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Journal

History of the “Hebron” Church Congregation

By John Blankenbaker

The oldest continually active Lutheran church in America is the Hebron Lutheran Church outside Madison, Virginia. The church was founded by people who we would say were members of the Second Germanna Colony. A few years ago I was given the opportunity to speak at the Hebron Lutheran Church for a few minutes after the well planned worship service by then Pastor Karen Taylor.

I started my remarks by asking when the congregation was founded, and most people did say it was 1717 which on analysis I believe is truly the case. I then asked where did the congregation first come together, *i.e.*, where was it formed. The answers to this question were varied but I contend that it was London, England. My arguments presented are below.

While the people were waiting for the ship (the *Scott*) to leave London, they had a communion service in one of the local Lutheran churches, St. Mary in the Savoy. They also had children, who had been born in London, and baptized there. But the most telling point was that they held discussions with the Lutheran ministers in London about having a pastor sent to them after they were in America and ready for one. This evidence demonstrates that they were acting together and expected

to be together as a church body in America. Therefore, it is appropriate to say that the congregation that built the Hebron Lutheran Church in the Robinson River Valley of Virginia had formed a congregation in London.

In America, which turned out for them to be Virginia and not Pennsylvania as they had expected, they had to work for seven years as servants of Alexander Spotswood and his partners.

During this indenture time, they lived in the Great Fork on the north side of the Rapidan River just up the river from Germanna. For a brief period of time, they could worship with the First Colony people at Fort Germanna in a German Reformed service; but this would not have lasted long since the First Colony soon moved to Germantown.

Left without any pastor, the Lutherans could only hold lay services consisting of reading (Michael Cook was a reader), singing, and prayers. Though some modern denominations might

Also See:

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- **The Richard Beresford Letter of July 4, 1716, by John Blankenbaker, p. 8**
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consider this to be a full service, to the Lutherans it was unacceptably incomplete. They believed that only an ordained minister could intercede for them to have their sins forgiven and to hold communion.

With the majority of the Lutherans moving to the Robinson River Valley in 1725, they built a log chapel where they could hold their limited services. They also set aside the first Friday of every month as a day of repentance and holy observances. By 1732, they had been without the services of a Lutheran minister for 15 years. When Johann Caspar Stoever, Sr., passed through the community, they took note of his university education. He agreed, if he could be ordained, to be their minister.

In a trip to Pennsylvania, they found one Lutheran minister who, perhaps outside the bounds of a normal ordination, did hold an ordination service for Johann Caspar Stoever and his son of the same name.

In Virginia, the congregation raised the money to buy a farm and build a house for Stoever. However, Stoever could not be expected to be a farmer and his salary was not sufficient to support him. The congregation decided to send Stoever, Michael Smith and Michael Holt to Europe to raise money for the congregation. In this regard they were very successful. They also hired an assistant minister which was another fortunate act as Rev. Stoever died on the way home to Virginia. The assistant minister, George Samuel Klug, became the minister at the Hebron Church and served in that capacity for 25 years.

[In the worship service on July 19, 2009, prior to my remarks, a communion service was held. The chalice used was a gift of a merchant of Lübeck who donated it in 1737 during the above mentioned fund-raising trip. The chalice is respected by the modern congregation for its representation of the history of the Hebron Church.]

At the time that Klug began his pastorate circa 1739, the congregation was 22 years old. Except for a very brief period after Stoever's ordination, the congregation had been held together and led by laymen. In doing so, they had established what is now the oldest continuous German Lutheran congregation in America. In a few years, it will be three hundred years old.

After Klug died in 1764, there was a succession of ministers, many of whom were initially candidate pastors. Among these pastors were Johannes Schwarbach (about ten years), Henry Möller (less than a year), Jacob Franck (three years), and John Michael Schmidt (a local son who served only as a preacher for three years and who was not ordained). There were also a number of "supply ministers." (When there is no regular pastor, ministers come in from other churches. These visiting ministers are called supply pastors.)

In the case of Hebron, most of the supply pastors came from the Shenandoah Valley. From the Valley to Hebron was a significant journey in those days, so supply pastors did not come too often. These visiting ministers to Hebron have not been well identified, though evidence suggests Christian Streit and Paul Henkel were two such supply pastors. Finally, in 1789, a local son, William Carpenter, became a candidate minister and was formally ordained in 1792. His pastorate was tempestuous because he could not preach well in English. In 1813, Rev. Carpenter left for a church in Kentucky. After Rev. Carpenter left, the succeeding ministers were preaching in English.

After the departure of Rev. Carpenter, it was not appropriate to refer to the Robinson River Valley church as the German Lutheran Church. Thus, the church became known as the Lutheran Church. By 1850, the name Hebron was added to give us the Hebron Lutheran Church name we know today.

As can be seen by the succession of pastors and the lack of pastors, it was not always easy to obtain a minister at the church. During these times, as in the beginning, it was the lay persons who kept the church alive.

More information about Hebron is available in *History of the Hebron Lutheran Church* by Rev. William P. Huddle with an *Epilogue* by Margaret Grim Davis. See also *Germanna Record 18, The Second Germanna Colony and Other Pioneers* by John Blankenbaker.



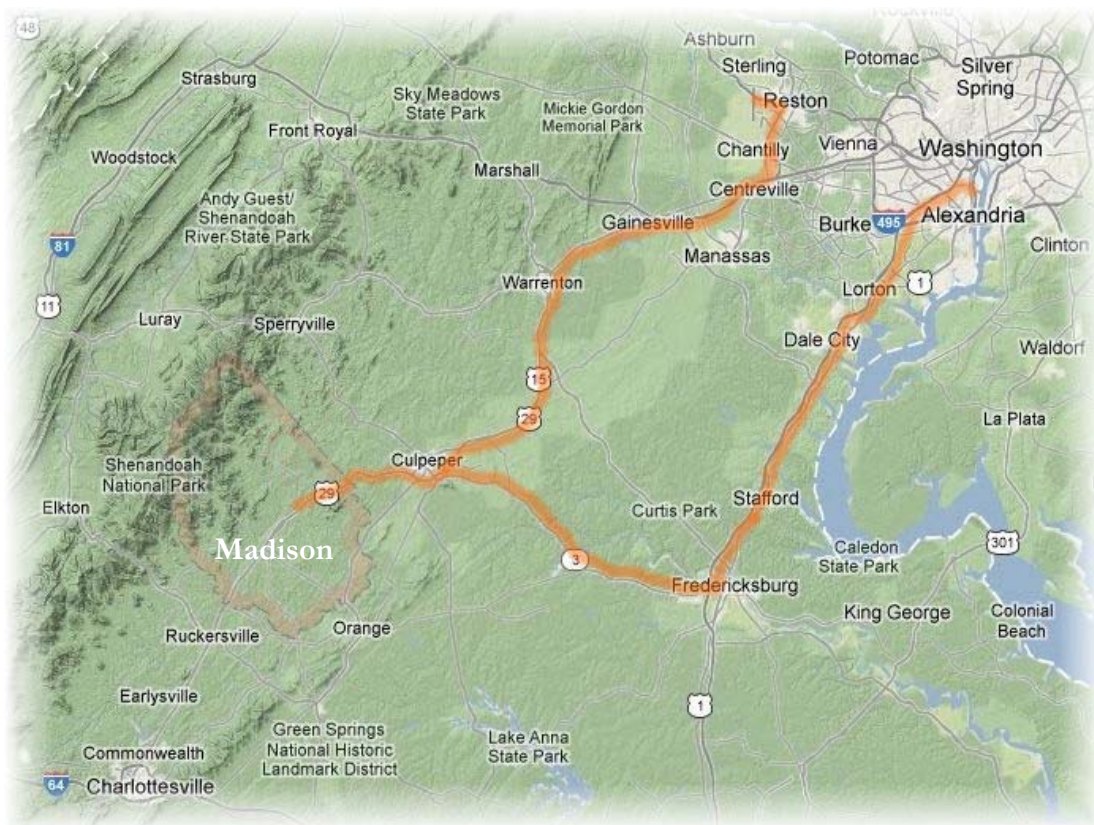
GETTING TO THE HEBRON LUTHERAN CHURCH IN THE ROBINSON RIVER VALLEY

The Robinson River Valley in Madison County, Virginia, is one of the most lovely places this writer has ever seen, and she has seen a few. The Grand Canyon, the Bay of Naples, Paris at night, Venice across the Lagoon, Lake Zug from the Swiss Alps; all glorious, but the Robinson River Valley—rimmed by the Blue Ridge with the Hebron Lutheran Church as its heart—is second to none of these more famous beauty spots.

Tourists and most inhabitants of the metropolitan Washington, D.C., region do not know about the valley, which is about 30 minutes north of Charlottesville, Virginia, and an hour from Washington, D.C. It is never mentioned in travel articles or weekend “escapes” published by the D.C. newspapers, or AAA guidebooks. Even the Harvest Apple Festival hosted by the Graves Mountain Lodge—although well-attended—is never mentioned in the metropolitan media.

We know of the Robinson River Valley because our Second Colony ancestors settled there in 1726. Some of their descendants live there now. When you visit Madison County, it is more likely than not that you will meet shop owners or waitresses and the like who bear the names and lineages of your own ancestors. With great good humor, they will admit to being related to most everyone in the vicinity; and perhaps even to you.

There are no chain hotels in Madison County, although the Graves Mountain Lodge, in the mountains near Herbert Hoover’s fishing camp, would give you a perfect base and great country food. You do not need a guide to tour the area but you do need a vehicle, so we have developed a driving tour of points of interest to the descendants of the Germanna Second Colony and also possibly to some descendants of the First Colony who also settled in the area.



Map shows how to drive to Madison, the county seat of Madison County, Virginia, from Washington, D.C., area airports. One route comes from Dulles International Airport to Rte. 66 to Rte. 29; the other from Reagan National Airport down I-95 to Rte. 3 in Fredericksburg, then turning onto Rte. 29 when approaching Culpeper. Coming from the south, Madison is just 30 minutes north of Charlottesville on Rte. 29.

Touring the Robinson River Valley

1. To see the land settled by Second Colony Germans, a driving tour would start just to the northwest of the tiny town of Madison where Rte. 231 forks to the right of Rte. 29. If you continue straight on 231, you will drive into Madison, which primarily aligns the one main street. If, instead, you take an acute right turn onto Rte. 231 as shown in orange on the map, you will enter the Robinson River Valley while crossing White Run. Rte. 231 is also known as the Blue Ridge Turnpike and was built in the 1840s on land owned by our ancestors.
2. You will enter land once owned by the immigrant Andrew Kerker and passed into the Carpenter family by the marriage of their daughter, an only child, to John Carpenter. To circle the Valley, turn right on Rte. 638, called "Hebron Church Road." Soon you will see the church on your left, a short jog up Rte. 653. Stop at the church (see more about the church on p. 6-7), or continue on Rte. 638 to Rte. 603. (Rte. 638 winds about until it meets State Rte. 29, but you will want to turn left on 603 where the land of the immigrants George Utz and Michael Wilheit touched.)
3. Once you have turned left on 603, you will be travelling north by northwest along the boundary of the lands patented by George Utz, the Blankenbaker brothers, John and Michael Thomas or Thoma, Cyriacus Fleishman, and Henry Snider, until you come to the crossroads community of Haywood.
4. At Haywood, bear left on Rte. 609 to the Robinson River at Blanco, turning right for a most delightful drive along the river where you join Rte. 231, the Blue Ridge Turnpike, passing Tanner and Crigler land. Although Rte. 231 eventually veers off to the right to go to Sperryville, continue straight on Rte. 670, the "Old" Blue Ridge Turnpike, to Criglersville, with Clore and Broyles land beyond.
5. At Criglersville, you can continue on Rte. 609 to the Graves Mountain Lodge, or, if the weather is fine, the river is low, and you are confident in your vehicle, it is possible to ford the river at Criglersville and take back roads (Rte. 651, shown in green) that cross and then run on the backside of Garr and Yager Mountains. This should NOT be done at night or in bad weather, but otherwise it is a gorgeous drive. (The road can also be accessed from the Blue Ridge Turnpike near the river as shown on the map). It is possible to take this mountain road all the way back to Madison, going over Aylor, Smith, Motz, Harnsberger, and Moyer land patents, on Gaar Mountain Road, Yager Mountain Road, and Ruth Road. ((5a.) Turning onto a spur from Rte. 651 called Beamers Mountain Road, or Rte. 650, you will eventually come to the small Revolutionary War Gaar cemetery by the side of the road.)
6. Alternatively, if you don't wish to ford the river, return on Rte. 231 to Banco where the road crosses the Robinson River (on a bridge) and continue south back to Madison. The alternative turnoff to the Mountain Roads is just past the bridge. If you don't turn, you will cross Cook, Crigler and Carpenter land, and pass the "front" of Gaar and Yager Mountains.
7. To see yet more Second Colony land patent sites, continue south down Rte. 231, Madison's Main Street. You will leave town and join Rte. 29 briefly, on former Rouse land, until you reach a crossroads at Rte. 230, or Wolftown Road.
8. Turn right (west) on 230 and (9.) turn right again on Rte. 647. You will be on Holt land but shortly on John Broyles' land patent, then Wayland, Kaifer, and Moyers' land patents. The road winds back into the town of Madison.

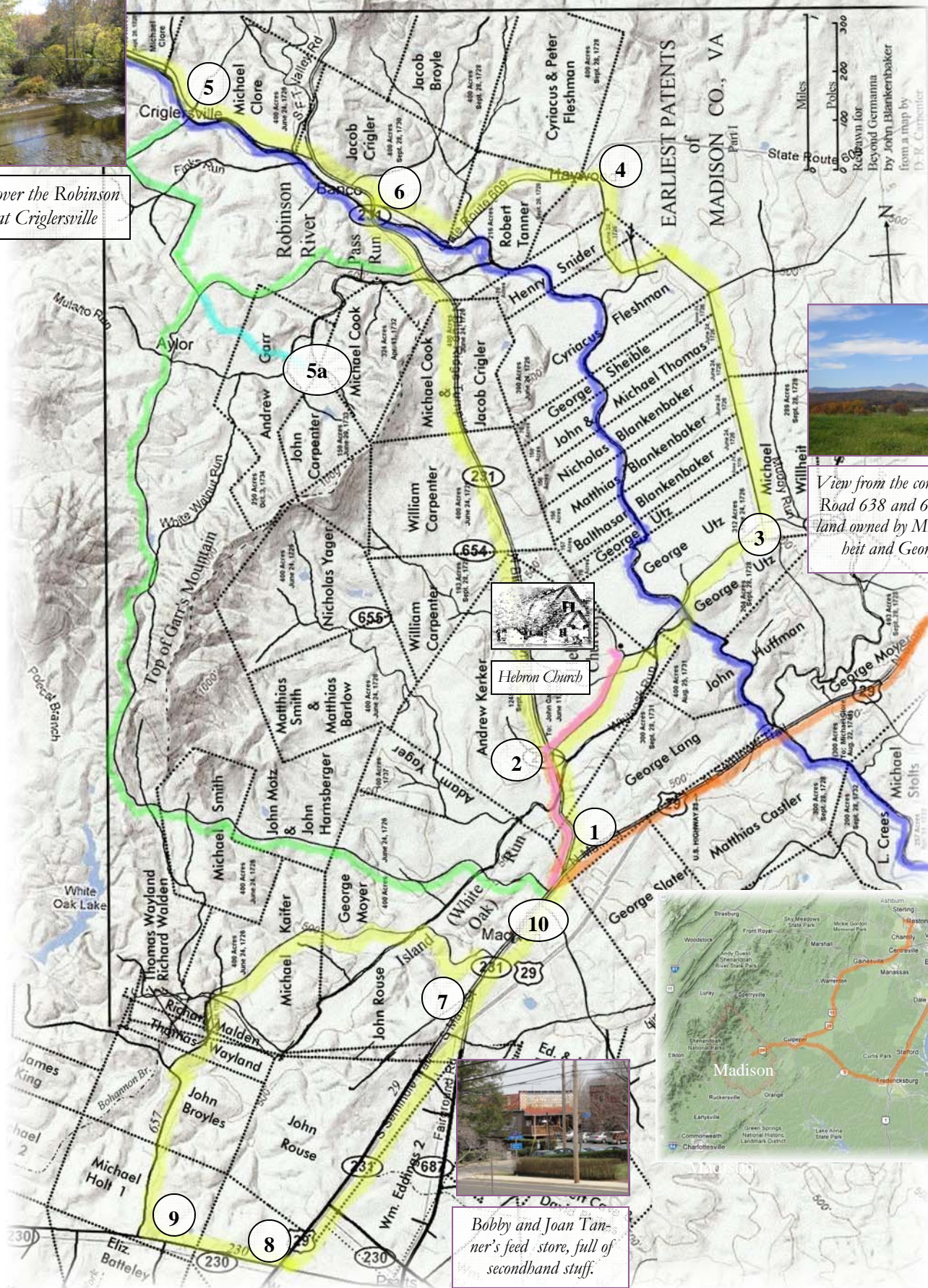
10. In Madison itself, you can visit the Kemper Mansion, which is maintained by the Madison County Historical Society. James Lawson Kemper was a major-general in the Confederate army and Governor of Virginia between 1874-1878, and his family was intertwined by marriage with Germanna Second Colonists. Rooms are furnished with historically appropriate antiques and there is a restored slave cabin on the grounds later used as a law office. Also, the Historical Society operates a small museum on Madison's Main Street in the Arcade, thought to be the oldest building in Madison dating back—perhaps—to 1820. It is staffed on Tuesday, Thursday and Friday. Visitors should call ahead on 540-948-5488 both to tour the Kemper Mansion and to visit the museum.



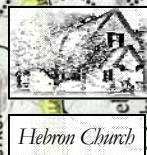
Kemper Mansion



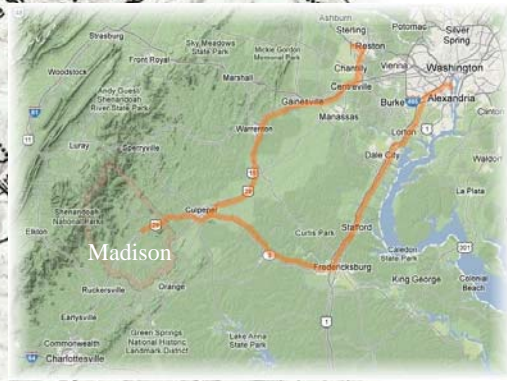
The ford over the Robinson River at Criglersville



View from the corner of State Road 638 and 603 between land owned by Michael Willheit and George Utz.



Hebron Church



MADISON



Bobby and Joan Tanner's feed store, full of secondhand stuff.

The Hebron Lutheran Church was built in 1740 and the date was carved onto one of the beams of the church. Originally, the church was a rectangular building built with a main tie beam of a “hewn shipright” style supporting one edge of the roof to the other, then a second beam called a “roof tie” supported by two “transverse braces,” or trusses, found in German medieval and early modern buildings. The framing was hand-hewn, and hand-made pegs and nails were used. Under the modern clapboard covering, Roman numerals identified the joints.

There is a balcony on each end of the early part of the building, used for slaves.

About 1790, the south-facing nave was erected. This is seen in the view seen below. It also has a balcony which holds the Tannenburg organ, purchased in 1802 and brought to Hebron by wagon from Pennsylvania. The organ has inverse black and white keys. According to the *American*



Historic Buildings Survey, the framing of the addition was machine cut. The balconies can be accessed and there is a fascinating series of carvings behind the organ, where it is believed small schoolboys were sent to be punished.

The organ is still played, and the best time to visit the church is on Sunday.

Originally there were box pews in the church, but they were replaced by bench pews in 1954. The fronts of the box pews, however, were used as wainscoting. After the Civil War, an Italian immigrant and Union Army veteran, Joseph Oddenino, settled in the vicinity and painted murals on the plaster ceiling which was not original to the church and had been added at some time in the early 19th century.

There are no regularly-scheduled tours of the church, although it is certainly open for Sunday services. If possible, however, the church will try to accommodate private tours. Persons should call Debbie on Wednesday and Thursday at (540)948-4381 as far ahead of time as possible to arrange a visit.



The Tannenberg Organ, above. Right, one panel of the Oddenino ceiling. (Photos by Michael Oddenino)



The interior showing the 1790 addition with the organ balcony. Just to the right, the balcony for slaves.

The Richard Beresford Letter of July 4, 1716

By John Blankenbaker

Richard Beresford was an agent of the Colony of South Carolina. The Carolinas and Virginia were in contention on the subject of Indian trading. Virginia proposed to establish a private enterprise monopoly for this and the geographical range was expected to include areas which the Carolinas considered as being under their jurisdiction. Beresford had been to Virginia and he sent a report in his letter of July 4, 1716. A copy of the letter is in the Virginia Colonial Records films. The original Public Record Office copy is identified as C.O. 5/1265. Contributors to my knowledge on this subject include Andreas Mielke, Sandra Yelton, Jim and Louise Hodge. Excerpts from the letter follow.

I have just returned from Virginia where I was informed that the Fort built at Christ Anna by Govr. Spotswood was finished it lyes on Meherrin River and a Small Daies march from Moratoke & about 50 or 60 miles from some part of the James River & Appomattocks River. The fort consists of five large Pentagonal log houses which serve for Bastions, and a curtain of mauld wood with Earth on the Inside from one House to another after the form Enclosed [not available].

There is a Schoolmaster maintain'd there for the Instructing the Indians in the Christian Religion he has a salary of 40.£ Sterl p[er] ann[um].

The Gov.r is now building a Handsome house near Christ Anna where he Intends to live when he Shall be out of the Government It will Cost him about 5 or 600 £ and Divers other people Encouraged by the Govern.rs Example are Settling Plantations that way. I saw abundance of Iron, Steel, & other Utensils carrying thither, there is a Couple of fforges Sett up, and it is Expected it will be a place of Note.

There is in three of the Frontier counties of Virginia a company of Twelve Rangers who make it their business upon the Govern.'s order to Range and make Discoveries. One of these companies has made a Discovery of a passage through ye mountains between Rappahannock & Potowmake Rivers very easy for horses. The pass being of easy ascent & falls very easy to the westward. they Report that they went about 40 Miles to the westward of the Mountains from whence divers runs & brookes of water made into Small Rivers they saw Some new cabins and much Sign of Indians being near; they Did not perfect their Discovery being so few in Number.

Upon this Discovery, It is said that the Govern.r will order the three companies of Rangers consisting of 36. Men and Some Small Number more with a few Goods to perfect ye Discovery very Shortly they expect in Virginia 'tis not far thence to the Charokees & Some other Great Nations of Indians for they say that the Sinnagars make war that way on Great Nations of Indians.

It is probable that those runs & brookes make into the head of the Potowmake which is is said runs much further through the mountains than any other River . . .

These things cause many Speculations in Virginia & some here for that Govern.t is certainly a very Politick and Ingenious Gent and looks as far as any body Some imagine this only an amusement That under the Notions of discovering this pass they make a more profitable Discovery of a mine: For near there-

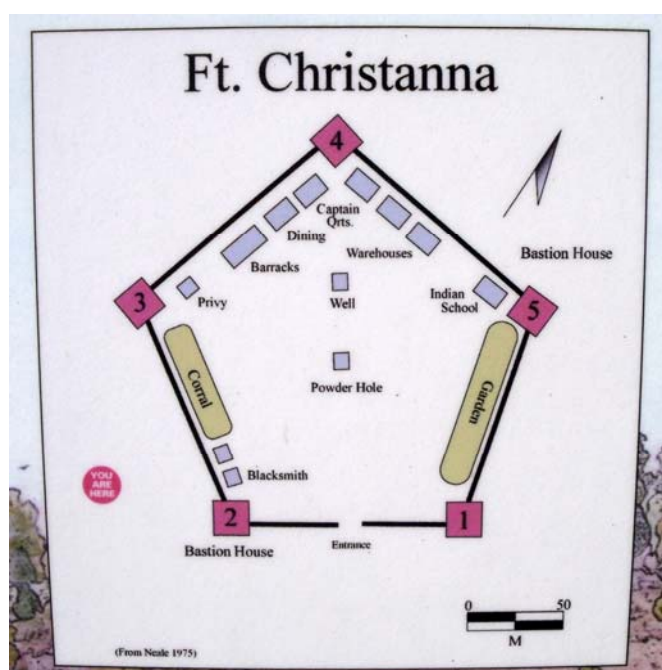
abouts a parcel of palatines are Settled in a Town Call'd Germanna some of which are miners & Given Some hopes of Mines that way, and Coll. [Frantz Ludwig] Mitchell [Michel] Your Engineer has Given in some propositions to the Treasury in England relating to Mines which have been communicated to the Govern.r of Virginia.

Others think that the profit upon Skins [now referring to the Indian trading proposal to be based at Christanna] is the utmost view for Indian Stock is now risen to 112 & 120. and 'tis said they have a large Stock, but Certainly these don't conjecture Right because the Govern.r who was the chief promoter of it must certainly have further prospects. which makes others believe that this will be the most readiest ways means of continuing him Govern.r. . .

There are several interesting items which shed light on Virginia and Germanna in particular. First, Alexander Spotswood is heavily involved in Indian trading. His prospects are so good that he plans on building his own home at Christ Anna and not at Germanna. Second, the pass over the mountains was between the Rappahannock and Potomac Rivers and not south of the Rappahannock River as the signs along Virginia Highway 33 tell us. Third, the citizens of Virginia recognized that the trip over the mountains was largely motivated by private purposes. It was believed that mines were the major motivation and, since it appears Spotswood had seen a map in the possession of Christoph von Graffenried which showed "mines" at the southern end of the Massanutten Mountains, it is believable. However, the major benefit of the expedition for Spotswood was the acquisition of a large tract of land between Germanna and the mountains. It was this tract of land which caused Spotswood to shift his attention back to Germanna from Christanna.

[A longer article on this subject is to be found in *Beyond Germanna*, vol. 15, n.16, p. 912. Richard Beresford's ideas of spelling and punctuation are poor, even by the conventions of his time. I have attempted to follow him and the reader may have to use his imagination at some places in the letter.]

John Blankenbaker has been researching Germanna history for decades and for many years published a newsletter, Beyond Germanna, with research articles on a range of topics. Although it has ceased publication, the newsletter in its entirety can be purchased on CD from John's website at www.germanna.com, as well as John's books on Hebron baptismal and communion records. John has taught a generation of researchers about the importance of looking at original records.



The diagram above is part of the display at the Visitor Center at Fort Cristanna in southern Virginia. The site is about halfway between Richmond and Raleigh, NC, and can be visited by taking Rte. 58 west from I-95 or east from I-85. At Lawrenceville, take Rte. 46 south to Fort Hill Rd., then turn left to the Visitor Center.

Interviewing Family Members: A How To Guide

By Suzanne Collins Matson

(Aunt Millie is not a real person, but a composite of those relatives I've interviewed over the years. The stories are true and verified; however, the names have been changed to protect the innocent.)

Family members can be a great source of genealogy information, particularly older family members. Of course, older family members are like burning libraries and it is important to get the information from them before they go to visit your other ancestors. To glean important information from these sources, first identify the individuals you want to talk with and then determine what you will ask them. This article is designed to help you with the latter. Here's how I recommend you go about it.



Julia Christine King Holtzclaw (1900-1998). This photo was taken Easter 1996 when she was 95. Christine was born Dec. 25, 1900, and always disliked that she was born on Christmas Day. She was the wife of William Boyce Holtzclaw, a descendant of the 1714 Colony, and the source of some of the author's family history. © 1996, Louise King Bagnell. Used by permission.

Having determined to interview my dear elderly Aunt Millie to gain additional information about our family, I called her to set up a time to visit. How did she feel about being interviewed? Would she be willing to talk with me? What format would be best to use for the interview? How long should the interview last? Had I determined what areas I wanted to cover when asking questions?

Aunt Millie agreed to be interviewed but with some reservations. She didn't understand why anyone would be interested in her life story or the history of her family as she remembered it. Now that I had convinced Aunt Millie to talk with me, I needed to determine the best method of recording the interview. Of course, I would use my video recorder and record Aunt Millie's words and facial expressions for posterity! Whoa! Not so fast! Aunt Millie stated emphatically that she was not going to be filmed and no one was going to record her words for posterity or anything else. Now what?

Since I really wanted to interview Aunt Millie, I put away the video recorder and microphone and retrieved my paper and pencil. It's a good thing I remembered to bring them. Aunt Millie decided her sitting room would be the perfect place to visit. It didn't matter where as long as she was relaxed. It could have been at the kitchen table or on the porch, any place she was comfortable and relaxed. Simply put, a relaxed and comfortable interviewee shares and talks more—a lot more.

Before beginning the interview, I recorded the place, time, and date of our interview in my notes, as well as including her name as the interviewee and my name as the interviewer. It is important to list all details about the interview on notes, any storage medium such as DVD or CD, and on the typed transcription of the interview. A transcription

should be made whether the interview is on video or from handwritten notes.

A number of techniques could be used to interview Aunt Millie, but which one technique or combination of techniques would elicit the most information? One technique is the no nonsense

“just the facts, Ma’am” style of the detective on the television show Dragnet. [What? You don’t remember Dragnet?] This particular technique may not be the best choice, since it often resembles an interrogation—birth date, place of birth, marriage, death of spouse, where buried, names of siblings, names of parents, etc. This technique is well suited to a written questionnaire; however, lengthy questionnaires can be intimidating and overwhelming to some. It may be useful to divide a lengthy questionnaire into shorter segments.

Structured storytelling is perhaps the most effective way to hear more of the history of the family, and it is my favorite technique. As Aunt Millie talked, a few questions were asked to clarify and to keep the focus on the story, but I didn’t interrupt Aunt Millie in the middle of one of her stories. Waiting for a pause in the conversation, I gently redirected Aunt Millie to the question asked. In the past, she had often shared stories about her childhood, going to school, her chores on the farm, her parents, and her three older brothers. Guiding her memories by asking questions related to the stories she had shared seemed to be an effective technique and one with which Aunt Millie was comfortable.

For example, Aunt Millie attended the nearby small country school which only had grades one through eight. Asking what happened after she finished grade 8, I learned that she had gone on to high school in the neighboring town and boarded with a family there during the week. She shared a room with another girl, Annie, who was attending the same high school there. During their years attending school and rooming together, she and Annie became very close friends. A few years later, Annie married one of Aunt Millie’s brothers. Much information was gleaned from this story—the years Aunt Millie attended high school and where, the name of her future sister-in-law, the marriage date of her brother and Annie. How did Annie meet Millie’s brother, Billy? Every Friday afternoon, Billy drove the wagon from the farm to town to bring his younger sister home for the weekend and drove the wagon back to town every Sunday afternoon taking his sister to the home where she boarded. In addition to the facts gathered, I gained some insight into Aunt Millie’s life as a teenage girl in the early years of the twentieth century.

Sometimes structured storytelling yields unexpected and surprising information. While we were talking, Aunt Millie leaned over and whispered, “You know, we all think Aunt Bessie murdered Granny, but we don’t talk about it.” I was shocked! Dear sweet Aunt Bessie? Skepticism is useful many times when listening to family stories; but in this case, and after further research, I found there were elements of truth in the story. Aunt Bessie had pulled Granny from the bed causing Granny to fall onto the floor and break her hip. Granny died two months later in the hospital from pneumonia after an attempt was made to repair her hip surgically. Aunt Bessie had indeed been charged with murder, but was later acquitted. Despite the decision of not guilty by a jury, the family continued to hold Aunt Bessie responsible for Granny’s death. While this particular story did not yield much genealogical information, it provided valuable insights into some of the family dynamics.

Using family artifacts such as old letters, a family Bible, photos, newspaper clippings, etc., to help Aunt Millie remember and focus on specific past events proved particularly successful. While sharing some old photos with Aunt Millie, I discovered that she could identify most of the individuals pictured, how they were related, and where the photos were taken. As we looked through the photos, Aunt Millie pointed out a young man and told me the story of how he came to live with her grandparents. He was about ten years old when he was abandoned by his parents and just arrived one day at her grandparents’ farm, asking for a place to stay and food. He was willing to work on the farm for a place to sleep and food to eat. He remained with her grandparents until he reached adulthood when he moved away to get a job, although he remained in close contact with the family. Further research revealed that this boy was a nephew of her grandmother whose brother had abandoned him. Aunt Millie did not know he was a relative nor that he had changed his name [at least informally since no legal record has yet been located]; she simply thought he was someone who ar-

Supplies needed for a successful interview:

- ◆ **Written question outline**
- ◆ **Video recorder and microphone**
- ◆ **Extra batteries for all equipment**
- ◆ **Paper and pencil, including archival ink pens to write identifying information on the backs of photos**
- ◆ **Patience**

rived one day needing help. The story told within the family related that her grandmother's brother had no children.

Flexibility is essential when interviewing anyone because each individual will respond differently to the questions asked. The answers given to your questions may lead to new questions. Listen to

those answers carefully and base further questions on the answers received. It is preferable to interview family members individually because no two people will remember a particular event the same way.

Important things to remember:

1. The story is their story—not yours.
2. Permit them to tell the story the way they remember it.
3. Interview family members separately—people remember the same event differently. If you want to see sibling rivalry at its best, try asking the same question at the same time of all of your aunts—and watch the fur fly. Siblings are siblings even if they are in their seventies and eighties.
4. Keep the pace and atmosphere low key and relaxed; this is not a police interrogation.
5. Observe for signs of fatigue and end the interview before they become exhausted or irritable and tell you never to come back.
6. Respect their right not to share certain events and thoughts. After all, we all have things in our lives that we prefer to keep to ourselves.
7. Respect their privacy.
8. Understand you will never find all the answers to all the questions. Usually one answer elicits additional questions.
9. No one “owes” you any information so express your appreciation for what is shared.

Interviewing Aunt Mary Jo

I became interested in genealogy when my father died. My mother had dementia and couldn't help. But my paternal aunt had all her wits until the end and I spent four years visiting with her as often as I could before her death.

“Virginia, don't you know anything about your family?”

This is what she said when I hauled out my laptop with my new genealogy software. Well, I didn't know anything because my father, although he had produced a written family tree, had said next to nothing about the people!

Aunt Mary Jo gamely tried to help me fill in the charts, but it was the photo albums that really got her off and running. Many of the facts could have been found using records, but she could remember stories she had been told about people who had died before she was born!

So, lucky me, not only was my aunt's memory amazing (She had read all the Dick Francis' novels and could describe the clothing of the females in the books once you told her the title)she was also was a talker!

One thing I realized later, when I started checking some of Aunt Mary Jo's stories, was that generations get mixed up. I am convinced that stories she told about ancestors in the Civil War and frontier Kentucky were basically true; but not about the people she named.

Think about it—your father tells you a story about grandma seeing Indians killing buffalo in Kentucky, a story his mother told him, and then you pass it on. But after generations of storytelling, whose grandma?

Also, I believe I learned why my father didn't talk. There was some history that my aunt saw with rose-colored glasses, different from the sadder conclusions I myself drew. I decided never to tell her what I really thought.

— Virginia Rhodes Nuta



Mary Joan Rhodes, sixth great-granddaughter of the immigrant Nicholas Yager, descended from six families who came on the ship Scott, in 1717-18 as well as several other later-arriving Germanna families.

prospective members. She attends several genealogical conferences every year to stay current with the latest information presented. She is a founding member of the Germanna Research Group and a frequent contributor of articles on history and genealogy. Suzanne is a member of the [Association of Professional Genealogists](#).

Suzanne Collins Matson is a Germanna descendant and a noted Germanna researcher. Specializing in genealogical and historical research with a particular expertise on the upstate area of South Carolina, she works with clients who are researching their roots there or other areas of colonial America. She continues to serve as a Genealogy Consultant for the National Society Daughters of the American Revolution and as such helps with solutions to some of the thornier problems relating to “proving the line” for

Part One of a Series on Law and Land in Colonial Virginia

PEOPLE MOVE. LAND DOES NOT!

By Craig M. Kilby

Many genealogy questions can only be answered by repairing to land records. Some, including myself, would say that no sound genealogical conclusions can be made *without* using land records. While not all of our ancestors owned land, they certainly had to be living somewhere and land records offer many clues about our ancestors' lives. This is the first in a series of articles that will discuss land, headrights, and laws affecting land ownership and inheritance during the Colonial period in America. These articles will equip you with the skills to navigate the land records and better understand what you find in them.

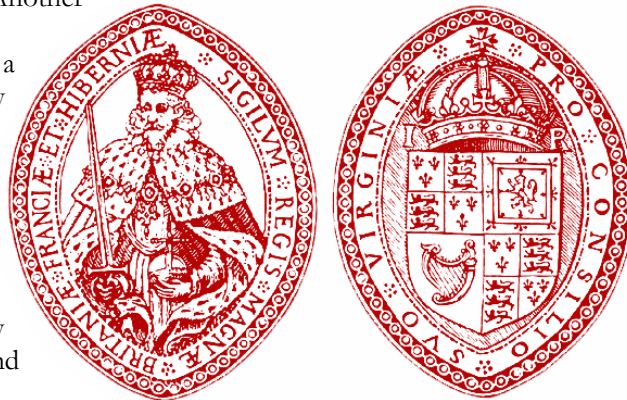
The Virginia Company of London, 1606-1624

The first charter of the Virginia Company was issued in 1606 by King James I of England. The Virginia Company was a group of investors who formed an early corporation to promote foreign trade with the goal of making a profit. This was a purely commercial enterprise conducted by a private company, whose chief ambition was to search for gold and other treasure.¹ Of course, bringing glory to King and Country was part of the plan as well. Another objective was to find the mythical Northwest Passage to the Orient which they believed to be there. Another was to find a supply of commodities so that England would no longer rely on imports of timber and naval stores from the Baltics, spices, dyes and saltpeter from the Orient, wine, silk, sugar and dried fruits from Southern Europe, and fish from the Dutch.

These ambitions inspired the charter for the Virginia Company, and led to the settlement at Jamestown, Virginia in 1607. Ultimately, only one commodity proved to have any commercial value — tobacco. And tobacco is what made land so important for the early Virginians.

In 1609, a second charter was issued to the Virginia Company which gave the Adventurers (investors) much more control over the settlement and running of affairs in Virginia.² King James I revoked the Virginia Company's charter in 1624 due to mismanagement within the Company and Royal displeasure with the lack of financial results. At that time, Virginia became a Crown Colony under royal administration.

One of the provisions of the second charter was that no lands would be assigned to either Planters (the actual immigrants who settled in Virginia) or Adventurers (usually the investors who stayed in England but at times the wealthier investors who actually immigrated to Virginia) until a period of seven years had lapsed. The seven year period was designed to insure that the land would be developed and thus generate more tax revenue for the crown as opposed to simply creating ab-



Seal of the Virginia Company

¹ Susan Myra Kingsbury, *The Records of the Virginia Company of London*, Vol. 1, (Washington: Government Printing Office, 1906), 12.

² Its full name was "Treasurer and Company for Virginia." To see the full text of this second charter, see William Waller Hening's *Statutes at Large, Vol. 1* (1823; Reprint, Charlottesville: The Jamestown Foundation of the Commonwealth of Virginia, 1969), 80-110.

sentee land owners. Under “The Great Order of Privileges Orders and Laws,” issued November 18, 1618, by the Executive Council in Virginia, such dividends of land (essentially, deeds to plots of land) were allotted to both the Adventurers and the Planters. The effective date for receiving such a dividend was “before the coming away of Sir Thomas Dale”—i.e., 1616 the date that Thomas Dale left—after the seven years had expired as set forth in the second charter of the Virginia Company.

Each share in the company was valued at £12, 10 shillings, and payable with fifty acres per share. Those who had gone on their own “personal adventure” and had remained three years were entitled to two shares, or 100 acres of land.³ (These land owners were called Antient Planters.⁴ Those who came afterwards were entitled to fifty acres *and also for each person for whose transportation into the colony they had paid—headrights.* Ahh, we meet the word headrights.

Headrights

There is probably no more misunderstood term than “headrights,” what it meant and how the system worked. Common misconceptions abound, such as (1) the person who used the *headright* to obtain a land patent is the person who paid for the person’s passage; (2) the *headright* was an indentured servant of the person claiming the headright; (3) that the land obtained through the *headright* is where the *headright* first lived and (4) that the date of the patent is when the *headright* emigrated. Confused yet? Not to worry, this article will explain the true meaning of the headright system and how it worked.

How Headrights Functioned in Colonial America

1. First, it is important to understand that headrights were commodities in and of themselves. They were frequently sold or assigned to other people—often many times over. The first step in this process was for the person who paid the passage of someone, to obtain a certificate of importation. This was usually done at a county court but could also be issued by the Executive Council in Jamestown (later in Williamsburg). This certificate was the equivalent of a land warrant—the right to *obtain* land *somewhere* in Virginia.

2. The next step in the process was to present the certificate to the Secretary’s office in Jamestown (or, later, Williamsburg), who issued a warrant to have the land surveyed. These warrants could also be sold and assigned. That is to say, headrights and warrants were valuable assets to be kept and used, sold, or traded.

3. Once the survey was completed, it was returned to the Land Office and the final patent issued. Usually, but not always, the names of the headrights being used were recited in the patent. The patent is the equivalent of what today we would call a deed to the land.

Next Steps in the Process of the Headright System

The historical case of David Rosser provides an excellent example of the interesting possible travels of a headright. This case study demonstrates how the person who originally paid the passage is not

necessarily the person who ends up using the headrights, and the location of the patented (deeded) land may be somewhere else entirely than the location where the headright was initially issued. It also reveals how years could expire between the time of an individual’s immigration and the time a person actually received a land patent (deed) based on the headright at issue. There are some extreme cases of a lapse of up to forty years between the issuance of a headright and an individual obtaining land for a headright. The original headright recipient may be long dead by the time land is received as a consequence of a particular headright.

A good case in point is that of David Rosser—an ancestor of Elizabeth Hudson who became

.....headrights were commodities in and of themselves.

³ Nell Marion Nugent, *Cavaliers and Pioneers, Abstracts of Virginia Land Patents and Grants*, Vol. 1 (1934; Reprint, Richmond: The Virginia State Library, 1992), xxi-xxii.

⁴ Ibid, xxvi-xxxiv. A list of the known planters is included, and can also be found on line at [The Order of the Ancient Planters of Virginia](#).

formation you might encounter in doing genealogy work.

Third, and perhaps most significantly, was the matter of fraud and corruption. Though the “Great Order” specified that the person imported “intended” to live in the colony for at least three years, this may as well have been written in invisible ink.

In 1697, The Board of Trade in London requested a report from three men on the current state of affairs in Virginia. These three men were Henry Hartwell, Rev. James Blair and Edward Chilton. The Rev. James Blair was the most important of those making the report because Rev. Blair was appointed “President for life” by the crown to be in charge of the College of William and Mary.

Rev. Blair was often at odds with the various Lieutenant Governors of Virginia, including Alexander Spotswood. More on Rev. Blair will be discussed in future articles in the GRG Journal. Hartwell, Chilton and Blair returned a scathing report under the title *The Present State of Virginia* . . . On the subject of headrights, they reported this:



James Blair

“Then all courts were very lavish in allowing Certificates for Rights; for if a Master of a Ship came into any Court, and made Oath that he had imported himself and so many Seamen and Passengers at divers Times into the Country, and that he never elsewhere made Use of those Rights; he had presently an Order granted him for so many Rights, (i.e., so many Times 50 Acres of Land) and these he would sell and dispose of for a small Matter. Perhaps the same Seamen made Oath that they had adventur’d themselves so many Times into the Country, and had not elsewhere prov’d their Rights, and upon this they had an Order for so many rights *toties quoties* [repeatedly.] The Masters that likewise bought the Servants so imported would at another Court make Oath that they had bought so many Persons that ventur’d themselves in the Country, and upon this so many Rights were order’d them...Then great Liberty was used in issuing out Certificates for Rights, by the Country [sic, County] Clerks, and especially by the Clerks of the Secretary’s Office, which was and is still a constant Mint of these Rights, where they may be purchased at very easy Rates, of the Clerks, from Five Shillings to one Shilling *per Right*.”⁷

The authors go on to say that all of this was well known to the Government in Virginia, “who connived at them, thinking it a very pardonable Crime.” The government’s justification for this was the attitude that as long as the King was paid his Quit Rents (taxes) on the land, who cared? The authors’ point was that this was in fact not only unfair to the true “Adventurers” who were actually working their land, but the abuse of the system to the great financial benefit of the sea captains and the loss of production from idle land that was also a loss in tax revenue. Sea captains were claiming land through headrights for people they brought to Virginia but the sea captains were not developing the land, just keeping it as a type of savings account in real estate. This absentee ownership was not what Virginia or the Crown wanted.

Treasury Rights

In 1699, a second method of obtaining land was enacted, commonly called Treasury Rights. Though the use of headrights was not abolished, treasury rights were instituted to compete with the now active Northern Neck Proprietary which did not use the headright system. The Northern Neck Proprietary will be the subject of the next installment in this series. For now, however, the main point to remember about the Northern Neck Proprietary is that it was a huge grant of land from the Crown to a group (and eventually just one, Lord Fairfax) between the Potomac and Rappahannock Rivers. Though the first grant was made by the exiled King Charles II in 1649, it was meaningless until he was restored to the throne in 1660.

With treasury rights, one could simply obtain land by paying five shillings per fifty acres.⁸ This

⁷ Henry Hartwell et al, *The Present State of Virginia, And The College*, (1697; Reprint, 2nd ed., Charlottesville, VA: Dominion Books, 1964), 17-18. These three men, especially Rev. James Blair who later President of William and Mary College and frequently at loggerheads with the Governors, were not writing from an especially unbiased viewpoint.

⁸ H. R. McIlwaine, ed., *Executive Journals of the Council of Colonial Virginia*, Vol. 1 (Richmond: Virginia State Library, 1925), 457.

greatly reduced the use of headrights as now many more buyers could move into the market at a most reasonable price without having to pay someone's more expensive passage costs. The thirst for land was great in the colony of Virginia and there was substantial competition for land. Areas outside of the Northern Neck boundaries continued legal opposition to the Northern Neck grant for many years.

This Northern Neck grant was greatly opposed by the government of the Colony of Virginia. Combined with such opposition, and internal problems among the original grantees, it was not until 1690, that the issues between the colonial government and the Proprietors of the Northern Neck had been sufficiently resolved for the Proprietors to issue their first land grant. More details on the fascinating history of the Northern Neck will be examined in future articles.

Also in 1699, the Executive Council reported receiving instructions from the Privy Council in London to restrict the use of headrights "to any others than His Majesty's Christian subjects coming to reside here." Though this was issued at the request of the Executive Council to ban the use of negroes as giving rise to headrights, it may have had an unintended consequence of banning those who were neither English nor Negro (e.g., German) from being used as headright.⁹

A Last Thought on Headrights

There are some other important things to consider when using headrights in genealogical research. First, we will never know how many people who were imported who were simply never claimed in any initial certificate. Second, at least half of those who were claimed on a certificate were never used to patent any land at all. Why would someone pay for an immigrant's passage and not see the process through for getting land deeded to them in exchange for the headright they obtained for paying the passage? The answer to this question is not always clear as the records of that time are not always clear. Some people sold the headrights they obtained much like someone might sell a stock certificate today. Others delayed some time before attempting to get land and undoubtedly some got land without the headright being acknowledged in any written record.

Robert W. Baird has done a thorough study of the use of headright certificates in Norfolk and Surry Counties, Virginia and has an excellent discussion of headrights on his web page Bob's Genealogy Filing Cabinet, under the title [Understanding Headrights](#) which readers are encouraged to visit. According to his study, the average lapsed time between the initial Certificate and the time of the final patent was three years in Norfolk County and five years in Surry County.

Surveys

Those who have read the old original patents will understand the difficulty of plotting any of them, as the descriptions are so vague as to be nearly meaningless. Land descriptions often included acreage, boundary neighbors and the general location, but seldom any more precise information.

One reason for this, of course, was the lack of qualified surveyors during the earliest periods. Another is the nature of the virgin land itself, and the difficulty of conducting an accurate survey using known markers and boundaries. The earliest surveys were made using a ship's compass, which is divided in four quadrants, with each quadrant containing eight degrees of division. In other words, only 32 degrees of direction instead of 360 degrees on a regular compass. David W. Eaton, in his *Historical Atlas of Westmoreland County, Virginia*, illustrates this nicely:¹⁰

Yeager Reunion in Kentucky June 22, 2013

The descendants of Adam Yager of Woodstock are having a reunion on June 22, 2013, at the Blue Licks Battlefield State Resort Park in Mt. Olivet, Kentucky. As this family has been intertwined with the Germanna Yagers and others, all Yager descendants are invited. Some folks arrive on the 21st and leave on the 23rd. Anyone interested should contact the Yeager Family Reunion on Facebook or e-mail Theresa Craig Wihmey at craigteacher1@aol.com.

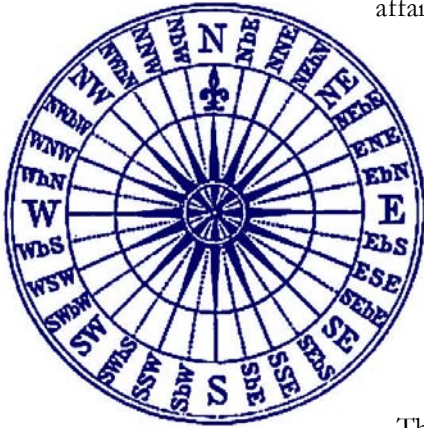
Blue Licks is 48 miles NE of Lexington KY on hwy 68. There is a lodge at Blue Licks for rooms and there are rooms in Lexington and Maysville KY.

⁹ Ibid, 420.

¹⁰ *The Present State of Virginia*, 17.

“So, when we read old patents saying North by East, or North East by East, we can make a little more sense out of what this means. We can also see how this could (and did) create some over-lapping boundary lines.”

Hartwell, Blair and Chilton, in their laundry list of complaints about the entire state of affairs of the land system in Virginia, further explain this problem:



Source: David W. Eaton,
*Historical Atlas of West-
moreland County Virginia*

“The first great abuse of this Design [laying out of land], was by the Ignorance and Knavery of Surveyors, who often gave out Draughts of Surveys, without ever actually surveying it, or even coming on the Land; only they gave the Description, by some natural Bounds, and were sure to allow large Measure, that so the Persons for whom they survey’d might enjoy larger Tracts of Land, than they were to quit Rent for.”¹¹

Thus, the term in these patents of “more or less” which is preserved to this day, meant more, and often a *lot* more.

Metes and Bounds

This may sound menacing, but it needn’t be. That doesn’t mean it can’t be maddening. Metes and Bounds was the terminology for the method of surveying property for all of the original thirteen colonies. The metes are the *direction* and *distance* of a line. The bounds are physical markers from point to point—the ubiquitous red oak and two pines. A survey starts at a beginning point, or station, usually marked on a survey as point “A.” By following the metes and bounds and various stations, it ends back at point “A” thus closing the bounds of the property.

We can easily run into trouble here when, say, point “B” to point “C” is “the meanders of a branch” and we don’t know what direction or for how far that “meander” is. As for beginning points, my favorite example of this was told to me by a surveyor in Madison County who once ran across a legal description that started with “beginning at a point where a brown cow now stands.” Oh, now, where would that be?

Seating and Planting

The corruption did not stop there. There were two requirements attached to a land patent, and those were that it be seated or planted within three years. Seating meant to build a house and place livestock on it. Planting meant just that—to farm it. If this was not done, it was to escheat (return) to the Crown. The second requirement was to pay the annual quit rent of one shilling per fifty acres annually. Hartwell, Blair and Chilton explain how this actually worked in the world of Virginia:

Seating, by their Law, is reckon’d the Building of an House, and keeping a Stock one whole Year. They matter not how small an House it is; if it be but an Hog-House it serves the Turn; and Planting, their Law reckons the planting and tending one Acre of Ground, it is no Matter how badly, and either of these, viz. either seating or planting within the three Years, saves the whole Tract, if it be never so large, which is the Cause, that, tho’ all the good Land of the Country is taken up, yet there is very little Improvement on it.”¹²

Processioning

Needless to say, such a semi-chaotic land system inevitably led to disputes over property boundaries. One method used to alleviate such disputes was enacted in 1662, titled “Bounds of lands to be every fower [four] years renewed by the view of the neighbors.”¹³ Simply put, the neighbors walked their common property lines together once every four years and renewed the boundary markings and resolving boundary disputes if there were any. This was left to the direction of the local parish vestry. Some were more religious in doing this than others. The point of the ex-

¹¹ Ibid, 19-20.

¹² Ibid, 19-20.

¹³ Act LXVIII, March 1661/2, Hening’s *Statutes at Large*, Vol. II, 101-102.

ercise was to have the boundaries of both the parish itself, and its various precincts, agreed upon, and then within those precincts the property lines of the various property owners. For a more detailed discussion of this, see Robert W. Baird's "Genealogy Filing Cabinet" under [Land Processioning in Colonial Virginia](#).

Escheat and Lapsed Land

These two terms have a technical difference, but resulted in the same thing: the land reverted back to the Crown. Failure to either seat land or pay quit rents would cause it to be "lapsed." Dying with no will and no heirs or convicted of a felony, would cause it to be "escheated," that is to say, returned to the ownership of the King. Different causes, same result.

Hartwell, Blair and Chilton describe the questionable (in their opinion) process for disposing of escheat land thus:

The Person in Possession hath, by the King's Charter, the Right of the Grant: But, of late, it depends on the Governor's Favour, who, among the several Petitions that are presented to him, for the Benefit of the Escheat, accepts of any one he pleases, and underwrites it thus. *This Petition is granted, paying Composition to the Auditor, according to Law.* Then a warrant issues from the Governor, to the Escheater of the Precinct, who makes Inquisition, and finds the Office by a Jury of 12 Men. Which Inquisition being return'd by the Escheater to the Secretary's Office, lies there 9 Months, that any Person concern'd may come and traverse the Office, and if no body appears in that Time, a Patent passeth according to the Petition's Request. The Escheaters Fee is 5 lib. Sterling (£5), and the Composition by the Charter is 2 lb of Tobacco per Acre.¹⁴

Indentures

In our modern world, we think of the term "indentured servant" as a lowly position similar to a serf. But we see the term "indenture" on nearly every deed. An indenture was simply a contract. For people, it was an employment contract, or perhaps an apprenticeship, agreed to by both parties. It was written on one sheet of paper which was then jaggedly cut in half. To prove the contract, the two jagged lines had to match. The cut of the paper was sometimes referred to as the indenture of the paper which led to the term "indentured servant."

Just as today, the employment contract—the indenture—could apply to any sort of labor or service, such as farm worker, maid, butler, clerk, or tutor. In other words, any person employed by the master of a household could be an indentured servant.

This is the first in a series of articles which will unveil the often archaic references to land in colonial days and will assist genealogists as they navigate old land records to better understand what those old records are telling them.

¹⁴ Ibid, 20.

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Editorial Goal: To disseminate knowledge about our ancestors of the First and Second Germanna Colonies of Virginia, and Alexander Spotswood. Contact vrnuta@verizon.net if you wish to submit an article.

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