

The Pamunkey Hendrick Chronicles

1600s - 1739

8 Apr 1674 The Virginia Council and General Court, responding to attempts by whites to settle on Indian lands, issues a statement that “for the peace and safety of this colony... it should not be in the power of any Indian... to sell or alienate any of the lands within (the tract set aside for them)... whereas we are informed that several persons to elude the force of the said Act have only taken leases from the Pomunki and Chickahominy Indians... it is therefore ordered that no person do presume to take any lease...[Minutes of the Council and General Court 1622-1632, p370.]

White men had already settled at the mouth of the Pamunkey, across the Mattaponi, and taken up tracts both above and below the Pamunkey Indian tract. Obviously, a few had already leased land from the Indians. Virginia had long banned whites from buying Indian land, and this record indicates that some had attempted to avoid the penalty by leasing the land (probably on 99-year leases, technically the same terms as for patented land). Whether Richard Yarborough was among them is unknown.

The Council Minutes are filled with repeated petitions to allow whites to patent lands purchased from the Indians. Every petition was denied. The settlers on Indian lands were thus unable to obtain title to their lands from the King.

8 Jun 1680 Naturalization of Aliens: The House of Burgesses enacted “An Act of Naturalization” which empowered the Governor to naturalize any foreigner now resident in the Colony” at 40 shillings for the Governor, 10 shillings for the Clerk. [Hening’s Statutes at Large, 2:464]

Prior to this Act, all naturalizations required an Act of Assembly, each of which was noted by Hening in his Statutes at Large (though there were precious few of them.) No Hendrick was naturalized before 8 Jun 1680. If Hance Hendrick was naturalized in Virginia after that date, a record was made elsewhere, likely in Orders in Council, which are now lost. This means that either he arrived in Virginia subsequent to 1680 or that he became a British citizen somewhere other than Virginia.

Apr 1691 **King & Queen County** was created by an act of April 1691 from the part of New Kent above the Pamunkey River [Hening 3:94]. The same act provided “that the inhabitants of Pomunkey Necke, that now belong to St. Peters parish be restored and added to St. Johns parish, from which they formerly were taken.” All of the county’s colonial records were destroyed. All of the county records of New Kent, its predecessor, are likewise destroyed.

9 Apr 1692 “The grievance proposed by several of the inhabitants of King & Queen County... praying for permission to take up lands in Pamunkey Neck and for confirmation of diverse conveyances and sales made by the Indians there...” was rejected. [Minutes of the Council and General Court 1622-1632, p370.]

This was just the latest in a long line of petitions from settlers who owned land by virtue of Indian titles who wanted their titles confirmed by patent. This was the first petition from the inhabitants of the new County of King and Queen.

22 Mar 1693 The above petition is presented again, and finally passed. Settlers can now patent their lands. However a delay is introduced. The King had just awarded 20,000 acres in Pamunkey Neck to the College of William & Mary, and the Council ordered that no surveys be made in Pamunkey Neck until after the College lands were surveyed. Unfortunately, the College trustees failed to engage a surveyor. The settlers remained in limbo.

16 Jun 1696 [Marriage] License Granted: “To Thomas Harvie & the **wido. Hendrick** acct. given the Sherr [sheriff] returned to October Genl Court December the 2nd, 96.” [“Marriage Licenses Granted in Elizabeth City County”, *William & Mary College Historical Quarterly*, Vol. 2, No. 3, p211.]

The identity of this widow Hendrick is unknown. There is no Hendrick mentioned in the patent records, and none in the records of Elizabeth City County. The only record of a Thomas Harvey in the area is a Thomas Harvey who was one of three headrights for a 1690 patent to Richard Shewell in Elizabeth City County. Perhaps a different Thomas Harvie was a servant to William Churchill in 1690 Middlesex County (Middlesex Wills & Inventories 1673-1812, p483). The importance of this record is that it is one of only two records suggesting that there was any other Hendrick in the Virginia Colony other than Hance Hendrick and his family until the late 1700s.

It has been suggested that she may have been the Catherine Harvie whose death is recorded as 5 June 1701 in the Charles parish register in York County. That is certainly plausible, since York County and its parish bordered Elizabeth City County. However, no Thomas Harvey appears in York County records.

2 Jun 1699 Report of “The Committee [of the House of Burgesses] for Examining Claims to Land in Pamunkey Neck” dated 2 June 1699: “...whereas severall parcels of Land were by the Pamunkey Indians for good & valuable consideration leased for Ninety Nine yeares to these several persons hereafter named ...”

...“Richard Yarborow, a tract, quantity not mentioned” [one of eight names]

The report goes on to list numerous claimants who had purchased land from these Indian lessees, and whose rights to now patent those lands were being endorsed by the Committee. The Committee recommended that the persons who had leased lands from the Indians, as well as those persons who had purchased land from those lessees, be given preference with regard to patenting their lands. The persons claiming land titles by purchase from Richard Yarbrough were the following, all of whom subsequently cemented their titles with patents:

“John Yarborow for himselfe and the children and devisees of Richard Yarborow
William Morris, 300 acres purchased of Rich’d Yarborow
John Oakes, 550 acres conveyed from Richard Yarborow
William Rawlins, 800 acres purchased of Richard Yarborow

Henry Dilling in behalf of George & (sic) Douglass, orphan and heir of Robert Douglas dec'd, 200 acres purchased of Richard Yarborow
Peter White, 300 acres by the same title
Andrew Mackallaster, 100 acres by the same title
Thomas Hendrick, 70 acres [purchased of Richard Yarborow]
Thomas (?) Hendrick, 300 acres purchased of Richard Yarborow & John Ascough [...several names intervene, perhaps not Yarborow's lessees]
James Edwards, Lewis Davis, and Stephen Terry, 1300 acres conveyed from Rich'd Yarborow”

[English Duplicates of Lost Virginia Records, Lewis des Cognets, Jr. (Genealogical Publishing Company, reprint 1981), pp57-66.]

Prior to this, settlers in this area could not patent their land. The Committee was validating the claims of men who had acquired land from the Indian leaseholders and clearing the way for these men to patent their land. Richard Yarborough had obviously sold portions of his leased tract to eight different people. When one plots the subsequent patents to those eight people (and to his son John Yarborough) they form one contiguous parcel which is obviously the tract Yarborough leased from the Indians and subdivided. In fact, the patents specifically mention the boundaries of Yarborough's tract acquired from the Indians. In every case, the patents were for slightly different acreages than noted above, meaning that new surveys were made for the patents. Some were for fewer acres. Some were for a greater acreage than that listed above, the details of the patents making it clear that additional vacant acreage was being added on the sides of these tracts furthest away from the river.

It is quite clear that the two parcels of land attributed to “Thomas” Hendrick were those patented by Hance Hendrick, both lying inside Yarborough's tract. The patents give no indication of a prior right by any Thomas Hendrick, and they explicitly refer to old lines and old corners of Hance Hendrick. The adjoining patents also refer to Hance Hendrick as the owner of these plots, and do so in a way suggesting that he had been the owner for many years. That means that “Thomas Hendrick” was an error either on the part of the Committee's clerk or on the part of des Cognet's transcription. Des Cognet's inclusion of the question mark suggests the latter. A plausible explanation for this exists. I note that all the other 100 or so names in this report were English, so des Cognets would not have expected to find a name like “Hans” on the list. Indeed, we can find several later examples where “Hance” looks remarkably like “Thomas” at first glance. “Th” and “H” tend to look nearly identical in very old handwriting, so it is highly plausible that he interpreted “Hans” to mean “Thos” or “Hance” to mean “Thomas” in an effort to find an English name to fit the handwriting – and he was clearly not certain himself that this was correct because he inserted a question mark after the name “Thomas”. In addition, I note that des Cognets used no abbreviations at all for given names, though the original document surely contained some. Finally, there are a number of other apparent errors in this document, one of them the misreading of “George & Douglass” for “George Douglass” immediately above the Hendrick entries. Given these points and the later patents, the conclusion is nearly inescapable that “Thomas” was actually Hance Hendrick.

It appears to be significant that all the patents for these lands claimed by virtue of purchases from Yarborough were paid for by the personal headrights of the patentees. That suggests that Yarborough had promoted his lands outside the colony, and that most or all of the persons to whom he sold had immigrated into Virginia specifically to settle on the land.

Richard Yarbrough, an Indian interpreter and trader, was dead before 1699. He had obtained his lease from the Pamunkey Indian tribe sometime after the peace treaty of 1677, when the first leases were made. He more than likely obtained this lease by 1679, when he was sent to New York by the House of Burgesses to discourage Indian raids from the north. Yarborough may well have promoted his lands on this visit. All of his sales of land thus occurred after 1677 and all deeds and other conveyances have long been lost in various courthouse fires in the successive jurisdictions of New Kent and King & Queen counties. John Ascough was also an Indian interpreter and trader, but this is the only tract in Pamunkey Neck that Ascough was associated with, for he worked almost exclusively with the Indians of the Rappahannock River, north of Pamunkey Neck. That strongly suggests the possibility that Yarborough had sold land to Ascough, and that both subsequently sold to Hendrick.

21 Jun 1699 Order: Whereas divers of His Majesty's good and loyal subjects have seated and planted several tracts which they have held by leases from the Indians, without any legal patents, in the expectation that "it would be easy for them to... patent the same" Ordered that the commissioner appointed to settle claims in Pamunkey Neck will proceed at the King William Courthouse on 27 September. [Executive Council Journals, Vol. I, p457.]

1700

19 Dec 1700 Petition to form a new county presented by residents of Pamunkey Neck. The petition no longer exists, so we do not know the names, but we learn there were a total of 89 landowners in what would become King William County. [Preface to the Journal of The House of Burgesses, Vol. II.] Of the 89 landowners, 13 were named justices, including Henry Fox, Thomas Terry, and Martin Palmer.

25 Apr 1701 Patent: **Hance Hendrick**, 594 acres in King & Queen County in Pamunkey Neck. ... beginning at "a beech on Mattapony river side that divides this land from the land of Mr. William Morris, being an old corner tree... along or near an old line of marked trees.. a white oake marked for a corner tree at the head of Fox Trapp branch thence down the sd branch... to Fox Trapp bridge... a gum corner tree in the said branch... along an old line of marked trees... to the ridge road by the Schoole House... an old knotty red oake corner tree being an old corner between **Hance Hendrick** & John Oakes... a persimmon sapling corner marked by it the old persimmon corner tree being dead at the head of Deep Bottom branch... corner ash on the river side thence down the river..." For importation of 12 persons: **Hance Hendrake**, his wife **Jane**, Anthony Willmore [Willsimore?], Catherine Garrell, John Ashford, Evan Humphries, James House, John Jones, Wm Bennett, Jos. Singleton, John Wood, Mary Alloway. [Virginia Patents 9:362]

As with all the other Yarborough grantees, Hance Hendrick made a new survey for his patent. The land description used in patents are copied from the survey, which is obviously identifying a tract of land laid out several years earlier in a much older survey. Witness the “old lines” and “old corners”, and particularly the fact that one of the corner trees from the prior survey was now dead. This is clearly the 300 acres claimed by “Thomas” Hendrick augmented with adjacent vacant land (the added land is in the southern portion of the patent, furthest from the river, for which the corners and lines are not “old”).

The land can be located fairly precisely, by examination of adjacent patents, as in what is now northwest King William County on the south bank of the Mattaponi slightly downriver of where lower Herring Creek (now called Aylett’s Creek) empties into the river. (See the plat map elsewhere.)

Note that Hance Hendrick claimed his own headright and his wife’s, but no children. This implies that the children were born subsequent to his arrival in the Colony, thus could not be used as headrights. As to the time of Hance and Jane’s arrival in Virginia, Adolphus, perhaps their eldest son, did not appear on any headright list, hence he was probably born in Virginia. Adolphus was surely age 21 or more when Hans gave him 175 acres in 1706 (see below), thus was born c1685 or earlier, implying that Adolphus’ parents had arrived in Virginia before that date, which fits nicely with Richard Yarbrough’s having obtained his Pamunkey Neck lease from the Indians about 1677, and selling off parcels thereafter. Virtually all of Yarbrough’s Indian land grantees owned their own headrights, which suggests that he had promoted settlement of his Indian lands in Great Britain or the Northern Colonies or both. In the late 1670s after he had obtained his lease from the Pamunkey Queen, Yarbrough had gone to New York with Virginia authorities seeking to halt Northern Indian raids on Virginia frontier settlements. Yarbrough, who spoke the languages of the Seneca and Iroquois as well as the Pamunkeys, Mattaponis, and Chickahomineys, was paid by the House of Burgesses for being an interpreter on the New York venture. Possibly Hans Hendrick encountered Yarbrough at that time and was importuned to settle in Virginia. Headrights were earned by coming into Virginia regardless of the person’s origin, and New York was as acceptable as a jumping off place for Virginia as was England for headright purposes. None of the other ten headrights used to buy the Hendrick land appear further in the records. Those headrights were likely bought from someone else in order to pay for this patent, a routine thing at this time.

Aliens could earn headrights, but they had to become citizens before they could use them to buy Virginia land. Hendrick was a British subject by 1699, for his right to land by virtue of Yarbrough’s lease was not questioned. No alien could obtain or pass title to land in Colonial Virginia, either by sale, lease, gift, or devise. Hans had either been naturalized, i.e., became a subject of the British Crown by having taken the Oath of Fealty and Loyalty, after arriving in Virginia--and the record lost--or before, either in Great Britain or in one of the Northern Colonies. A great many Dutchmen had been naturalized in one fell swoop when the British conquered New York from the Dutch in 1682, though no Hendrick appears in those records. Or, he may have been born in England, where the name was not uncommon. I note that there is nothing in the records that suggests Hance Hendrick did not already speak

English – and that he therefore could have immigrated from England as a second or third generation Englishman.

Note that this is the only certain mention of Hance Hendrick's wife. Consequently, whether she was the mother of all the children is unknowable.

Finally, note that a single surveyor, whose spelling of the name was consistently "Hance", probably entered all mentions of Hance Hendrick in these old patents. The clerks creating patents were required to enter the survey descriptions exactly as provided by the surveyor. Thus the fact that there are so many mentions of "Hance" is probably not significant, since they all come from a single surveyor. The headrights were entered from a separate document, the headright certificate obtained from the county court, thus the name was spelled differently by a different clerk.

24 Oct 1701 Patent: William Hurt, Sr., 298 acres in Pamunkey Neck [in King & Queen County on the south side of Mattapony River], "...Peter White's corner hickory hard by Rich Yarborough's plantation... through a meadow all along by John Hurt's and Rich. Yarborough's plantation..." For transportation of 6 persons, including William Hurt, Sr., and Margaret Hurt. (Virginia Patents 9:384)

Part of this patent was within a few hundred feet of Hance Hendrick's second patent, though des Cognets reported that William Hurt claimed the land by virtue of a purchase from George Smith rather than Yarborough. From a plot of the patents, it would appear that George Smith had bought land from Yarborough and sold it to the others, including both Hurts, before 1699. William Hurt had been in Virginia for around 30 years, for a person of that name had patented 213 acres in St. Stephens Parish, New Kent County on 18 Feb 1674 (Virginia Patents 6:502), on the north side of Mattaponi River, across the River from Pamunkey Neck. For whatever reason, William Hurt had not used his and Margaret's headrights when he obtained the patent on this land. For almost a century and a half hereafter William Hurt's descendants were closely associated and frequently intermarried with the Pamunkey Hendricks successively in King William, Caroline, Amelia, Halifax, and Pittsylvania counties in Virginia and later in Georgia. Both Hurt and Hendrick obtained their Pamunkey Neck land from Richard Yarbrough, Sr.

24 Oct 1701 Patent: Andrew Maccallister, 86 acres in King & Queen County in Pamunkey Neck, "... beginning at a red oake corner tree on Mattapony River being lower corner tree of old Richard Yarbrough's whole tract leased of the Pamunkey Indians and running thence by an old line of marked trees...a forke of a branch of the Fort Swamp... a line tree of William Rawlins...down the several courses of the Fort Swamp... to Mattapony River side... thence down the river..." For importation of 2 persons: Andrew Maccallister & his wife Hannah. (Virginia Patents 9:386)

McAllister had claimed 100 acres purchased of Yarborough according to des Cognets. From the description and a plot of the land, this was the lowermost (downriver) portion of the tract leased by Yarborough from the Indians. William Rawlins tract, which adjoined it, also touched on "Yarborough's lower line". Hance Hendrick's second patent was the uppermost (upriver) part of the Yarborough tract,

more than a mile upriver. Note that this refers to “old” Yarborough, not to his son Richard Yarborough Jr., whose lands were a couple of miles upriver.

1 Apr 1702 Patent: William Hurt, Jr., 93 acres in Pamunkey Neck in King & Queen County “...corner tree between the said Hurt and John Oakes standing by a run of Bryory branch...” bordered by the run of Bryory branch and the Spring branch. For transportation of James Quarles and Thomas Radson. (Virginia Patents 9:440)

William Hurt, Jr.’s patent very nearly touches Hance Hendrick’s second patent at one point, being separated from it by a thin portion of Morris Floyd’s patent, and was also quite close to Hans Hendrick’s first patent. Hurt, Jr., did not have a headright of his own, thus may have been born in Virginia. Hurt Jr., like his father, had claimed 140 acres by virtue of a purchase from George Smith, according to des Cognets. This is another reason to think that George Smith had bought land from Yarborough but had sold it by 1699.

1 Apr 1702 Patent: William Morris, 366 acres in King & Queen County in Pamunkey Neck on Mattaponi River “...beginning at a beech tree hanging over the bank of Mattapony river & is the corner tree between **Hance Hendrick** & the said William Morris... a white oake in Mr. Richard Yarbrough’s back line... a small mulberry tree by the river side thence up & along the river side...” For importation of 8 persons, including William Morris, Anne Morris, and Mary Morris. (Virginia Patents 9:441)

Morris had claimed 300 acres by purchase from Yarborough. His patent adjoined Hance Hendrick’s first patent to the east (downriver) and separated Peter White from Hance Hendrick.

1 Apr 1702 Patent: Morris Floyd, 100 acres in King & Queen County in Pamunkey Neck. “... beginning at a corner gum of **Hance Hendrick** and running down the river southeast 45 poles to **Hance Hendrick**’s corner ash by Mattapony river side, thence up the Deep Bottom branch southwest... along John Oakes his line... a sassafras in Briory branch... Peter White’s corner... a stake in Richard Yarborough’s new ground... the run of Briory branch...” For importation of 2 persons, including Morris Floyd. (Virginia Patents 9:452)

Morris Floyd is not mentioned by des Cognets. The fact that John Oakes had claimed 550 acres but only patented 360 acres makes it likely that he had sold this land to Floyd. This patent lay between the two patents of Hance Hendrick, with a neck of this patent lying on the river separating the two Hendrick patents. The Richard Yarborough referred to here is the son of the old Indian trader.

11 Apr 1702 **King William County** formed from the part of King & Queen south of the Mattaponi River by an act of April 1701 to be effective on this date [Hening 3:211-2]. The only surviving colonial records are roughly five years of deeds (1702-1706 and 1721-1722) and two general records books covering 1702-1707.

28 Oct 1702 Patent: John Oakes, 360 acres in King William County “formerly part of King & Queen County”. “...beginning at a knotty red oake corner tree that divides the land of the said Oakes & **Hance Hendrick**... hickory marked in place of a white oake

down & rotten... sassafras by the run of Bryery branch dividing this land from the land of Wm. Hurt Junr..." For importation of 8 persons, including John Oakes and Rachel Oakes. (Virginia Patents 9:467)

Yet another neighbor claiming headrights for himself and his wife. Oakes had claimed 550 acres according to des Cognets, but had apparently sold 100 acres of this claim to Morris Floyd and had probably sold another 100 or so acres to Hance Hendrick. The patent was west of Hance Hendrick's 1701 patent and was behind Morris Floyd's patent. The other side of the patent was behind Hance Hendrick's second patent. It appears that Oakes' original 550 acres included Morris Floyd's patent and the downriver part of Hendrick's 1702 patent, for that would have given him a single parcel actually lying on the river. This patent is not on the river.

The difference in citation of land location, King & Queen versus King William, indicates the survey was made after April 1702. The clerks who wrote out the patents were required to follow the land descriptions made by the surveyors exactly. Hence, it was not unusual, where a patentee had trouble scraping together the cash fees necessary to complete the patent process, for several years and a change in county jurisdiction to have occurred between the survey and the actual issuance of the patent.

28 Oct 1702 Land Patent: **Hance Hendrick**, 175 acres in Pamunkey Neck, King William County. "...beginning at a red oake on Mattapony River side by a pine stump formerly the old corner tree but now down and rotten... red oake by the Briery branch... to the Rolling Road... to a maple by the run of Bryery branch being marked as a corner tree for **Hance Hendrick**...corner white oake in sight of **Hance's** old plantation ...corner hickory by Morris Floyd's plantation house... gum corner by the river side now marked as a corner by consent of **Hance Hendrick** and Morris Floyd being a dividing corner... thence up the Mattapony river..." For importation of 4 persons: William White, Mary Delivcore, William Cannarey, William Grubbs. (Virginia Patents 9:482)

This is the same 70 acres claimed by purchase from Yarborough, plus additional land apparently purchased of John Oakes (see above). This is separated from the first patent by a 750-foot neck of Morris Floyd's. (The "corner by consent" appears to separate two halves of John Oakes original land.) The upriver corner of this patent is 100 poles (1650 feet) downriver from the mouth of Lower Herring Creek (now shown as Aytlett's Creek on modern maps), according to the adjoining patent to John Hurt. Like the earlier patent, the lines are obviously several years old.

Note the reference to the corner pine tree "now down and rotten" on the upriver corner. This is the uppermost corner of the Richard Yarborough tract, for John Hurt, who patented the land on the upper side of this tract was not one of the Yarborough claimants. Hurt's adjoining patent (see 2 May 1706) calls this same corner "red oake...Hance Hendrick's corner tree by a pine stump being formerly the old corner tree of Richd. Yarborough's grant".

Note also the reference to the corner "in sight of Hance's old plantation". This corner is not on the side nearest the first patent to Hance Hendrick. It is actually half a mile from the nearest point of that parcel. Nor is it on a hill that might offer a view

of it. It appears from the shape of this and surrounding patents that this corner represents a corner of an apparent 100-acre purchase from John Oakes that adjoined Hendrick's 70 acres. Thus, the "old plantation" apparently refers, not to the 1701 patent, but to the upper part of this patent. This suggests that Hance Hendrick had originally settled on a tract at the uppermost limit of Yarborough's tract. The fact that this patent was issued second may have been the result of waiting for a purchase by Oakes.

All this, together with the evidence that both of Hendrick's patents had been surveyed many years earlier, suggests that Hance Hendrick may have located on this land many years earlier. Perhaps as much as 20 years earlier. The fact that none of the sons were ever claimed as headrights, and that Adolphus was surely born before 1685, is another indication that Hance Hendrick may have been in this area for quite a long time.

None of the persons whose headrights were used to pay for this land have been found in records associated with Hans or his family. He may have purchased the rights from someone else.

28 Oct 1702 Patent: William Rawlins, 391 acres in King William County in Pamunkey Neck. "... a great red oake in Yarborough's lower line... and old line of marked trees..." For transportation of 8 persons, including Wm. Rawlins.

Still another of Yarborough's people who claimed his own headright. Rawlins had claimed 800 acres by purchase from Yarborough, though what became of the other 400 acres isn't clear for it isn't evident from plots of the surrounding patents. This patent was the lower part of Yarborough's tract, adjoining both Maccallister and Douglass.

23 Oct 1703 Patent: George Duglass (sic), 180 acres in King & Queen County "... near Rawlins' back corner on the north side the main road up the county... below Rawlins' plantation.. three ashes by the side of the run of Fort Swamp... a great gum in the run in Morris's line..." For transportation of four persons. (Virginia Patents 9:559)

He had claimed 200 acres by purchase of his deceased father from Richard Yarborough. Note that the survey predated the formation of King William County.

20 May 1704 Deed: John Yarbrough to William Aylett, both of St. John's Parish, King William County, for £20 Sterling and 5,000 pounds of good, sweet scented Tobacco, 200 acres in King William County. Beginning of Mattaponi River, down the River to Herring Creek, up said Creek – being part of large tract exchanged with the Chickahominy Indians by [Benjamin] Arnold, then of St. Stephen's Parish, King & Queen County, who conveyed to John Hurt of said Parish and County on 12 Nov 1691, who conveyed to Richard Yarbrough [Sr.], father of said John, by deed on 12 Feb 1696, and is now in possession of John Yarbrough, one-half by deed from his brother Richard Yarbrough, and the other half as heir to Richard Yarbrough, decd., his father... /s/ John Yarbrough. Wit: William Noyes, [Two signatures illegible.] (Sparacio's King William Abstracts I, p67-69)

This is above (upriver) from the John Hurt parcel that adjoined Hance Hendrick's 1702 patent. Hurt's patent was, in fact, probably another part of this parcel. William Aylett, who moved from King & Queen County, was the Clerk for King William County. It is the Aylett name, not Yarbrough, that remains on various Pamunkey Neck landmarks today.

8 Sep 1704 Deed: Richard Yarbrough, wife Sarah, to Robert Abbott, all of St. John's Parish, King William County, for 2,000 pounds of good, sweet-scented Tobacco, 80 acres and plantation in King William County. Beginning at a poplar on John Hurt's line, to William Hurt, to Morris Floyd, then back to William Hurt, and back to beginning... /s/ Richard Yarbrough, [No wife signs]. Wit: William Pollard, Joseph Cockram, Benjamin Arnold. (Sparacio's King William Abstracts I, p91-92, p98)

This actually adjoins Hance Hendrick's second patent, though not mentioned here because the border between the two was a creek. Richard Yarbrough Jr., is selling part of the land given him by his father Richard Sr. Benjamin Arnold was the Indian trader who had obtained a long term lease of Pamunkey Neck land from the Indians and had sold tracts therefrom. There was intermarriage later between the Hendrick and Arnold families. Hendrick Arnold, son of Benjamin Arnold (a grandson of the original Benjamin), died in 1789 in Laurens County, South Carolina.

1704 Quit Rent Rolls, King William County:

Hans Hendrick - 700 acres
John Hurt - 500 acres
Wm. Morris - 440 acres
John Oakes - 350 acres

Note that the acreages do not quite match the patents. A few of the original patentees are apparently dead and not listed among the quit rents. There are no names resembling Hendrick in any other Virginia county. Hance Hendrick is apparently the only land-owning Hendrick in the colony.

20 Feb 1705/6 Deed of Gift: **Hance Hendrick**, of St. John's Parish, King William County, to son **Adolphus Hendrick** and his male heirs lawfully begotten, 175 acres in Pamunkey Neck, King William County. Beginning at a red oak on Mattaponi River, then to the Briery branch, to the Rolling Road....to **Hendrick's** Old Plantation, by Morris Floyd's plantation, to the River side, thence up the Mattaponi to the beginning, excepting 5 acres... being a patent to said **Hance** dated 28 Oct 1702. If said son Adolphus should die without heirs, land to revert to said **Hance** or his lawful heirs... /s/ **Hance Hendrick**. Wit: None. Acknowledged by **Hance Hendrick** at King William Court on 1 Jul 1706. [No acknowledgement or dower release by a wife.] (Sparacio's King William Abstracts II, 22-23)

The only colonial records of King William County that still exist are a general records book covering 1702-6 and a single deed book covering 1702-5 (with a few deeds of 1721-22). This is the only mention of a Hendrick. The land description is repeated from the patent of 1702.

This deed may be a wedding gift. Note that the language “and his male heirs” indicates that Hance was creating an entail. That language specifically meant that Hance was passing title in tail rather than in fee simple. That is, he was setting aside the land in perpetuity for Adolphus and future generations of his male successors. That means Adolphus could not sell the land unless he appealed to the General Assembly to break the entail. This may explain why he remained so long in King William County.

Whatever, Adolphus was certainly of age. Deeds to minors are extremely rare, and deeds of this type were nearly always intended to set up an elder son to support his own household. Men rarely married without some means to support a family, and land was far less valuable than labor at this time.

Note also that this suggests Hance was actually living on the 1701 patent, though (see above) the land being transferred here apparently included his original plantation.

2 May 1706 Land Patent: John Hurt, 546 acres in Pamunkey Neck, King & Queen County. “...beginning 36 poles from the Ridge Path... to a line of old marked trees of Benj. Arnold’s and John Hurt’s... to the mouth of [a swamp] emptying itself into the Lower Herring Creek... to the mouth of the [Lower] Herring Creek making into the Mattaponi River thence down the river south east by south 100 poles to a corner red oake the bank of the Mattapony river side being **Hance Hendrick’s** corner tree by a pine stump being formerly the old corner tree of Richd. Yarborough’s grant thence along **Hendrick’s** line... corner red oake of the sd. **Hendrick** lying in the Bryory run...” and later “corner white oake standing by a branch side near Richd. Yarborough’s tobacco ground... a corner of Mr. Wm. Hurt Senr...” For importation of 11 persons. (Virginia Patents 9:733)

This patent adjoins Hance Hendrick’s second patent (which had already been deeded to Adolphus) and helps us place it precisely – and to identify Hendrick’s patent as the uppermost part of Yarborough’s tract leased from the Indians. Hurt’s patent was upriver of Hendrick’s, so Hendrick’s northern corner on the riverside was 100 poles (1650 feet) southeast of the mouth of Lower Herring Creek (now called Aylett’s Creek). (The description in Cavaliers and Pioneers is inaccurate.)

Hurt’s patent was apparently the lower portion of the Benjamin Arnold tract referred to above, which Arnold had sold to Hurt and which Hurt had subsequently sold a portion of to Yarborough.

The fact that this 1706 patent cited King & Queen County as its locale indicates that the survey for the tract had been made in 1701 or before. Hurt most likely had required the intervening years to accumulate the headrights needed to pay for the acreage. While there was a time limit stipulated between a survey and a patent in Virginia Land Office procedures, preemptive rights were recognized and as long as the landowner paid both Quit Rents and County levy, he was allowed to extend the grace period. Note that Hurt had indeed paid quit rents on 500 acres.

1710

Dec 1711

Processioning Return: “The lands of Jere[miah] Parker, Stephen Sunter, Majr. Nicho. Meriwether, Capt. Nathaniel West, William Pulliam, John Howard, Thos. Johnson, Wm. Williams, Dr. Blair & **Hans Hendrick** being made in one precinct, whereof said Jere. Parker and Stephen Sunter were appointed Overseers, made this return... met, and gave notice to the parties to meet us, and none faild except Majr. Meriwether, Capt. West, Doctr. Blair & **Hance Hendrick**. The rest met and processioned their lands in the presence of William Williams, Thos. Johnson, Jacob Sellers, Wm. Walters, John Bowles, Wm. Pulliam, and John Howard....” [The Vestry Book of St. Paul’s Parish, Hanover County, Virginia, 1706-1786, 227-228. Hereafter St. Paul’s Vestry Book.]

This record indicates that Hans Hendrick had bought land in New Kent County, later Hanover County, south of the Pamunkey Neck. From patents to the other parties in this district, the land appears to have been a 1705 patent to Stephen Sunter for 200 acres on Stony Run in what was later Hanover County (Book 9:655). An adjacent patent to Richard Allen Jr. for land on Stony Run mentions “Hans Hendrick’s upper corner” (Virginia Patents 10:438), giving the same description of the corner as in Sunter’s patent. As a later record shows, Hendrick sold this land by 1715 to Anthony Winston, and a 1724 patent to John Wheeler (Book 12:36) which bordered both Allen’s patent and Sunter’s patent to their west referred to Sunter’s patent as “Winston’s”. Sunter’s patent was located in the southeastern corner of what would become Hanover County, about ten miles southwest of Hendrick’s land in Pamunkey Neck. Hance Hendrick apparently did not live on the land, for he did not physically appear to participate in the processioning of the boundaries.

Whether this is Hance Hendrick I or II (the father or the son) is unknown. There would have been no need in a New Kent record to differentiate the father from the son by the use of Sr. or Jr. If the father, it is possible he obtained the land for the benefit of a son. Hance Sr. himself does not seem to have left King William County. This might be Hance Hendrick II, making an abortive effort to acquire new land for himself. He may have abandoned this land in favor of the parcel he was on in 1718 (see below).

Incidentally, “Dr. Blair” was the president of College of William & Mary and the Commissary [titular head] of the established Anglican Church in Virginia.

26 Apr 1712

Land Patent: **William Hendrick**, 98 acres of new land in St. John’s Parish, King William County, “...between the College lines, Bray’s land, and the land of Jacob Wolsey.” ‘...corner of Wolsey’s land... corner white oake in the College line... southeast side of the Horse Pen branch... to three hiccorys by a road thence down the road... to a hiccory in Bray’s line...Wolsey’s line...” For importation of Phillip Williams and Elizabeth Williams. (Virginia Patents 10:66)

This is west of the two Hance Hendrick patents, no more than three miles away. The referenced 1703 patents to Wolsey and Bray are easily plotted, near the southern part of the 10,000-acre tract laid out for the benefit of the College of William & Mary. He

apparently remained on this tract until 1730 when he bought a plantation in Hanover County (see below).

Note that he did not use his own headright, nor did anyone else, suggesting he was born in Virginia. The Williams headrights might possibly have been relatives. His son Benjamin Hendrick named a son John Williams Hendrick. (Although he may have been named for Benjamin Hendrick's brother-in-law John Williams Graves.)

15 Nov 1715 Processioning Return: "The lands of Jere. Parker, Stephen Sunter, Majr Nicho. Meriwether, Capt. Nathl. West, William Pulliam, Saml. Chamberlayne, Thos. Johnson, Wm. Williams, Doctr. Blair, & **Hance Hendrick**, being made one precinct, of which Jere. Parker and Stephen Sunter were Overseers, mad this return, viz. 9br. the 15th... The lands of **Hance Hendrick**, now Mr. Anthony Winstons, was processioned... Stephen Sunter refused to sign because he lived in Henrico County. (St. Paul's Vestry Book, p252)

Hans Hendrick (either the father or the son) had sold his New Kent land to Anthony Winston. He apparently owned it for just a few years, and probably never lived on it.

10 Dec 1716 Land Processioned: St. Paul's Parish, New Kent County. William Harris and Edward Bradley, appointed overseers, reported that the lands of William Harris, Edward Bradley, Captain Thomas West, John Pettus, James Terry, Lewis Davis, Mr. Munrow, Colonel Walker, and Mr. Henry Fox had been processioned, all orders had been fully complied with, and there had been no objections by the owners. (St. Paul's Parish, 233)

In 1720 the processioning district cited here became a part of Hanover County, and in 1726 went into St. Martin's Parish. In 1730, William Hendrick, son of Hans, Sr., bought Henry Fox's land and moved there (see below).

14 Jul 1718 Land Patent: Edmund Jennings, Esqr., of York County, 1,150 acres of new land in King William County, between Upper Herring Creek and the Reedy Swamp, adjoining Edward Arnold, Mr. William Grill, John Hampton, Whitehead's line, Samuel Jacques, Michael Mixon, Caleb Sanders..."a corner white oak and red oak of the said Sanders and **Hance Hendrick Junr.** thence along the said **Hendrick's** line west 160 poles to the said **Hendrick's** two corner white oaks standing on the south side of sandy (?) ground in the line of said Edmund Jennings" ...also bordering Mr. English For £5:15s. (Virginia Patents 10:393)

This is very odd, for the land referred to as "Hance Hendrick Junr." was the same parcel patented by "Hance Hendrick Senr." over seven years later in 1726. The two 1726 patents to Hance Sr. and Jr. were near one another and were both near this patent to Jennings, but only the one patented by Hance Sr. actually adjoined Jennings. The land patented here is south of the two Hendrick patents of 1726, and lay almost entirely within was later Caroline County.

It does not seem possible that this could refer to a Hance Hendrick II and III, for any Hance Hendrick III was unlikely to have been of age in 1725. Thus it would appear that Hance Hendrick II had claimed this land originally, but had permitted his father

to file for the patent.

11 Jul 1719 Land Patent: Richard Allen, Jr., 346 acres of new land in St. Paul's Parish [New Kent County, Hanover County after 1720]. Beginning at a white oak on the upper side of Stony Run "a little above **Hance Hendrick's** upper corner". (Virginia Patents 10:438)

This is obviously an old survey, made at least four years prior to the patent date. It refers to the land Hendrick had acquired in present Hanover County, specifically to the old Stephen Sunter patent, which had been proccessioned in St. Paul's parish in 1711. Hendrick had sold the land by late 1716, but the survey for this patent apparently predated that sale.

The corner referred to is the upper corner of a patent to Stephen Sunter of 2 May 1705 (Book 9:655) which refers to the same white oak on Stony Run. A patent to John Wheeler of 9 July 1724 (Book 12:36) which adjoined Sunter's patent referred to it as "Winston's", further clarifying that Hance Hendrick had apparently bought the land from Stephen Sunter.

1720

20 Feb 1719/20 Land Patent: **Adolphus Hendrick**, 490 acres of new land in St. John's Parish, King William County on the north side of Pamunkey River ...beginning at "Col. Hill's upper corner of Turkey Neck land by the side of Pamunkey River... thence down the river..." For 50 shillings. (Virginia Patents 11:2)

This is located in what later became Caroline County on the north bank of the Pamunkey River (now called the North Anna River) between Hawkins Creek and Topping Castle Creek a few miles west of where I-95 now crosses the river. The North Anna River, the north fork of the Pamunkey, was called both North Anna and Pamunkey for much of the century. This land is twenty-odd miles west of the land which his father had given him in 1706, and about 12 miles west of where Hans Jr., had been located in 1718. What was then New Kent, but was later Hanover County, lay on the opposite side of the river.

However, Adolphus does not appear to have lived on this land or at least quickly sold it. He apparently sold this patent within two years to William Bigger (see below). Until he moved into Goochland County, he seems to have remained a resident of King William County well after Caroline was formed in 1728. He was still a resident of King William County as late as 1740, implying that he remained on his gifted land or on some other land in that vicinity.

This patent is mentioned in an adjoining patent to John Hawkins of 13 November 1721 (see below). It was not mentioned in another adjoining patent of 16 June 1714 to John Kembrow Jr. (Book 10:140)

31 Mar 1719/20 Processioning Return: The lands of Samuel Chamberlayne, Jeremiah Parker, Stephen Sunter, Charles Moorman, Major Nicholas Meriwether, Captain Nathaniel West, William Pulliam, Thomas Johnson, William Williams, Dr. Blair, and **Haunce Hendrick** being one precinct, of which Samuel Chamberlayne and Jeremith Parker were Overseers... Processioning was done as ordered, "excepting the land of **Haunce Hendrick**, which now belongs to the Orphans of Anth. Winston, lately deceas'd." (St. Paul's Vestry Book, p261)

Oddly, Hance Hendrick was still being credited with the St. Paul's Parish land, although he had sold it by the time of the prior processioning four years earlier.

Nov 1720 Act creating **Hanover County** from New Kent County. Partial records of four of the parishes of Hanover survive (see above for the only Hendrick mentions in this time period). The only county records that exist for the colonial period are a single book, for the two years 1734-1735, of court orders, wills, and deeds which is generally called the "Small Book". The only other early records of the county are "The Larger Book" which contains deeds for 1780-1790.

1 May 1721 St. Margaret's parish effective this date, per an act of November 1720. The parish serving King William County was St. John's until this date. St. Margaret's was established to serve the upper part of King William, which by 1728 had become upper King William and Caroline. All of the Hendrick patents after 1718 lay in St. Margaret's parish, the original Hance Hendrick patents lay just below the parish border in St. John's.

This is an important milestone, since it bears of the survey dates of later patents. Patents issued in upper King William or Caroline after this date that give St. John's as the parish must have been surveyed prior to the formation of St. Margaret's.

13 Nov 1721 Land Patent: John Hawkins, 510 acres of new land in King William County. On the north side of Pamunkey River ... "above the mouth of a small branch at **Dolphus Hendericks** upper corner being a hickory red oak and ash standing on the river bank" ... on the east side of Hawkin's Creek. For 5 shillings and importation of 10 persons. (Virginia Patents 11:66)

This adjoined Adolphus Hendrick's patent of 1719 in what is now Caroline County on the north bank of the Pamunkey (North Anna) River. Hawkins' patent was north of Hendrick's on the river, and bounded on the opposite side by Hawkins Creek.

17 Aug 1725 Land Patent: William Bigger, 400 acres of new land in St. John's Parish, King William County, on the north side of the North Anna River, beginning at a corner of the land he bought of **Dolphus Hendrick**, standing in Hawkins' line... along the line of the land bought of **Dolphus Hendrick**... thence back to John Hawkins' line. For 20 shillings. (Virginia Patents 12:251)

Adolphus Hendrick had sold his 1719 patent to Bigger, probably before 1721. Note that Bigger's patent says the land is in St. John's parish. The land had been in St. Margaret's parish since 1 May 1721. Thus the survey, and therefore the purchase from Adolphus Hendrick, must have occurred before 1 May 1721. Biggers' patent

adjoined the 1719 patent to Hendrick on the northwestern (the longest) side, the entire line of which is now referred to as land Biggers bought of Dolphus Hendrick. Unfortunately no deeds exist for King William County other than those few from the period 1702-7. The sale to Bigger must have taken place very soon after Adolphus Hendrick received his patent.

24 Mar 1725/6 Land Patent: **Hanse Hendrick Junr.**, 100 acres of new land in King William County “on the upper side of Whitehead’s land and on the north fork of the Boot Swamp... three pines in Whitehead’s line...an ash by the north side of the run of Boot Swamp... a pine in Whitehead’s line thence by that line...” For 10 shillings. (Virginia Patents 12:361)

This is very near the land of Hance Hendrick Junr. mentioned in 1718, but that parcel is the one below. This parcel is just under 1.5 miles due east of the patent below. It is in what became lower (eastern) Caroline County a few years later. An adjoining patent called that southeastern corner, “an ash by the south side of the north branch of the run of Boot Swamp.”

24 Mar 1725/6 Land Patent: **Hanse Hendrick Senr.**, 200 acres of new land in St. John’s parish of King William County between the Reedy Swamp and the Boot Swamp... “a corner of Col. Jennings’ land thence by his lines... oak in Col Jennings’ line thence by his line...” For 20 shillings. (Virginia Patents 12:361)

When this patent is plotted, it is quite clear that it bordered the patent to Jennings in 1718, and that this is the parcel which Jennings’ patent had called the land of Hance Hendrick Jr. That means that Hance Hendrick Jr. must have claimed the land at least eight years before the patent was issued in the name of Hance Hendrick Sr. In fact, this patent must have been surveyed before May 1721, because this tract had been in the middle of St. Margaret’s parish since then. This forces us to consider the possibility that the patentee was the same person as Hance Hendrick Jr. That is, that he was Jr. in 1718 but Sr. by 1726. This seems unlikely, since it means that (a) Hans Sr. must have been dead by 1726 and (b) Hance III must have been of age by 1726. The alternate explanation is simply that Hance Jr. traded or sold his interest in the land to his father.

Both the Sr. and Jr. patents are located reasonably close to one another, about a mile and a half apart east-to-west. The patent lay well within what later became Caroline County.

Note that this is the last reference to Hance Hendrick Sr. Caroline County, where these two patents lay, began keeping its records in 1732 and there is no indication of two Hance Hendricks in the county in the records, nor any record of any Hendrick will or administration. All references for roughly the next twenty years are simply to Hance Hendrick. Hance Hendrick Sr. probably was dead by 1732, and may have been dead shortly after (or even before) the issuance of this patent. Posthumous patents are not unusual, since they were issued based on the application and often were signed months afterward.

1 May 1728 Act creating **Caroline County**, passed 15 March 1727/8, from the upper portion of King William and parts of King & Queen and Essex to be effective this date. The boundary with King William was from the “Mattapony River to Boot Swamp and up the said Swamp to the fork thereof and thence southwest to Pamunkey River.”

Caroline’s colonial records are nearly all destroyed. The Court order books are complete from 1732 onward, but deeds, wills, and marriage records are lost. A small book of land surveys from 1729-1762 also exists, though it mentions no Hendricks.

This is important, for all land north of Boot Swamp lay in Caroline County. The two Hendrick patents of 1726 are thus now in Caroline. Boot Swamp as far as the fork was the boundary line. South of the fork, the main branch of Book Swamp runs west further into Caroline. The smaller branch runs along the border then into Caroline. Both Hendrick Patents were north of the main branch, well within Caroline.

6 Aug 1728 Surveyor’s Report: James Taylor, Surveyor for Spotsylvania County, reported to the County Court on surveys that he had made between 1 Jun 1727 and 1 Jun 1728. His list, apparently sequential as to when the surveys were done, included: (Spotsylvania County Wills, A:77)

Hans Hendrick, 400 acres

William Hendrick, 190 acres

...five intervening surveys...

Adolphus Hendrick, 1,000 acres.

There do not seem to be any other mentions of the Hendricks in Spotsylvania records (or later in Orange County) which suggest that any of them actually lived there.

In the resulting patents, all three are identified as residents of King William County. Note that both Hance Sr. and Jr. would have been residents of King William until Caroline was organized in 1728, and their patents issued with the county of residence as it was in the original patent application. Whether the above Hance Hendrick is the father or the son is unclear, though the lack of a modifier suggests that Sr. may have been dead by this date.

28 Sep 1728 Land Patent: **Adolphus Hendrick** of King William County, 1,000 acres of new land in St. George’s Parish, Spotsylvania County, on the southeast side of Buffalo Run joining to the County line. Corner to Thomas Tyler Jr. by the south east side of Buffalo Run “at the foot of a hill in the county line... Col. Braxton’s line... corner of Capt. Rippin’s standing in the county line thence along the county line north 65 degrees west 265 poles to the beginning.” (Virginia Patents 13:435)

The county line reference must refer to the southern border, that is, the Hanover-Spotsylvania border (which is still there, but is now the Albemarle-Orange/Greene border) which runs north by 65 degrees west, just as the patent specifies. Although we don’t know precisely where along this line the patent lay, it’s clear it was in the part of Spotsylvania which became Orange County in 1735. The other side of the county line was Hanover, then Louisa, and finally Albemarle County.

Adolphus sold this land, as a resident of King William County, on 31 Oct 1740 (see entry below) evidently never having lived on it.

28 Sept 1728 Land Patent: **William Hendrick** of King William County, 170 acres of new land “at the foot of the great mountains [Blue Ridge] in the County of Spotsylvania... the west side [of] a mountain...foot of a mountain...northeast side a mountain... along James Madison’s line.” (Virginia Patents 14:105)

This description does not sound like farming land. One wonders what the purpose of this acquisition was. Note that the surveyor’s report had specified 190 acres, apparently a clerical error because the patent itself was for 170 acres. This is obviously in what was later Orange County. William Hendrick either sold the patent or abandoned it, for one James Taylor re-patented the same land more than forty years later (see entry of 20 Aug 1760), noting that the title to William Hendrick’s patent “has since been vested in the said James Taylor”. If there was a sale of this land it was not recorded in the record of either Spotsylvania or Orange county.

Note that a James Taylor was the original Surveyor of the land, who apparently actually lived in Caroline County. In an odd coincidence, he was the husband of Anne Hubbard – a probable sister of the Benjamin Hubbard who married Adolphus Hendrick’s daughter Alice. (See Virginia Magazine of History and Biography, Vol. 3, p80) This is not the same James Taylor who repatented the land, but he was apparently his father.

28 Sep 1728 Land Patent: **Hance Hendrick** of King William County, 400 acres of new land “at the great mountains in the County of Spotsylvania” adjoining Capt. John Camm. (Virginia Patents 14:112)

This was very close to the patent of William Hendrick, for Capt. John Camm’s patent adjoined James Madison’s patent. That is consistent with the two surveys apparently being made at the same time. It was likely not far from Adolphus Hendrick’s patent, as both were near the same county line.

As noted above, Hance Hendrick Sr. may have been dead by this time, for the lack of a Sr. or Jr. qualifier for the patentee suggests there was only one Hance of King William. If there was a sale of this land it was not recorded in either Spotsylvania’s records or Orange County records.

21 May 1730 Performance Bond: Henry Fox, of King William County, and Joseph Fox, of Hanover County, to **William Hendrick**, of King William County, bond for £120, said **William** having purchased a 400-acre tract in Hanover County belonging to said Henry Fox and whereon said Joseph Fox now lives, said Henry and Joseph now oblige themselves to defend and guarantee the title to said land to said Hendrick.... Signed: H. Fox, Joseph Fox. Witness: David Duglass, Joseph Williams, John Williams, John Rea. Proved on 3 Apr 1734 as to Henry Fox by David Duglass and Joseph Williams, as to Joseph Fox by John Williams and John Rea. (Hanover County Small Book, p57)

Note: At the request of Will Hendricks in February 2010 an archivist at the Virginia State Library reread the original document and verified that the surname was clearly

“Hendrick” and not “Kendrick” as some genealogies claim.

This land is in north-central Hanover County, just west of where present-day I-95 crosses the North Anna River – and not far from Adolphus Hendrick’s 1719 patent (which Adolphus had sold several years before). There is no prior patent to Henry Fox, so he must have purchased the land by a now-lost deed. A 1723 patent for 300 acres to John Daniel adjoined “Fox’s line” (Patents 11:166) and a patent just to the west on 29 Sep 1729 to Benjamin Henson for 400 acres adjoined “Joseph Fox’s line” and “Mrs. Agnes Fox’s line” (Patents 13:412). These two patents were between the Little River and the North Anna and west of present I-95. Later deeds confirm this was the location.

It is important to note that this land lay in St. Martin’s parish, not in St. Paul’s parish. St. Paul’s parish was split into two parishes in 1726, with St. Martin’s covering the area between the North and South Anna – that is, the western or “upper” portion of Hanover as well as Louisa County. This is why we find no records of Hendricks (until much later) in St. Paul’s parish.

William Hendrick is obviously still living in King William, but apparently moved southwest onto this land, roughly 12 miles west of his 1725 King William patent (which he may have sold about this time). Hanover records were almost completely destroyed in the burning of Richmond in 1865, but two record books survived, covering 1734-5 and 1780-90. Due to the delay in recording, this item fortuitously was recorded in the 1734-5 book.

3 Jun 1730 Birth: **Benjamin Hendrick**, probably the son of William Hendrick. (Birth date from Bible supposedly kept by Benjamin’s son David Hendrick.)

I have not been able to verify the existence of this Bible, but numerous transcripts survive. Whether Benjamin was born in Hanover or King William is uncertain, but it seems likely it was King William.

c1732 Birth: **Ezekiel Hendrick** born. (Cook-Hendrick Family Bible)

Listed under “Deaths” was “Ezekel Hendrick, father... died Apr. 10, 1817. 85 yrs. old.” By other evidence, this was Ezekiel Hendrick, son of Benjamin Hendrick, and his place of birth was either Caroline County or King William, likely the latter.

18 Sep 1732 Land Patent: Robert Beverley, Esqr., 200 acres of new land on the Boot Swamp in St. Margaret’s Parish of King William County... adjoining Colonel Jennings, **Hanse Hendrick**, and Mixon “...beginning at three white oaks in Col. Jenning’s east line being **Hanse Hendrick’s** corner thence south [along Hendrick’s line]...” For 20 shillings. (Virginia Patents 14:462)

This refers to the 1726 patent to Hance Hendrick Sr., which was on the western side of Beverley’s patent. This was misunderstood by numerous genealogists (including Alberta Marjorie Dennstedt in her article in The Virginia Genealogist) to mean that Hance Hendrick Sr.’s patent lay in King William County. Beverley’s patent does

indeed postdate the formation of Caroline County in 1728, but the survey (and therefore the land description) was obviously made before Caroline County was formed. Plats show that this patent is actually a mile and a half further into Caroline County than is Hance Hendrick Jr.'s nearby patent. It is, in fact, about three miles west of the county line. Note also that Col. Edmund Jennings had been dead for more than five years.

This is important since it may provide another clue to the death of Hance Hendrick I. Since the survey was made before 1728, the lack of a "Sr." or Jr." suggests that Hance Hendrick was dead before 1728. Thus it would be helpful to know more precisely when this survey was made. The reference to St. Margaret's parish means it was made after 1721, all three adjoining landowners having been in place by 1718. The reference to King William County means the survey must have been made prior to the formation of Caroline County (which was legislated in 1727 to be effective in 1728). Thus, it is likely the survey was made sometime in the 1721-1727 timeframe.

I might note that the court records of Caroline County, which begin in 1732, have no Hendrick probates nor any indication that there was more than one Hance Hendrick in the area. All other Caroline records, and all King William records for this period, are lost.

18 Jan 1733/4 Deed of Gift: John Byars, of St. Martin's Parish, Hanover County, to son James Byars, for good will and natural love, 200 acres in Hanover County, "being my plantation and all improvements," said James to pay Quit Rents due King... /s/ John "X" Byars. Wit: Robert Harris, **Wm. Hendrick**, Richard Harris. (Hanover County Small Book, p50)

William Hendrick, son of Hance I, is apparently living on his Hanover land, for patents to both Byars and Harris were within a couple of miles of the land Hendrick had bought. St. Martin's Parish, established in 1726, included that portion of Hanover that lay between the North Anna and South Anna rivers, the north and south forks of the Pamunkey respectively. One of James Byars sons would later marry a daughter of William's son John Hendrick.

14 Mar 1733/4 Probate: Estate of Marcus Sanders, late of Caroline County, Decd. Ordered William Lucas, John Hammon, **Hans Hendrick**, and Titus Hurt, or any three, do appraise the Estate of Marcus Sanders, Decd., and return same to Court. (Caroline County, VA, Court Orders, 2:127)

This must be Hans Hendrick II, who we know owned land in Caroline County. Appraisers were normally near neighbors. Hance Hendrick later sold land in Amelia to Titus Hurt, who subsequently sold it to Obediah Hendrick, son of Benjamin of Amelia.

4-5 Jul 1734 Lease & Release: James Harris to Martin Baker, both of Hanover County, for £24 Virginia money, 150 acres in Hanover County on the second fork of Pamunkey River on the north side of Little River, being woodlands adjoining **William Hendrick**... /s/ James Harris. Wit: Robert Harris, Robert Harris, Jr., Wm. Harris. Elizabeth Harris, wife of James, relinquished dower. (Hanover County, VA, Small Book, 30)

The second fork of the Pamunkey River, actually the first fork of the North Anna, was Little River. William Hendrick's plantation can be located by the combination of this deed and the 1730 transaction from Fox. Two adjoining patents to Thomas Comer in 1699 and to John Saxon in 1701 fit these landmarks and metes and bounds. Fox had apparently bought the upper part of one or both of these patents, which he sold to William Hendrick. It was located between the North Anna and Little River on the north side of a small creek called Goose Creek.

15 Aug 1734 Court: William Allen makes oath that pursuant to a Warrant from Colonel John Fleming himself and George Stovall, Joell Chandler, Young Stokes, Richard Parker, James Embro, John Thomas, Michael Chetwood, Nathaniel Maxey and John Redford ranged each six days in search of **Robert Hendrick** who was supposed to be killed by the Indians, and that Richard Ward ranged five days and that to his knowledge they have received no satisfaction for the same... [Goochland County Order Book 3, p287]

Robert Hendrick's identity is unknown. There is an intriguing possibility though. He may have been a son of Adolphus Hendrick. We know that Adolphus Hendrick had surveyed land in Goochland, later Cumberland, County sometime before late 1736 (see below). It is possible that Robert Hendrick is a son sent to explore for land. In support of this (admittedly wild) theory, I note that five of these persons who were searching for him (Ward, Chandler, Parker, Radford, and Maxey) had land south of the James in eastern present Cumberland County. All five were located no more than five miles from Adolphus Hendrick's later patent, all to the east. Four others (Allen, Stokes, Stovall, and Chitwood) held land just east of the county line in what would become Powhatan, perhaps 7-8 miles away. Given the sparse population at that time, Robert Hendrick must have been killed fairly close to these men.

There is also a single record in Orange County abstracted deeds of a Robert "Kendrick" witnessing a bill of sale a few months earlier between two King William County residents (Dorman, p81).

21 Nov 1734 Land Patent: William Hurt, 400 acres in Prince George County [later Amelia] on the upper side of Flat Creek, adjoining William Gates. For £2. (Virginia Patents 15:362)

This is inserted here as an interesting curiosity. The land adjoined the land claimed by William Hendrick, son of Adolphus, which was actually patented by his widow's next husband Robert Hudgens. It was not on Flat Creek, but about two miles above it, just below the county line, and was several miles from the Amelia lands later claimed by Hans Hendrick II and III and Benjamin Hendrick. Given that William Hendrick, son of Adolphus, would soon claim the adjoining land, one wonders if there might not have been some Hurt-Hendricks connection, perhaps to a daughter of Hance Hendrick I. Note that Hurt obviously had his survey made before Amelia was created from Prince George.

In 1738, William Hurt would patent land several miles southwest, near Hans Hendrick II. James Hurt would patent land between William Hendrick and Hans

Hendrick in 1736, and four years later Joseph Hurt would patent land adjoining James Hurt.

1 Jan 1734/5 Effective date of formation of Orange County from Spotsylvania County.

The three Hendrick patents in Spotsylvania are now in Orange County. There are no records of any sale in Spotsylvania, so they may all still owned by the brothers. Adolphus sold his patent in 1740, but there are no records of sales of the other two in Orange County records.

Note that no Hendricks appear in the Orange County tithables from 1734 through 1739. (See "Orange County Tithables", William and Mary College Quarterly Historical Magazine, Vol. 27, pp19-27)

10 Jan 1734/5 Judgment: The petition of **Adolphus Hendrick** against William Dillen for £2:10s being heard, judgment for the Plaintiff for the amount of the debt in current money. (Caroline County, VA, Court Orders, 2:271)

Adolphus probably was still in King William County, not a resident of Caroline County. Defendants had to be sued in their county of residence, which means the defendant lived in Caroline but the plaintiff was not necessarily local. We have no other record of Adolphus in Caroline County, and we know he was still a resident of King William County as late as 1740, when he sold his Spotsylvania patent.

13 Jun 1735 Bridge Order: Head Lynch, Gentleman, appointed to treat with a Justice of the King William County Court to agree with some person to cart timber and repair the bridge over Boot Swamp. (Caroline County, VA, Court Orders, 2:299)

Boot Swamp, where Hans Jr. was located, was mainly in Caroline County but the last several miles of it, just before entering the Mattaponi, formed part of the county line between Caroline and King William. The bridge was apparently located on the part of Boot Swamp that separated the two counties. There is only one modern bridge, on a road crossing the swamp at the southernmost part of this border, which may be the same location as this bridge.

18 Dec 1735 "John Holmes, being committed by Benjamin Harrison & Richard Kennon, Gents, two of the justices of the above county for ye felonious robbery of **Capt. John Hendrick** on ye 18th day of December 1735 at the house of Mr. Fra. Hardyman of sixteen pounds current money or thereabouts which commitments being read Mr. Fra. Hardyman, Sam'l Gregory, Thomas Hudson & Charity Ireland being sworn & Esca'd [exa'd?] as evidence for our Sovereign lord their King and the King's attorney for the county having sumd up the same & ye question puts whether he ought to be removed from hence to the public gaol for for (sic) tryal at the court are of the opinion he should..." [Charles City County Court Order Book 1737-1751, p99 contributed by Pat Baber]

This is the first appearance of a John Hendrick in Virginia. The court item is dated in September 1739 but it refers to an incident in 1735. Just a few months later, a

John Hendrick was ordered paid as a witness for Hance Hendrick in Caroline County. (See 10 September 1736 entry below.) Pat Baber searched all available records of Charles City County and found no further record of John Hendrick, who evidently lived elsewhere. It seems significant that John Hendrick was not called upon to give evidence in the case – surely the most valuable witness would have been the victim.

The title of “Captain” suggests that he was the John Hendrick of Plymouth, Devon who was master of the ship “John and Robert” referred to in the item dated 8 September 1738. Captain John Hendrick and his ship are mentioned in a number of British newspapers as early as 1729 and as late as 1739, neatly bracketing this incident. Adding weight to this theory is a report in a newspaper dated 14 March 1735/6 that Captain Hendrick and the “John and Robert” had recently returned to Plymouth from Virginia. Francis Hardyman, who was quite a prominent citizen, was probably engaged in some importing or exporting business that put him in contact with Captain Hendrick.

This mariner John Hendrick seems likely to belong to a family of Hendricks who had lived in and around Plymouth since the early 1600s.

13 Feb 1735/6 Juror: **Hance Hendrick** was a juror in the trial of Peter Lanter vs. Richard Straughn, Jr. in Trespass. (Caroline County, VA, Court Orders, 2:325)

15 Mar 1736/7 Land Patent: William Daniel, 300 acres in Goochland County, crossing Bear Creek, a branch of Willis River, adjoining **Adolphus Hendrick**. For £1:10. (Virginia Patents 17:38)

Although Adolphus did not receive his own patent for another two years, this is the first evidence that he had taken up land in Goochland (later Cumberland), roughly 15 miles northwest of the Hans Hendrick II lands developing on Flat Creek in southwestern Amelia County. It is also about 20 miles west of the land his son William Hendrick was claiming at about this time in northern Amelia. This land in is the central part of what would become Cumberland County. It would be two years before Adolphus perfected his claim into a patent, five until he moved from Caroline to the Goochland County. By 1749 the land was in Cumberland County.

9 Apr 1736 Parties to Talk: In the matter of **Hanse Hendrick** vs. Henry Burk in Chancery, the Defendant prayed leave to imparle until next Court, and then to plead. (Caroline County, VA, Court Orders, 2:337)

9 Apr 1736 Dismissed: In the matter of **Hanse Hendrick** vs. Henry Burk in Case., the Plaintiff failing to prosecute, he is nonsuited and ordered to pay the said Henry 5 shillings or 50 pounds of Tobacco for attorney’s fees and costs. (Caroline County, VA, Court Orders, 2:338)

The suit was later redocketed.

14 May 1736 **Hanse Hendrick** was a juror for the trial of John Martin, Gentleman, vs. John Brown in Debt. (Caroline County, VA, Court Orders, 2:340)

14 May 1736 Trial Set: In the matter of **Hanse Hendrick** vs. Henry Burk in Detinue, the issues being joined, the trial thereof is referred to the next Court. (Caroline County, VA, Court Orders, 2:343)

18 Jun 1736 Slave Bill: Thomas Waring, of Essex County, to **William Hendrick and his wife Martha**, daughter of Robert Parker, late of Essex County, Decd., for £100, two Negroes, York and Frank... /s/ Thomas Waring. Wit: Joseph Munday, John Wood. (Essex County, Virginia Deeds 21:11)

Later records (see below) positively identify this William Hendrick as the son of Adolphus Hendrick. Martha Parker had first married James Merritt, and after his death married William Hendrick. This is the earliest mention of this William Hendrick in any record. As the records below show, he had probably staked out land in Amelia County by this time but did not patent it before his death. It is not at all clear how he came to meet a woman of Essex County – but Essex lay north of the Pamunkey River and shared a border with Caroline County.

Numerous genealogies have assumed this record applied to William Hendrick of Hanover County – committing a cardinal sin of genealogy; assuming that two people with the same name are the same person.

Jun 1736 Amelia County tithables show no Hendricks.

13 Aug 1736 Dismissed: The petition of John Sutton against William Warren and **Hance Hendrick** being agreed, dismissed. (Caroline County, VA, Court Orders, 2:359)

There are several subsequent records for this suit, some of which are cited below.

10 Sep 1736 Juror: **Hans Hendrick** served as a juror for two trials in Caroline Court this date: Robert Dudley vs. Thomas White in Trespass, and Thomas Blasingham vs. John Fox in Debt. (Caroline County, VA, Court Orders, 2:367, 369)

10 Sep 1736 Verdict and Appeal: In the matter of **Hans Hendrick** vs. Henry Burk in Detinue, a trial by jury, verdict for said **Hans** of damages of £4:10s current money, to which said Burk filed a petition of Errors in Arrest of Judgment. To be argued at next Court. (Caroline County, VA, Court Orders, 2:369)

10 Sep 1736 Witness Fee: Ordered **Hans Hendrick** pay **John Hendrick** 120 pounds of Tobacco for 4 days attendance at Court as an evidence for said Hans against Burk. (Caroline County, VA, Court Orders, 2:369)

This is the second appearance of a John Hendrick. He was probably of age since he seems to have had enough knowledge of the issue to attend court for four days. (Thus it doesn't seem likely that he was a third-generation Hendrick. Benjamin and Adolphus, who had sons named John, lived in King William County and Hans's son John probably was not yet of age.) Note also that the amount being paid probably means that John Hendrick was a resident of Caroline County, since a non-resident would have also been due mileage from outside the county. There is no other mention

of a John Hendrick among the extant Caroline records (all of which are court records) until 1756.

If he was the same John Hendrick mentioned a year earlier in Charles City County, then he was likely a fifth son of Hance Hendrick.

8 Oct 1736 Jurors: John Hurt and **Hans Hendrick** served as jurors for two trials in Caroline Court this date: Thomas Burk vs. John Chapman in Trespass, and Benjamin Rennolds vs. Robert Dudley in Case. (Caroline County, VA, Court Orders, 2:375, 377)

Note that all these references to Hance Hendrick show that he alone among the Hendricks was a landowner in Caroline. Only landowners could serve as jurors, and no other Hendrick appears in these records as a landowner for nearly 20 years.

13 Oct 1736 Land Patent: Timothy Murrill, 367 acres in Amelia County, on the upper side of Flatt Creek, adjoining William Mayo, James Collins, and **William Hendrick**. For £2. (Virginia Patents 17:204)

See next entry.

13 Oct 1736 Land Patent: William Evans of Caroline County, 300 acres in Amelia County on both sides Pruit Creek, adjacent lines of **William Hendrick**, William Austin & William Gates, bounded by William Fuqua alias Bentley. (Virginia Patents 17:206)

Both of these patents refer to land staked out by William Hendrick, son of Adolphus, who had evidently claimed his land and completed a survey for it, but had not yet applied for a patent. William was dead less than a year later. He would continue to be named as an adjoining landowner in subsequent patents, but the land was eventually patented by his widow's next husband and then given to William's only child, Elizabeth (see below). See the entry at 1 Feb 1738/9 for proof that William Hendrick had already completed a survey for this land.

Note that William Hendrick does not appear as a tithable in Amelia in 1736, apparently because he was living in Essex County, his bride's home county. Nor does he appear as a tithable in 1737, either because he was already dead or still in Essex.

12 Nov 1736 County Debt: Among those claims listed for County payment for this year were: **Hance Hendrick**, for services, 200 pounds of Tobacco, and John Hurt, Constable, 322 pounds of Tobacco. [Caroline County, VA, Court Orders, 2:380]

1734-1741 Partridge Store Ledgers: Partridge & Company operated a store in Hanover County, whose precise location is unknown but was likely convenient to a landing on the Pamunkey River and not far from the old courthouse. Though most of its customers were Hanover residents, some were across the river. The surviving Ledger B covers roughly the timeframe of 1734-1737, and there are no Hendricks mentioned. Ledger C (which is missing) was apparently a special-purpose ledger of some kind, for Ledger D, covering the period 1737-1741, carried forward the accounts from Ledger B. There are no Hendricks mentioned in Ledger D. [Virginia Genealogical Society Quarterly, Volumes 23-24, in several installments]

Contrary to an earlier misreading by some genealogists, there are no Hendrick mentions in the Partridge & Company accounts of 1734-1741. We know that William Hendrick was in Hanover County during this period, but his plantation was apparently located too far up county for him to have frequented the Partridge store. He may have used a different merchant, whose records no longer exist.

There is another surviving ledger for the year 1756, which consists of accounts at a different Partridge store, the "upper store", which was further up-county near the Hanover-Louisa line. This ledger does mention several Hendricks. (See entry for 1756 below.)

12 Feb 1736/7 Action Dismissed: In the matter of **Hance Hendrick** vs. Henry Burk in Detinue, parties being represented by their attorneys, on hearing the Defendant's answer to the Plaintiff's bill, the Court determined that the Law favors the Defendant's plea, ordered that the Plaintiff take nothing by his bill. Suit dismissed. The said Burk to recover the costs of his defense from the Plaintiff. [Caroline County, VA, Court Orders, 2:401]

12 Feb 1736/7 Juror: **Hance Hendrick** was a juror for two trials in Caroline Court this date: John Champe vs. Robert Dudley in Debt, and Roger Quarles vs. Walter Chiles, Sheriff of Caroline County in Case. [Caroline County, VA, Court Orders, 2:402]

11 Mar 1736/7 Road Order: William Echols appointed surveyor of road from the white oak on Flat Creek to John Hurt's near the fork of Stocks Creek. Ordered same be done and bridges made where wanting. [Amelia County, VA, Court Orders, 1:21]

This is the father-in-law of Moses Hendrick, son of Adolphus, though it would be years before the marriage took place. John Hurt also was a freeholder in Amelia by this date, although the only land patents on record were those of William Hurt (1734) and James Hurt (1736).

1737 Tithables, Amelia County: No Hendricks are in the county. Nor is Robert Hudgens. The existing tithables are thought to be complete for this year.

8 Jul 1737 Juror: **Hans Hendrick** served as juror in the trials of Joseph Binkley, Jr., vs. Paul Harralson in Case, and Charles Yarbrough vs. Jeremiah Swan in Trespass. [Caroline County, VA, Court Orders, 2:433, 434]

Sept 1737 Entry date for payment receipt for marriage bond of **William Hendrick** to Martha Merrit of Essex County. [see William Hendrick estate papers dated 1750 below]

The marriage itself took place more than a year earlier, as they were married by the June 1736 record above. This is the date on which the payment appeared in an estate accounting. James Merrit (the first husband of Martha Parker) was dead by January 1733/4 when his appraisal was taken in Essex and Caroline Counties (it was recorded two years later in Essex County.)

20 Sep 1737 Slave Bill Recorded: On motion of **Martha Hendrick**, widow of **William Hendrick**, decd., a deed of chattel from Thomas Waring, of Essex County, to said William Hendrick and Martha, his wife, dated 18 Jun 1736 was proven in Open Court and ordered recorded. [Essex County, VA, Deeds 21:326]

From other evidence, this is William Hendrick the son of Adolphus Hendrick. He was apparently alive in mid-1736 but is now deceased. Subsequent records (see below) identify his only child as Elizabeth, who married John Colquitt in 1753 and who was a party to a suit in 1756 with Adolphus Hendrick, identified as the grandfather of Elizabeth Hendrick Colquitt.

I note here that the Amelia County tithables exist for 1736, 1737, and 1738 for the district in which William Hendrick's land lay. Neither he nor the slaves are taxed in any year. That suggests both William and the slaves were actually resident in Essex County.

20 Sep 1737 Deed: **Martha Hendrick**, widow, heir apparent of Robert Parker, decd., of St. Anne Parish, Essex County, to Thomas Waring, of Essex County, for £90, an “indefeazable Estate of Inheritance in fee simple,” being 200 acres in Essex County, including a grist mill called Pleas Mills, adjoining said Waring; Robert Baggs, orphan of Edmond Baggs; John Tayloe; and the Mill Pond – being the land whereon John Parker formerly lived, and now in the tenure and occupation of Thomas Waring... /s/ **Martha “X” Hendrick**. Wit: H. Robinson, Francis Waring, W. Beverly. [Essex County, VA, Deeds 21:326]

William Hendrick is already dead, having been married to Martha for perhaps a couple of years. Note that she describes herself as an Essex County resident.

1738 Ledger of unknown merchant shows a credit balance of 3s 10p for **Mrs. Elizabeth Hendrick** of “K Wm.” Balance transferred in 1740 “by Robert Wades acco(unt) in H K C book” [Ledger of unknown merchant, in “Frederick's Hall Plantation Ledgers and Other Volumes, 1727-1862” (Collection #01422), The Southern Historical Collection at the Louis Round Wilson Special Collection Library, Chapel Hill, North Carolina]

The merchant is unknown, but probably was in Hanover County. The identity of Mrs. Elizabeth Hendrick is unknown. The four sons of Hance Hendrick were all alive and, to have her own account, this woman was likely a widow. There seem to be two possibilities: either she was a later wife of Hance Hendrick, now widowed, or she was the widow of a fifth son (perhaps John Hendrick).

If she was not a widow, she may have been the wife of Adolphus Hendrick, who was still living in King William as late as 1740.

16 Jun 1738 Land Patent: **Hans Hendrick** of Caroline County, 400 acres in Amelia County, on both sides of Mayes branch of Flat Creek. No adjoining neighbors noted in survey. For £2. [Virginia Patents 17:529]

This was Hans Hendrick II, son of Hance Hendrick I, preparing to move from Caroline to Amelia. There is only one Hance Hendrick mentioned in Caroline court records after they begin in 1732. The last indication that he was living in Caroline (other than this patent) was a year earlier, and the first indication of his residence in Amelia is a year later.

The land is located in far western Amelia County just north of the present Nottoway County line, roughly 15 miles southeast of Adolphus Hendrick's land in Goochland (now Cumberland) County and roughly 8 miles southwest of the land Adolphus Hendrick's now-deceased son William Hendrick had settled on. Both Benjamin Hendrick and Hans Hendrick III would later claim land within a mile of this parcel, as would William Echols, William Hurt, and other familiar names.

16 Jun 1738 Land Patent: William Hurt of Caroline County, 400 acres in Amelia County, on both sides of Ellis's Fork of Flat Creek. For £2. [Virginia Patents 17:528]

This is the same William Hurt who had earlier claimed land several miles northeast adjoining William Hendrick, son of Adolphus Hendrick. The fact that Hans Hendrick and William Hurt obtained patents in the same area on the same day is further tantalizing evidence of a possible familial connection. The Hendrick and Hurt families by this time had roughly fifty years of family association, living as close neighbors in King William, Caroline, and now Amelia.

1738 Tithables, Amelia County: No Hendricks are listed, nor is Robert Hudgens. William Evans appears with one tithable. The extant tithables are thought to be complete for this year.

11 Aug 1738 Arrest Ordered: In the matter of John Wyatt and John Anderson, Gentlemen, vs. **Jane Hendrick** in Debt, the said Jane not appearing, a Plurius Capias was ordered to against her, returnable to the next Court. [Caroline County, VA, Court Orders, 2:499]

The identity of Jane Hendrick is unknown. All we can be sure of is that she was an unmarried woman or widow, was over 21 and was a resident of Caroline County (all necessary criteria for her to be sued). We can also be sure that this is not the first mention of this suit (though it's the first mention we know of). A capias writ was like a modern-day bench warrant, an order to the sheriff to physically force the defendant to appear in court. Plurius means it was not the first such writ (an alias writ would have preceded the first plurius writ).

Anderson (and perhaps Wyatt as well) was a churchwarden for St. Margaret's Parish, hence the debt may have concerned the parish. However, the court records normally identified the fact if the churchwardens were acting on behalf of the parish, thus this may have been a private debt. Thus we don't know if this was a private debt, a parish debt (such as an unpaid tithe for a slave), or some other matter that financially obligated her to the plaintiffs.

It has been suggested that she may have been sued for having a bastard child. While that is possible, it is highly speculative and only one of several possibilities. (The parish would have been responsible for supporting such a child in the absence of a

father, and could sue the mother in order to force her to identify the father so that he could be forced to pay for support.) This situation, in other cases in the court records, is invariably more clearly identified as such, which suggests that this was not such a matter.

Jane Hendrick is more than likely the widow of Hance Hendrick I, but several factors suggest caution in accepting that theory. Nearly forty years had passed since Hance Hendrick claimed her importation, and she had at least one child nearly of age at that point. Thus she would have been well into her 70s, if not older, at this point. Without any citation in nearly forty years, we can't be sure she was still alive. Her use as a headright is no indication that she was even alive back then, for headrights didn't have to be living people. The fact that she lived in Caroline, however, fits the widow theory, for only Hance I and II can be shown to have owned land there.

8 Sep 1738 Issue of the *Virginia Gazette* of this date: "By a letter from Plymouth we are informed, that on Thursday fe'nright put in there the *John and Robert, Capt. Hendrick*, belonging to that Port but bound from the Island of May to Rotterdam; the Captain says, that he met in Lat. 22, 40m. a Spanish Man of War of 50 Guns, who obliged him to bring too (sic), and was about to put 36 Hands on board him, but Provisions being short they alter'd their Resolution..." [*Virginia Gazette*, issue of 8 September 1738, page 4]

This may have been, probably was, the Captain John Hendrick referred to in the item dated 18 December 1735.

8 Sep 1738 Arrest Ordered: In the matter of John Wyatt and John Anderson, Gentlemen, vs. **Jane Hendrick** in Debt, the said Jane not appearing, a Pluribus Capias Writ was ordered to against her, returnable to the next Court. [Caroline County, VA, Court Orders, 2:499]

The Sheriff had either neglected to serve the writ ordered by the previous Court, or he was unable to force her to attend court, so the service was reauthorized. As noted above, this must have been the third such writ, though we only have record of two.

8 Dec 1738 Dismissed: The action in Debt by John Wyatt and John Anderson, Gentlemen, against **Jane Hendrick** was dismissed. [Caroline County, VA, Court Orders, 2:514]

There is a maddening lack of detail here. Was it dismissed because the court had determined she was not a Caroline resident, because she paid the debt out of court, or because the plaintiffs dropped the case?

1 Feb 1738/9 Land Patent: **Adolphus Hendrick**, 400 acres in Goochland County, on both sides of the West branch of Bear Creek of Willis River, adjoining William Holladay. For £2. [Virginia Patents 18:176]

Adolphus finally received the patent for his Goochland (later Cumberland) tract, which he had claimed at least two years earlier. He evidently did not move at this time, since he was still a resident of King William in 1740 when he bought a parcel near this patent (see below). It seems highly likely that one of his sons (or perhaps a son-in-law) was physically located on this patent at this time.

1 Feb 1738/9 Land Patent: David Thomas, 198 acres in Amelia County, on the upper side of Flat Creek, adjoining Edward Hubbard, James Collins, **William Hendrick**, Daniel Hamlin, and William Hurt. For £1. [Virginia Patents 18:183]

A third patent mentioning the land of William Hendrick (son of Adolphus). He had been dead for about two years, and his claim still had not been patented, but Thomas' survey was obviously taken while he was still alive.

1 Feb 1738/9 Land Patent: Robert Hudgens, 400 acres in Amelia County, on the upper side of Flatt Creek on Pruitt's Creek, adjoining William Hurt, William Mayo, and James Collins. For £2. [Virginia Patents 18:200]

This is the land claimed by William Hendrick (son of Adolphus). Robert Hudgens had married Martha, widow of William Hendrick, sometime between 20 Sep 1737 and now. The patent is clearly the land referred to in the three earlier patents as William Hendrick's. In fact, it appears that Hudgens used a survey done by William Hendrick in his lifetime, for the adjoining patents in 1736 by Evins and Murrill (see above) are not mentioned here, meaning that the survey predated their own claims. On 21 Apr 1749 (see below), Hudgens conveyed this tract to Elizabeth Hendrick, daughter and only child of William Hendrick, decd. Martha Parker Merrit Hendrick Hudgens, Elizabeth's mother, did not release her dower right in the tract patented here until 28 Nov 1754, after Elizabeth had married John Colquitt of Cumberland County (see below).

9 Mar 1738/9 Attachment: In the matter of John Sutton vs. William Warren and **Hans Hendrick** in Debt, the Sheriff having returned the attachment as executed in the hands of William Evins, ordered said Evins appear to declare what of the Estate of the Defendants he has. [Caroline County, VA, Court Orders, 2:527]

June 1739 Tithables, Amelia County:
List of tithables above Flatt Creek:
Hance Hendrick, negroes Mary and Nan – 3 tithes

The tithables lists are torn and a few names missing as a result. It isn't completely clear whether this is Hance Hendrick II or III. Note that William Evans also appears on the list.

13 Jul 1739 Default Judgment: In the matter of John Sutton vs. William Warren and **Hans Hendrick** in Debt, the Plaintiff having taken an attachment on the estate of the Defendants of 2,999 pounds of Tobacco and Cask executed in the hands of William Evans, and the said Evans having been summoned and failing to appear, Judgment by Default granted against the said Evans for the said debt and costs, unless the said Evans do appear at next Court and declare upon oath what of the estates of the Defendants he has in his hands. [Caroline County, VA, Court Orders, 2:549]

See the later entries in 1740 and 1741 for this suit. Since Hance Hendrick II had left Caroline, the court had no jurisdiction except for whatever assets he had left behind. From the later court records, it appears that William Evans (who must have lived in

Caroline) owed money to Hance Hendrick. The court eventually ordered Evans to pay Sutton rather than Hendrick in order to satisfy Hendrick's debt to Sutton. It may be that Sutton, knowing they were about to leave the county, had attached their property to avoid being left empty handed.

This is perhaps the same William Evans who may have been the son-in-law of Adolphus Hendrick, brother of Hans. William Evans, who was of Caroline when he patented land in Amelia in 1736, appeared on the tithables there in 1738 and 1739, but was back in Caroline when he sold the land in 1740.

20 Jul 1739 Deed: David Thomas, planter of St. James Parish, Goochland County, to John Hudgens, planter, for 1700 pounds of good and lawful Tobacco, 198 acres in Amelia County on Flatt Creek between the lines of Edward Hubbard, James Collins, and **William Hendrick**, bounded by Daniel Hamlin and William Hurt, it being part of patent to said Thomas dated 1 Feb 1738... /s/ David "X" Thomas. Wit: **Hans Hendrick**, Richard Eckhols, Joseph Eckhols. [Amelia County Deed Book 1, p195]

Another indication that Hans Hendrick II had by now moved onto his Amelia patent.

John Hudgens, apparently a relative of Robert Hudgens, sold this tract in 1741 and removed to Cumberland County. The land description for this deed and for its sale in 1741 was repeated from the patent to Thomas, which was issued the same day as Robert Hudgens patented the land described as William Hendrick's.

16 Nov 1739 Indictment: **Hance Hendrick**, John Hurt among those indicted by Amelia County Grand Jury for "Not Coming to Church." [Amelia County Court Orders 1:80]

Hans Hendrick and John Hurt had taken residence in Amelia, but had not been attending Sunday services at Raleigh Chapel, the Established Church parish for Amelia County. Missing four successive Sundays was a sure invitation for an indictment by the next Grand Jury. Later records identify Hans as a Presbyterian (see 1760 entry below). Note that there is no patent to John Hurt in Amelia.

12 Dec 1739 Survey: For **Hance Hendrick Senr.** 200 acres on the north side of Flatt Creek joining his own, Sizemore's, and Tarver's lines. [Survey Records of William Watson 1739-1740, Virginia State Library, Richmond]

See patent to Hance Hendrick Sr. of 25 July 1746 (more than five years later) for this land.

13 Dec 1739 Survey: For **Hans Hendrick Junr.** 200 acres on head of the branches of Sandy Creek. [Survey Records of William Watson 1739-1740, Virginia State Library, Richmond]

See patent to Hance Hendrick Jr. of 25 July 1746 for this land.

21 Dec 1739 Jurors: **Hans Hendrick** was a member of the jury for the trials of Richard Newman vs. Thomas Sullings in Debt, and Thomas Lester vs. Hezekiah Powell in Debt in Amelia Court. [Amelia County, VA, Court Orders 1:86]

In order to sit on a county petit jury in Colonial Virginia, a person had to be a freeholder of at least 50 acres or have personal property of a value of £100. To sit on a grand jury required 300 acres and to be “one of the better” or “qualified” freeholders. Only aristocrats and loyal subjects were selected as Justices of the Peace and Magistrates of the County Court, appointed annually by the Royal Governor. It was allegedly a mark of distinction in Colonial Virginia to be selected to sit on a jury, but expediency often ruled, and court spectators and customers of the always nearby tavern were often drafted to fill out a panel. Grand Jurors were called by summons delivered by the Sheriff or his deputy.