Mary Gunn one shilling sterling to be delivered to her on demand after my death. Item: I give to my grandson John Phillips one feather bed, one rug and one blanket to be delivered to him with a cow and calf after my due debts being paid. Item: I give unto my loving grandson Robert Phillips all and singular the rest of my goods and chattels the orphans of James Woodhouse and all the rest after my due debts being paid and him I constitute my whole and sole executor whom I desire to see that I be decently buried according to his direction [word unclear] and this I acknowledge to be my last Will and Testament as witness my hand the eighteenth day of June in the year of our Lord one thousand seven hundred and twenty eight. Test: Edward (his mark) Jordan, Da<sup>d</sup> Owin

[signed] Ann (her mark) Woodhouse

At a court holden at the Court House for the said County the first Wednesday in July the third day of the month the aforewritten last will and testament of Ann Woodhouse Dec'd, was produced in Court by Robert Phillips her Executor who made oath thereto and being proved by the oaths of David Owin and Edward Jordan, witnesses [word unclear] is admitted to record and on the motion of said Robert Phillips and performing what is usual in such cases, certificate is granted him for obtaining a probate thereof in due form. David Owin and Edward Jordan Securities/ Test Littlebury Epes A cur

<sup>14</sup> Colonial laws of Virginia considered any child under the age 21 whose father died to be an orphan under the law even if the mother was alive (and even if she remarried later thus providing a stepfather). Unless specifically stated otherwise in the will, the widow was typically entitled to one third of the personal property and household belongings ("chattels") and lifetime use only of one third of any real estate, including slaves (her "dower"). The children were typically the principle heirs and if they were minors (also called "infants" even if in their teens), the court would appoint a guardian to manage their estate until they reached the age of 21 (orphans of age 14 or older could choose their own guardian). Guardians were often older siblings or other relatives but never a step-father and only occasionally the mother (because of the likelihood of her remarrying and thus forfeiting a number of her legal rights) and Guardians were required to make financial reports to the court from time to time. Most orphans remained with the mother (or another relative) because the Guardian was normally responsible only for the financial management of the orphan's inherited estate (including paying for schooling), not their day-to-day welfare. Orphans who inherited little or nothing were typically bound to an apprenticeship. At age 14 any child (orphan or not) could bind themselves to an apprenticeship with or without family approval. Younger orphans were usually placed in apprenticeships by the family or occasionally by the Churchwardens. [This footnote draws primarily from information found at: <http://www.genfiles.com/index.html>, Bob's Genealogy File Cabinet]

<sup>15</sup> From Weisiger (1992, p.29), p. 210 CCC Will & Deed Book: Deed : 02 October Court 1728 Inventory of Ann Woodhouse, dec'd, by court order of Sept. 1728, value 32/15/4 [pounds/shillings/pence] by Da'd Owin, Edw'd Jordan, James Ireland (?) Presented by Robert Phillips and recorded 2 Oct. 1728.

<sup>16</sup> Ann was assigned a guardian in 1766 indicating she was under 21 at that time. She may actually have been under 14 as her guardian was evidently assigned by the Court and not chosen by her which became an orphan's prerogative at age 14, but not one they had to exercise. She was at least 12 years old in 1769 as that was the minimum legal age in Virginia at the time that a single female was allowed to make a will regarding distribution of her personal properties and chattels (but not real estate).

## A Genealogist's Prayer

Lord, help me dig into the past  
And sift the sands of time  
That I might find the roots that made  
This family tree of mine.

Lord, help me trace the ancient roads  
On which my fathers trod  
And led them through so many lands  
To find our present sod.

Lord, help me find an ancient book  
Or dusty manuscript  
That's safely hidden now away  
In some forgotten crypt.

Lord, let it bridge the gap that haunts  
My soul when I can't find  
The missing link between some name  
That ends the same as mine.

Author Anonymous