

Bynum Citations in Surry County, Virginia & Vicinity 1663-1750

When I published the 1983 book, I intended to offer a companion volume containing a chronological list of Bynum citations. This is the segment of that chronology covering the period through 1750. The great majority of these records were taken from the microfilmed original records, but several are from secondary sources.

Records relating to the Blow, Mizell, and other families have been mostly omitted from this Appendix, because I have separately published them elsewhere.

14 Aug 1653 Deed: Major Robt. Shepard to Henry Medhouse [sic], no consideration noted, “a certain necke of land where hee now lives containing about 100 acres, extending northerlye from his now plantation.” Signed: Ro. Shepard. Recorded 7 March 1654/5 by Mr. Tho. Warringe “whoe married relict sd. Shepard.” [Surry County Deeds & Wills 1, p57.]

This is the land Meadow's widow sold to John Baynham nearly ten years later. Though the description is wanting, several patents to Shepard, Meddows, and others place the land nearly on the Isle of Wight county line, within a mile or two of George Blow's patent below.

20 Jan 1662/3 Deed: Dorothy Meddow, the widow of Henry Meddow, to **John Bineham**, 100 acres in Surry County, part of a dividend of land “lately in the possession of Major Robert Sheppard & by him given to Henery Meddow decd my late husband.” Consideration not given, nor is the land described. Signed: Dorothy (her mark) Meddow. Witness: Miles Chase, Thomas Hartt, Jno. Edwards. [Surry County Deeds & Wills 1, p204-5.]

This name appears to be “Bineham” in one place and “Binegham” in another. It's not clear if this is our John Bynum or not, but there are two factors that suggest it may have been: First, there are no references to anyone named “Bingham” in earlier or later records; Second, this land was quite close to the land John Bynum purchased later that year (see two entries immediately below). On the other hand, there seems to be no subsequent deed selling this land. This deed may have been a confirmation of an unrecorded agreement while Henry Meddows was still alive, for a widow did not own her husband's land and couldn't sell it. (Unless he had left a will specifically transferring title to her.) Unfortunately there is no record of Meddow's death.

3 Aug 1663 Land Patent: George Blow, 600a in Surry County, for transportation of 12 persons. “...a marked maple on the southernmost side of the bridge swamp night unto the bridge that leads to Major Robert Sheppards plantation...running over the said bridge swamp.” [The metes and bounds are sufficient to plot the parcel] [Virginia Patent Book 5, p370]

George Blow would sell part of this patent a few months later to John Bynum, then sell another part to Hudson and Hancock. Note that the reference to Major Sheppard implies that this land may be close to the parcel John Bynum had bought from Meddows. The detailed description of this patent, and others adjoining it, places its location quite close to the Isle of Wight County line on the Mill branch of Green Swamp.

5 Dec 1663 Deed: George Blow and wife Margery, of the upper [Southwarke] parish, to **John Bynam**, consideration not noted, all land “on the southwest side of a branch of the Black Water Swamp the sd. peece containinge all the land that is on that side of the fore sd swamp belonging to the sd Blow” and being part of a patent of 600a. “as expressed in the patten to the sd. George Blow.” Signed: George Blow, Margary (x) Blow. Witness: Richard (x) Smith, Wm. Marriott, Peleg Dunston. [Surry County Deeds & Wills Book 1, p232] Acknowledged by the Blows in court 2 March 1663/4.

In the deed, the date is not clear: either “1653” or “1663”, but it must be the latter, since the patent to Blow was not issued until 3 August 1663 and this deed not recorded until 1664. George Blow’s patent spanned what is now called Mill Creek, in the area where Mill Creek and Green Creek meet. Bynum’s land is the part of Blow’s patent that is south of the creek. None of the subsequent resale deeds for this tract give its acreage, but it appears to be roughly 200 acres from a plot of the patent.

7 May 1664 Deed: **George Blow** and wife Margritt to Rowland Hudson & William Hancock, unspecified acreage “on the east or southeast side of Black water swamp beginning right att the joining of **Joh. Benoms** marked trees & bound southerly or west southerly on the maine swamp where the bridge is belong to Mr. Tho. Warrens carte path & northerdly or northeast on the side of the swamp called the bay tree swamp... Signed: George Blow, Margritt (x) Blow. Witness: Jane (x) Halle [?] George Carter. Acknowledged by George and Margritt Blow on 1 November 1664. [Surry County Deeds & Wills Book 1, p246]

George Blow is selling another part of the 600a. patent. Later resale deeds identify the acreage of this piece as 150a.

June 1668 Surry tithables: Lawnes Creek parish
John Bineham – 1

This is the first surviving tithables list for Surry. There are only 218 tithables in the entire county, a third of them in Lawnes Creek parish. At this time, a tithable was any white male aged 16 or more, white male servants under 16 who had been imported into the colony, black males over 16 who had been imported, black or Indian females above 16, and white female servants over 16 who were

employed as field workers.

Lawnes Creek was a very small parish, encompassing a sliver of eastern Surry and a sliver of western Isle of Wight. But it was the most densely populated part of Surry at this time. The other parish in Surry, Southwarke Parish, was many times bigger but had only twice the population of Lawnes Creek.

June 1669 Surry tithables, Lawnes Creek parish
John Binam - 1

June 1670 Surry tithables: Lawnes Creek parish
John Bineham - 1

23 Mar 1671/2 Wm. Townsend appoints friend Wm. Seward his attorney to sue **John Benham** [?]. Witness: John White, Mathew[?] Maynes. [Surry Deeds & Wills Book 1, p103.]

June 1673 Surry tithables: Lawnes Creek parish, list of Lawrence Baker
Jno. Binham - 1

June 1674 Surry tithables: Lawnes Creek parish, list of Charles Barham (only 26 households)
Mr. Jno. Binam – 2

The second tithable is a mystery. Perhaps John Johnson, who was apparently a tithable of John Bynum the following year.

In all of these tithables lists 1668-74, John Bynum is consecutive with Richard Smith. Persons provided their own names to the list-maker, so this implies that Bynum and Smith were visiting the list maker on the same day. Richard Smith had married the widow of George Blow and, if he was living on Blow's land, was a neighbor. But perhaps there was some other relationship between the two men. We do know that Smith later married the widow of John Twyford (see below) about 1678.

June 1675 Surry tithables, Lawnes Creek Parish, list of Charles Barham (25 households)
Jno. Bynam & Johnson – 2

This clearly reads "Johnson", not "John, son". This person was evidently John Johnson, who appears by himself in later tithables for this precinct.

June 1677 Surry tithables: Lawnes Creek Parish, list of Samuel Swann
Jno. Bynham – 1

June 1678 Surry tithables: Lawnes Creek Parish, list of John Goring
Jno. Binnom – 1

June 1679 Surry tithables: Lawnes Creek Parish, list of Arthur Allen
Jno. Bynham – 1

7 Nov 1678 **Jno. Byneham** one of several residents presented for not going to church as the law required, and not appearing at the last court to answer, appears at this court and “making it appeare he did frequently goe to Church before his sickness and that at the last Cort he was desperately sick, he is therefore discharges [sic] the presentments.” [Surry County Orders 1671-1691, p232]

4 Mar 1678/9 Inventory of John Twyford’s estate mentions “a small neck of land” leased to **John Byneham** for which rent was owed to the estate. [Surry County Deeds & Wills Book 2, p199]

This is an interesting connection. Richard Smith Sr., who had earlier married the widow of George Blow, had by now married yet again to the widow of John Twyford. The inventory of Twyford’s estate in which this lease is mentioned was presented to the court by “Rich. Smith and Mary his wife”. Twyford’s land either adjoined Bynum’s and Blow’s or nearly so.

29 Sep 1679 Deed: **John Bynam** to Richard Jordan Sr., 4000lb tobacco, land on the southwest side of a branch of the Blackwater Swamp... which Jno. Bynam formerly bought of George Blow. Signed **Jno (x) Bynam, Rosamond (x) Bynam**. [Surry County Deeds & Wills Book 2, p297.] Witness: Richard Jordan Jr., Richard Lane, Richard (x) Blow. Both John Bynum and “Rose his wife” acknowledged in court on 6 January 1679/80. [Surry County Orders 1671-1691, p232]

John and Rosamond Bynam both signed with distinctive marks. John’s mark is similar to a sideways Latinate “J”. Rosamond Bynum signs with a Latin “RP” (that is, the “B” appears as a “P”). The only other occurrence of her mark, two years later in 1681, is just the reverse – she signed as “PR”.

Richard Jordan Jr. would inherit this land and in 1688 would sell it to Robert Caufield. Not a single one of these deeds gives the acreage, from which we can tentatively conclude that no survey was ever made.

May 1680 Surry tithables: Lawnes Creek Parish, list of Arthur Allen
Jno. Binham – 1

6 Jul 1680 Deed: John Smith and wife Mary Smith of Lawnes Creek Parish to Thomas Barrow, 150 acres on Green Swamp, formerly belonging to William & Judah Lyles... borders land of Francis Mason and land of **John Bynam**. Witness: Nich. Smith, Wm. Seward [Surry County Deeds & Wills Book 2, p259]

Thomas Barrow died in late 1683 or early 1684 and his widow married George

Blow Jr. The land being sold is the parcel George Blow had sold to Rowland Hudson and William Hancock. Hancock sold his interest to Hudson. When Hudson died, his only child, Judah, and her husband William Lyle sold the land to John Smith.

23 Apr 1681 Land Patent: **John Byneham** of Surry County, 215 acres in the lower [Lawnes Creek] parish of Surry County for transportation of five persons... beginning at corner tree of Richard Jordan Jr. thence along his line... a gum in the Mill branch, thence down the same... an ash near Mr. Warren's line thence along Warren's line... [Virginia Patent Book 7, p68]

This is on an unnamed creek just south of the land bought from George Blow in 1663, which John Bynum had just sold. On a modern map, it is just below the present-day village of Runnymede.

June 1681 Surry tithables: Lawnes Creek Parish, list of Robert Ruffin "within the precincts of Lower Chipoakes & ye Blackwater...precinct"
Jno. Byneham Senr. & Junr. – 1

John Bynum Jr. must have reached the age of 16 between June 1680 and June 1681, thus born 1664/5. (Men were tithable if they had reached 16 by June 9th of the tithable year.)

1 Oct 1681 Deed: **John Byneham** and wife **Rosamond Byneham** to William Webb of Isle of Wight County, 100 acres on the west side of the branch sd. Byneham now lives on, part of his patent of 23 April 1681. Signed **Jno: (x) Byneham, Rosamond (x) Byneham**. Witness: Robert Ruffin, Samuel Thompson. [Surry County Deeds & Wills Book 2, p?] Acknowledged in court on 1 November 1681 by Jno. Byneham and his wife Rosemond Byneham.

John Bynum used the same mark as in the 1679 sale, but Rosamond this time used a Latin "RB" as her mark, the "R" written as a Latin "P".

The abstracted version of this deed says it is for 205 acres, but it actually reads as 100 acres out of a patent for 205a. William Webb would retain this land and will it to his son Richard Webb who would sell it many decades later.

20 Apr 1682 Land Patent: Thomas Waller, 420 acres on the Blackwater branches in the lower [Lawnes Creek] parish... Allen Warren's corner tree... Robert Caufield's lines... **John Binham**'s corner and lines. (Plotted, this adjoins **John Bynum**'s 1681 patent to the west.) [Virginia Patent Book 7, p133]

Waller would sell this patent to Robert Lane a few months later.

20 Apr 1682 Land Patent: John Mcloode, 270a. on the west side of the third branch of the Blackwater... corner tree of **John Binham** and Richard Jordan Junr... on

Binham's line... (Plotted, this adjoins **John Bynum's** patent to the northwest.)
[Virginia Patent Book 7, p133]

Mcloode [for McCloud] would sell this patent to William Cockerham.

June 1682 Surry tithables: Lawnes Creek Parish, list of Robert Ruffin “within the
precincts of Lower Chipoakes & Blkwater”
Jno. Byneham Senr. & Junr. – 2
Merko Machina & **Ja: Bineham** – 2

*John Bynum Jr. had reached the age of 16 sometime in the latter part of 1680 or
the early part of 1681, and thus was born in 1664 or 1665. His brother James
Bynum must have been a year younger, not reaching 16 until late 1681 or early
1682. The tithables a few years later bear this out. Both are heads of
household for the first time in 1688.*

*”Merco Machina” appears in nearly all the tithables lists, with the name
spelled in an truly imaginative variety of ways. Best guess is that he was
”Marco McKinnie”. He appears to be the father of Barnaby McKinnie, who
figures in the chronologies of several other families on this website. James
Bynum may have been apprenticed to him.*

6 Mar 1682 List of debts due the estate of George Proctor: **John Bayneham.** [Surry
County Deeds & Wills Book 3, p326]

3 Oct 1682 Deed: Thomas Waller to Richard Lane, the patent dated earlier in 1682,
adjoining **John Bynum** on the east side of Waller's patent.

June 1683 Surry tithables: Lawnes Creek Parish, list of Robert Ruffin for “Blackwater
precinct”
John Byneham Senr. & Junr. – 2
Merco Mackina & **Ja. Byneham** – 2

June 1684 Surry tithables: Lawnes Creek Parish, list of Arthur Allen
Rich. Jordan Junr., **Jno. Binham Junr.** – 2
Geo. Morrell, **Jas. Binham** – 2
Jno. Binham – 1

*George Morrell was a Quaker according to the 1687 militia list, the first
evidence that some of the Bynums may have had some association with
Quakers. The appearance of both Bynum brothers on the same militia list
indicates that they were not themselves Quakers.*

2 Oct 1684 Deed: **John Byneham** and wife **Rosamond Byneham** to William Webb of Isle
of Wight County, acreage not clear, part of his patent of 23 April 1681. Signed
Jno: (x) Byneham, Rosamond (x) Byneham. Witness: Thomas Taber,

Silvestera? Hill. Acknowledged in court on 4 November 1684 by Jno. Byneham and his wife Rosamond Byneham. [Surry County Deeds & Wills Book 3, p9]

This is apparently a sale of the second half of the 1681 patent, since part of it has already been sold to William Webb three years earlier. However, it is possible that this is a delayed release, meaning that the sale is actually the same land as in the 1681 deed. John Bynum Sr. does appear to still be living on or near this land several years later.

June 1685 Surry tithables: Southwarke Parish, list of Samuel Swann
Rich: Blow, **Jno. Binham** - 2
Geo: Blow, **Ja: Bineham** - 2

Lawnes Creek Parish, list of Robert Caufield
Jno. Bynham – 1

The two sons, now in their late teens, have apparently moved northwest just over the parish boundary. They are apparently living on Richard Blow's patent on Pigeon Creek. As noted elsewhere, it is possible that Richard Blow has married their sister.

June 1686 Surry tithables: Southwarke Parish, list of Samuel Swann
Rich: Blow, **Jno. Byneham** - 2

Lawnes Creek parish, list of Robert Ruffin:
Cha: Savadge, **Ja: Bynum** - 2
Jno. Bynom Senr. – 1

James Bynum is now back in Lawnes Creek parish for this one year, after which he returns to Southwarke.

6 Sep 1686 **John (x) Binham Jr.** witness to deed between Ralph Hill and John Skelton [See 1 March 1686/7 entry]

18 Jan 1686/7 Deed: George Blow and wife Elizabeth Blow, of Southwarke parish, to **Jno: Byneham Junr.**, consideration not given, 100 acres in the parish aforesaid “which my brother Richard Blow died seized of and lyeth on the out ___ of the land whereon I now live” Signed George (x) Blow. Witness: Geo. Williams, Jno. (x) Clarke. Relinquishment of dower by Elizabeth Blow, wife of George Blow. [Surry County Deeds & Wills Book 3, p80] The court record states that George Blow and wife Elizabeth Blow acknowledge deed to **Jno. Bynem Junr.** on 1 March 1686/7. [Surry County Orders 1671-1691, p557]

This land is on Pigeon Swamp[now called Pigeonroost Swamp], about five miles northwest of John Bynum Sr.'s land. A year later, on 3 March 1687/8,

George Blow “the only brother and heir of Richard Blow deceased” sold an additional 120 acres of this same tract to William Newsome [Ibid., p32]. He described it as the land his brother Richard Blow owned at his death except for the parcel he had already sold to “John Bynham Junr.” The land was the patent to Richard Blow of 20 April 1684 for 210a on the southeast side of Pigeon Swamp, The patent described the entire parcel as lying “on Pigeon Swamp about halfe a mile above Mr. Merriwethers land... gum in a branch that divides sd Blowes land from Richard Smith... branch dividing Blow from Richard Smith... a corner tree twixt sd Blow and Nicholas Sissums... down Pidgeon Swamp.” [Virginia Patent Book 7, p372] William Newsum sold his piece in 1690 to William Goodman [Book 4, p193] but I did not track it further.

George Blow’s wife Elizabeth is the former widow of Thomas Barrow.

1 Mar 1686/7 Hannah, wife of Ralph Hill, appoints Geo. Blow her attorney to acknowledge sale of land to John Skelton. Witness: **Jno (x) Binham**, Eliz. (x) Blow. [Surry County Deeds & Wills Book 3, p81] The deed she was acknowledging is dated 6 July 1686, and was also witnessed by the same **John Binham**. [Surry County Deeds & Wills Book 3, p63]

This is John Bynum Junior witnessing both the deed and the power of attorney. He used a different mark than his father, a Latin “JB”. This makes sense, for the Hills were neighbors on Pigeon Creek, several miles away from John Bynum Sr. Elizabeth Blow is apparently George Blow’s wife, using a strange mark. Since John Bynum the father and son lived in different parishes, they are not always distinguished as “Senior” and “Junior”.

1 Mar 1686/7 Debts due the estate of Thomas Jordan deceased, presented by Wm. Browne and Jas. Jordan, administrators: list of over 200 debtors including: **Jno. Binam** [32 lbs tobacco], Geo. Blow, Rich. Blow, Luke Mizell, Rich. Lane, Law. Mizell, Thos Lane, Rich. Lane, Rich. Jordan Jr., Jno Sugars... [Surry County Deeds & Wills Book 3, p89 and Surry Orders 1671-1691, p576.]

Thomas Jordan operated a tavern near the courthouse. Most of these debts are probably tabs run up at the tavern. John Binam is probably John Sr. 32 pounds of tobacco represents a few drinks or a meal.

3 May 1687 **Jno: Bynom** by his petition setting forth that he is seaventy yrs of age and thereby soe disabled that he is hardly able to keepe himself from being a parish charge and therefore humbly prayed that he might be exempted from paying levies, beareing of armes, and cleareing of high waies, and it appearing that he is very aged & poore, he is exempted for the future... [Surry Orders 1671-1691, p564]

After this, John Bynum Sr. is exempted from the county tithe. Being “a parish charge” refers to the parish’s role of supporting the poor and disabled. I don’t

know how much stock to put in the precise age – he may have overstated or approximated it. Note that if we believe this age, he was nearing 50 when his sons were born. That suggests that we leave open the possibility that he married a widow.

3 May 1687 Same court: The nuncupative [oral] will of Alice Jordan proved by the oaths of **Rose Bynom** and William Barton. Charles Savage granted administration. [Surry Orders 1671-1691, p565]

Alice Jordan was the widow of Richard Jordan Sr., whose son Richard Jordan Jr. was granted administration of his father's estate on the same court date. Alice Jordan was a second wife and evidently died had separated from her husband.

3 May 1687 Same court: The will of Richard Lane proved by Timothy Walker and Charles Savadge, and “ther being no executor named in the said will a commission of administration is granted Eliz. the relict of the said decd. and **Jno. Bynom Senr.** entering himself security for the said Elizabeth's due performance thereof he is accepted and ordered that bond be given accordingly.” [Surry Orders 1671-1691, p570]

Richard Lane's will left his estate to his wife during her widowhood then, at her remarriage, to two unnamed sons. This is the same Richard Lane who witnessed the Bynum-Jordan deed in 1679. The widow may be the same Eliza Lane fined in 1690 for having two mulatto bastard children.

June 1687 Surry tithables: Southwarke Parish, list of Samuel Swann (consecutive) Richd. Smith, **James Bynham** – 2
Geo. Blow, **Jno. Bynham** – 2

Lawnes Creek parish, list of Robert Ruffin
Jno. Bynham Senr. p[er] Tho: Watson – 1 [*name added “per Thomas Watson”*]

19 Dec 1687 A list of militia presented to the court contains: **Ja : Byneham, Jno: Byneham** [Surry County Orders 1671-1691, p598]

*This list was revised a few weeks later at the instruction of the Governor to include only freeholders and housekeepers, and to remove those who were merely freemen not maintaining a separate household. This reduced the list of militia from 314 to 200, but both Bynums remained on the list [*Ibid.*, p621]
This militia list is repeated in Virginia Colonial Militia, 1651-1776.*

3 Jan 1687/8 “Joseph Wall being returned arrested to this court at the suit of **Jno. Byneham** & being called to come for the & answeere the same but making noe appeareance” judgment granted to John Bynum for 400 lbs tobacco. [Surry

County Orders 1671-1691, p612] Two days later, the sheriff was ordered to attach Wall's estate. The matter reached a trial two months later [see below].

3 Mar 1687/8 George Blow of Southwarke parish, only brother and heir of Richard Blow deceased late of the parish aforesaid, together with Elizabeth my wife, to William. Newsom of Lawnes Creek parish, for 1,000 lbs of tobacco, 120a. on Pidgeon Swamp adjoining the land given to George Blow by Richard Blow, being "that tract or dividend of land of which my sd deced brother Richd: Blow died seized of except one parcel thereof by me already ...demised to **John Bynham Junr.** conteyning by compilation 50 acres. Signed: George (x) Blow, Elizabeth (x) Blow. Elizabeth (x) Blow, relict of Richard Blow deceased releases her dower interest in the land. [Surry County Deeds & Wills Book 4, p32-3] Acknowledged on 6 Mar 1687/8. [Surry County Orders 1671-1691, p626]

George Blow has inherited the land of his brother Richard Blow, meaning that Richard Blow died without children to inherit. [A wife could not inherit land, only a lifetime interest in it.] After Robert Grice married Elizabeth, the widow of Richard Blow, he would sue George Blow over his wife's dower right in Richard Blow's land. Notice that he now describes the part sold to John Bynum Jr. as only 50a.

6 Mar 1687/8 **Jno. Byneham Senr.** vs. Joseph Wall goes to a jury. He accused Joseph Wall of killing a yearling or young beast of his, to the damage of 400 lbs tobacco. Wall plead not guilty, A jury found in favor of Byneham and awarded him 300 lbs tobacco in compensation . [Surry County Orders 1671-1691, p633]

Joseph Wall had bought land in 1671 from Phillip Hunnsford [Hainsford] who had a patent adjoining the John Bynum Sr. patent of 1681. John Bynum Sr. has either not sold his entire patent to William Webb (see above) or he is renting land nearby.

June 1688 Surry tithables: Southwarke Parish, list of Robert Randall
Jno. Bineham Junr. – 1

Blackwater precinct of Lawnes Creek parish, list of Henry Tooker
James Bynham – 1
Jno. Bynham Senr. only p'ish, Tho: Watson, Jno. Johnson – 3

4 May 1689 Grand Jury includes **Jno. Byneham.** [Surry County Orders 1671-1691, p748]

This was for Southwarke parish, so it is probably John Bynum Jr.

June 1689 Surry tithables: Southwarke Parish, list of Samuel Swann
John Bynham & Rob Grice – 2
James Byneham – 1

Note that Robert Grice either has already, or will shortly, marry the widow of Richard Blow, making him perhaps John Bynum's brother-in-law. John Bynum Sr. isn't listed this year, probably because the list-taker failed to list him as a parish tithable only.

This is the first appearance of Robert Grice in the Surry records. He probably married the widow of Richard Blow sometime in late 1688 or early 1689.

6 Nov 1688 Deed: Richard Jordan [Jr.] and Elizabeth his wife, of the upper [Southwarke] parish, to Robert Caufield, 4300 lbs tobacco, part of 600a formerly granted to George Blow deceased, who sold it to **John Bynham**, who in turn sold it to my father Richard Jordan on 8 November 1679, being all the land held on said branch. Witness: William Pittman, Thomas Waller, James Killpatrick. [Surry County Deeds & Wills Book 4, p107]

June 1690 Surry tithables: Southwarke Parish, list of Samuel Swann
Jno. Bynam Junr. – 1
Ja: Bynam – 1
Jno. Bynam – 1 [Included among four names at end of list, all “to the p’ish”]

John Bynum Sr. has apparently moved to Southwarke and is likely living with one of his sons (or perhaps a son-in-law). His tithable is added “to the parish” at the end of Samuel Swann’s list.

5 Jan 1690/1 Deed: Luke Meazell and Eliza his wife of Southwarke parish, cooper, to **James Bynham**, planter, 1100 lbs tobacco, 150 acres on the main Blackwater Swamp up Wm. Rogers spring branch... to Jno. Watkins corner tree in the branch... along Mr. Warren’s line to the Great Branch between ye sd. land and Lawrence Meazell’s land... being part of the land patented by Mr. Warren and sold to the sd Luke Mizell. Signed: Luke Meazle, Eliza (x) Meazle. Witness: Tho: Warren, Rob: Warren. Acknowledged by Luke and Eliza Mizell on 6 January 1690/1. [Surry County Deeds & Wills Book 4, p173.]

On this same date, Luke Mizell Jr. traded his own patent of 1690 to Robert Warren for a 350 acre patent by Thomas Warren. He then immediately sold parts of it to James Bynum and Lawrence Mizell. The land is a patent of 1 November 1669 to Thomas Warren. Luke Mizell retained the northernmost 100 acres, sold the southernmost 100 acres to his brother Lawrence Mizell, and sold the 150 acres in between to James Bynum. James Bynum would later buy the 100 acres of Lawrence Mizell’s from his heir, Luke Mizell III..

Twenty years later, Robert Grice would buy land adjoining this parcel, a 20 April 1684 patent to William Brown and William Foreman.

June 1691 Surry tithables: Southwarke Parish, Gray's Creeke precinct by Thomas Swann
James Bynham – 1
John Bynham – 1

John Bynum Sr. is not added to the parish tithables this year. He was likely already dead.

7 July 1691 At a court held for Southwarke parish, “commission of administration granted unto **Jno. Byneham** on the estate of **Jno Byneham** deced, giving security according to law.” [Surry Orders 1691-1713, p2.] Security by John Thompson [Ibid., p4]. Thomas Warren, George Williams, and Thomas Waller, or any two of them, ordered to appraise the estate of **Jno Byneham** deced, and **Jno Byneham** is ordered to produce the inventory at the next court. [Ibid., p4]

Since John Bynum Sr. apparently died intestate, his land would have passed directly to John Bynum Jr. outside this probate process. However, it doesn't appear that he owned any land at his death.

1 Sept 1691 **Jno. Byneham**, administrator of **Jno. Byneham** deceased “came into cort [at Southwarke] and declared that the appraysement of the said deceds estate was burnt the last night in his house which by some accident with all that he had in it was burnt.” The court ordered that he obtain a replacement appraisal from the appraisers and produce it at the next court. [Surry Orders 1691-1713, p10.]

7 Nov 1691 **Jno: Byneham** was ordered to present “the inventory of his deced father's estate to the next court... the same not yet being perfect.” [Ibid., p16]

17 May 1692 **Jno: Byneham** presented the inventory of **Jno: Byneham**, deceased. [Surry Orders 1691-1713, p38; Inventory at Surry County Deeds & Wills Book 4, p268-9.]

One cow & calfe	450
One barron cow	400
One yearling heifer	100
One old feather bed with a canvas ticking & ragged blkt	500
Two old Gunns	300
One iron pott & pott hooks	090
One brass mortar & pestle & brass ladle, one brass spoone some old bowles & trays	100
One grubbing hoe & old bags, 1 dresst [ewe?] skinn	070
A pcell of old lumber	120
fifteene pound & a halfe of powder	140
One smoothing iron& old hides	070
One old coate an old wast --?-- one hankerchiff	100
One pr of old shooes & old stockings	020
	2460

Robt. Hawthorn of Charles Citty County is Dr. two bushels & a halfe of corne

This estate was quite small. It's not clear who Robert Hawthorn was.

- June 1692 Surry tithables: middle precinct of Southwarke Parish:
James Byneham – 1
John Byneham – 1
- June 1693 Surry tithables: middle precinct of Southwarke Parish, by Francis Clements:
Ja: Byneham – 1
Jno: Byneham – 1
- 14 Jul 1693 The nuncupative [oral] will of Luke Meazle proved in court by the oaths of Thomas Smith, John Greene, and **Elizabeth Binum**. “I give unto my daughter Eliza my land after the decease of my wife and one red pied heifer. I give unto my daughter Sarah one red cow and one black heifer with a star in her forehead. If either of these dye without issue [then] her estate return to the other. And all the rest of my estate I leave to my wife when my debts are satisfied.” Proved by oaths of the witnesses: Thomas Smith, John Green, **Eliza Binam**. Administration granted to the widow Elizabeth Meazle. [Surry Orders 1691-1713, p76; Surry County Deeds & Wills Book 4, p308.]

This is evidently the wife of James Bynum, the first time she is mentioned. James Bynum was now living next door to Luke Mizell on the land he bought in 1691, which accounts for Elizabeth Bynum witnessing the will. Note that a witness to a will could not have any interest in the estate, thus Elizabeth Bynum is a different person than the much younger Elizabeth Mizell mentioned in the will. Many early resrchers did not realize that Luke Mizell was no older than 33 at his death, and that the two daughters mentioned were small children.

- 5 Sep 1693 Mr. **James Byneham** sworn to grand jury for the ensuing year. [Surry Orders 1691-1713, p84]
- Normally, appointment to a grand jury was a sign of favored status on the part of the justices. Any freeholder could serve on a petit jury (a case jury) but the grand jury, which served for a year and had prosecutorial responsibilities, was usually limited to those freeholders who enjoyed the favor of the justices.*
- 2 Jan 1693/4 Sheriff ordered to summon Robt. Hill and Eliza his wife to produce an inventory of Luke Mezle decd at the next court. [Surry Orders 1691-1713, p96.]

Elizabeth Mizell was ordered in September to produce an inventory at the November court. She failed to do so and was summoned to produce it in January. She evidently married Robert Hill in November or December and, having again failed to produce the inventory, was issued a summons.

1 May 1694 **James Byneham**, Thomas Smith, Edward Newby and James Rogers, or any three of them, ordered to appraise the estate of Luke Mizle deceased. Robt. Hill and Elizabeth his wife, she the administratrix, ordered to produce same at the next court. [Surry County Orders 1691-1713, p101]

Robert and Elizabeth Hill had presented the inventory this date, but did not actually give oaths until several months later. Hill finally acknowledged the inventory on 4 September. His wife Elizabeth appeared in court to make her oath on 6 September.

All four appraisers were adjoining landowners, the usual criterion for choosing appraisers. The appraisers of an estate were (at least in theory) not supposed to be relatives, so this is a strong indication that James Bynum was not related to Luke Mizell or to his wife. All this record really tells us is that James Bynum was a close neighbor – which we already knew.

June 1694 Surry tithables: middle precinct of Southwarke Parish, by Francis Clements:
James Byneham – 1
Jno: Byneham – 1

June 1695 Surry tithables: middle precinct of Southwarke Parish by Wm. Browne Jr.:
John Binam – 1
James Binam – 1

16 Oct 1695 **John (x) Bineham** witness to will of Eliza. Simmons. [Surry County Deed Book 5, p119] He and Mac: Mansell prove it in court on 2 March 1696/7, when his name is recorded as **John Bynham**. [Surry Orders 1691-1713, p179]

This is an example of two different clerks entering the same name with different spellings. The will was written by one person, the court record by another.

June 1696 Surry tithables: middle precinct of Southwarke Parish by Wm. Browne Jr.:
James Bynham – 1
Robt. Grice – 1

Southwarke Parish by Jno. Thompson:
Jno. Bynham, Edward Barrow – 1 [Name not clear, but Barrow in other years]
Robt. Grice – 1

Robert Grice was listed in Southwarke parish from 1689 (his first appearance) until 1703 (the last surviving list). Up to now, James and John Bynum have appeared in the same precinct, as had Robert Grice. This year, and in several subsequent years, when the precincts are separated enough that James and John Bynum are in different districts, Robert Grice appears in the same district as James Bynum. Could he already be living on William Browne's land (see

1704 below)?

Edward Barrow is the eldest son of Thomas Barrow, whose widowed mother married George Blow Jr. back in 1685. Edward Barrow is turning 21 this year.

3 Mar 1696/7 **James (x) Bynham** a witness to deed from John Ward and his wife Ellenor to Thomas Ward for 100 acres in Southwarke parish. [Surry County Deeds & Wills Book 5, p217.]

Hopkin's published deed abstracts give the name as "Jane" but the deed itself clearly reads "James". An example of why abstracts cannot be completely relied upon.

June 1697 Surry tithables: middle precinct of Southwarke Parish by Wm. Browne Jr.:
James Bynham – 1
Robt. Grice – 1

lower precinct of Southwarke Parish by James Mason:
Jno. Bynham

29 Apr 1698 Deed: Edward Newby and wife Jane Newby to **James Bineham**, consideration not noted, 7 acres, part of 450a. that Edward Newby bought of Joshua Proctor... between [Johnchecohunk] swamp and the main Blackwater swamp. Witness: Tho: Smith, Henry (x) Bayly. Proved 5 July 1698. [Surry County Deeds & Wills Book 5, p156]

The abstracted deed records by Hopkins record the name as "Bircher (Birchen?)" but the deed seems to read "Bineham". The latter is correct, for James Bynum later sold this land.

This Proctor patent adjoined the 350a. bought by Luke Mizell in 1691, part of which is now owned by James Bynum. The land of Newby apparently adjoins the 150a. James Bynum already owns. Newby sold another piece of this tract to William Wray a few months later, with James Bynum a witness.

June 1698 Surry tithables: Southwarke Parish by Jno. Thompson (apparently two precincts)
Jno. Bineham, Edward Barrow – 2
James Bineham – 1

29 Dec 1698 **James (x) Bineham** a witness to deed by Edward Newby and Jane his wife to William Wray for 40 acres on Johnsahakon [Johnchecohunk] Swamp. [Surry County Deeds & Wills Book 5, p194]

- 7 Mar 1698/9 **John Bineham**, Thomas Warren, and George Williams, or any two of them, ordered to appraise the estate of Robert Howes [House], deceased. [Surry Orders 1691-1713, p194]
- 7 Mar 1698/9 Ordered that **James Byneham** and nine others be summoned to serve on the grand jury for the ensuing year. [Surry Orders 1691-1713, p195]
- 11 Mar 1698/9 Appraisal of Robert Howes [House] recorded by administratrix Margaret Howes, signed by **John (x) Bineham** and George Williams. [Surry County Deeds & Wills Book 5, p173.]
- June 1699 Surry tithables: middle precinct of Southwarke Parish:
James Bineham – 1
- lower precinct of Southwarke Parish:
John Byneham – 1
Robt. Grice – 1
- 1699 **James Bynum** claimed 250a. south of the Blackwater, and in 1702 had it surveyed by Robert Bolling. [English Duplicates of Lost Virginia Records, Louis des Cognets Jr., (Genealogical Publishing Col, 1981), p64.]
- The area south of the Blackwater (present Sussex and Southampton counties) was not opened for patents until 1701, being Indian land prior to that date. By 1700 essentially all the land north of the Blackwater had been settled and pressure was intense to permit white settlement to the south. This coincided with the introduction of fee-simple patents. If there was a resulting patent to James Bynum, it is not entered into the Virginia patent books. The land he had bought from Luke Bynum in 1691 was on the north bank of the Blackwater, so this claim may have been near the land he already owned.*
- 4 Jul 1699 **James Bineham** sworn to grand jury for the ensuing year. [Surry Orders 1691-1713, p225]
- Mrs. Haun's transcript reads this as "Beneham". I read it as "Bineham". We differ in this regard on several similar entries in the 1699-1700 court records.*
- 7 Nov 1699 On a list of debits (payments) by the County for 1698 (sic)... **James Bineham** one wolves head taken in a pitt: 300 lbs tobacco. [Surry Orders 1691-1713, p237]
- The county paid a bounty for wolves. The proof was the head, from which a county official would remove the ears as a sort of receipt. Apparently wolves taken in a pit were worth more than wolves killed in other ways. This same list shows payments of only 200 lbs for wolves that were shot, and 100 lbs for*

wolves “bought of Indians.”

- 2 Jan 1699/00 **James Byneham** proves power of attorney by Jane Newby, wife of Edward Newby, given to William Gray Jr. to acknowledge her release of dower in a deed by her husband. [Surry Orders 1691-1713, p206]
- June 1700 Surry tithables: middle precinct of Southwarke Parish, by Nathaniel Harrison:
James Bineham – 1
- lower precinct of Southwarke Parish, by James Mason:
Jno. Byneham, Andrew Smith – 2
Robert Grice
- Andrew Smith is unknown, as he doesn't appear in any other Surry records. He may have been a servant or an apprentice.*
- 5 Nov 1700 **John Bineham** serves on two case (petit) juries. [Surry Orders 1691-1713, p212]
- 11 Jan 1700/1 On a list of county debits for 1699: “**John Bineham**, 4 daies and nights 400 lbs tobacco.” [Surry Orders 1691-1713, p215]
- It's not clear what this was for. The per diem rate was four times that of the other names on this list, so it must have been for something that paid more.*
- June 1701 Surry tithables: middle and lower precincts of Southwarke Parish
John Bineham, Stephen Vaughan – 2
James Bineham – 1
- Stephen Vaughn was the son of Elinor Nicholson, formerly Elinor Vaughn the widow of Walter Vaughn. Robert Evans' will of 1679 gave his whole estate to Elinor Vaughn and her child. By 1681 she was Elinor Nicholson and deeded her minor son Stephen Vaughn his share of the estate.*
- June 1702 Surry tithables: middle and lower precincts of Southwarke Parish
John Binham – 1
Jas. Bineham – 1
- This is the last surviving tithables list for Surry County. Note that neither John Bynum II nor his brother James yet have any sons who have reached the age of 16. Thus the third generation of Bynum men were all born after mid-1786.*
- 1702 On a list of land entries on the south side of the Blackwater River: **James Byneham**, no acreage given. [English Duplicates of Lost Virginia Records, Louis des Cognets, Jr. (Genealogical Publishing Co., Reprinted 1990), p73]

- June 1703 Surry tithables: lower precinct of Southwarke Parish
John Bineham, John Case – 2
James Bineham – 1
- ca July 1703 Account Current of the estate of George Williams, deceased, by administrators Nathaniel Harrison and Samuel Thompson... credits include **Jno: Bineham** 397 lbs tobacco. [Surry County Deeds & Wills Book 5, p330]
- 21 Sep 1703 **James (x) Binum** witnesses a deed in Southwarke parish from Richard and Elizabeth Washington to John Steward. [Surry County Deeds & Wills Book 5, p294]
- As usual, he signs with a stylized Latin JB.*
- 2 Oct 1703 Deed: Luke Mezell of North Carolina to **James Byneham** of Surry County, 1000 lbs tobacco, 100 acres in Southwarke parish... (description follows, which matches the land sold to Lawrence Mizell in 1691)... being part of a tract of land sold by Robert Warren to Luke Mesell. Signed Luke Measell. Witness: James Minge Jr., Fra: Clements. Proved by a power of attorney from Luke Mizell to Francis Clements on 2 November 1703. [Surry County Deeds & Wills Book 5, p293]
- This is Luke Mizell III, the son of Lawrence Mizell, selling the land bought by Lawrence from Luke Mizell II in 1691. This adjoins the 157 acres James Bynum already owned.*
- 1704 Quite Rent roll, Surry County:
Jno. Bineham 100 acres
James Bineham 157 acres
- This does not appear to be accurate. I would note that the 1704 quite rents (the only ones that survive) are not complete – the total acreage for Surry County overall is far less than the acreage actually owned. The list is apparently for the quite rents that were paid, not those that were owed. John Bynum's 100 acres is the land he had bought from George Blow II in 1687. James Bynum's 157 acres is the land he had bought from Luke Mizell II in 1691 and from Edward Newby in 1698. The 100 acres John Bynum bought from Luke Mizell III is not listed on the quit rents under either name.*
- 4 Dec 1704 Will of William Browne Sr., proved 3 July 1705: “whereas I have made an agreement with Robt. Grice for a plantation where he now lives containing about 270 acres for which plantation I am to have 8,000 pounds tobo. and Robt. Grice to have eight years to pay and hereafter named exer. to make acknowledgement of it to said Robt. Grice...” [Surry County Deeds & Wills Book 5, pp305]

From the 1710 deed below, Robert Grice has moved onto land that adjoins James Bynum.

- 7 Mar 1705/6 Arthur Allen surveyed 330 acres south of the Blackwater for **James Binam**. [des Cognets, p80 and repeated on p83 and p86]
- 10 Mar 1705/6 Arthur Allen surveyed 140 acres south of the Blackwater for **James Binam** [des Cognets, p90]
- 2 Jul 1706 Deed: **James Bineham** of Southwarke parish, and **Eliza Bineham** his wife, to Thomas Jarrell of Lawnes Creek parish, consideration not noted, 157 acres on the north side of main Blackwater Swamp... formerly held by Robert Warren and sold to Luke Meazell... 150a. sold to sd Bineham... and 7a. bought of Edward Newby... Signed **James (x) Bineham**. Witness: James Stanson?, Nicho: Smith. [Surry County Deeds & Wills Book 5, p356] **James Bineham** and Elizabeth his wife acknowledged the sale to Thomas Jarrell (Farrell?) six months later on 7 January 1706/7. [Surry Orders 1691-1713, p289.]

This is the 150a. bought from Luke Mizell II in 1691. James Bynum evidently still owns the adjoining 100a. purchased from Luke Mizell III in 1703. He evidently moved onto the 470 acres he surveyed in March 1706, which was issued as a patent some eight years later. Note that he signs with the same stylized JB mark.

The grantor was misread by an early Bynum researcher as "John" Bynum, leading to the erroneous assumption that John Bynum was married to an Elizabeth before his marriage to Ann.

- 8 Nov 1706 On a list of debits for the county for 1706: "To **John Bineham** p: mending courthouse...120(lbs tobacco)" [Surry Orders 1691-1713, p286]
- 6 May 1707 Ordered that the Sheriff summon **John Bineham** to appear at the next court to give evidence against Wm. Johnson Sr. and Mary the wife of John Battle upon the presentment of the grand jury for common fame. [Surry Orders 1691-1713, p297]

"Common fame" was a term used at the time to mean gossip approaching slander. Whether John Bynum gave evidence or not is unknown The charge was dropped at the next court.

- 4 Nov 1707 On a list of debits for the county for 1707: "To **John Bineham** ... 40(lbs tobacco)" [Surry Orders 1691-1713, p304]

Probably another repair job on a public building.

- 5 Sep 1710 Deed: William Browne to Robert Grice, 10,000 pds tobacco, 550 acres being the land Robert Grice lives on called Fair Ford, a patent to William Browne [his father] and William Foreman of 20 April 1684. [Surry County Wills & Deeds Book 6, p36]
- This evidently includes the land mentioned in the 1704 will of William Browne. This patent adjoins the 1684 patent to Thomas Warren on its south side – that is, it adjoins the land owned by James Bynum.*
- 21 Feb 1710/1 **John Bineham** and James Nicholson securities for Patrick Magarett's (sic) administration of the estate of John Smith, deceased. [Surry Orders 1691-1713, p355] See also 18 June 1712 below.
- 21 Nov 1711 Petition: **James Binam** and Thomas Bentley were securities for an orphan's estate in the hands of James Turner, "who hath lately privately departed this county." They are in danger of paying the orphan's estate, and request that the estate of James Turner located within the county be seized. So ordered. [Surry Orders 1691-1713, p381.] An inventory and appraisal of James Turner's estate remaining in Surry County was presented at the following court on 9 December 1711.
- The orphan was apparently Philip Bailey, who had chosen James Turner as his guardian in 1708.*
- 16 Jan 1711/2 Ann Evans, widow, deed of gift to my children... sons William, Benjamin, John, and Anthony... daughters Mary, Martha, and Elizabeth. Signed: Ann (x) Evans. Witness: John (x) Evans, Allen Warren Jr. [Surry County Deeds & Wills Book 5, p93.]
- 18 Jun 1712 James Nicholson & **John Binam** not appearing to prosecute their suit against Patrick Margarett, suit dismissed. [Surry Orders 1691-1713, p398]
- 19 Nov 1712 **John Bynham** a witness for the plaintiff in the suit of William Goodman vs. William Deloach over the shooting of a horse. He gives oath to two days attendance, to be paid by Goodman. **James Bynam** was a member of the jury. [Surry Orders 1691-1713, p406] 29 January 1712/3 Goodman ordered to pay John Bynam as witness.
- 17 Dec 1712 On a list of debits to the county for 1711: "To **John Binam** for mending ye prison... 150(lbs tobacco)" [Surry Orders 1691-1713, p411]
- 12 Feb 1712/13 Will of George Nicholson, proved nearly four years later on 21 Nov 1716. Bequeaths a brown heifer with a star in the forehead to daughter Agnes Farmer and its first calf to grandson Isaac Farmer... Also mentions daughter Jane, "three sons Robert, George and Parks Nicholson, wife Mary. Heirs to confirm a sale of land to **James Binham** between the Nottoway and Meherrin rivers taken

up with John Battwell... [Surry County Deeds & Wills Book 7, p35]

“Between the Nottoway and Meherrin Rivers” could either be in modern Sussex County (then Surry) or in modern Hertford County, North Carolina (then part of Albemarle County). Since there’s no deed in Surry County for the land, it was probably in the part of Albemarle which became Bertie Precinct, North Carolina in 1722. Since George Nicholson lived nearly four years after making the will, it would seem that he would have consummated the sale himself. I note the possibility that this was the 450 acres which John Bynum sold in 1725 (see below).

Agnes Farmer was the wife of Thomas Farmer and apparently the future wife of James Bynum Jr.

18 Feb 1712/3 **John Binam** is granted a license to keep an ordinary at Wareneck. [Surry Orders 1691-1713, p416]

Wareneck (or Ware Neck) was in the general vicinity of the land on Pigeon Creek that John Bynum has been living on all this time. Whether he was operating the tavern out of his own house or renting from someone else is not known.

The Surry County courthouse was built at Ware Neck about 1710, so the tavern was evidently intended to serve those attending court.

Same date: **James Binam** vs. Edward Long, debt suit for 600 lbs tobacco due by bill dated 17 Dec 1711/2. Defendant confessed and ordered to pay Binam 600 lbs tobacco with costs. [Surry Orders 1691-1713, p417.]

20 Apr 1713 **William Bynum**, Thomas Collier Jr. witnesses to deed from Robert and Ann Webb to Gregory Rawlings. [Surry County Deeds & Wills Book 6, p148]

This and the reference below to the resale of this land are apparently to William Bynum, son of James Bynum. The land being sold may have included part of the original 1681 patent to John Bynum Sr., inherited by Robert Webb from his father.

21 Apr 1713 Lease: Thomas Farmer and wife Agniss Farmer, of Southwark Parish, to Clement Lanier, 1s annually for three years, 50 acres adjoining William Short. [Surry County Deeds & Wills Book 5, p143]

This seems to be in the Upper Chippokes region of Surry, suggesting that the Farmers may have been living in Prince George County.

15 Jul 1713 Suit: **Jno. Binam** vs. Hopkin Howell and Elizabeth his wife, administrators of the estate of Thomas Hart, deceased, for 350 lbs tobacco. Defendants did not

appear, and Binam was granted an attachment against the estate. [Surry Orders 1713-1718, p11] The Court awarded **John Binam** the judgment for 350 lbs tobacco on 13 November [Ibid., p17]

10 Apr 1714 **William Bynum**, Nicholas Magett, and Thomas Cocke witnesses to deed from Gregory Rawlins and wife Hannah to Charles Hamlin. [Surry County Deeds & Wills Book 6, p195-6]

19 May 1714 **John Binam** granted license to keep an ordinary at Ware Neck for one year. Thomas Warren and Nicholas Smith securities for his performance. [Surry Orders 1713-1718, p28]

16 Jun 1714 Land Patent: **James Binam** of Surry County, 140 acres on south side of main Blackwater Swamp in Surry County... along a branch of Coppahunk Sw...along Cattail branch...mouth of Coppahunk Swamp...along his old lines. [Virginia Patent Book 10, p150]

This is apparently the 140 acres surveyed in 1706. A delay between survey and patent of several years was not particularly unusual.

16 Jun 1714 Land Patent: **James Binam** of Surry County, 10s plus importation of 5 persons, 330 acres on the south side of main Blackwater Swamp in Surry County... beginning at the mouth of the Cattail branch... along Cattail branch... down a branch to its mouth at the main swampside... up the main swamp to the mouth of the Woolf-Pitt branch then up the sd branch... along his old lines. [Virginia Patent Book 10, p155]

These two parcels adjoin north and south. This one being the 330 acres surveyed in 1706. The references to "his old lines" are to the common border of the two parcels, confirming that they were the two parcels surveyed for him eight years earlier. It is not completely clear where these parcels are located, but they are obviously just south of the Blackwater in present eastern Sussex County.

This patent actually appears on "a list of patents signed October 1706" in des Cognets [p83 and p86], which lists the survey for 330 acres on 7 March 1705/6.

14 Jul 1714 **John Bynum**, Thomas Harris, William Thomas Jr. witnesses to deed from Nicholas and Ann Salsbury of Prince George County to Daniel Crawly of Surry. [Surry County Deeds & Wills Book 6, p200]

8 Oct 1714 **William Binum**, Nicholas Magett witnesses to deed from Allen Warren to Allen Warren "the younger". [Surry County Deeds & Wills Book 6, p216]

20 Jul 1715 "Ann Binum relict of **John Binum** deced came into court & made oath that the sd Jno. Binum departed this life without making any will so far as she knows or

believes and on her motion...” is granted administration of the estate. William Phillips and James Nickolls her securities. William Foster, Robert Warren, Zachariah Madderah, and Allen Warren appointed to take inventory of the estate. [Surry Orders 1713-1718, p61]

Same court: Suit dismissed, Benjamin Chapman vs. **Ann Binum**, administratrix of the estate of **John Binum**, neither party appearing.

John Bynum’s widow Ann remarried to Robert Warren – one of the appraisers and a neighbor - within the year. Robert Warren was about the same age as John Bynum - apparently born about 1666/7, as he acknowledged receipt of his share of the estate of his father Thomas Warren on 31 March 1688. Robert Warren had apparently been married to a daughter of John Clements, whose will mentioned Jane Warren, the daughter of Robert Warren, as a legatee.

21 Dec 1715 **Ann Binum**, admx. of the goods and chattels of **John Binum** deced, presents the inventory and appraisal. [Surry Orders 1713-1718, p63]

The ownership of an intestate’s land was never in doubt, passing automatically via the line of succession. The administratrix dealt only with the personal property of the deceased, and the “estate” refers only to the personal property. The land passed to the eldest son, with the widow retaining a lifetime right to one-third of its earnings. The personal property was divided among the widow and children.

21 Dec 1715 Same court: Suit continued, Samuel Thompson vs. **Ann Binam**, administratrix of **John Binum**, for 4,925 lbs of tobacco due by account. Suit continued, Benjamin Chapman vs. **Ann Binum**, administratrix of **John Binum**, for £5:14s:9p due by account. [Ibid., p64] Nathaniel Harrison vs. **Ann Binam**, administratrix of **John Binum**, dismissed neither party appearing. [Ibid., p65]

These debts were substantial, and would eventually deplete the estate to next to nothing. What they were for is a mystery. He had not purchased land in decades.

22 Dec 1715 On a list of debits to the county: “To **Ann Bynum** for 8 dayes dyeting a negro... 40 (lbs tobacco)” [Surry Orders 1713-1718, p67]

This is apparently an expense associated with the ordinary. Read “feeding” for “dyeting”.

21 Mar 1715/6 Suits of Benjamin Chapman and Samuel Thompson: [**Ann Binum** had not appeared on 15 February] Suits continued on motions of Ann Binum, to permit her to mount a defence. [Surry Orders 1713-1718, p77 also see p71]

- 18 Apr 1716 Suit of Benjamin Chapman vs. **Ann Binum**, administratrix of **John Binum**, for £5:14s:9p due by account dated 1714: Judgment for plaintiff in the amount of £5:14s:11p, including costs. Samuel Thompson's suit continued to next court. [Surry Orders 1713-1718, p81]
- 16 May 1716 Samuel Thompson vs. **Ann Binam**, administratrix of **John Binum**, for 4,925 lbs of tobacco due by account: Judgment for the plaintiff for £17:7s:3½p "it being what is remaining due on the balance of the acct. curr. of the sd deced's estate, and also for £7:5s:2½p when the assets shall come to her hands." [Surry Orders 1713-1718, p83]
- 28 Jan 1716/7 Supplemental inventory of **John Binum** decd by Robert Warren: "A parcel of hoggs belonging to the estate of John Binam decd valued to 0:12:0 by us." [Surry County Deeds & Wills Book 7, p*] Presented to the court on 20 February by Robert Warren [Surry Orders 1713-1718, p107]

Ann Bynum has remarried to Robert Warren sometime between May 1716 and January 1717. Robert Warren was the brother of the Alice Warren who had married Mathias Marriot. He had apparently married a daughter of John Clements, for his daughter Jane Warren was a legatee of Clements' 1704 will.

- 20 Mar 1716/7 Debts owed by the estate of John Smith, decd: **John Bynom**... [Surry County Deeds & Wills Book 7, p32]
- 18 Dec 1717 **William Bynum** on a jury at a court held for Southwarke parish. [Surry Orders 1713-1718, p153]

This is probably William, son of John Bynum. Only a freeholder (a landowner) could serve on juries. This William Bynum has apparently inherited his father's land. His first cousin does not yet own land.

This is the last Bynum entry in this Order Book. The Order Books for the period August 1718 through November 1741 are lost. The Deed Books do exist for the period after 1718.

- 5 Apr 1719 **William Bynum**, Zackarias Madderra, and John Deberry witness a deed from Samuel and Mary Thompson to James Nichols. [Surry County Deeds & Wills Book 7, p176]

This is probably William Bynum son of John Bynum, judging from the location of the land. The land is on Gray's Creek near the church and courthouse, a 1689 patent to Samuel Thompson, and close to the land John Bynum Jr. had owned at his death.

- 20 May 1719 An undated accounting of estate of **John Bynum** deceased recorded by Robert and Ann Warren. [Surry County Deeds & Wills Book 7, p187]

Debits:		Credits:	
To funeral charges	3:10:2	By Appraisement	38:0:11½
Paid Mr. Benjn: Chapman	5:9:11	By Hopkin Howell	1:9:2
Paid Mr. Samuel Thompson	20:8:2	By a parcel of hoggs appraised since	<u>1:2:0</u>
Paid three appraisers aft the 1 st appraisement	0:9:0		41:2:1½
To my ___ & corn for a parcel of hoggs got up to be appd	0:10:0		
To 1388 tobo pd this acct etc.	10:8:6		
To Ball due	<u>0:6:11</u>		
	41:2:5		
Paid Mr. Secretary	40		
To 4 appraisers	120		
To sheriff for summoning	40		
To Benjamin Ferebe	584		
To Mr. William Edwards	199		
To Levys & clerks fees	<u>403</u>		
	1388		

[The debits column is 3 cents short, adding to 41:2:8 – I may have misread a number.] It's interesting to see that tobacco was worth a bit under 2¢ per pound. The debt to Samuel Thompson was not fully paid, but Ann Bynum obviously did make a second payment on the debt.

11 Jul 1719 Land Patent: **James Binam** of Surry County, 100a. in Isle of Wight County on the north side of Flat Swamp... hickory by the sd swamp side just above the mouth of a small branch.... to a maple by the Flat Swamp... down the Flat Swamp [Virginia Patent Book 10, p424]

This patent is for land considerably south of present-day Surry. It is only about 5 miles north of the North Carolina border, in present Southampton County, a considerable distance south of his earlier land. William Bynum would sell this land in 1724.

19 Dec 1720 Will of Robert Grice, proved on 15 Feb 1720/1: Devises land to sons Francis and John, and makes bequests to daughters Ann and Fartherly (no surnames), and granddaughter Mary Horn. Devises “unto my well beloved couzen John Bynum a piece of land belonging down at the burcheon island bridge beginning at the old path at a head of a branch that comes down to the road and so down the said branch into the Great Branch, and so on... up the [Blackwater] Swamp...” Witnesses: Harmon (x) Horn, **William Bynum, John Bynum**. Proved by the oaths of William Bynum, John Bynum, and Harmon Horn on 15 February 1720/1. [Surry Deeds & Wills Book 7, p307]

Recall that Robert Grice had married Elizabeth, the widow of Richard Blow, in 1689. It is likely that all the children named in this will were hers. Since John Bynum II was dead when this will was written, the John Bynum mentioned was either the son of John Bynum II or of James Bynum. Later records suggest the

latter. "Couzen" could have meant virtually any relationship that wasn't first-degree. It most often meant "nephew. That is, either one of the Bynum brothers was married to Robert Grice's sister, or Robert Grice was married to a Bynum sister. Since there are no Grices at all in Surry prior to 1689, and only Robert Grice after that, it would more likely be the latter – which means that Elizabeth, the wife of Richard Blow and later of Robert Grice, was a daughter of John Bynum I. (If the relationship was nephew.)

The John Bynum named in the will is perhaps the son of James Bynum, who lived just east of the bridge. The land devised to the two sons and to John Bynum appears to be the land Grice purchased from William Browne in 1710 [DB 6, p36], described then as the land Grice lived on. This was adjacent to the land James Bynum bought in 1703 from Luke Bynum III. The son John Grice (as "son of Robert Grice... formerly of Surry County") was in North Carolina in 1726 when he sold his 250a. part of this land to Francis Sharp. The son Francis Grice sold his 100a. share of this land to William Cripps in 1723, who later sold to Sharp as well. It appears that John Bynum was given approximately 150a of the parcel. In 1734, John Bynum then sold this 150a. plus the 100a. that James Bynum had bought of Luke Mizell III in 1703.

The witnesses to the will could not legally have been legatees (else their residual interests in the will were invalidated). In this case, it is possible that the witness was the same John Bynum since he had no interest in the estate beyond the specific devise. It's not completely clear which William Bynum witnessed the will, but it appears that William of John was living closer to Grice than was William of James..

16 Jul 1722 Deed: Lawrence Smith and wife Jean to **William Bynum**, all of Surry, £13 plus ___ nails, 60 acres on the north side of Snake branch at the mouth and at the south side of Seacock swamp... up the branch. .. along a line of marked trees to a pine a corner tree at the head of a small branch and so down the branch by a line of marked trees in the said Seacock swamp... Witness: William Gray Jr., George Briggs. [Surry County Deeds & Wills Book 7, p409]

This is William Bynum son of John Bynum. This land is near the border of what was later Southampton and Sussex Counties. This also adjoins the land William Bynum later patented in 1727 adjacent to Richard Blow. It was part of a 139a. patent originally issued to Richard Ham.

16 Jan 1722 Accounting of Robert Grice recorded by Francis Grice executor. [Surry County Deeds & Wills Book 7, p434]

29 Sep 1722 **William Bynum** and Harmon Horn witnesses to the will of Thomas Smith Sr.. proved 20 February 1722/3. [Surry County Wills & Deeds Book 7, p441.]

3 Jan 1722/3 Deed [Lease and Release]: Francis Riggan & wife Jane to Lawrence Smith, 85 acres on the north side of Maharin River in Isle of Wight... a patent to Riggan of 23 March 1713. Witness: Wm Ham, **William Bynum**. [Isle of Wight Great Book 1714-1726, Vol. 2, Part 2, p533 and p535]

16 Sep 1723 Deed: **William Bynam** and wife **Mary Bynam** of the upper parish of Isle of Wight, to Edward Grantham of Lawnes Creek Parish in Surry County, £20 current money, part of a 460 acre parcel in Surry County... beginning at the main Blackwater swamp mouth at a branch called the puccason branch and so along a line of marked trees... to the cattail branch... to the main run of the Coppahunk and along the run... (description matches the two patents to James Bynum in 1714.) Signed: **William Bynam, Mary (x) Bynam**. Witness: Wm. Bolden, William Andrews, John (x) Phillips. [Surry County Deeds & Wills Book 7, p477]

16 Sep 1723 Deed: **William Bynam** and wife **Mary Bynam** of the upper parish of Isle of Wight, to Robert Proctor of Lawnes Creek Parish in Surry County, £20 current money, part of a 460 acre parcel in Surry County... (the other part of the parcel above.) Signed: **William Bynam, Mary (x) Bynam**. Witness: Wm. Bolden, William Andrews, John (x) Phillips. [Surry County Deeds & Wills Book 7, p477]

This is William Bynum, son of James Bynum, selling the two adjoining patents to James Bynum in 1714. [The deeds are not completely clear, but he may be selling each patent separately, while describing them as a larger contiguous parcel.] This is the first indication that James Bynum is dead. He either died intestate and William inherited the land as the eldest son, or there is a missing will by James Bynum. William Bynum's wife is Mary Fort (see below). John Phillips, one of the witnesses, married Mary Fort's sister. William Bynum may be living on the 100a patented by James Bynum in 1719.

2 Nov 1723 Inventory and appraisal of Thomas Farmer decd by Agnes Farmer, administratrix, recorded on 18 Dec 1723. "In obedience the order of the court bearing the date 21 August 1723..." appraised by Samuel Maget, Joel (x) Barker, John Andrews to a total of £44:3:7. [Surry County Deeds & Wills Book 7, p496]

Thomas Farmer apparently died in mid-1723 if his inventory was ordered in August. The last record of him alive (that I found) was his ordinary license in 1721. He is thought to have been the same Thomas Farmer baptized in York County, in Charles Parish, in 1681. He must have married Agnes Nicholson in the early 1700s.

3 Apr 1724 Will of Thomas Hunt of Lawnes Creek parish: plantation to his unnamed wife, and at her death to granddaughter Mary Horn, 5 shillings each to sons Thomas, John, and daughter Elizabeth. Witnesses: Smauel Magget, **Mary (x) Bynum**,

James (x) Bynum. Proved 21 December 1726 on the oaths of Samuel Maggett and James **Binum**. [Surry County Deeds & Wills Book 7, p671]

Hopkins' abstracts give the name as "Byrum" but the will seems to read "Bynum".

21 Apr 1724 Deed [Lease and Release]: **William Binam** of the precink of Bartye in the province of North Carilinah to Joseph Franko of Isle of Wight County, £16, 100a. on Flat Swamp being granted by patent to **James Binam** deceased bearing date 11 April 1719... Signed: **William (x) Binam**. Witness: Francis Cox, William (x) Pope, John (x) Pope. William "Bynham" acknowledged in court on 25 May. [Isle of Wight Great Book 1714-1726, Vol. 2, Part 2, p655 and p656]

Another, more definite, statement that James Bynum is dead. Whatever records there may have been of his death were lost with the missing court records of Surry County. This is also our first record that William Bynum (son of James Bynum) is now in North Carolina, although he will buy land there in August of this year.

20 May 1724 Appraisal of estate of Elias Fort, returned by the administratrix Elizabeth Fort and recorded. [Surry County Deeds & Wills Book 7, p535]

3 Aug 1724 **William Bynum** a witness to two deeds by Arthur Smith and wife Elizabeth to Richard Killingsworth and William Killingsworth for land on the south side of the Morrattuck [Roanoke] River in Bertie Precinct, North Carolina. [Bertie Precinct Deed Book A, p317 and p328, from Colonial Bertie County, N. C.: Deed Books A-H 1720-1757, Mary Best Bell]

4 Aug 1724 Deed: Arthur Davis and wife Elizabeth to **William Bynum**, £10, 200 acres on Morrattack [Roanoke] River. Witness: John B____, _____llingsworth, William Killingsworth. [Bertie Deed Book A, p354, abstracted in Bell p15.]

William of James is now in North Carolina to stay. Note the possibility that one of the witnesses ws John Bynum.

10 Jul 1725 Supplemental inventory of Elias Fort Junr., decd, returned by **Elizabeth Bynum**, administratrix. Two "spade" mares, one breeding mare, and a colt valued at £7:0:0. Appraised by William Rose, John Sowerby, and Nicholas Proctor. [Surry County Deeds & Wills Book 7, p593]

Clearly, Elizabeth Fort had married William Bynum, son of John Bynum II, sometime between May 1724 and July 1725. Elias Fort Jr. and his wife were likely quite young when he died and had only one child, John Fort. Elizabeth was the daughter of John Sugars according to his will in Isle of Wight County, which calls her Elizabeth Bynum (see below). Her son John Fort made a deed

of gift of eleven slaves to his mother Elizabeth Bynum in 1761. William Bynum apparently died intestate, but luckily for us, Elizabeth outlived him and left a will in Southampton County dated 1771 which named their living children as William, Benjamin, Michael, Celia Bryant, and Abigail Williamson. One other child, Drury, had predeceased his mother.

21 Oct 1725 **William Bynum** a witness to the will of John Fort, proved 10 Mar 1725/6. Among the legatees were son Elias Fort (a cow) and son-in-law and daughter John and Hannah Phillips (a cow). John Phillips was made guardian of sons Richard and Thomas Fort. [Surry County Deeds & Wills Book 7, p632.]

????????????

1 Feb 1725/6 Land Patent: **William Binnum**, 595 acres on the south side of the Moratock River and Cypress Swamp in Bertie Precinct [North Carolina Land Patents 1663-1729, Margaret M. Hofmann, #2382]

This is William, son of James Bynum. He has already bought land here in 1724. Nearly all subsequent references in Virginia are to his first cousin William Bynum, son of John Bynum. This grant will later be sold in 1765 by his son William Bynum Jr.

4 June 1726 **James (x) Bynam** witness to deed from Edward Grantham & wife Catherine to Joshua Proctor for 230a in Lawnes Creek Parish on the north side of Coppohonk Swamp at the mouth of School House Branch... [Surry County Deeds & Wills Book 7, p728]

This is apparently a part of the James Bynum (Sr.) patents of 1719, which William Bynum had sold to Grantham.

21 Dec 1726 Will Recorded: Will of Thomas Hunt of Lawnes Creek parish proved by the oaths of Samuel Maggett and **James Binum**. The will is dated 3 April 1724 and witnessed by Samuel Maggett, **James (x) Bynum**, and Mary (x) Bynn. The will mentions sons Thomas and John, and daughter Elizabeth. It gives the plantation to an unnamed wife and at her death to granddaughter Mary Horn, with reversion to granddaughter Mary Hunt if Mary Horn should die without heirs. [Surry County Deeds & Wills Book 7, p691]

27 Sep 1727 Will Probated: John Sugars, dated 1 December 1726. Legatees were wife Elizabeth [executrix], daughters **Elizabeth Bynum**, Abigail Jones [wife of Edward Jones], Priscilla; grandson Sugars Jones. Witness: Francis Arrington, George Bruton, Mary Walker [Isle of Wight County Will Book 3, p45]

Elizabeth Bynum is the wife of William Bynum, son of John Bynum. She had married Elias Fort III sometime around 1720-22. She was the administrator of Elias Fort in 1724 but had married William Bynum by July 1725 (see above).

William Bynum will die in Southampton County (formed from Isle of Wight) in 1762. His widow Elizabeth will leave a will dated 1771 naming their children as William, Benjamin, Michael, Celia (Bryant), and Abigail (Whitehead) Williamson. A son named Drury Bynum predeceased her. An apparent daughter was Ann, who bore a bastard child by Cordall Norfleet who was named as a grandchild in that will.

John Sugars had first married Elizabeth Clay, but had married again to Elizabeth, widow of John Drew, by late 1704. John Drew left orphans, but none are named in this will of their stepfather.

13 Oct 1727 Land Patent: **William Binum** of Surry County, 220a. on south side of the main Blackwater Swamp in Surry County... beginning at a white oak on the northwest side of Snake Branch, a corner tree 'twixt Richard Blow and Lawrence Smith thence by Smiths lines... a pine by the side of Snake Branch and down sd branch to Richard Blow... [Virginia Patent Book 13, p254]

This is William Bynum, son of John Bynum. This adjoins the land he purchased in 1722, and is in the northeastern part of modern Sussex County.

18 Oct 1727 Inventory and appraisal of John Evans, decd, by Mary Evans executrix. [Surry County Deeds & Wills Book 7, p758]

8 Nov 1727 Will of Thomas Horton witnessed by John (x) Phillips, **James (x) Binum**, **Agness (x) Bynum**. Proved 21 August 1728. [Surry County Deeds & Wills Book 7, p839]

James Bynum had probably been married to Agnes Farmer for a few years by this time. When her husband died in 1723 she was left with several small children and, I presume, would have been motivated to remarry as soon as possible. The absence of deed records for James Bynum in Surry County may be explainable if he was living on Thomas Farmer's land.

Note that John Phillips was presumably the one who married Hannah Fort.

15 Nov 1727 Grand Jury Indictment: Mary Owen for having a bastard child living at Agnis Farmers... Agnis Farmer for having [harboring?] a bastard child... [Surry County Deeds & Wills Book 7, p?]

It's not completely clear whether this is the Agnes Farmer who signed as Agnes Bynum just a week earlier, or another person entirely. Probably the former, but this forces us to consider the possibility of two Agnes Farmers – a mother and daughter. The mother was married to Thomas Farmer by 1713 when she released dower in a deed (if not a decade earlier) and is apparently the mother of several children born in the 1705-15 period. On the other hand, James and Agnes were not married in the Anglican church and therefore the marriage was

not recognized by the court. The later records certainly suggest that James Bynum married the widow, but we can't be absolutely certain. Given his naming a son "Nicholson", it seems very probable.

14 Feb 1727/8 Deed: **William Bynam** to Richard Killingsworth, £10, 300 acres on south side Morattock River. Witness: William Simms, William Killingsworth, John Sutton. [Bertie Precinct Deed Book B, p344, abstracted in Bell, p47.]

Same date: **William Binum**, Richard Killingsworth, John Sutton witness deed from William Killingsworth to William Simms. [Bertie Precinct Deed Book B, p351, abstracted in Bell, p48.]

14 Aug 1728 Deed: Richard Blow and wife Elizabeth Blow to John Mangum, 100a. north side the main Blackwater Swamp and south side of Pidgin Swamp... "beginning at the head of a bottom in Goodmans Old Field... along a line of marked trees till itt joyns to John Williames line thence along Williames line till it joyns to **William Bynums** so along **Bynums** line to the said Pidgions Swamp thence down the said swamp..." Signed: Richard Blow, Eliza (x) Blow. Witness: Saml. Taylor, Delony [Surry County Deeds & Wills Book 7, p862]

This (together with the 1730 deed below) seems to clearly prove that William Bynum was the eldest son of John Bynum II. Richard Blow (son of George Blow Jr.) is selling the land that was patented by Richard Blow (brother of George Blow Jr.) and then inherited by George Blow Jr. when Richard Blow died without heirs. John Bynum II had bought the adjoining 100 acres forty years earlier from George Blow Jr. The reference to the land of William Bynum means that he inherited the old land of John Bynum II. The survey from which the land description is taken obviously postdates the death of John Bynum II.

20 Nov 1728 Grand Jury Presentment: **James Binum** and Agnes Farmer for evil cohabitation together... [Surry County Deeds & Wills Book 7, page number unreadable]

Since they are earlier represented as a married couple, this certainly means that James and Agnes had not been married in the Anglican Church. There is reason to believe that Agnes Nicholson Farmer was a Quaker, since one of her sons was later a prominent Quaker in North Carolina. The Farmers were more than likely part of the relatively large Quaker contingent of Surry County. There was a regular Quaker meeting in Surry County, but its records do not survive before 1752. The court records are filled with references to Quakers, but there are no other specific references to Bynums as Quakers. Either James Bynum joined the sect in order to marry Alice or she was married as a Quaker outside the faith (which would have caused her dismissal from the local Meeting).

17 Mar 1728/9 Deed: **William Bynum** & Mary Evans to John Smith, 184a. on the south side of Seacock swamp... 79 acres being. part of a patent to Richard Ham dated 25 April 1701 beginning at the mouth of Davis's branch on Seacock swamp... bounded by Davis branch and Seacock swamp. The other 105 acres being part of a patent to **William Bynum** dated 13 October 1727... beginning at a pine tree standing in the line that divides the said land from the aforesaid Bynum's land... along a line of marked trees dividing the two parcels... along the aforesaid John Smith's line... Signed: Wm. Bynam, Mary (x) Evans. Witness: William Edwards, Samuel Taylor. [Surry County Deeds & Wills Book 7, p918]

William Bynum signed his name. Mary Evans used a "W" mark - or perhaps an upside-down "M". The will of John Evans (proved in July 1727 had directed his wife, as executor, to sell his land and divide the proceeds between herself and his three children. As a curiosity, I note that the Mary Evans who filed the inventory of John Evans (see 18 Oct 1727) used a sideways "E" mark for her signature. The marks are similar but the clerk entered them quite differently - whether they are the same person or two different ones is hard to say with certainty.

This appears to be two deeds combined into one, perhaps for the convenience of the buyer. No relationship between the sellers is obvious here. Richard Ham had patented a total of 139a. and William Bynum had purchased 60a. of this patent in 1722. John Evans had purchased the remaining 79 acres in 1726 [Deed Book 7, p666]. This deed conveys the western part of Bynum's patent and the remaining 79 acres of Ham's patent which Mary Evans now owns.

24 Mar 1728/9 Final Accounting of the estate of Thomas Farmer by **James Bynum** and **Agnes Bynum**. Dated this date but recorded 18 June 1729. Accounting includes £1 paid to **Wm. Bynum**, 0:5:0 to **James Bynum**, and the remainder of £58:12s:1p divided into five equal parts and paid to the heirs: Isaac Farmer, James Farmer, William Farmer, Thomas Farmer, and Elizabeth Porter. [Surry County Deeds & Wills Book 7, p955]

This would seem to clarify that Agnes Bynum was the widow, rather than the daughter, of Thomas Farmer. It's not clear why the small payments were made to William and James Bynum.

Isaac Farmer, who was named in his grandfather's will, was apparently the eldest son. I could find no records suggesting that any of the Farmer children were born much before 1710 or so. All four Farmer sons, and Elizabeth Porter's husband Nicholas Porter, apparently accompanied James Bynum to Edgecombe County.

18 May 1730 **William Bynum** and wife **Elizabeth Bynum** of Lawnes Creek Parish to Robert Thorp... 100 acres more or less... Goodman's branch... to Pigeon Swamp. [Surry County Deeds & Wills Book 8, p16] ???????

This deed is next to unreadable, but it is clearly the sale of the 100 acres. that John Bynum II had purchased from Richard Blow over forty years earlier. This seems to confirm that William Bynum was the eldest son of John Bynum Jr.

Since William Bynum had earlier bought and sold land south of the Blackwater, it's not completely clear whether he lived on this land after the death of his father.

14 July 1730 **William Binum**, William Whitehead, witness release of dower by Mary Fort in land sold by her husband John Fort to Davie (sic) Hopper, located south side [Roanoke] River on Looking Glass Swamp. [Bertie Precinct Deed Book C, p252, abstracted in Bell p81.]

30 Sep 1732 Will of Elias Fort, proved 10 March 1739/40. Devises land to sons John Fort and Holiday Fort, and to grandson John Fort. A slave each to daughters Phyllis Pennington, Mary Foster, Alice Foster, and Faith King. Wife Sarah Fort. Witness: John Chapman, **Jno. (x) Bynum**, Joseph Andrews. [Surry County Deeds & Wills Book 9, p135.]

This is the father of the Elias Fort Jr. who died in 1724 and whose widow, Elizabeth Sugars Fort, married William Bynum. William's brother John Bynum is evidently the witness. The grandson John Fort mentioned in the will is the son of Elizabeth Sugars by her first husband.

8 Mar 1732/3 Deed: Thomas Turner to **James Bynum**, both of Edgecombe Precinct, £10 of Virginia, 270a. on the south side of Morratock river in a branck of Kehukee Swamp... Witness: John Shelly, Henry Turner, Richard Sessioms. [Halifax County (NC) Deed Book 1, p44]

James Bynum had joined William Bynum in Edgecombe by now, and will continue to appear in its records until his death.

15 Jul 1734 Deed: [Lease and Release?] **John Bynum** to Robert Gray, 250 acres "whereon the sd. John Bynum lately lived" beginning at a marked Elm on the north bank of the main Blackwater Swamp thence along a line of marked trees that divides the said land from the land of Mr. Francis Sharp until the said land meets with the Little Branch and down the said Little Branch to the Great Branch and thence up the ds Great Branch... along a line of marked trees betweixt he sd. land and Jeremiah Ellis's land... along a line fo marked trees to the main run of the Blackwater Swamp... Signed: **John Bynum**. Witness: James Washington, John Moring, Mickell Casely. Acknowledged by **John Bynum** on 17 July 1734 and recorded. [Surry County Deeds & Wills Book 8, p394.]

This deed is almost certainly a combined parcel consisting of the land given to John Bynum by Robert Grice in his will of 1720 plus the 100 acres that James

Bynum purchased from Luke Mizell III in 1703. The land Robert Grice owned at his death was adjacent to that portion of James Bynum's land and he dispersed all but roughly 150 acres to his sons John and Francis. Obviously, the question is how John Bynum acquired the land of James Bynum.

Note that there is no release of dower. Note also that the consideration is five shillings. Rather than a gift, this appears to be a lease and release, for which I simply missed the second document. Robert Gray is presumably the son of William Gray, whose 1731 will named him among several sons.

26 Aug 1734 Deed: John Cain of Isle of Wight to **William Bynum** of Surry County, 215 acres whereon John Cain now lives, being two patents to Cain dated 22 January 1717 and 22 February 1724/4. Witness: Joseph Gray, Robert Cannon. [Isle of Wight Deed Book 4, p363]

This adjoins the 1750 patent to William Bynum (see below), and is in present Southampton County. William Bynum and his wife Elizabeth sold this land in 1754.

23 Sep 1734 Will of Henry Browne, proved 19 February 1734/5: I forgive the following people the debts they owe me:...**John Bynam**..(at least a hundred names). [Surry County Deeds & Wills Book 8, p458]

16 Jan 1734/5 **John Bynum** a witness to deed of Thomas Foster and John Clements to William Gray Jr. for 175 acres in Southwarke parish (originally the land of John Clements who devised it to Thomas Foster in his will of 1704, and now sold by Thomas Foster and John Clements the Younger). [Surry County Deeds & Wills Book 8, p515]

This appears to be the John Bynum living on the Bynum-Grice property, for the land in question is quite nearby.

1735 Edgecombe District (Bertie), North Carolina quit rent rolls:
Wm Bynam 240a
John Bynam 270a

20 Apr 1736 Deed: Wm Blake Sr. of Nottoway parish in Isle of Wight to Samuel Tuder of Lawnes Creek Parish in Surry, 200a. in Surry County patented by John Maclood on 20 April 1682 [q.v. above] in Lawnes Creek parish.. south side of the 3rd swamp... twixt Richard Jordan Jr. and **John Bynham**... by Bynham's line... (bounded by Nicholas Sessums, Richard Jordan, Phillip Hainsford, Richard Jordan Jr., and John Bynum.) Witness: Charles Binns, Benjamin Bell, John Bell [Surry County Deeds & Wills Book 8, p582]

This refers to the long-dead John Bynum I. This is the land patented more than 50 years earlier by John Maclood, bordering the 1681 patent to John Bynum I.

This deed appears to be using a description taken from a very old survey, since all these adjoining landowners are dead. No John Bynum still owns that land. See also the 7 September 1741 deed for adjoining land.

19 Jul 1736 **John Bynum** a witness to deed from Rachel Verser[?] of Isle of Wight County to Thomas Williams of Surry County for 150 acres, part of 450 acres patented by Joshua Proctor and William Rogers (on 20 April 1685) and bought by Edward Newby... Rachel Verser inherited as heir of Edward Newby... [Surry County Deeds & Wills Book 8, p629]

The patent referred to adjoins the old Thomas Warren patent, which Luke Mizell II had bought in 1691, on its north side. That is, it adjoins the land James Bynum had bought from Luke Mizell. John Bynum had sold the adjoining property two years earlier, but is apparently still in the area.

9 Nov 1736 Deed: **William Bynum** of Isle of Wight and **John Bynum** of Surry to William Gray of Surry, five shillings, 175 acres on the south side of Seacock Swamp... 60a. being part of a patent to Richard Ham of 25 April 1701 and 115a. being part of a patent to **William Bynum** of 13 October 1727... adjacent John Smith... on Snake branch. Signed: **William Bynum, John Bynum** [Surry County Deeds & Wills Book 8, p643]

This is apparently the front end of a lease and release, which accounts for the five shilling consideration. I evidently missed the release, which would have carried the full consideration.

Oddly, all this land should have been owned by solely by William Bynum. William Bynum is selling the 60a. he bought in 1722 plus the remaining part of his 1727 patent. The description in the deed matches the remainders left over after the earlier joint deed by William Bynum and Mary Gray. Why John Bynum is participating in the sale is unknown, but William Gray later describes the land as being where John Bynum lived. The 1729 deed suggests that William Bynum had split his land into an eastern and western part (this being the eastern part). Perhaps he had made some informal gift of an interest in this land to his brother John. This land is in what is now northeastern Sussex County.

Could this possibly have been the front end of a lease and release? That would account for the trivial sum, but I didn't see it that way in reading the microfilm.

21 Mar 1738 Account current of estate of Elizabeth Champion lists several debts owed to several dozen persons, among them **John Bynum** [Surry County Deeds & Wills Book 8, p48]

8 May 1740 Deed: Nathaniel Field and wife Elizabeth to **John Bynam** of Surry County, Virginia, £15, 200 acres on north side of Meherrin River adj. Mary Brasswell.

Being the upper part of a patent granted to Samuel Ellson dated 26 March 1723. Witness: James Washington, Richard Washington, Arthur Washington. [Bertie County Deed Book F, p34, abstracted in Bell p150.]

This land is in what would become Northampton County in 1741. When Field bought the land in 1738 [Book E, p343] it was described as a grant to Samuel Ellson dated 26 March 1723. It's not completely clear which John Bynum this was.

14 June 1740 Albemarle Parish Register (at this time for the area of Surry south of the Blackwater, later Sussex County) contains an entry for the birth of **Arthur Bynham**, son of **John Bynham** and **Mary** his wife. Sponsors: Wm. Willie [the minister], Arthur Smith, Jean Bennett.

Albemarle parish had been formed in 1738 from the parts of Lawnes Creek and Southwarke that lay south of the Blackwater. At the same time, Lawnes Creek parish was folded into Southwarke, which was then the entire area north of the Blackwater. When Sussex County was formed from Surry in 1754, the Blackwater was the dividing line, so Albemarle parish fell into Sussex County. The parish register, which may not be complete, begins in 1738. We know that a son, Gray Bynum, recorded his birth date as 20 November 1737, and that the son John was born by 1733, both prior to the formation of the parish. Since his son Samuel's birth is not recorded in the Register, he also appears to have been born by 1738.

6 Mar 1740/1 **John Bynum**, John Nicholson, Elizabeth Taid, James Washington, Nathan Britt all witnesses to deed from Nathaniel Field to Robert Tharp of Surry County, Virginia for 170 acres on the north side for Meherrin River. [Bertie County Deed Book F, p245, abstracted in Bell p165.]

See 8 May 1740.

17 Aug 1741 Deed: **James Bynum** of Edgecombe County, North Carolina to Robert Surjoyner, 5 lbs Virginia currency, 100 acres on the south side of Maratock river, joining Bynum's Mill pond and the fork of the great branch. Witness: Samuel Hollyman, Arthur Bryant. [*Abstracts of Deeds - Edgecombe Co., NC 1732-1758*, Margaret W. Hoffman]

7 Sep 1741 Samuel Tuder and wife Mary of Southwarke parish in Surry County to William Dunn and James Bradley of York County, 200 acres on the south side of the third swamp of the Blackwater in Surry County, adjoining Nicholas Sessums, Richard Jordan, Phillip Hainsford, and **John Bynum**. Signed: Samuel (x) Tuder Witness: Charles Binns, Frances Person [Surry County Deeds & Wills Book 9, p374]

This refers to the land patented by John Bynum sixty years earlier in 1681, and

the John Bynum referred to is long since deceased. The land description is again a very old one, apparently taken from an ancient survey. All of the adjoining landowners are long dead.

27 May 1742 **William Bynum**, Robert & Elizabeth Pittman, and Thomas & Chapin Williams witnesses to a deed for 1400 acres in Isle of Wight from Thomas and Ambrose Pittman of Edgecombe Precinct to John Edwards. [Isle of Wight Deed Book 6, p113.]

13 Jul 1742 **William Bynum**, John Edwards, and Robert Pittman witnesses to a deed for 83 acres south side of Sweathouse Swamp from Arthur Powell to Arthur Taylor. [Isle of Wight Deed Book 6, p120.]

21 Jul 1742 Account Current: estate of Elias Fort, deceased, lists payments to several persons, among them **John Bynum**. [Surry County Deeds & Wills Book 9, p406.]

21 Sep 1742 Suite Abated: David Osheal vs. **William Bynum**, the defendant not being an inhabitant of this county. [Surry County Orders 1741-1744, p165]

The court records resume after a 23-year gap. William Bynum has moved by now into Isle of Wight (later Southampton County). Suits had to be brought in the county of residence of the defendant.

21 Nov 1742 **William Bynum**, Arthur Smith, Joseph Ward, and John Mundell witnesses to a deed for 100 acres on the south side of the Nottoway River and Three Creeks from Edward Gullidge of North Carolina to Edmund Howell of James City County. [Isle of Wight Deed Book 6, p167.]

16 Feb 1742/3 Deed: Richard Webb sells 108 acres, half of a tract patented to **John Bynum** on 23 April 1681, and sold by **John Bynum** to my father William Webb. [Surry County Deed Book 10, p99]

This refers to John Bynum I, dead more than fifty years. See the earlier entries.

5 Nov 1743 Will of Simon Everitt witnessed by **William Bynum**, **Elizabeth Bynum**, and Faith Taylor. Proved 12 March 1746/7. [Isle of Wight Will Book 5, p49, abstracted in Chapman]

All of these persons were living in the part of Isle of Wight which would later be Southampton County. Both William and Elizabeth Bynum would later witness the nuncupative will of his son, Simon Everett in 1752.

19 Jan 1744/5 Deed: William Gray of New Kent County to Michael Blow of Surry, 150 acres in Albemarle parish on Seacock Swamp... Snake Branch... bounded by Thomas Francis and John Smith...land whereon **John Bynum** lately lived and which

said Gray bought from said Bynum... [Surry County Deed Book 4, p311.]

This is John Bynum III, son of John Bynum II. See 9 November 1736 for the sale by William and John Bynum.

20 Feb 1744/5 Deed: Robert Proctor of Brunswick County, two deeds for 110 acres and 200 acres on north side of Blackwater... mouth of cat tail branch...bordering spring branch... Blackwater Swamp... part of 460 acres (sic) sold to Proctor by **William Bynum** on 16 September 1723. [Surry County Deeds 1742-47, p294, 296]

26 Mar 1744/5 **William Bynum**, James Gray, and Timothy Tharp witnesses to a deed for land on the south side of Nottoway River adjoining Three Creeks from John Dortch Jr. to John Tharp. [Isle of Wight Deed Book 6, p429.]

10 Apr 1745 **William Bynum**, Joseph Everitt, and Simon Everitt Jr. witnesses to a deed for 120 acres on south side of Nottoway River from William Rugliss to Thomas Bryan. [Isle of Wight Deed Book 7, p157.]

21 Jan 1745/6 **William Bynum**, Thomas Williams, and John Dortch witnesses to deed for 100 acres on south side of Nottoway River from William Brown to Joseph Allen. [Isle of Wight Deed Book 7, p292.]

25 Jan 1745/6 **William Bynum** a witness to will of Augustine Simon of Isle of Wight. [Southampton County Will Book 1, p354.]

The will was written when the area was still Isle of Wight, but recorded after it became Southampton County.

12 Feb 1745/6 **John Bynum** of Northampton County, North Carolina, to Samuel Maget of Surry County, Virginia, 200 acres on the north side of the Meherrin... Wit: Robert Gray, Emanuel Jones, Nich. Maget. [Abstracts of Deeds Northampton County, North Carolina 1741-1759, Margaret M. Hofmann, p252.]

The abstract gives the name as "Byrun", but this is clearly the land he bought in 1740. Unless he moved back to Surry, this must have been a different John Bynum than the one below.

12 Jan 1748/9 Faith Roberts, wife of Willott Roberts, ordered paid as a witness for Thomas Washington in his suit vs. **John Bynum** for 19 days attendance. [Surry County Orders 1744-1748, p384] On 17 January 1748 "the attachment obtained by Thomas Washington against the estate of **John Bynum** deft. abates by the plts. death." [Ibid., p384]

One of the John Bynums (apparently the son of John) must have been residing in Surry, for a defendant could only be sued in his county of residence. The

executors of Thomas Washington continued the suit, which is mentioned for the last time, still unresolved, in June 1749, by which time John Bynum had left the county.

June 1749 Lunenburg County tithables, list of William Caldwell:
John Bynum, John Bynum, Jr. – 2

John Bynum, son of John, apparently has moved from Surry to Lunenburg (later Halifax) in the first several months of 1749. He and John will also be on the tithables for 1750. That this is the same person as the John Bynum of Surry is shown by several later records.

1 Jun 1750 Land Patent: **William Bynum**, 225a. in Isle of Wight County on the east side of Tarraro Creek on Powells Branch... along Benjamin Crocker's line... corner of said Bynum's other land, along Bynum's own old line... corner of Arthur Powell...up Powell's branch. [Virginia Patent Book 30, pp110-111]

This is in present Southampton County. The "said Bynum's other land" was the 215 acres purchased from John Cain in 1734.

24 Sep 1750 **William Bynum** a witness to the will of Robert Crocker. [Southampton County Will Book 1, p19] He was later an appraiser of the estate [p30].

14 Jun 1753 Deposition of **John Binum** presented to the court of Halifax County, Virginia by Thomas Coleman, "a negroe man", stating that "Thomas Coleman, a small negroe man, aged about fifty years was born free in Surry County & that for many years he [Bynum] was acquainted with his father, mother, brothers & sisters." [Halifax County Plea Book 1 (1752-1755), p162.]

I include this post-1750 record because it proves that the John Bynum of Halifax (later Pittsylvania) is the same person earlier in Surry.