

**DRAFT**  
**The Payne, Cave, and Johnson Families**  
**Part 2**

**By Donn B. Parker**  
**January 2, 2004**

See Part 1 of this two-part report for the histories of the Johnson and Cave families, and see my family trees that provides an overview of how all of the families and their members relate to one another. The succession of Paynes from Emeline Payne Blanchard goes back to John "the Immigrant" Payne is as follows:

Emeline Payne Blanchard b 1841 in Kentucky, d 1942 in San Jose, California  
Newton Payne b 1800 + Susan Spencer b 1817 in Kentucky  
John Payne b 1764 + Betsy Johnson b 1772  
William Payne b 1692 + Anne Jennings b 1740  
William Payne b 1652 + Elizabeth Pope  
John Payne b 1615 in Kent, d 1690 in Rappahannock Co. Virginia, m  
Margaret (Jennings or Robinson?)  
Sir Robert Payne b 1573, d June 18, 1631 in St. Neots, Huntingdonshire,  
m Elizabeth Rotheram  
Sir Thomas Payne, m Margaret Pulteney  
Sir Richard Payne, b 1445  
John Payn, b 1402, Wymonham, Norfolk

I have described Emeline Payne and her family in my Report on *The Blanchards of California*. This is followed by the descriptions of Payne ancestors as far back as the records go. There is a story about the Paynes in England titled, Randolph Payne, "King of England", The Hanovers and Their Secret Marriages in the Appendix.

Patrick Payne ([ppayne1203@earthlink.net](mailto:ppayne1203@earthlink.net), owner of the Web page [www.payne-L](http://www.payne-L.com)) discovered the inscription on the tomb of Sir Robert Payne of St. Neots, which reads:

Here lyes interred the body of Sr. Robert Payne Knight  
deceased the 18<sup>th</sup> day of June Ao Dni 1631 aged 58 years who  
married Elizabeth the daughter of George Rotheram of So-  
mer in Com. Bedford Esqr by whome he had Issue 5 sonnns and 6  
daughters.

This Mourning vault of death that must retayne  
As Pledge a while the dust of honour'd Payne

Is but his Tomb nor can it stile bee  
A Monument of him, his Memorie  
And fame on earth with those good deeds he sent  
To Heaven before him are his Monument  
The Countyes tears farr better then this stone  
Will telll thee Reader noble Payne is gone  
Aske them not mee they feel the losse of him  
And will for ever keep his just esteem."

In the past, Patrick Payne has given primary record evidence showing that the father of Sir Robert Payne of St. Neots, Hunts., had purchased his land there in 1590 from Sir Henry Darcy and his wife, Catherine (nee Fermor), widow of Michael Pulteney, of Misterton, Leicestershire. Michael Pulteney was a close kinsman of the Paynes of Suffolk, being a descendant of Sir Thomas Pulteney whom many have claimed was also the father of Margaret, wife of Sir Thomas Payne from whom the Paynes of Suffolk are known to descend. This was the first indicator that Patrick was able to find that suggested a link between the Payne families using primary records. Now we can add another.

Sir Robert Payne of St. Neots, Hunts. had married Elizabeth, daughter of George Rotheram, of Someries, Beds. That much is proven by a variety of primary records, and Patrick says will not bother to rehash what is well established. However, he has failed to note that Elizabeth (nee Rotheram) Payne's mother, Jane Smith (or Smythe), had been a sister-in-law of Sir John Fortescue I (1533-1607), of Holborn, London; Welford, Berks. and Salden, Bucks. He was a son of Sir Adrian Fortescue and Anne Reade [biography in "The History of Parliament" based upon T. Fortescue, Lord Clermont, Fortescue Fam.; Folger V. b. 298.; DNB; Vis. Bucks. (Harl. Soc. lviii), 58.]. Sir John and Alice (nee Smith) Fortescue were the parents-in-law of Sir John Pulteney (d. ca. 1611), MP for Wigan by the nomination of his father-in-law [Nichols, Leics. iv(1), p. 319; Vis. Northants. ed. Metcalfe, 196; Chamberlain Letters ed. McClure, i. 153; C142/259/37, 363/189.]. Sir John Pulteney was that which leased land at Polesworth, Warwickshire, to George Corbin, of Hallend, grandfather of Henry Corbin of Virginia, whose son-in-law, Richard Lee II, became guardian of the children of William Payne in 1697. Therefore, Elizabeth (nee Rotheram) Payne, of Huntingdonshire, was Sir John Pulteney's aunt (by marriage).

Following this up a bit, Sir John Pulteney, according to the same sources given above [as well as PRO E 44/243 and "Leicestershire Medieval Pedigrees" comp. by Geo. F. Famham, 1925], was a son of Gabriel Pulteney (d. 1599) of Misterton, Leicestershire & Knowle Hall, Warw., by Dorothy Spencer, a granddaughter of Sir John Spencer (1517-1586), of Althorp & Wormleighton, Warkwickshire, and his wife, Catherine (ca. 1521-bef. 1586), daughter of Sir Thomas Kytson, of Hengrave,

Suffolk- whose bailiff of that manor had been Henry Payne of the Suffolk family. [Additional sources: PRO, E 40/5615; PRO SP 46/60/fo 104; PRO SP 46/60/108; PRO SP 46/60/fo 108; PRO SP 46/60/fo 113; PRO SP 46/60/fo 118a; PRO SP 46/60/146; PRO SP 46/13/fo 288d, 289; *The History and Antiquities of Hengrave in Suffolk*", John Gage, pp. 63, 185, 187, 337, 489, 490-2, 499, 501].

Further information can be found in "The History of Parliament", volume covering 1558-1603, under John Fortescue I (1533-1607), Sir John Pulteney (-1611) and Sir John Spencer (1517-1586) of Althorp.

The amount of record evidence for a relationship between the two Payne families is significant- and it makes sense in a genealogical light because it explains so much. Although we have not found the 15th century record that we need the positively confirms the relationship between them, we do know that Sir Thomas Payne and Margaret Pulteney also had a son by the name of Robert who seemingly vanished from Leicestershire records and who did not appear in Suffolk with his brother Edmund's family. But a Robert does raise his head at the necessary time in Huntingdonshire. Moreover, The College of Arms confirmed for us [see *The Paynes of Virginia*] that Sir Robert Paynes great-grandfather's name was Robert Payne. These primary records seem to be very persuasive and while Patrick concedes that the two families were cousins, he feels that more is needed in order to conclude that John Payne of Virginia (ca. 1615-1689/90) was a son of Sir Robert Payne of Hunts.

If we consider that John Payne of Virginia had been the commander of the John & Dorothy in 1634/5 as found in Calendar of State Papers, High Court of the Admiralty records, etc., [as Patrick have previously cited], this would place him directly [as a partner] with Capt. George Payne and his brothers-in-law Joseph and Nathaniel Hawes, cited in the same sources [also given in previous posts to the list]. Knowing that John Payne had been associated with Henry Corbin [whose grandfather leased land from the Pulteneys], as well as the Washington's [who also descend from the Kytson's of Suffolk by the marriage of John Washington with Margaret Kytson- sister of Sir Thomas above] and the Lee's, it would appear that they [John and Capt. George Payne] were sons of Sir Robert Payne of Hunts. We know that Sir Robert had a son named George born about 1607. We also now know by the inscription on his tomb (above) and primary records cited in his "History of Parliament" biography, that Sir Robert had two other sons that had been born after 1613. John Payne of Virginia, by his own statement, states that he had been born about 1615. It all fits together very well. Still, it would be nice to find out the names of those two sons of Sir Robert born after 1613! It has to be out there somewhere.

Newton Payne is described on page 264 in *The Paynes of Virginia, Second Edition* by Brooke Payne (1872 - 1938) and published by C. J. Carrier Co., Harrisonburg, Virginia in 1937 [I possess a copy of this book] and is as follows.

31. Newton Payne (s. 5) born 4 January 1800 near Georgetown, Ky.; married first Louisa Nuckles on 11 October 1827 near Georgetown; married second Susannah G. Spencer on 5 October 1836 in Warsaw, Gallatin County, Ky.' [Newton and Susannah G. Spencer married November 17, 1837. They belonged to the Christian Church and she is the daughter of Mary Spencer] in that record of the marriage. died 16 March 1850 in Gallatin County; buried in cemetery near Warsaw; grave not marked.

In 1843 he represented Scott County in the [Kentucky] Legislature. He acquired land about six miles above Warsaw and on the Ohio River, where he died. Soon after his death his family moved to Missouri. Before leaving they enclosed his grave and those of two of his young children in a limestone wall. These graves are not marked.

The validity of the spelling of his first wife's name is based on the written statement of her step-daughter, Mrs. Blanchard [my great grandmother]; it is spelled Nuchols and Nuckolds in Paynes Family History (Knickerbocker Press, N. Y., 1900) and Tom L. Johnson's Family History respectively. The family Bible is burnt. His first wife died shortly after the birth of her child.

Susan Spencer was born 12 January 1817 in Gallatin County; she died 12 May 1911 near Longwood, Pettis County, Mo. and was buried in Miller's Chapel nearby. Grave marked.

By his first marriage he had one child, Louisa (102). By his second marriage he had five children, Sally M. (103), Emeline (104) [my great grandmother], Mary E. (105), Newton (106), and James (107).

Copies of the 1850 and 1860 Censuses obtained from Elizabeth Agnew (We have the same 5<sup>th</sup> great Grandfather, John Payne, I descended from John's son, William, and she descended from his brother, John II), June, 2008 shows Susannah G. Payne living with her mother, Mary Spencer and sister and family on the Payne plantation in Warsaw, KY on the Ohio River:

1850, July 15th Warsaw, Galetin Co., KY

A. M. Green, age 43, b. Kentucky, Merchant  
Eliza S. Green, age 35, b. Kentucky  
Selby W., age 15

Elizabeth S., age 13  
Susannah, age 11  
Eliza, age 8  
Mary Spencer, age 63, b. Virginia [in 1787]  
Barnard M. Spencer, age 21, b. Kentucky, Merchant  
A. P. Green, Male, age 21, b. New York  
Susannah G. Payne, age 33, b. Kentucky [in 1817]  
Emeline, age 10 [b. Kentucky in 1840]  
Elizabeth, age 8 [b. Kentucky in 1842]  
Newton, age 6 [b. Kentucky in 1844]

1860, August 10<sup>th</sup>, Warsaw, Galetin Co., KY  
Susan G. Payne, age 41 [b. 1819]  
Emeline, age 18 [b. Kentucky in 1840]  
Newton, age 15 [b. Kentucky in 1844]  
Mary Spencer, age 74 b. Virginia [in 1787]

Note from Elizabeth Agnew: I suspect that the Eliza S. Green (35) with whom Susan(nah) and her children are living in Gallatin Co KY in 1850 is her sister. That would have to be substantiated elsewhere, since the census doesn't note the relationship. But one of Eliza's children is named Susannah, and one of Susan's children is named Elizabeth (Eliza may be short for Elizabeth), and also in the household are their mother Mary Spencer and probably another brother Barnard M. Spencer.

The entry for the second John Payne 2 [Newton's father] on Page 239 in *The Paynes of Virginia, Second Edition* by Brooke Payne (1872 - 1938) and published by C. J. Carrier Co., Harrisonburg, Virginia in 1937 is as follows. This is followed by the descriptions of his Payne ancestors as far back as the records go.

5. John Payne [2] (s.2) born 8 April 1764 in Fairfax County [Virginia]; married Betsy Johnson 28 June 1787 at Georgetown, Ky.; d. 9 September 1837 (*Payne Family History*, Knickerbocker Press, N.Y., 1900). According to a reported statement by his son Asa, he was thrown from a horse and died several months later from the effects of the fall. In 1769 his father's will provided that he should become the ward of his half-brother Edward until he reached the age of 18 or 21, as Edward should judge best. The land records of Kentucky show that in 1783 he was deputy surveyor in Fayette County for a grant to Philip Grymes, in the laying out of which John Grymes was chairman, Henry Payne was end-marker, and Thomas Marshall was surveyor. It thus appears that men went out from Virginia to Kentucky to survey their land or their friend's land, before emigrating to occupy it. In

1786 John and his brother Edward were granted 3335 acres on Slate Creek, Fayette County [Kentucky]. He is said to have moved to Kentucky in 1789 with Devall Payne (V-7), but the following notes taken from the Virginia Calendar of State Papers show that he resided in Kentucky as early as 1786. In November of that year he submitted to the Governor a deposition to the effect that on 6 September 1786 he was arrested by Colonel Levi Todd and threatened to be treated as a deserter, and was kept under duress until he furnished a substitute for his service. John Payne followed this up by a letter (copied in the record) addressed to Colonel Todd, dated 27 November 1786, calling on him to appear at Lexington at 10 A.M. November 29<sup>th</sup> to hear depositions there to be taken respecting Todd's conduct. Stephen Grymes delivered the letter. See notes on Colonel Todd under Edward Payne.

John Payne 2 settled in Scott County, at Payne's Depot, near Georgetown. The Magazine of the Ky. Historical Society refers to him as General John Payne, and states that he commanded Ky. Troops in the first expedition against the Indians in 1812. He was State Senator from Scott County 1830-32. [His children are named under the biography previously stated of Betsy Johnson, his wife.]

[John Payne's (the second) father was William Payne; here is his biography from page 228]

2. William Payne (s. 3) born 10 August 1692 in Westmorland County; married first to Alicia Jones February 1712/3 in Richmond County Virginia; married second to Anne Jennings on 1 March 1763 in Fairfax County Virginia; d. 24 August 1776 [age 84] in Fairfax County. The evidence as to the date of his birth exists in the following record in a Court Order Book in Westmorland County: 26 August 1713 William Paine, son of William Paine, Gent. deceased, being born the 10<sup>th</sup> day of August 1692 as appeared to the Court to be so entered in the account-book of the said William Paine, deceased, and which the Court verily believes to be his own hand-writing, personally appeared in Court and acknowledged a sale of land to Daniel McCarty, Esq., and Alicia, wife of said William, relinquished her right of dower." This deed was in exchange for land left to William Payne in his father's will, which bequeathed to him "the land I now live on, bounded from the outside fence next my quarter, where Footman lived, so to the mill, which mill I give to my wife till said William comes to the age of 16, when he may use half the said land with the whole mile and half of my dwelling house; 2 negroes; one half the residue of my personal estate." William Payne, Jr. and his sister Anne were made joint executors of their father's will

The subject of this sketch lived on the south side and near the head of Machodoc River. In 1733 he and his wife Alicia of Truro Parish, Prince William County, Virginia, sold their home in Westmorland County to George Turberville, stating that the land was that on which they formerly lived and that it was sold to them by Daniel McCarty. In this deed he is recorded as William Payne, Gentleman and planter. He settled on the 700 acre that he inherited from his brother Edward, which was first in Stafford; in 1731 it was in Prince William County; in 1742 it was in Fairfax County. This estate was near what was later Payne's Church on the Colchester Road.

In and around 1744 he was Sheriff of Fairfax County. In 1748 he and Edward Washington were Inspectors of tobacco warehouses at Occoquan and Pohick, Fairfax County, which houses were 7 miles apart by land and 14 by water. In 1752 he and Daniel McCarty, son of the above-mentioned Daniel, were Church Wardens of Truro Parish; a meeting of the Vestry took place during this year at the home of the Rector, Rev. Charles Green. In 1755 he was listed as one of the free-holders in the county. In 1756 he was Vestryman at Colchester, at the mouth of Occoquan Creek. In 1763 he was one of the Vestrymen of Falls Church, among whom were George Washington, Jon West, Daniel McCarty, etc., were not confined to the dates here given merely to indicate the general period of his incumbency.

His will dated 20 June 1769 (16 September 1776) names his sons in the order William, Edward, Sanford, and John, and mentions his wife and daughters, but not by name. His wife is to live on the plantation on which he now lives if she so chooses; otherwise, his son Edward is to possess it. Edward is named as sole executor. And is to have the care and education of testator's son John until the latter reaches the age of 18 or 21, as his guardian sees fit.

Alicia Jones was daughter of Edward Jones of Richmond County whose marriage to Alicia Lunn on 27 August 1679 is recorded in South Farnham Parish Register. Edward Jones's will is dated 1715 and names his daughter Alicia Payne. He was a descendant of Robert Jones of Fleet's Bay, Northumberland County. It is from this Jones family that the names Edward and Sanford come down in this branch of the Payne family. While the births of some of the Edward Jones's children are recorded in the above Register, Alicia does not there appear; it is estimated that she was born about 1686. She died 31 October 1760 in Fairfax County.

Anne Jennings was born 28 February 1740 [William was 48 years older] and died 11 May 1827 at the home of her son John Payne 2 near Georgetown, Ky.,

where, in spite of his affectionate protests, she insisted upon residing in a cottage in his yard. No convincing account of her parentage has been presented; she was probably related to Daniel Jennings, Sr. of Fairfax County who died in 1754.

Since eleven years elapsed between his first marriage and the birth of his first recorded child, William Payne doubtless had other children who died young, among whom I list Anne.

By his first marriage he had 4 children -- Anne (1), William (2), Edward (3), and Sanford (4). By his second marriage he had 3 children -- John (5) [in my family succession and born in 1764 when William was 72 and Anne was 24], Mildred (6) [born in 1764 as well], and another daughter whose name is unknown.

### **William Payne (2) and George Washington**

[While not in the succession of my family, John's half-brother, William is included here because he had an interesting encounter with George Washington, and Brooke's description of William ( Generation IV, page 232) adds to the family lore.] William's son, William is also identified here since he is also an interesting person.

2. William (son 2) born 31 July 1724 in Westmorland County; married Mrs. Susannah (Clark) Brown on 3 February 1748...; died 12 July 1782 in Fairfax County, leaving a will which names all his children and his half-brother [John] and half-sister; refers to his mill site on Accotink Run (which his father [William 1692] had given to him in 1762 and which was on the estate of Ravensworth); and disposes of his grant of 10,000 acres "in the back inhabitation", by which is meant his patents of land in Kentucky, not yet a State.

By one correspondent he is given as his father's second son. I am confident that he was the oldest son, basing my opinion mainly on the fact that he was the first son named in his father's will. Furthermore, the Bible of his daughter Alicia Cooke, which in 1869 was in the possession of her grandson Peyton Westwood Cooke of Warren County, Kentucky, gave William Payne's birth, marriage, and death dates as above.

His granddaughter, Miss Cornelia R. Payne (VII-126), described him to be as "5 ft.-5 in. tall, quite slender, not a military man at all, though Washington Irving said that he did more than any other man to keep up the financial end



of the Army of Virginia.

The records of Fairfax County show that he was a freeholder in 1755, Sheriff in 1761, Church Warden of Falls Church in 1763, Vestryman of Fairfax Parish in 1765, Justice in 1770, and member of the Committee of Safety that met in Alexandria in 1774 and was composed of 25 gentlemen, among whom were George Washington, John West, John Dalton, Edward Payne, etc. [See the Washington's Correspondence Section in this report.]

I have included (1724-1788) William's son William here quoting from "Paynes of Virginia" because I and Patrick Payne believe he may be the William whom Washington contacted in a letter from Washington's correspondence.

The following obituary is taken from The Alexandria Gazette,

~~General and~~ Political, of Wednesday 29 Sept 1813—"Died, at his residence in Fairfax county, on 2<sup>d</sup> WILLIAM (s. 2) b. 14 Feb 1751/2 in Fairfax Co.; Thursday 23<sup>rd</sup> inst, in the 62<sup>nd</sup> year of his age, m(l) Mary Robinson of P.A. Co. 20 July 1777; m(n) Mrs. Colonel William Payne after a lingering illness which he bore with that fortitude that designates the true Ravensworth estate. Christian. The early part of his life was devoted to his country's serv- ice, having taken a part in the Revolutionary War soon after its commencement, where he was severely wounded; and after retiring home, he was honored with several important appointments, in the execution of which he gave general satisfaction. In his private capacity, none could complain; he was truly hospitable. He has left a wife and numerous family to bemoan his loss."

The earliest reference to him is found in a young lady's diary. On the evening of 27 Dec 1771 Miss Sally Cary Fairfax, yet in her "teens" and daughter of Bryan Fairfax, later 8th Lord Fairfax, of "Mount

Eagle", near Alexandria, still flushed with the conquests of an evening of dancing and coquetry, mounted to her bed-chamber and wrote among the confidences of her diary—"Miss Molly Payne and Mr. Pierce Bayly, Mr. William Payne, etc. were at the ball." On the following evening appeared the entry—"I won ten shillings of Mr. William Payne at Chequers." "Mr. William Payne" was a youth of nineteen, something of a "beau", I fancy. The silver buttons of his coat and waistcoat, bearing his monogram, are prized possessions of one of his descendants. A few months after this

Christmas ball Miss Molly Payne married Mr. Pierce Bayly. Something, too, of the old aristocrat was "Mr. William Payne" ; his great-niece wrote me that he went to Kentucky to visit his brother Devall Payne, "but remained only a short time as he did not like the democratic ways of the people".

14 Mch 1776 Journal of Committee of Safety records William Payne, Jr., recommended as Lieutenant of Marines. Eight days later the House of Burgesses at Williamsburg appointed him 1st Lieut. Of Marines under Capt. John Allison on the cruiser "American Congress" on the Potomac River. (Calendar of State Papers) The naval service does not seem to have appealed to him, or else a promotion took him ashore.

25 Jan'y 1777 John Dalton of Alexandria wrote to Governor Patrick Henry that Capt. William Payne lacked

only 18 men to complete his company and needed money to advance his recruitings Mobilization proceeded. The minutes of the Williamsburg Masonic Lodge disclose that on the Feast of St. John the Baptist, 24 June 1777, Major John Allison, Capt. Windsor Brown, Capt. William Payne, and Lieut. John Shield, "being transient persons", were entered as apprentices in said Lodge, i July 1777 there were present at a meeting of this Lodge, George Gibson, William Brent, Windsor Brown, and William Payne. No further mention is made of William Payne in the minutes of this Lodge. 20 July 1777 he was married. There is a story to the effect that he was wounded in action near Norfolk, was taken to the home of Mr. Robinson for care, there won the heart of his host's daughter Mary, and married her in Fairfax. As there were no military operations in Virginia in 1777, and as young ladies were customarily married at home, a part

July 20th indicate a slight wound and a speedy courtship. D A R records state that he served as a Captain in the 1st Va. Regt under Colonel George Gibson.

1782 on the death of his father he was elected Vestryman of Christ Church, Alexandria. 20 Feb 1784 he was admitted to the Alexandria Masonic Lodge. 1787 he was commissioned Surveyor of Fx co., by Governor Edmund Randolph, following an examination at William and Mary College. 1789 he bought from Devall Payne land in Ld. Co. formerly owned by their father. 1791 William Payne, Gent, was one of the Justices of Fairfax 18 Sept 1793 at the ceremony of the laying of the corner-stone of the national Capitol, conducted by the Alexandria Masonic Lodge, there were present from this Lodge Col. Dennis Ramsay, Col. Charles Simms, Col. Roger West Col. William Payne, etc. On St. John's Day, 24 June 1784, His excellency George Washington was admitted as an honorary member of this Lodge, at which meeting Col. William Payne was present.

1794 Charles Alexander declined the office of Sheriff of Fx Co and recommended Col. William Payne, Gent. Col Payne's letter to the Governor appears in this Court record; in it he states that he is County Surveyor; that he has no objection to accepting the appointment as Sheriff if there is no impropriety in holding two offices. The Court recommended him for the office, which he received in 1795. In this year his wife died. 1797 he bought from Giles Fitzhugh 25 a. on a branch of Accotink Run, known as "Rock Hill" a part of "Ravensworth". It was on this land that he died.

The Alexandria "Times and Advertiser" of 7 May 1798 reports a meeting "to take measures to protect our commerce", at which some one said that Colonel Payne was a patriot who had fought through the Revolution and should have influence in the debate In regard to the title of Colonel which he bore after the Revolution, it may be observed that, like many another soldier, he probably emerged from the War with greatly increased military rank; or it may have been conferred by the Governor; or it may have been conferred as a compliment by his friends. 1798 he served on a committee in charge of building the new Court House in Fairfax. It forms the North wing of the present building.

Col. William Payne was one of General Washington's honorary pall-bearers. General Washington was buried

orary pall-bearers walking on each side of the bier. On the right were Colonels Charles Simms, Dennis Ramsay, and William Payne; on the left were Colonels George Gilpin, Philip Marsteller, and Charles Little; all had been brother Masons and fellow officers of the deceased. Among the "principal mourners" were Rev. Bryan Fairfax, 8th Lord Fairfax, and his son Ferdinando Fairfax. See notes on FAIRFAX. About 1909 a bronze tablet, commemorating the service of these six gentlemen as honorary pall-bearers at General Washington's funeral, was placed by the Mount Vernon Chapter D.A.R. on the exterior wall of Christ Church in Alexandria.

1801 Robert Ratcliffe was appointed Deputy Surveyor under Col. William Payne. 1805 the Virginia Assembly appointed Charles Little, William Payne, Richard Bland Lee, Daniel McCarty Chichester, Marmaduke Beckwith, etc. trustees for the town of Providence to be established in Fairfax Co. 31 Aug 1809 William Payne's niece Mrs.

Kitty Turner specified in her will that she was to be buried at the discretion of her "worthy friend and uncle William Payne". There is a Fq. Co. record showing that he was Justice in Fairfax 1810.

There were one or two other Payne families in Fairfax at this time, not related to Col. William Payne. I do not know where they came from. Some of them were Quakers. This fact has produced some doubt as to the identity of a William Payne whose will in Fairfax Co. dated 19 Mch 1813 (20 Mch 1815) names children Polly, William, Elizabeth, James, Thomas, Lewis, Charity, Nancy, and John; his w. Elizabeth and son William were named as executors. While the dates of this will accord with the date of Col. William Payne's death, as taken from an old Bible, from the obituary referred to above, and from a paper written by his grandson, the children named in the will do not fully agree in name with those of Col. Payne's known children. Col. Payne's widow was probably named Elizabeth, as indicated by my notes relating to his dau. Mrs. West. These notes show that he left a will. Notwithstanding these striking suggestions of identity between Col. Payne and the author of this will, they are not accepted as final proof. The Order Book of 1813 is missing. The William Payne of the will was possibly son of Ananias, listed in 1782 Census of Fairfax Co. The date of this will continued to live in 1812 Fairfax and some of their Payne descendants are found there to-day.

William Robinson, her brother, was bondsman. She was b. 28 Jan 1757, and d. 9 Feb 1795; dau. of Tully Robinson of P.A. Co. whose will dated 9 Feb 1773 (11 Mch 1773) names w. Mary; sons William, Tully and James; daus. Anne, Mary, Elizabeth, Susannah, Sally, and Peggy—all single. He owned several tracts of land around Lynnhaven and 31 slaves. The will of his son William Robinson, attorney-at-law, dated 1787 (1787) P.A. Co. states that he dies "in perfect philanthropy with all mankind", and names w. Elizabeth, son Tully, and brothers Tully and James. This will implies that his sister Anne m. Thomas Claiborne, refers to William Payne as h. of his sister Polly, and provides for his aged mother. Quoting further— I leave to the Lawyers their honesty and wish them to avoid quibbling. To the Doctors I leave them to their extravagant charges and wish a reformation. And as to the Clergy, I leave them to their penury, hoping and wishing that they may enjoy a sufficiency of it until they are more active in propagating the Christian Religion."

By his m(1) Col. William Payne had 7 children—William R. (2), Mary I. (2), Tully R. (3), Alfred (4), Edmund (5), Eliza (6), and Thomas (7). By his m(2) he had no children.

I have been unable to prove that William (1724-1782) ever performed any strictly military service, or held any military rank, though he doubtless contributed largely in money to the Revolutionary cause. Brockett's

"Lodge of Washington" states that William Payne served in the Continental Army, and his granddaughter wrote me that he was Colonel in the Commissary Department of the Army. The records of the Adjutant General's office do not confirm this. It is very plainly evident that present day descendants of this line of the family are disposed to confuse in their minds the records of the three generations of Williams living in the late Colonial period. Furthermore, we have but to look about us to find present day Generals who never rose above the grade of private during the Civil War. Again if this gentleman had held the rank of Colonel, the Court records would have so titled him, as they titled his son. Due to this tendency to confuse the Williams, father, son and grandson, I have sought with special care to unravel this tangle.

The most conspicuous incident associated with the life of the William Payne whom we are now discussing is his altercation with George Washington, the sole authority for which is Parson Weems' "Life of Washington". From this original source several versions have evolved. The following one is abstracted from the book itself (which may be found in any large library) and is slightly modified to accord with the views as to the date of the affair so ably discussed by M. John Corbin in Scribner's Magazine of September 1929.

In the Fall of 1755 during the political canvass in which William Ellzey was a candidate for the House of Burgesses in opposition to George William Fairfax, three or four months after Braddock's defeat [by Washington], and while Colonel George Washington's Regiment was still at Fort Cumberland, partizan feeling ran high in Alexandria, where Colonel Washington had repaired to support the cause of his warm friend Mr. Fairfax, and where Mr. Payne "headed the friends of Ellzey". "A dispute happening to take place in the public square, Washington became warm and said something that offended Payne; whereupon the little gentleman, who though but a cub in size, was the old lion in heart, raised his sturdy hickory and brought our hero to the ground. Several of Washington's officers, being present whipped out their cold irons in an instant. Happily for Mr. Payne and his party Washington recovered in time to avert a dreadful vengeance. He went to his room, chastising his imprudence; and finding, on mature reflection, that he had been the aggressor, he resolved to make Mr. Payne honorable reparation by asking his pardon on the morrow. The next day he went to a tavern and wrote a polite note to Mr. Payne, whom he requested to meet him. Mr. Payne took it for a challenge and repaired to the tavern expecting to see a pair of pistols produced. But what was his surprise on entering to see a decanter of wine and glasses on the table! Washington arose and in a very friendly manner met him and gave him his hand. 'Mr. Payne', said he, 'to err is nature;

to rectify error is glory. I find I was wrong yesterday, but I wish to be right today. You have had some satisfaction, and if you think that sufficient, here's my hand; let us be friends.' This noble speech had such an effect on Mr. Payne that from that moment he became the most ardent admirer and friend of Washington, and ready at any time to charge up to a battery of two-and-forty pounders. A few years after this Payne had a cause tried in Fairfax Court. Washington happened to be in the Courthouse. The lawyer on the other side, in order to prejudice the jury against Mr. Payne, spoke of him as the very man who dared to lift his impious hand against our beloved Colonel Washington. But Washington arose immediately and addressed the bench as follows: 'As to Mr. Payne's character, may it please your worships, we all have the satisfaction to know that it is perfectly unexceptionable; and with respect to the little difference which happened between that gentleman and myself, it was instantly made up and we have been on the best of terms ever since; moreover, I wish all my acquaintances to know that I entirely acquit Mr. Payne of blame in that affair and take it all on myself as the aggressor'."

Weems goes on to say that Mr. Payne used to often relate his visit to Mount Vernon immediately after the War. Where he was warmly received by the General and presented to Mrs. Washington with a humorous reference to the altercation of thirty years ago. This story is related by Parson Weems to illustrate a chapter headed -- "Washington's Benevolence". Without questioning in the slightest degree the benevolence of General Washington's character, we should bear in mind that in the incident just related he might easily and instantly have known himself to be in the wrong. One should reflect that at this time he was only a young man of 23, flushed with "the laurels won on Braddock's field" and momentarily roused to an emotional pitch over an election contest. Authentic history reveals him as an impetuous youth. Mr. Payne, at the time of this encounter was 31, small and slender. I see in the story no grounds for denying him a meed of praise for his gallant defense of his friends against the attack of a more popular and physically powerful antagonist.

Mr. John B. Payne (C-VI-129) wrote me in 1921 that he possessed the cane with which Mr. Payne struck Colonel Washington, and that it had been given to him by Mrs. Elizabeth Green of Georgetown, Kentucky, daughter of Mrs. Langhorne (VI-18), who was a granddaughter of the subject of this sketch.

In 1758 he [William Payne] leased for 99 years from Henry Fitzhugh of Stafford County a plot of land near Accotink Run in Fairfax County, part of a larger estate known as "Ravensworth", which was created before 1690 as

one of the manors of the Northern Neck [The James, the York, the Rappahannock, and Potomac Rivers, cutting in a Northwesterly direction into the Eastern boundary of Virginia, form three necks of land, the uppermost of which is known as the Northern Neck.] (See Fairfax Harrison's "Landmarks of Old Prince William").

William Payne's wife was the widow of Nathaniel Brown of Loudoun County, as shown by a deed in that county in 1770 by William Payne, Gent., and wife Susannah of Fairfax. She was born 17 Dec 1721; she died 22 Feb 1771. The inventory of his estate in 1782 shows many items in Ld. Co. His will disposes of his lease on the "Ravensworth" Tract, on parts of which he and his sons resided.

The dates shown above as applying to his several offices are not limiting dates but merely indicate the general period of service. His unusually large grant of land in Kentucky clearly denotes valuable public service during the Revolution, which - it is noted - he did not survive.

He had 7 children - Alicia (1), William (2), Mary (3), Benjamin C. (4), Penelope (5), Anne (6), and Devall (7). It is stated in the "Payne Family History" (P.F.) that there was a daughter Leah who married Mr. Fitzhugh and was the grandmother of Robert E. Lee, born 1807. General Robert E. Lee's paternal grandmother was Lucy Grymes. His maternal grandmother was Anne Butler Moore. [See below for Brooke Payne's description of William (2).]

Douglas Southall Freeman wrote a slightly different account of William Payne's encounter with Washington in his book, *George Washington, Volume 2* on page 146:

Washington was the enthusiastic supporter of his friend and neighbor, George William Fairfax. Soliciting in Fairfax's behalf, Washington clashed with William Payne. Hot words passed. Payne, much smaller than Washington, struck the Colonel with a stick and felled him. Washington was not seriously hurt, and, when on his feet again, was escorted to his quarters by angry and excited friends. The colonel of the Virginia Regiment, and most distinguished

soldier publicly knocked down in a personal encounter -- surely that meant a duel. Alone in his room, Washington did what he was learning always to do when in danger of going to extremes: he got a grip on his temper and asked himself whether he or Payne was at fault. When he had fought this out, he sat down and wrote a note in which he asked Payne to meet him the next day at a specified place and hour. Payne came; the town waited. Instead of renewing the argument or demanding satisfaction, Washington kept his pride under leash and frankly apologized because, he said, he was in the wrong. Payne was much impressed by this display of character, as he was surprised to avoid a duel. The impelling motive behind this apology was to be set forth, more than a year and a half later in this avowal of one of the "principles" by which Washington was shaping his life. He said, "...it is with pleasure I receive reproof, when reproof is due, because no man can be readier to accuse me than I am to acknowledge an error when I am guilty..."

\*In *The Religious Opinions of Washington* by E. C. McGuire, p 330; Weems, ed., 1918, Chap. Xiv, p 243, this is one of the Washington traditions that appears well founded. It was credited by McGuire, who was not uncritical. Bishop Meade (2op cit., 165) found it still current and unadorned among Paynes's descendants. All the relevant circumstances fit the story: Washington was in Alexandria; Payne participated in the election (for his family, see *29 Virginia Magazine of History and Biography* p 498); his vote and that of his father are of record. The only demonstrable major error in the tradition is that Payne is said to have been a supporter of Ellzey when, in fact, he and his father voted for John West and for West only.

[Insert info on William (2).]

[In the family succession, the second William Payne is the son of William Payne (born in 1692); his biography is on page 223 of *The Paynes of Virginia* as follows.]

3. William (son A-I-1) Born before 1652; married first to Mrs. Frances Clements in 1688 in Westmorland County, Virginia; married second to Elizabeth Pope in 1691 in Westmorland County, Virginia; died February 1698 in Westmorland County, leaving a will dated 31 January 1697/8; buried in Yeocomico Churchyard, Westmorland County; grave is not marked. He was a merchant, planter, Justice, and probably ship owner. The earliest recognized Court reference to him is found in Old Rappahannock County 1673, when "William Payne, son of Mr. John Payne," recorded the earmark of his cattle - - "three slits in each ear, and the middle slit cropt." This reference and the composite of the 17 traditional versions abstracted in the Introduction under the title of Genesis of the Virginia Families, particularly the 6<sup>th</sup> and 10<sup>th</sup>, taken in conjunction with the fact that the 1673 reference cannot be



made to fit any other William Payne found in the Northern Neck records of this period, and that the McCartys, Lees, Fitzhughs, and Popes continued to be neighbors of or to intermarry with the Paynes of Leedstown and their descendants, are accepted by me after 15 years research in the matter as satisfactory proof of the identity of the said William Payne as the son of John Payne whom I call the immigrant and who is the subject of the first sketch in this history. Particularly convincing is the fact, shown by the document referred to in Version 10 and still preserved in the family, that my great-grandfather Captain William Payne (born 1755) recognized his relationship to the Paynes of Fairfax County, near whom he lived. I lay stress on this point of the identity of the said William Payne because it is a critical one, and one that many of my readers will want expounded.

The next identified record of him is found in Westmorland county dated 1688, when Josiah Pitt of England and his wife Rebecca and Samuel Bonum, Jr., sued William Payne for possession of 150 acres that had been patented to John Powell. Plaintiffs claimed that said Powell left this land to "his then wife Joanna," and that after her death it was to go to the children of his step-daughters Rebecca Thomas and Margaret Bonum. At the time of this suit William Payne was in possession of this land. To understand this case and its historical value as evidence of William Payne's first marriage, the following summary is presented. John and Michael Powell of Boston, Mass., settled in Westmorland County. John married Mrs. Joanna Philpott, widow of Robert Philpott, Gent., of Northumberland County, who had 3 children -- captain Thomas Philpott; Rebecca Philpott, who married first Mr. Thomas before 1679, and married second Josiah Pitt before 1688; and Margaret Philpott, who married Samuel Bonum, Sr., before 1670. John Powell died before 1668, leaving a nuncupative will which was not probated until 1679, and which is not to be found. The plaintiffs in this suit produced the will of John Powell and asked that Samuel Bonum, Sr., be admitted as a witness thereto. The Court denied the application, and Samuel Bonum, Sr., was ordered to pay William Payne for his unjust molestation. The land involved was on Bonum's creek, later called Journeau's, Rotank's. On the answer to the question as to how William Payne came into possession of this land hangs the identity of his first wife. 1670 Mr. William Clements signed a marriage contract with Mrs. Frances Powell, widow of John Powell, whom he was about to marry. Mr. Clement's will was recorded in 1688/9 in Westmorland County by John son of Henry Clements of Torrington, Devonshire, England. In the meanwhile the said Frances had married the third time to William Payne, who thus came into possession of the 150 acre patent, which was not recorded in Westmoreland County until about 1712. Mrs. Rebecca Thomas had a daughter Rebecca who married James Orchard. Samuel Bonum, Sr., had Sarah

Thomas, Margaret who married William Rust, and Rebecca who married Captain George Eskridge. In 1698 shortly after William Payne's death Mrs. Orchard, Mrs. Rust, Samuel and Thomas Bonum sold to George Eskridge the said "150 acres in Yeocomico, formerly in the occupation of William Clements and late of William Paine, both deceased," which John Powell devised "to Joanna his then wife," and after her decease to the children of his two step-daughters. The land continued, however, in the Payne family. William Payne's widow married the second time to captain Daniel McCarty, who continued to possess the disputed land. Capt. Eskridge instituted proceedings to oust Capt. McCarty. The case was submitted to "King Carter," [probably the largest landholder in the Jamestown area] who decided that McCarty was to keep the land and pay Eskridge £34. It seems quite conclusive, therefore, that John Powell married said Frances after making the unwritten will above referred to. She probably died about 1690.

Through these records William Payne is referred to as Mr., Gentleman, or merchant of Yeocomico Neck. In the above law suit his attorney was Mr. Robert Brent. In 1692 he proved the will of Mr. Richard Sturman, father of John Sturman who married Mr. Payne's daughter. In 1694 he applied to build a mill on Bonum's Creek, saying that he had land thereon "of his own inheritance;" Mr. Gawin Corbin owned on the opposite side of the creek. In 1696 Humphrey, Lawrence, and John Pope, sons of Mr. Humphrey Pope, deceased, of Westmorland County chose Mr. William Payne, merchant, of Yeocomico as their guardian. The Court ordered Mr. Payne to collect the debts due the 5 orphans of Mr. Pope. On 27 January 1696/7 he took the oath as Justice. In the same year he was ordered to take the tithables for the lower end of Cople Parish. In 1697 Mr. Jeremiah Jadwin, Justice died, leaving a negro to his god-daughter Anne Payne, daughter of William Payne of Yeocomico Neck.

Mr. Payne was apparently acquainted in England with merchants whom he represented in Virginia. He was probably the Captain Payne who in 1680 delivered letters from England to Co. William Fitzhugh of Westmorland County. His will referred to money that he had on deposit in Newcastle. It also provided that he was to be interred at the discretion of his executors (his minor children Anne and William) and the guardian of his children -- his "loving friend Col. Richard Lee of Lower Machoticque."

William Payne's home lay on the southeast side of Bonum's Creek and near the head thereof, not far from Tucker Hill, and therefore less than one mile from Yeocomico Church, where he was doubtless buried. Here too his widow was buried; her grave is marked. " The first church, a frame structure, was

built in 1655 on the land of John Powell, in Chicacoan Parish. John Powell was a member of the first Vestry." (according to Eubank). "When the church, the present one, was rebuilt of brick in 1706, the John Powell plantation was in possession of Capt. Daniel McCarty, who had acquired the plantation by marriage with the widow of William Payne, Gent., planter, merchant, and miller at Tucker Hill." (Westmorland County Association) the last of those who worshipped at Yeocomice Church between 1655 and 1706 includes the names of William Payne and Daniel McCarty. (Virginia Colonial churches)

Mrs. Elizabeth Pope Payne-McCarty was the oldest daughter of Co. Humphrey Pope of Westmorland County and wife Elizabeth, daughter of Richard Hawkins. Col. Pope died in 1684. Beside the four children named above he had Jemina, who married Nicholas Minor. Col. Pope's widow married second Richard Youell before 1687; she married third Patrick Muckleroy before 1691. Her will dated 1717 in Westmorland County left bequests to the daughters of her son Lawrence Pope and wife Jemina, and to the children of her son Harmon Youell and wife Dinah. Capt. Daniel McCarty was the son of Dennis McCarty of Richmond County and his wife Elizabeth Billington. He married First Mrs. William Payne on the 19<sup>th</sup> October 1699; he married second Mrs. Ann Fitzhugh, widow of William Fitzhugh, and daughter of Richard Lee and wife Lettice Corbin. Capt. McCarty died on 4 May 1724 at age of 45, leaving a will naming his children by both marriages and his step-son William Payne. (H-86) His son Dennis married in 1724 Sarah Ball, whose brother George Ball, son of Capt. William Ball of Lancaster, married in 1735 Judith, daughter of William Payne of Lancaster (D-IV-1).

Capt. Daniel McCarty was sheriff, Justice, Burgess, and Speaker of the House of Burgesses in 1715. He was buried in Yeocomico Churchyard; his grave is marked. His epitaph read in part --"He was endowed with many virtues and good qualifications, but the actions proceeding from them bespeak their praise." Mrs. Payne-McCarty's tomb is alongside. Her gravestone was discovered in 1907 beneath the tomb of Capt. McCarty while the latter was being repaired. It is badly defaced and broken I have attempted to supply the lacunae as follows, the parts in parentheses being mine --"( here liet)h the body of Elizabeth (daughte)er of Humphrey Pope, Gentleman, by (Elizabeth) his wife, first the wife of (William Pay)ne, Gentleman, to whom she(e bore two so)ns and two daughters, and last(ly of ) Daniel McCarty, Esq., to (whom she) was married 19<sup>th</sup> October (1699 and b)ore four sons and four daugh(ters). She was born ----- of June 1667." I think she died in 1716.

By his first marriage, Mr. Payne had 1 child -- Anne (I). By his second marriage he had 4 children-- William (2), Edward (3), Elizabeth (4), and Mary (5).

[According to Patrick Payne, Richard Lee II, became the guardian of the children of William Payne and his wife, Elizabeth Pope, of Westmoreland County, by his will of 1697/8 ["Merchants and Revolution," Robert Brenner, 1994, Princeton University Press; Northampton County, Virginia, Order Book 8, fo. 15; "Virginia's Eastern Shore," Whitelaw, Picton Press; "The Paynes of Virginia,"] This William Payne was a son of the immigrant John Payne (ca. 1615-1689/90), of Lancaster and Westmoreland County. His [2nd] wife, Elizabeth Pope, may have been a relation of Capt. Robert Brydges owner of the Ironworks]. According to Whitelaw in "Virginia's Eastern Shore," Hancock Lee married secondly, Sarah Allerton, a granddaughter of the Pilgrim Isaac Allerton by Fear Brewster. Sarah's brother-in-law, Simon Ayre (or Eyres).

William Payne's daughter, Anne, by his 1st marriage, was specifically directed in her father's will to go immediately upon his death to Col. Lee's home. Sometime before 1704, Anne married Vincent Cox, Jr. ["The Paynes of Virginia," Col. Brooke Payne; "Westmoreland County," William Armstrong Crozier, p. 9, Genealogical Publishing Company]. As such, Anne was a sister-in-law of John Redman, who, in 1636, was a partner of John Neale of Northampton County in a grant for Smith's Island where they hoped to establish a salt business [Whitelaw, "Virginia's Eastern Shore"].

The parents of the Lee brothers were Col. Richard Lee I and Anne Constable ["The Lees of Virginia," Paul C. Nagel, 1990, Oxford University Press; "The Lees of Virginia," Burton J. Hendrick, 1935, Little, Brown and Company, Boston]. Col. Lee, shortly after his arrival in Virginia, had been partnered with a ship captain by the name of Florentine Payne ["Cavaliers & Pioneers," vol. I; "Virginia Dynasties," p. 31, Clifford Dowdey]. I [Patrick Payne] have not been able to identify this Florentine Payne and his connection to either William Paine of Boston or to John Payne of Virginia. It does appear to be a significant consideration though and I wonder if he might be identified as Valentine Payne... In any case, Anne Constable had previously been a ward of Sir John Thoroughgood ["The Lees of Virginia", Paul C. Nagal], brother of Adam Thoroughgood, who arrived in Virginia in 1634/5 aboard the JOHN & DOROTHY, John Payne, Commander ["Cavaliers & Pioneers," vol. I; High Court of the Admiralty Examinations 1536-1641 regarding Ireland, p. 218, 291, 243, 244, 247, 248, 54, 58; and numerous HCA records as found within the Library of Virginia's "Colonial Records Project" by searching for

keyword JOHN & DOROTHY or John Payne]. Records found in the High Court of the Admiralty suggest that this John Payne was identical to the later John Payne of Lancaster and Rappahannock Counties, father of William Payne whose children became wards of Richard Lee II and his wife, Lettice, a daughter of Henry Corbin- John Payne's neighbor in Westmoreland. Among the names found in these records is Col. John Walker, whose daughter, Anne, was a daughter-in-law of John Payne of Virginia.]

*The Paynes of Virginia* starts by identifying John Payne, the father of William, and called "the Immigrant" by Col. Brooke Payne on page 44. Here is a summary of John Payne's life.

Circa 1615: John Payne was born in England.

1652: Mr. John Payne brought suit in Lancaster County against Christopher Ripham, whose wife used abusive language with respect to Mrs. Payne. Mrs. Martha Brice, wife of Mr. Thomas Brice, and Mary Arundell were witnesses. Christopher Ripham was fined and his wife was ordered to make public apology to the Court.

1653:

- John Payne resided on Payne's Creek in Lancaster Co., VA on the West side of the Corrotoman River.
- John Payne bought from Francis Hobbes 940 a. on Pepetick Creek, on the North side of the Rappahannock River, in that region of Lancaster County, VA then known as Rappahannock. He did not occupy this land until some years later.
- Lancaster County, VA Court paid John Payne for provisioning and transporting Burgesses from Lancaster to James Town.
- Mr. John Payne charged with five tithables in Lancaster County, VA.

From 1653 - 1666: Nine land patents aggregating over 5,116 a. issued to John Payne. 1,356 a. of this were for importing 28 persons into the colony. Of the total, 3,443 a. bordered on Pepetick Creek and its branches.

1654:

- Mr. John Payne ordered by the Court to appraise the contents of Mr. Raleigh Travers' tobacco warehouse.
- John Payne made a trip to England.

1655:

- John Payne returned from England.

- John Payne moved to and occupied his plantation on Pepetick Creek, then in Lancaster County, VA.
- John Payne was granted land for the importation of his wife Margaret. She may have been his 2nd wife.
- Mr. John Payne appointed collector of tithes for Lancaster County, VA.
- Mr. John Payne charged with seven tithables in Lancaster County, VA.

1656:

- Mr. John Payne appointed collector of tithes for Lancaster County, VA.
- Mr. John Payne charged with seven tithables in Lancaster County, VA.
- Lancaster County, VA Court ordered Mr. John Payne to make one pair of stocks and a whipping-post for the county, for which he was to receive 400# for the wooden-work thereof, the iron-work being otherwise provided. These implements were possibly for the new county of Rappahannock, which was organized in this year.

1658: Mr. John Payne and Mr. John Catlett witnessed the noncupative will of Richard Lawson, brother of Epaphroditus Lawson whose daughter Elizabeth married Robert Payne of old Rappahannock Co., VA.

1660: 7 Feb 1659/60 - John Payne made an affidavit in connection with his bill for transporting 1500 lbs. of pork to James Town by boat, his age being recorded in the affidavit as "44 years or thereabouts".

1665: Mr. John Payne was one of the Vestrymen of Sittingbourne Parish, old Rappahannock Co., VA. Mr. Francis Doughty was Rector.

1674: Margaret Payne joined John Payne in a deed.

As late as 1689: Court records in which John Payne is mentioned imply that he is living.

Before 1690: John Payne died in old Rappahannock Co., VA. On 7 April 1690, a deed by Henry Thacker (who married John Payne's granddaughter) of Middlesex County, VA referred to John Payne as "late of Rappahannock County, deceased".

From the Book:

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1. John Payne, born about 1615 in England; married Margaret -----; died before 1690 in Rappahannock County; buried at "Red House" (Cedar Hill), now in Westmorland County; his grave is not marked, but a bronze tablet indicates the approximate location thereof. The earliest extant, well identified record of him is dated 1653 in Lancaster County, when he bought from Francis Hobbes 940 acres on Pepetick Creek, on the north side of the Rappahannock River in that region of Lancaster County then known as

Rappahannock, and which in 1656 was organized as Rappahannock county. He did not occupy this land until some years later. Pepetick Creek (called Pedee and a Perperticks on current U.S. Geological Survey maps) is today in Westmoreland, and flows into the Rappahannock River about two and a half miles below Leedstown. Court records indicate that in 1653 Mr. John Payne lived on Payne's Creek in Lancaster County, on the West Side of Corrotoman River near what is now called Ottoman, which till recently was known as Payne's Shop. Francis Hobbes was of Isle of Wight County for which he was Burgess in 1654. The large group of Isle of Wight personal names of this period -- such as Upton, Underwood, Lawson, Thatcher, Williamson, Jennings, Travers, Vivian, Thompson, etc., -- which are found later along the Rappahannock River, point to an extensive migration in this direction, and leads to the suggestion of the origin of our family at some neighboring point along the James River.

It has been impossible to determine the maiden name of John Payne's wife Margaret, and there is nothing of unquestionable value on which to hazard a guess. See Note on JENNINGS. She first appears in the records in 1652, when land was granted for her importation; and last in 1674, when she unites with her husband in a deed. In 1655 her husband was granted land for her importation. She was possibly his second wife.

John Anderson sent a message to the Internet Web Payne Forum and said: I can't help you with your long list of names, except for John PAYNE (b. about 1615 in England). He's my 8th great Grandfather. Until you wrote I didn't know he had a daughter, Margaret. My principal interest has been his son, Robert, who went under the name DAVIES for about five years prior to 1667.

You probably know that Robert had a daughter, Elizabeth (Betty) who married Thomas Waring in about 1738. From these two spring the WARING family in Old Rappahannock (Essex) Co. VA. my line.

I would appreciate any information you might have on 1) why Robert's alias, and 2) It appears that Elizabeth was "the heiress" of the PAYNE lands, passed on to the WARINGS through her marriage to Thomas WARING. Any ideas on why this was since she also had a brother Robert PAYNE, Jr.?

Also, Brooke Payne through Patrick Payne, surmises that John PAYNE's wife's surname was JENNINGS since John Payne lived next door to John Jennings on Pepetick Creek and was fast friends with the JENNINGS family. There is also a possibility that Margaret JENNINGS was John Payne's second wife. Was Margaret ROBINSON the first? ROBINSON is in my line: Catherine Payne ROBINSON is my

5<sup>th</sup> great Grandmother tending to support John's wife, Margaret, as a Robinson. I have no family history on Catherine. My regular email address is: [mijojohn@earthlink.net](mailto:mijojohn@earthlink.net).

*The Paynes of Virginia* book continues:

John Payne was a ship owner, as evidenced by the fact that in 1653 the Lancaster County Court paid him for provisioning and transporting Burgesses from Lancaster County to James Town. At this date Mr. John Payne was charged with five tithables. In 1654 Mr. John Payne was ordered by the Court to appraise the contents of Mr. Raleigh Travers's tobacco warehouse. In the same year the records show that he made a trip to England; upon his return in 1655 he moved to and occupied his plantation on Pepetick Creek, then in Lancaster County, near what is now Leedstown. This town was not founded, however, until 1742, its locality being first known as Rappahannock, and later as Bray's. There was doubtless a ferry there in early days, as the Rappahannock County Court met first on one side of the river, and then on the other; the county straddled the river. Pepetick Creek rises near the watershed between the Potomac and the Rappahannock, forms a millpond on the edge of the upland, and then descends to the bottomland south of Leedstown. In 1655 and 1656 Mr. John Payne was appointed collector of tithes for Lancaster County, at which time he was charged with seven tithables. Tithables were persons subject to tax in the name of the head of their household, or their owner, or master. Quoting one definition, they were "all male persons of the age of 16 and upwards, and all negro, mulatto, and Indian women of the same age (16) not being free". This definition varied slightly according to the period. In 1656 the Lancaster County Court ordered Mr. John Payne to make for the county one pair of stocks and whipping post, for the wooden work whereof he was to receive 400 #, the iron work being otherwise provided. In the same year Rappahannock County was organized; possibly these implements were for the new county. From this time onward records relating to John Payne are found in Rappahannock County.

The old family graveyard, where John Payne was undoubtedly buried, is still in use, being, until recently, surrounded by the remains of a rapidly disappearing mound, and overgrown with a dense tangle of brush, weeds, honeysuckle, and periwinkle. A description of its restoration is given in the chapter on Homes. Bishop Payne (VIII-5) in his letter to Bishop Meade, appearing in the latter's "Old Churches and Families of Virginia", calls this old home "Red House", and says "it was immediately in rear of bunker Hill (Henry Taylor's place) and three miles from Leedstown". The original house



has long since disappeared. The present owner of the estate is Mr. Harry W. Coates. It has been known for many years as "Cedar Hill".

[This paragraph is copied from Patrick Payne's account on page two of this report.] If we consider that John Payne of Virginia had been the commander of the John & Dorothy in 1634/5 as found in Calendar of State Papers, High Court of the Admiralty records, etc., [as Patrick have previously cited], this would place him directly [as a partner] with Capt. George Payne and his brothers-in-law Joseph and Nathaniel Hawes, cited in the same sources [also given in previous posts to the list]. Knowing that John Payne had been associated with Henry Corbin [whose grandfather leased land from the Pulteneys], as well as the Washington's [who also descend from the Kytson's of Suffolk by the marriage of John Washington with Margaret Kytson- sister of Sir Thomas above] and the Lee's, it would appear that they [John and Capt. George Payne] were sons of Sir Robert Payne of Hunts. We know that Sir Robert had a son named George born about 1607. We also now know by the inscription on his tomb (above) and primary records cited in his "History of Parliament" biography, that Sir Robert had two other sons that had been born after 1613. John Payne of Virginia, by his own statement, states that he had been born about 1615. It all fits together very well. Still, it would be nice to find out the names of those two sons of Sir Robert born after 1613! It has to be out there somewhere.

A visit to the Payne cemetery and location of Red House in an email message from Nancy Norman [Nhrecrut@aol.com](mailto:Nhrecrut@aol.com) to the Web Payne Forum <[www.PAYNE-L@rootsweb.com](http://www.PAYNE-L@rootsweb.com)>:

"Thanks very much to all who responded to my query concerning the location of John Payne's Red House. My husband and I had quite an adventure trying to find the location of the Red House and Bunker Hill. However, we were able to find the Payne cemetery in the location where Brooke Payne described it in his book. The cemetery contained 15 marked graves. Payne descendants erected a wall around the graves about 1934, and a plaque was placed on the wall inside the cemetery. It is located on private property and found off the beaten track on a dirt road (at the top of Bunker Hill). We have constructed a map that should help others have an easier time locating the cemetery, and will be glad to share. As Brooke Payne stated in his book, there was no sign of the Payne's Red house. The cemetery is in a lovely setting and looks as though it is fairly well maintained. We took some digital photos of the gravestones and site, and will be glad to send via email to those interested in a few weeks (when I return home). Thanks again for the quick responses and help."

In 1658 Mr. John Payne and Mr. John Catlett witnessed the nuncupative will of Richard Lawson, brother of Epaphroditus Lawson whose daughter

Elizabeth married Robert Payne of Rappahannock county. See notes on LAWSON. On 7 February 1659/60, in connection with his bill for transporting by boat 1500 lbs. Of pork to James town, John Payne made an affidavit to that effect, his age being recorded as "44 years of thereabouts". This meat had been delivered the previous December on the order of Henry Corbin for the use of Capt. John Whittey, doubtless for a transatlantic voyage. It is on the grounds of this certificate that John Paynes's birth is placed as about 1615. This statement of his age is not necessarily precisely accurate, though it is probably fairly approximate. As suggested by the phraseology of the certificate, his age was doubtless estimated and filled in by the Clerk of the Court without questioning the affiant on this point, as appears to have been the practice where witnesses were known to the Clerk, and where there was no doubt as to their majority. Court records indicate that John Payne continued to live at "Red House" until his death, which is assumed to have occurred in the winter of 1689-90. There are records in Richmond County stating that he left a will. The will book covering this period has been lost, so that the only suggestive evidence of the date of his death is found in the records of Middlesex County, where on 7 April 1690 a deed by Henry Thacker, who married John Paynes's granddaughter, refers to John Payne as "late of Rappahannock County, deceased." Miscellaneous documents as late as 1689 in which he is mentioned imply that he was still living in that year. An examination of 103 separate wills, deeds, etc., referring to him in the counties of Lancaster, Rappahannock, Middlesex, and Westmoreland, and covering the period 1649-1690, clearly reveal that he was usually referred to as Mr. John Payne, and that he was a planter, carpenter, and boat owner. It does not appear that he was a shipmaster, but that he owned sailboats of considerable tonnage, which he operated at a profit, and which the Court occasionally employed. It is not improbable that he built boats of lighter draft.

Were there no other indications of his social standing, the exceptional title of Mister, which in the majority of these references precedes his name, may be taken as denoting that he belonged to the gentry class. Mrs. May Newton Stanard, in her valuable work entitled "Colonial Virginia: Its People and Customs", says on this point -- "the term 'gentleman' was a comprehensive one at that time and was applied to men of widely varying social rank", and that "it will not do to lay too much stress on the social meaning of the term 'mister', but its use always noted a person of respectability". I am inclined to believe that these observations apply with much more force to conditions in the 18<sup>th</sup> century than to those in the earlier colonial days of Virginia when the line between gentry and yeomen was quite sharply drawn, and that at least during the Stuart dynasty these terms connoted social gentility rather

than mere respectability. Social inequality has always existed among the constituents of any one cast of society as the result of accidents independent of breeding. The significance of these terms in conjunction with a man's name depends also on the instrument, the connection, and the relative frequency with which they appear in his case as compared with the names of other and associated men. It was found that John Payne was frequently referred to as Mr. when a number of other and correlated names were not so indexed. These comments are important to us, his descendants, at this remote date and in the absence of documentary evidence, in our efforts to reconstruct and evaluate the parts that our ancestors played in the life of their day. In 1665 Mr. John Payne was one of the Vestrymen of Sittingbourne Parish, Rappahannock County, of which Mr. Francis Doughty was Rector, and which was probably named after a town in Kent, England.

No adequate appreciation of the conditions of these early days is possible without an understanding of the high esteem in which the trades and guilds were then held. Our historical magazines contain abundant material on this subject, concerning which there is much misapprehension by those who take only a casual glance into the records of our colonial life. In *William & Mary Quarterly*, Vol. IV, a writer says -- "I have found that many of the old leading Virginians apprenticed their sons to some tradesman. The carpenter's trade was especially honorable. No family was more honored or more influential than the Cary family, et both the father and the grandfather of Col. Archibald Cary called themselves 'carpenters' as well as 'gentlemen'". Again in Vol. XV -- "The settlers were of the commercial class and in this respect were truly representative of the English cities from which they came. In those days seafaring men were above the ordinary in general information, and many of them founded families of influence in America. Thus John Washington was mate of a ship and Andrew Monroe was a sea captain. William Hardwick and Isaac Allerton were tailors; Joseph Hardwick was a serge maker from Westbury; Thomas Storke was a merchant in London; Thomas Sturman, a cooper; John Hallowes and Francis Gray, carpenters. In England at this time the trades were in high repute. The younger sons of the English gentry resorted to the cities and became tailors, grocers, coopers, weavers, etc. These merchants, while not calling themselves 'gentlemen', still clung to their coats-of-arms, which descended from their gentlemanly ancestors. The possession of land restored the old title of 'gentleman', and land was easy to get in Virginia." However little difference it may make to some of us whether our ancestor was a blacksmith or a Burgess, one should know the truth of history. Actually, Mr. Henry Cary, carpenter, who built the Capitol at Williamsburg 1701-5, was not a day laborer, but the overseer of construction, the general contractor, the Stone

& Webster of his day. Such was Mr. John Payne when he was not supervising the cultivation of his plantations, operating his loops, or attending to the affairs of the Parish Vestry. As an illustration of the early contractual terms for apprentices, a case is taken at random from the records of Caroline County, in which Joseph Rogers with the consent of the Court apprenticed himself to John Montague, who was "to learn him the art and mystery of a carpenter, and to allow him meat, drink, washing, lodging, and apparel fitting for an apprentice; and the said Montague agrees to give his said apprentice at the expiration of his time a good suit of clothes'.

Mr. John Payne owned large quantities of land at various times and places during the period of the above mentioned 103 records, including 1500 acres at Occoquan in what is now Prince William; 1485 acres on Golden Vale Creek in what is now Caroline, called "Hazelwood" and once the home of John Taylor, Mr. Jefferson's Chief lieutenant; and considerable land in the vicinity of what is now Leedstown and Pope's Creek, in addition to his holdings in Lancaster and his seated property on Pepetick Creek. Before his death he apparently disposed of all this land except that which lay on Pepetick Creek. The records of the Land Office in the Capitol at Richmond show that, between 1653 and 1666, nine patents aggregating over 5116 acres were issued to him, of which 1356 acres were allotted for importing 28 persons into the colony. Of this total amount granted, 3443 acres bordered on Pepetick Creek and its branches. The laws relating to the granting of land for the importation of persons is well explained in Virginia Magazine of History and Biography, Vol. I, as follows -- "Whoever paid the charges for transporting a person to the Colony, whether his own servant or a member of his family, or any one else, was entitled to 50 acres of land, and this was the usual means of obtaining a patent. This 'head-right', as it was called, continued the principal basis of title to patent until the early part of the 18<sup>th</sup> century, when the right to purchase public land with money was established. Throughout the colonial period, however, the head-right remained in force." Too much historical importance should not be attached to the significance of Court references to head-rights. In attempting to interpret their meaning, the writer drew upon the valuable store of knowledge of the late Mr. William G. Stanard, who wrote that "-- it is very difficult to ascertain anything about a head-right, except that he came not later than the date of the patent. Masters of ships had a fraudulent custom of selling rights for their passengers, even when the same people had taken up land in their own right. Later in the 17<sup>th</sup> century, clerks of the Secretary's office made a business of dealing in head-rights. I have never found head-rights of much use genealogically unless there was some other evidence as to the man. Some of these head-rights are great puzzles. For

instance, about 1670 Giles Brent had a patent of land in Stafford (I think), and among his head-rights were Christopher and Ralph Wormley, the emigrants, men of importance that had lived and died in York County long before. It would look like Brent had bought a number of rights from some one, and that some or all of these had been used long before and their use forgotten'. It is unquestionably an error to conclude, without further evidence, that the imported person migrated to or resided in the county in which the bounty land was granted. The importation was into the colony, and not necessarily into the county where the patented land lay.

Those from whom John Payne collected tithes in Lancaster, and others with whom he associated in a way suggesting that they were in a general sense his neighbors, were Major John Carter, Rowland Lawson, Thomas Brice, Thomas Powell, William White, the Grymes family, William Newsam, John Merriman, Richard Merriman, Raleigh Travers, Elias Edmonds, William Clapham, John Jones, etc. Some names found in similar association with him after his removal to Rappahannock are Major John Weir, Thomas Erwin, John Jennings, Capt. Henry Fleet, Thomas Hawkins, Thomas Wright David Warren, Thomas Lucas, William Lane, Alexander Fleming, Silvester Thatcher, John Ayres, John Barrow, etc.

The foregoing record establish the fact that Mr. John Payne was a man of varied activities, of considerable means and influence in his county, and of high social standing. As has been shown, he was appointed to several offices of trust and responsibility, and in the 103 court records referring to him there is not one suit against him. Of the very few suits in which he was the plaintiff, the first is interesting. In 1652 while living in Lancaster he brought suit against Christopher Ripham whose wife had used abusive language respecting Mrs. Payne. Mrs. Marsha Brice, wife of Mr. Thomas Brice and Mary Arundell were witnesses. Ripham was fined and his wife was required to make public apology to the Court.

As suggested by the comparatively late date of the Court records relating to his two younger sons, it is not improbable that he was married twice, and that Margaret was his second wife. John Payne had the following children -- Richard (1), John (2), William (3)[this is my ancestor identified previously], and George (4). It is believed that he had also one or more daughters; but since his will cannot be found, although it is recorded that he made one, it is practically impossible to identify any such daughters. Should there have been any daughters who married, they would appear in the records under alien names. This observation applies to the daughters of all early families where the wills are missing and doubtless many female branches of these

families are consequently overlooked. Furthermore, the early birth of Richard's children as compared with period of the birth of George's children suggests that these two sons might have been born of different mothers, although the conditions do not compel such an assumption.

There is an interesting original document on file in a steel cabinet at Tappahannock which reads as Follows: "19 May 1686 Deposition of John King, aged 20, being with Daniel Malle when he was sick on his death bed heard the said Daniel Malle give and dispose to Richard Paine's children one cow and heifer, and another cow to John Paine, junior, and one heifer to George Paine, and also two hogsheads of tobacco to William Paine, and one hogshead of tobacco to John Paine, senior, and a flock bed and furniture to William Paine; one pair of worsted stockings, one pair of French falls [wigs] to John Sanders; one piece of dimity, one piece of serge, to be equally divided between William Paine and Richard Paine; one steer aged two years old to be left to them that take most pains about his burial." Richard Bennett, aged 24, made identically the same deposition.

Here is a letter that summarizes much of the family. It was written by Sallie Seargeant (6834 N. 18<sup>th</sup> Street, Phoenix, AZ 85016-1061, daughter of Mae (Blanchard) Seargeant) and addressed to Margaret Allen Steacy on 10 September 1987.

The enclosed material written out by my mother for use in joining the DAR is the core of what information I have. However, I have a 528-page book, *The Paynes of Virginia*, By Brooke Payne (Wm. Byrd Press, Inc. Richmond, Va. 1937).

According to it, General John Payne, our great great grandfather, and his brother were granted 3335 acres on 1786 in Fayette Co. Ky. (Lexington is in Fayette Co.). He moved from Virginia to Kentucky in 1786, and in 1787 married Betsy Johnson in Georgetown, Scott Co., Ky. He commanded Ky. troops against the Indians in 1812. From 1830-32 he was a state senator from Scott Co. Mother and I once drove to Georgetown on a cold, icy weekend, to see what we could find, but didn't have enough information. We did find a house said to have belonged to General Johnson (?) or Payne.

Another time when I was in Lexington, Ky., friends were driving us around. When they pointed out a memorial and started telling the story of Bryan's Station and how Jemima (Suggett) Johnson led a group of women to a nearby spring for water while the fort was under siege by Indians, I recognized the account. It seems that Jemima's husband, Col. Robert Johnson, was in

command at Bryan's Station, but had gone to Richmond, Va. where he had been elected to the V. Assembly. (I believe Ky. was still part of Va. Then, 1782) Col. Johnson had been a Captain in the Revolution under Geo. Rogers Clark. In Kentucky he was a state senator and representative, and a member of the Constitutional Convention in Danville, Ky. in 1785.

Besides the children of Robert and Jemima Johnson listed in Mother's material, The Paynes of Va. shows additional children: George W. (1792 - 1810); and Capt. Henry (1794 - 1862), married to Betsy J Flournoy in 1816.

John and Betsy Payne (our great great grandparents) were the parents of 13 children: Asa, Robert, Nancy, Sally, John, Elizabeth, Newton, Wm. J., Thos. J., Franklin, Richard J., Emeline, and Cyrus. Newton was our great grandfather. He married Louisa Nuckles October 11, 1827 near Georgetown. After her death he married Susan Spencer Oct. 5, 1836 in Warsaw, Gallatin Co., Ky. (Susan, 1817 -1911, was Grandmother Blanchard's mother. I always understood from my mother that Susan smoked cigars, dared the RR conductor to stop her, and lived to be 100 years old!) Newton and Susan had 5 children: 1) Sallie Moore Payne, b. 1839, m. to Oliver H. Elmore (Sue Jenkins' parents); 2) Emeline Payne Blanchard, b. 1841 in Warsaw, Ky.; 3) Mary Elizabeth b. 1843, died age 9; 4) Newton, b. 1845, left home during Civil War, and was last heard from in 1875 in Brown Co., Texas; and James, b. 1847, died at age 2.

Your brother, Tom Allen, has the Genealogy of the Johnson Family by Thomas Loftin Johnson, a famous mayor of Cleveland. (I think my sister Dorothy Nelson, has the copy that Tom made for Mother.) It has been several years since I saw it, but I believe it lists the Blanchard children. Also, it would show which of the Robert L. Johnson - Jemima Suggett Johnson children Thos. L. Johnson was descended from. He was a cousin of Grandmother Blanchard, and Tom Allen was named for him.

Comments: I am struck by how many military men there were. Several were described as "handsome." Warsaw is near Cincinnati, O. where Grandmother Blanchard went to Cincinnati Conservatory of Music.

#### Attachment

Mae Blanchard Seargeant, born Jan. 15, 1884, daughter of Emeline Payne Blanchard and George Bowman Blanchard

Emeline P. Blanchard, born April 1, 1841 - died October 1948, daughter of Newton Payne (1800 - 1850)

Newton Payne, son of Gen. John Payne and Betsy Johnson.  
 Gen John Payne - born April 18, 1764 - died Oct. 9, 1837. His wife, Betsy Johnson, born April 16, 1772 - died November. 1845, married June 28, 1787. Betsy Johnson was daughter of Robert (or Robin) Johnson, born July 17, 1745 - died Oct. 14, 1815, Orange Co. Va.) married 1770.  
 Robert (or Robin) assisted in establishing American Independence while acting in the capacity of Legislator in Va. 1782 and as Captain of Bryan's Station. His wife Jemima Johnson, was the leader of the women who brought water from a spring to the fort while Indians lay in ambush in 1782. Robert and his wife Jemima Johnson and family were inmates of Bryan's Station and both assisted in defense of the same.  
 For references so - Addinton Brice's "Danel Boone and the Wilderness Road," page 237.  
 Also - "Bryan's Station" Chapter - Lexington, Ky. and Jemima Johnson chapter, Newport, Ky. National Nos. 68511-6850.  
 Also - "geneaology pf Johnson Family" compiled by Tom L. Johnson, Cleveland, Ohio, Pages 2,3., Nat. No. 25239.

#### Children of Robert and Jemima Johnson

	<u>Born</u>	<u>Married</u>
Betsy	16 April 1772	General John Payne
James	1 January 1774	Nancy Payne
William	7 December 1775	Betsy Payne
Sally	21 January 1778	Gen. William Ward
Richard	1780	Vice-president 1837-41, member of Congress 29 years
Benjamin	22 July 1784	Matilda Williams
Robert	25 April 1786	
Rev. John J.	5 October 1788	Sophie Lewis
Joel	15 December 1790	Verlinda Offutt

Elizabeth Cave (1720-1785) who married William Johnson was the mother of Robert Johnson. She is the one whom we can claim "Colonial Dameship" as her father was of the "House of Burgesses of Virginia."

William Johnson, born in Madison Co., Va. Married Elizabeth Cave in 1742. Her mother was Hannah Bledsoe - father Benjamin Cave.

Above was handwritten by Mae B. Seargeant to qualify for membership in D.A.R.



From Sallie Seargeant, October 1987: This is the line through Jemima Suggett rather than the one used by Mae Seargeant through Robert and William Johnson.

Grandparents	Emeline Payne	George Blanchard
Great grandparents	Susan Spencer	Newton Payne
Great2	Betsy Johnson	John Payne
Great 3	Jemima Suggett	Robert Johnson
Great 4	Jemima Spence	Lt. James Suggett
Great 5	Jemima Pope	Patrick Spence, jr
Great 6	Anne Youell	Patrick Spence
Great 7	Anne Lee	Capt. Thomas Youell, Jr.
Great 8	Anna	Col. Richard Lee

"Richard Lee of a good family in Shropshire... Sometime in the reign of Charles the First (1625-1649), went over to the Colony of Virginia as Secretary and one of the King's Privy Council..." (*Lees of Virginia* by Edmund Jennings Lee, MD)

Some insights on Col. Richard Lee and his family are found in the following excerpts from *Lee of Virginia, 1642-1892, Biographical and Genealogical Sketches of The Descendants of Colonel Richard Lee*, edited and published by Edmund Jennings Lee, M.D., a member of the Historical Societies of Pennsylvania and Virginia.

The following few lines, written by William Lee in 1771, give the earliest information (now to be found) of Richard Lee, the progenitor of the Lee family whose history this volume records

Richard Lee, of a good family in Shropshire (and whose picture I am told is now at Coton, near Bridgenorth, the seat of Launcelot Lee, Esqr.), some time in the Reign of Charles the first, went over th the Colony of Virginia, as Secretary, and one of the King's Privy Council... He was a man of good stature, comely visage, an enterprising genius, a sound head, vigorous spirit and generous nature. When he got to Virginia, which was at that time not much cultivated, he was so pleased with the Country that he made large settlements there with the servants he had carried over; after some years, he returned to England, and gave away all the lands he had taken up, and settled at his own expense, to those servants he had fixed on them; some of whose descendants are now possessed of very considerable estates in that Colony. After staying some time in England, he returned again to

Virginia, with a fresh band of adventurers, all of whom he settled there.

From this statement, it is learned that Richard Lee was descended from the Coton branch of the Lees of Shropshire. In the concise sketch of this Shropshire family already given, it has been shown that Langley and Coton are the two branches into which the parent stock divided near the end of the 14<sup>th</sup> century, when two members of the family, each named Roger, married two heiresses; one Margaret, sister and heir of Thomas Astley, of Nordley, from whom are descended the Lees of Nordley-Regis and Coton; the other, Joanna, daughter and co-heir of Edward Burnell of Langley and Acton Burnell, from whom the Lees of Langley, Lea Hall, and Acton Burnell are descended.

As the early Colonial records of Virginia are scanty and incomplete, it is now almost impossible to substantiate all the statements of early writers. But sufficient data can be found to corroborate many points; much of William Lee's account of his ancestor can be readily verified. On the other hand, some of it cannot be proven: that Richard Lee came to Virginia as Secretary, and member of the Council, or that he took up, at first, large tracts of land - cannot now be shown. But these items are of little importance; as he did all these things some time during his life, the actual date of doing them is of no consequence.

As to the portrait of Richard Lee ever having been at Coton, there now no record of any such portrait. Mr. William Blackstone Lee has lately inspected the portraits that were formerly at Coton. "The two unknown Lee portraits," he writes, "are fine pictures, said to be by Sir Peter Lely. But I do not think either of them could have been Colonel Richard. I cannot say positively that the elder of the two (tradition says they are father and son) could not to my mind by any possibility have been the Colonel, but I should be very much surprised to find that it was." Whether or not his portrait was ever at Coton, the inference is plain that William Lee intended his reader to understand that Richard Lee was descended from the Coton branch of the Shropshire family. This line of descent seems well established by the coat of arms used by the earlier generations of the Virginia family. Probably the earliest example is a wood carving, which, tradition claims, ornamented for generations the front door of the old "Cobbs Hall" mansion. When or by whom, it was placed there is not known; but, so far as tradition runs, it had been there for many generations. At the time the old mansion was torn down, or perhaps earlier, it was given by Mrs. Martha (Lee) Harvey to her cousin, Dr. Charles Lee Broun. On his death in 1855, it passed into the

possession of his brother, Judge Edwin Broun, the present owner. The print of it, given here, was made from a photograph taken in May, 1894. It will be observed that part of the ornamentation, on the right side, has been broken off and lost; the shield was once colored to properly represent the tinctures of the arms. This carving represents an old form of the Lee arms; the same, in fact, as were registered at the Herald's office at London as borne by "Colonel Richard Lee Secretary of State in Virginia Anno 1695." The crescent (on the upper right-hand corner) has been very generally borne by the Coton family to indicate that they were the younger branch. Its use therefore on this carving would seem to indicate two things: first, that the owner was descended from the Lees of Coton; and secondly, that this owner was Richard Lee, the immigrant....

An old tradition has stated that Richard Lee came to Virginia with a brother; that they settled in York County; that the brother became dissatisfied and desired to return home; that both of them gave up the lands they had settled and returned to England. A part of this tradition seems to be confirmed by a court record, which states that a patent was granted to Robert Lee for 540 acres in Gloucester County,

Beginning at red oak by Mr. Thorton's path and to a white oak by Colonel Lee's Horse Path and to a branch by the said Robert Lee's plantation; 200 acres thereof formerly granted to Colonel Richard Lee, on the 17<sup>th</sup> of May, 1655, and by him assigned to the said Robert Lee, on the 5<sup>th</sup> of February, 1657, and the remaining 340 acres for the transportation of seven persons, &c.

Whether or not Richard Lee was accompanied to Virginia by any relations of his name is not known. There were many of the name in Virginia from its earliest settlement; but what relationship, if any existed between them cannot now be demonstrated. In 1646, Richard Lee sat on the York bench, as a magistrate, with a Dr. Henry Lee, who married one Marah Adkins, and has left descendants...

That Richard Lee settled first in York County is proven by the grant of 1,000 acres, dated the 10<sup>th</sup> of August, 1642; the patent states that this land was due 'unto the said Richard Lee by and for his own personal Adventure his wife Ann and John Francis and by assignment from Mr. Thomas Hill, Florentine Paine and William Freeman of their right of land due for the transportation of Seventeen persons.'... This patent, therefore, proves that Richard Lee was married in 1642; but had no children. It is used today as the landing place for steamers from Baltimore....

It has been a tradition that Richard Lee was the first white man to settle in the Northern Neck, and that he purchased his lands of the Indians. As early as 1646, the Assembly levied a tax upon the "inhabitants of Chicawane alias Northumberland, being members of this Colony," so it is not probable that the first part of this tradition is true. As to his buying lands of the Indians, it is probable that he gave them presents to secure their friendship. But the following order of the General Court does show that he must have settled in Northumberland before that country had been opened for general settlement...

As shown by these land grants [omitted here], Richard Lee held many offices in the Colony: having been Justice, Burgess, member of the Council, and Secretary of State. He also served on various Commissions...

Richard Lee has always been represented as a most ardent royalist and supporter of the Stuarts; it has been claimed that he made a voyage to Holland expressly to visit Charles II, then in exile. Confirmatory of this journey, there is extant the testimony of a contemporary who visited Richard Lee in 1659, and left this record; its author, John Gibbon, was later in official of the Herald's office at London. In 1682 he published a book entitled, *Introductio Ad Latinam Blasoniam*. On page 158 of this work he wrote:

A great part of Anno 1659, til February the year following, I lived in Virginia, being most hospitably entertained by the Honourable Collonel Richard Lee, some time Secretary of State, there; and who after the King's martyrdom hired a Dutch vessel, freighted her himself, went to Brussels, surrendered up Sir William Barklaie's old commission (for the Government of that Province) and received a new one from his present Majesty (a loyal action and deserving my commemoration).

A copy of Gibbon's book, now in the possession of William Blackstone Lee, Esq., has this additional note, added by Gibbon himself:

The Collonel Lee mentioned page 156 of this Booke had a faire estate in Virginia. The product of his Tobacco amounted to £2000 per annum. Hee was willing to end his days in England and to send over some one to reside as generall Inspectour and overseer of his several plantations. I was recommended to him as a fitt and Trusty person, having beene a servant to Thomas, Lord Coventry, the Riches Baron of England &c. I accepted Collonel Lee's proffer --wee arrived in

Virginia the last of October 1659 and 11br 2<sup>nd</sup> came to the Collonells house at Dividing Creekes. Before hee could settle Things for his final departure and settling in England, wee had newes from Newe England of ye Kings Restauration. The Collonell was willing to hasten to England and I was as willing as hee, having hopes to get some employment by means of John, Lord Culpeper, to whom ny family had relation by mariage. But hee was dead before I reached England. Wee arrived at Mergate in Kent Friday 22 March 1660-1. My leaving Virginia, I have sorely repented. He made mee proffers of mariage and offered mee 1000 acres of land.

In view of this statement of Gibbon, the following extract form English records shows Lee in an entirely new light, that of one "faithful and useful to the interests of the Commonwealth" of England. But it is only fair to observe that this claim was made for him by a friend in his absence...

While in England in 1663, his wife and children being there also, probably for the education of the latter, Richard Lee made his will; the wording of this will indicates that he had given up his intention of settling permanently in England. For he ordered that his estate there should be sold, gave minute directions for the payment of his debts, and closing up his interests in that country, and made arrangements for the settement of his children in Virginia. It seems probable that he intended to return alone, for he requested that (in case of his death) "my good friends will with all convenient speed cause my wife and children (all except Francis if he be pleased) to be transported to Virginia and to provide all necessary for the voyage."

The account of his property given in this will shows him to have been possessed of considerable wealth -- for that day. If his tobacco crop was actually worth £2000 a year, as Gibbon estimated, and his estate at Stratford-Langton, £800 a year, as stated by William Lee, then Richard Lee most have enjoyed an income larger than most of the early planters. The copy of his will, given here, was made by the Late Cassius F. Lee, Jr., from one in the possession of Mr. Charles Campbell, of Fredericksburg, and is believed to be accurate [will omitted here].

The exact date of Richard Lee's death is not known. There is ample evidence to show that he returned to Virginia after executing his will in London on the 6<sup>th</sup> of February, 1663-4. The application of his son for land due his father, deceased, dated 20<sup>th</sup> of April, 1664, proves him to have died prior to that date. This order states that 4,700 acres were due to John Lee for the

transportation of 94 persons into the Colony by "his father Coll. Richard Lee, Esq., who is now deceased." His will was proven at London 10<sup>th</sup> of January, 1664-5; his widow remarried as shown by this warrant:

24<sup>th</sup> of September, 1666, a writ was issued by Ira Kirkman, Clerk, to the Sheriff of Westmorland County, requiring the arrest of Mr. John Lee, one of the Ex'rs of the Last Will and Testament of Colonel Richard Lee, to appear before the Governor and Council on the 3d day of next General Court, in the forenoon, to answer the suit of Edmund Lister, as marrying. . . Anne the relict of the said Colonel Lee (I, Va. *Cal. State Papers*, 7).

It also seems to be clearly proven that the later home of Richard Lee was at "Dividing Creeks," in Northumberland county. The testimony of Gibbon, who visited him there in 1659, and that of his son Francis Lee, who stated, in 1677, that her had been "formerly an inhabitant at Dividing Creeks in Virginia," fully prove this assertion. But the time of his removing to Northumberland is not so certain; as he was a Burgess from that county in 1651, and patented land there in that year, it seems highly probable that he settled there about that date.

In 1798 Portial Lee, daughter of William Lee, wrote that Richard Lee "died at his seat upon Dividing Creeks in North'd County, where he is buried and his tombstone is there to be found." This statement is, of course, only traditional, unless it is to be supposed that she had seen the tombstone; but it shows, at any rate, what the family tradition was at that date, and had been, probably, ever since the death of the Immigrant. It has been constantly claimed that this home was the place known in later years as "Cobbs Hall;" but there is no direct evidence to substantiate this claim. The presence of the old carving of his arms over the front door is about the strongest bit of evidence yet found.

The only information as to the number and relative ages of the children of Richard and Anna Lee is taken from his will; the sons are probably named in the order of their birth; John and Charles are distinctly specified as the eldest and youngest sons. In naming his five younger children, he placed the two daughters between Hancock and Charles, so it may be fairly taken for granted that they were younger than Hancock and older than Charles. In the wills of olden time it was generally customary to name the sons first, whatever may have been the relative ages of the sons and daughters; but in this case the inference taken seems to be well justified. Their issue, then, were as follows:

1. John, eldest son and heir-at-law; died unmarried. [He was born about 1645, "in Capohowasick Wickacomoco in Virginia," as he himself stated and died in 1673.]
2. Richard, after death of John, became heir-at-law; from him are descended the "Stratford" line, as designated in this work.
3. Francis, settled in London, died there and left issue (born about 1648 and died in 1714).
4. William, married; probably left no male issue (born about 1651 and died in about 1697-8).
5. Hancock, married and left issue; from whom the "Ditchley" line are descended [See the rest of the text of this book.].
6. Elizabeth, no data.
7. Anne, married, and probably left issue. [She married Thomas Youell, Jr. (as mentioned later in this book, page 70, as the brother-in-law of John Lee) and had a daughter, Anne Youell who married Patrick Spence, Sr. They had a son, Patrick Spence, Jr. who married Jemima Pope. They had a daughter, Jemima Spence who married James Suggett. Their daughter, Jemima Suggett married Robert Johnson, and their daughter Betsy Johnson married John Payne. Their son, Newton Payne married Susan Spencer and had a Daughter, Emeline, my great-grandmother.]

From page 73:

Elizabeth and Anne. Of the two daughters of Col. Richard Lee, there are only data concerning one, Anne. "Thomas Youell of Nominy in Ye County of Westmorland and Anne Lee late of Stratford Langthorn in Ye Co: of Essex deceased," executed a deed of release unto "John Lee of Lower Machotocks in Ye County of Westmoreland son and heir apparent and one of Ye Exe's of Ye afr(sd): Rich: lee deceased" in which they relinquished all claim to any share in the estate of Col. Richard Lee. Dated 23rd June, 1673. The will of "Captain Thomas Youell of the parish of Cople, Westmoreland, Gentleman," named wife Anne, daughter Winifred English and her son Youell English, daughter Watts and her son Youell Watts, daughter [Anne] Spence and her son

Youell Spence. Dated 7<sup>th</sup> December, 1694; probated, Westmoreland, 29<sup>th</sup> May, 1695.

8. Charles, married and left issue; from whom the "Cobbs Hall" line descended [See the rest of the text of this book.]

Consolidated Record of Burials  
Payne-Wirt Cemetery at Cedar Hill  
Leedstown, Virginia  
by Carl F. Flemer, Jr. (1995)

To Payne Folks,

I just stumbled onto the page describing the location and proper name of the cemetery that I have taken pictures of. It is the Payne-Wirt Cemetery at Cedar Hill, located in Leedstown, Virginia. The cemetery is in Virginia on the Ingleside winery property. They keep it manicured. It is not far from George Washington's childhood home. The plaque is on the wall to the right of the bush at the end of the cemetery. I only included the ones that were clearly read. I am going back and hopefully will get them all, in different light so they are legible.

[Leedstown is on the Rappahannock River about 40 miles south of WDC on I-95 then east 30 miles.]

Carl F. Flemer, jr, abstracted the information and it is located on web page:  
<http://users.erols.com/ndesign/payne.html>

This page is found on Danny Payne's "The Paynes of Virginia" home page.

Jim Miller, [jmiller8@comcast.net](mailto:jmiller8@comcast.net)

Leedstown is now Oak Grove. The Ingleside winery is located at 5872 Leedstown Road (Rt. 638), Oak Grove, VA22443, 804-224-8687. it is a large Winery and vineyard with an elaborate Web site (Google it).

Note: Italicized names indicate married.

Reference Number	Grave Stone	Name	Birth Date	Death Date	Comments
1	Bronze Marker	John Payne Born in England; Emigrated about 1650	1615	1690	Possibly married twice 4 sons; 3rd son William, (1652 - 1698) buried Yeocomico



2	No	Richard Payne	c. 1633	-	Oldest son of (1) Had 2 sons, William and John
3	No	John Payne	-	1669	Second son of (1), 2 daughters
4	No	George Payne	-	1711	Youngest son of (1) Married Miss White Had 4 sons, George, John, Thomas and William
5	No	John Payne	1693	1750	Grandson of (2) Married Jane Monroe, had 2 sons, (6) and (7)
6	No	George Payne	1727	1790	Married Frances Stone Had 6 children, John (8), George, William, Jane, Mary, Richard
7	Yes	Daniel Payne	1728	1796	Merchant; died in Falmouth, VA
8	Yes	John Payne	1753	1824	Wife was Elizabeth Quesenberry - Had 4 children, George, John (9), Daniel (10), and Elizabeth
9	Yes	John Payne	1788	1825	Son of John (8) and Elizabeth
10	Yes	Daniel Payne	1790	1835	Son of John (8) and Elizabeth Owned Red House, Wakefield, Laurel Grove, etc. Selena died at 22 years old
11	Yes	Selena Coates Washington	1806	1828	
12	Yes	Frances P. Payne	1795	1841	18 years old
13	Yes	James H. Payne	1812	1851	Trustee of Washington Academy 42 years old - Grandson of (8)
14	Yes	Sarah Payne Ditty	1836	1853	17 years old Daughter of (21) and (22)
15	No	Jane Fitzhugh Payne	1820	1844	24 years old
16	Yes	Willie Wirt	-	1853	Son of (26) and (27)

					Died at 8 months old
17	No	Cornelia B. Payne	1852	1854	2 years old
18	Yes	Elizabeth N. Payne	1807	1855	Wife of William S. Payne
19	No	George W. Payne	1851	1864	13 years old
20	No	Thomas L. J. Payne	1862	1866	4 years old
21	Yes	Elizabeth A. Payne	1813	1867	Sister of (13)
22	Yes	Thomas R. Ditty, M.D.	1806	1876	Trustee of Washington Academy 70 Years old
23	No	Andrew F. Payne	1866	1869	3 years old
24	Yes	Catharine Randall Wirt	1850	1894	Daughter of (26) and (27) Predeceased parents, died at 44
25	No	Edward L'Engle Washington	1895	1896	1 year old
26	Yes	William Wirt, M.D.	1815	1899	Builder of Wirtland Son of U.S. Attorney Gen'l William Wirt (1772 - 1834)
27	Yes	Betty Selena Payne	1827	1909	Daughter of (10) and (11)  Mother (11) died when Betty was 1 yr old - Gave "Henry Erban" to St. Peter's Episcopal Church, Oak Grove, VA  Daughter (24) and son (16) predeceased parents
28	Yes	Daniel Payne Mastin Wirt	1854	1923	Son of (26) and (27)  Wife of Kate Tayloe  Daughter Augusta married William

					Nalle and lived at Wirtland
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### Graves were Marked in 1935

Re: Sir Robert Payne Date: 09/06/2000 6:05:34 PM Pacific Daylight Time

From: papayne@atl.mediaone.net (Patrick Payne)

To: PAYNE-L@rootsweb.com

At 12:38 AM 9/6/00 -0400, Pesterp2@aol.com wrote:

Does anyone know what Payne family is referred to in the following excerpt from a relative's obituary in 1902:

"The Payne family is of great antiquity and one of the oldest in this

country. John and William Payne, brothers of Sir Robert Payne, came over to America in 1620. They were both knighted by King James I before leaving England. Mrs. B's particular branch of the family were 6 brothers who settled on the James River in Virginia."

There was definitely a Sir Robert Payne of Medloe and St. Neots, Huntingdonshire. He was MP for Hunts. between 1614 and 1625 (replacing

Oliver Cromwell in the latter year). He died in Hunts. circa 1647. His

father was also named Robert Payne, as was his great-grandfather and

possibly his grandfather as well. From what I have learned in researching Sir Robert, his father seems to have married a sister of Lawrence HAWES, of Cambridge (near to St. Neots). Lawrence named his brother-in-law, Robert Payne, as an executor to his will. Either Robert's grandfather or his great-grandfather was responsible for the dissolution of the church lands in Huntingdonshire during the reformation under Henry VIII. The Payne's of Hunts. were closely associated with the MONTAGU'S, RUSSELL'S and CROMWELL'S.

As for siblings of Sir Robert, none are known with certainty. His official record at the College of Arms does not name any. He was created knight on March 22, 1605 at Gravesend. He is thought to have been born about 1597. To my knowledge, there has been no in depth research done on Sir Robert and his family other than some correspondence conducted over 50 years ago by

Col. Brooke Payne with the College of Arms. As a result, we are largely in the dark. I spent two weeks in Hunts. last year to come up with these tid-bits. There is much more to add, but it is taking me forever to pull it all together. I hope to lend support to (if not prove) A. W. Paine's (Payne Genealogy- Ipswich Branch, 1881) conjecture that Sir Robert's great-grandfather, Robert, was the son of Sir Thomas Payne of Market Bosworth, Leicestershire.

Is this a serious and researchable bit of family history, or just some family legend? I have been unable to find any such group of people. Any suggestions from Payne family researchers?

Along with this "legend" Brooke Payne in "Paynes of Virginia" identified about 13 other versions. None have offered any references in proof. But they are all curiously similar, which leads me to believe that there is some truth to be found in them. I personally don't believe that Sir Robert had any brothers named William or John that were knighted and then came to America. However, I do believe that Capt. George Payne who married Rachel HAWES in 1634 was the son of Sir Robert. George was a mariner and partner of the leading merchant brothers, Joseph and Nathaniel Hawes of London. They were also the brothers-in-law of merchant Randell MAINWARRING, who married Rachel's elder sister, Elizabeth Hawes. Randell Mainwarring was the cousin of New England merchant, Mathew CRADDOCK whose factor in New England had been (Gov.) Thomas MAYHEW, who had married the widow, Jane GALLION, of Thomas PAYNE "late merchant of London." Thomas Payne and Jane Gallion married in Wantage, Berkshire in 1620. In 1639, Thomas Mayhew and Jane Gallion named Richard Payne of Abingdon, Berks. as their attorney and procurator of the lands in Northamptonshire left to Thomas Payne, Jr. Of particular note here is that John PAYNE of Lancaster and Rappahannock County, Virginia (subject of Paynes of Virginia) was ALSO a partner of Joseph and Nathaniel Hawes. Together, they owned the ship JOHN and DOROTHY, which brough Adam THOROUGHGOOD to Virginia in 1634/5. In Thoroughgoods resulting land patent in lower Norfolk County, Virginia (he claimed some 120 head rights- "Cavaliers and Pioneers, Vol. 1, p. 22) we find the names John WITHERS and John REYNOLDS. Withers was named in an Admiralty Court case as having been a servant of John Payne, who had been living in Dublin, Ireland, about 1634. Also named in the court case was Col. John WALKER.

Walker's daughter, Anne, married John PAYNE, Jr. (d. 1669) in Virginia. As for John REYNOLDS, the name appears in 1673 as the executor of the will of Thomas Paine of St. Mary's County, Maryland. I believe that this John Payne (Sr.) is the source for the John, brother of Sir Robert. I have a similar explanation for the William, but I'll withhold that for now, except to say that I have discovered that there are deeds in Northampton County, Virginia naming William Payne of Ipswich, Massachusetts. Thomas Mayhew and Matthew Craddock were close to John WINTHROP, whose son, John Jr., initiated the New England Iron Works that William Payne "of Ipswich and Boston" had invested heavily in and eventually became the proprietor of the works at Saugus. Another heavy investor had been Gov. William BERKELEY of Virginia. Berkeley had attempted his own iron works project in Virginia at MARTINS Hundred, but the forge was destroyed in an Indian attack

before it went into production. Martins Hundred had been patented to Capt. John

MARTIN, who, in 1638, had transported the family of Stephen PAYNE (d. 21 Aug 1679), "of Great Ellingham, Norfolk, England and Rehoboth, Mass." To New England aboard the DILLIGENT.

I'll leave the rest for another time.

## **Appendix**

### **Randolph Payne, "King of England" The Hanovers and their secret Marriages**

**From Patrick Payne's Web Site, <http://papayne.rootsweb.com/hanover>  
August 7, 2002**

Two members of the HANOVER family, Henry Frederick Hanover, Duke of Cumberland, brother of King George III, and the Duke's nephew, George Augustus Frederick Hanover, Prince of Wales and later King George IV, each married contrary to the Royal Marriage Act declaring that no member of the Royal family could marry without the express consent of the Crown. In each instance, these marriage's provide interesting connections with the Payne family.

Sir Ralph Payne, Baron Lavington, and his brother (of the half-blood), Admiral John Willett Payne, were close personal friends of the Duke of Cumberland and the Prince of Wales. Both Royals took these Payne brothers into their confidence and appointed them to positions of trust. Admiral Payne served as the personal secretary to the Prince of Wales and acted as his intermediary in the marriage that is the subject of this narrative.

The Duke of Cumberland married Olivia Wilmot on 4 Mar 1767 and thereby became uncle of Olivia Wilmot, who married circa 1755 Capt. William Payne, son of William (1685-14 Sep 1726) and Judith Payne, of Sittingbourne Parish, Rappahannock County, Virginia. This Payne family descended from the immigrant John Payne (ca. 1615-1689/90), of Westmoreland County, subject of the book, "The Paynes of Virginia," written in 1935 by Col. Brooke Payne. Taken by itself, this lone connection between the two branches of the Payne family [that of Jersey from which Baron Lavington and Admiral Payne descended and the Paynes of Virginia] might appear coincidental, but there are others to add as well. For instance, according to Col. Payne's "Paynes of Virginia," the family of Capt. William Payne were likely related to the brothers Ralph and Thomas Payne who had taken up residence opposite of the immigrant John Payne of Westmoreland County and the two families became associated in several different ways. Ralph and Thomas Payne are thought to descend from the same Payn family of Jersey in the Channel Islands from which Ralph, Baron Lavington and Admiral John Willett Payne were also members. It is therefore significant to note that John Payne, a direct descendant of Ralph Payne, married Nancy, a daughter of Thomas "Trader" Payne (21 Oct 1721-ca. 1811). Thomas "Trader" Payne and his daughter Nancy were, like her husbands family, closely associated with the family of the immigrant John Payne. They were also associated with the Payn's of Jersey, as the mother of Thomas "Trader" Payne, Elizabeth Poindexter, was a daughter of George Poindexter of S. Saviour, Jersey, where they had been associated with the Payn family of the island. In another example, the stepsister of Capt. William Payne, Catherine Barker, had married John

Serres, who was a likely kinsman of John Thomas Serres, whose wife, Olive, was the illegitimate daughter born to the Duke of Cumberland and Olivia Wilmot. It is highly unlikely that these three Payne families, separated as they were, and the associations that brought them together, could have been coincidental. Baron Lavington had been Governor of the Leeward Islands; his brother Admiral John Willett, was a resident of London; Capt. William Payne and his wife lived in Warwickshire; his family lived in Lancaster and Rappahannock County; the family of Thomas "Trader" Payne, although originally from Middlesex and Westmoreland County, maintained associations after they had removed to South Carolina and Georgia. Particulars of the marriage between Cumberland and Olivia Wilmot can be found in G.E.C.'s "The Complete Peerage," under the entry for Cumberland. Other sources consulted include, "The History of Parliament," Cambridge University Press; "An Armorial of Jersey," James Bertrand Payne, published privately in 1881. Further details can be found at <http://home.earthlink.net/Ralph-Payne>.

But what about this King Randolph Payne? Well, obviously , there was never a King of England by that name. However, through the influence that Admiral John Willett Payne had with George Augustus Frederick Hanover, Prince of Wales and heir to the throne, the Prince used the alias of "Randolph Payne" as a result of his clandestine marriage with Mary Anne (Maria) Smythe (b. 1756), daughter of Walter Smythe, Esq., of Brambridge. She is better known to history as Mrs. Fitzherbert. Her father Walter was a younger son of the Acton Burnell, Shropshire, Smythe family. The Smythe's were an old Roman Catholic family of the county that had received a Baronetcy in 1660 from Charles II for their loyalty during the days of Civil War. Maria was educated in France where her family sheltered her from the persecution Catholic's suffered during those days in England. She first married a much older man of forty-four years, Edward Weld, a Catholic from Lulworth Castle. Weld died from a riding accident in their first year of marriage, but Maria would not have to wait long for another marriage. In 1778 she married 2ndly, another Catholic, Thomas Fitzherbert, of Swynnerton, Staffordshire and Norbury, Derbyshire. Fitzherbert died within three years while in France while recovering from an infection of the lungs.

Maria returned to London in 1784 where her kinswoman, Lady Sefton, introduced her to the City Society. On one such occasion, Maria met Georgiana, Duchess of Devonshire, and the two became close friends. The Duchess was formerly Lady Spencer of Althorp, granddaughter of the Honorable John ("Jack") Spencer and Lady Georgiana Carteret, granddaughter of Sir George Carteret of Jersey, Channel Islands, Treasurer of the Admiralty (under Samuel Pepys) by Grace Granville, and a sister of Robert Carteret, 2nd Earl Granville, Seigneur of S. Ouen and Bailly of Jersey. The Honorable Jack Spencer was a descendant of Sir John Spencer of Althorp who had married in 1545, Catherine Kytson, daughter of Sir Thomas Kytson, whom Henry Paine, Esq., of the Suffolk Paine family, had served as bailiff of the Manor and taken Kytson's will in 1540. The Payn family of Jersey had been allied with the Carterets dating back to at least the 14th century as found in the records of the island. Several marriage's occurred between the two families. The Kytson/Spencer connection therefore brings yet another (4th) branch of the Payne family into the picture- who can also be closely associated with the Paynes of Virginia.

Maria's kinswoman, Isabella Stanhope, Lady Sefton, was the wife of Charles William Molyneux, 1st Earl Sefton and 8th Viscount Molyneux, son of the Hon. Thomas Joseph Molyneux and Maria Leverly, who, by a prior marriage, was the grandmother of Maria. The Molyneux's were direct descendants of Richard Molyneux, Bart., and Frances

Gerard, whose daughter, Frances Molyneux, was the wife of Thomas Gerard, 2nd Baronet, father of Dr. Thomas Gerard, of Maryland and Virginia, whose family had been close with the Paynes of Virginia. Lady Sefton's uncle had been Francis Seymour Conway, 1st Earl of Hertford and Baron Conway, and Elizabeth Payne, granddaughter of the immigrant John Payne, had married Henry Thacher, a kinsman of both the Dr. Thomas Gerard and Edward, 1st Viscount Conway. Additionally, Lady Sefton was a direct descendant of John Stanhope and Cordell Alington, granddaughter of Giles Alington, to whom Henry Paine of Hengrave had willed the Ellesmere Chaucer in 1568.

As a young man, the Prince of Wales had a brief love-affair with an actress by the name of Mary Robinson, but at about the same time that Maria was being introduced to the London society, the Prince was also moving in that circle. The Prince first saw Maria while he was riding in Hyde Park and from that moment was determined to meet her. His moment came while Maria was attending an opera as a guest of Lady Sefton. From this introduction, the Prince began his pursuit of Maria.

Maria, realizing the complications the Prince's attentions would create, ultimately refused to see him or to answer his letters. Her actions drove the Prince to desperation. He first vowed that he could not live without her. When that did not prevail on her, he set out to prove it by threatening suicide, and even wounded himself severely, telling his physicians that the only thing that could save his life was to bring Maria to him. After pleading with Maria to visit him at Carleton House, Maria relented but insisted on a chaperone. The Duchess of Devonshire assumed that role and accompanied Maria to see the Prince.

The Prince told Maria that he was determined to die unless she married him. Seeing the Prince in such a state, she ultimately agreed to the proposal. At this point, Admiral John Willett Payne entered the picture, for he escorted the two women back to Maria's home on Park Street. On the way, the three discussed the situation and all agreed that Maria should write the Prince and inform him that the marriage would be impossible as it would deprive the Prince of his right to the Throne under the Act of Settlement of 1701, which forbade a member of the Royal family from marrying a Catholic, and the Royal Marriage Act of 1772, prohibiting marriage without the Crown's consent. Admiral Payne agreed to deliver the letter to the Prince. This began a long friendship between Maria and John Willett Payne.

Although this letter was delivered, and Maria spent some time away from London, the feelings between the two deepened and ultimately led them to plan a secret marriage. The fact that they were indeed married only came to light after much publicity and speculation. The question was finally put to rest with the 1906 publication of "Mrs. Fitzherbert and George IV," by W.H. Wilkins, M.A., F.S.A. In 1991, Jim and Philippa Foord-Kelcey, published, "Mrs. Fitzherbert and Sons," in which they put forth evidence for the following plan that was devised between the lovers and Admiral Payne. I rely largely on the latter work for this story.

Quoting from the Kelcey work, p. 22, the following plan was devised: "The next time a courier arrived she [Maria] sent a letter back with him [from Paris] to the Admiral and within two weeks he had arrived in Paris and returned to London again to disclose Maria's anxieties and proposals to the Prince. He explained that a wife secretly married with children who could not divulge their parentage and could not be mentioned in either of their wills would be in a very insecure position in the event of the untimely death of

either parent. The Prince had to admit that he did not have sufficient funds to provide an adequate sum for this purpose, particularly when he and Jack Payne [John Willett Payne] had estimated the possible size of the family. Jack knew that to be the case and offered to secure a loan. The Prince besought him to do so.

This started a succession of journeys by Jack Payne between London and Paris during which the plan slowly developed. It was decided that Jack Payne, a bachelor with no family of his own [although he had a mistress that later became the wife of Lord Admiral Horatio Nelson], would assume the role of guardian to the children in the eyes of the world and they would take the name 'Payne'. Furthermore, in their secret family circle the Prince would adopt the name 'Randolph Payne Esquire' while Maria would be called 'Mrs Ann Jane Payne'. Thus the foundation of the future Payne family was laid down and from then on the plan developed to suit the changing needs.

Admiral Jack Payne, who was also MP for Huntingdonshire [as Sir Robert Payne of St. Neots had been during the 17th-century], had many influential relatives, including Rene' Payne, a wealthy and important figure in the banking world. He arranged a private meeting and discussed the Prince's problem. Rene' Payne was helpful and within a few weeks he came forward with a most useful purpose. He would set up a Trust of which he would be chairman and which would be administered by a Board of Trustees consisting of the Prince, Maria, Jack Payne and any other Trustees they decided to nominate. The Trust could draw funds from Rene' Payne's Bank up to an agreed limit. The Prince would be a guarantor of the loan and the Trust would pay interest on the amount it borrowed. He gave Jack Payne a draft of the deeds of the proposed Trust; this set out the rules for its administration in full detail.

The draft was delivered to Maria in Paris and she was overjoyed. Jack explained that the first meeting of the Trust would take place soon after the wedding when all the Trustees would set their hand to the deeds, and the welfare of her anticipated family would be secure. All that would be necessary to repay the loan would be for the Prince to pay annual sums into the Trust fund over a period of six to eight years, which should be well within his means."

The Prince of Wales and Maria "Mrs. Fitzherbert" were secretly married at 6 o'clock, 15 December 1785, in the drawing room of her home by the Rev. Robert Burt of the Church of England, and they began their secret life together as Mr. Randolph and Ann Jane Payne.

The board of Trustee's for the Payne Family Trust met soon after in early 1786, with Rene Payne presiding. The Trustee's present were the Prince of Wales, Maria, Adm. John Willett Payne and Adm. Hugh Seymour [a close friend of John Willett Payne], who had recently married Horatia Waldegrave. The board of Trustee's signed Deeds of Trust authorizing "the board" (or at least The Prince of Wales and Maria) to withdraw up to 250,000 pounds from Rene Payne's bank. Ultimately, these Deeds of Trust would serve as security for the expected "Payne" children when they came of age.

It is noteworthy that prior to this marriage, the Prince of Wales had been residing in 1783 with his uncle, the Duke of Cumberland. The Duke was out of favor with his brother, George III., due to his earlier secret marriage with Olivia Wilmot (aunt of Capt. William Payne's wife of the same name), followed by another with Anne Horton. The Duke, was a major influence on the life of the Prince of Wales, as were their mutual friends, Ralph



Payne, Baron Lavington and his brother Adm. John Williett Payne. In 1784, the Prince of Wales took a lease on Grove House from Sir Percy Wyndham (later O'Brien and Earl Thomond), a brother of Charles, 2nd Earl Egremont, and kinsman of Wyndham Henry Wyndham-Quin, 2nd Earl of Dunraven, and his sister, Harriet Quin, wife of Gen. William Payne-Gallwey. Gen. William Payne-Gallwey was a brother (of the full-blood) of Adm. John Willett Payne and (of the half-blood) of Ralph Payne, Baron Lavington.

Sir Percy Wyndham and his brother, Earl Egremont, were grandsons of Catherine Leveson-Gower, a daughter of the Baronet, William Leveson-Gower, by his wife, Jane Granville, who was a sister-in-law of George, 1st Lord Carteret, whose immediate ancestors were of the Jersey Carteret family which had been especially close with the Payn's of the island, from whom Baron Lavington, Adm. John Willett, and William Payne-Gallwey descended.

The first child, a daughter, born to "Mr. And Mrs. Payne," was Julia Payne, born in 1786. This was son followed by seven, possibly eight, more children: Randolph Payne, 1790-1862; Frederick Payne, b. 1792; William Payne, 1793-1838; Mary Anne (called Smythe), 1795-1859; Mary "Minney" (called Seymour), 1798-1848; and George Payne, 1803-1878.

My purpose here is not to provide all of the details and particulars of the secret life led by the Prince of Wales and Maria Fitzherbert as Mr. & Mrs. Payne, or of their children. Rather my interest is the roll that the true Payne family of Jersey, St. Kitts, and subsequently of Bedfordshire, played in the affair, as well as the other characters involved who lead us to other lines of the Payne family, such as:

- 1) the marriage between the Henry Frederick Hanover, Duke of Cumberland, with Olivia Wilmot, aunt of Capt. William Payne of Westmoreland County, Va., a descendant of the immigrant John Payne (ca. 1615-1689/90).
- 2) the numerous connections with Jersey and Payn family of the island, which leads us to  
their connection with the Poindexter family of the island; a descendant of which had been Elizabeth Poindexter, who married William Payne, a grandson of John and Millicent Payne, of Richmond and Westmoreland County, Va., who may well have also  
been a kinsman of the immigrant John Payne.
- 3) the fact that Frances Twysden, Countess of Jersey, had also been a mistress of the Prince of Wales, provides other Payne associations as she was a kinswoman (by marriage) with the Egerton and Russell families. Her mother-in-law, Anne Egerton, was  
directly descended from Thomas Egerton, Viscount Brackley, who had conveyed the Ellesmere Chaucer to the Huntington Library in California. His father had obtained the Mss. through the Alington family, who in turn had received it by the will of Henry Paine, Esq., of Hengrave, Suffolk, in 1568. William Paine, a member of this Suffolk branch, settled in Boston and Ipswich, Massachusetts, and became involved in a lawsuit against  
Col. Edmund Scarburgh of Northampton, County, Va., whose granddaughter, Hannah,

married Daniel Payne, founder of the Worcester County, Maryland, Payne line. Also, he had appointed his "loving friend," Capt. William Kendall, as his attorney, and Kendall was the father-in-law of Hancock Lee, whose brother and sister-in-law, Richard Lee II & Lettice Corbin, had been appointed as guardians of the children of William Payne and Elizabeth Pope. These children were the grandchildren of the immigrant John Payne. We also find in PRO records that Lettice Corbins great-grandfather, George Corbin, had leased land in Polesworth, Warwickshire, from the Pulteney family, kinsmen of the Paines of Suffolk (and likely of the Paynes of Huntingdonshire as well). While on the subject of the Lee family, it is also notable that Anne Constable, wife of Richard Lee I and mother of Richard I and Hancock, had been a ward of Sir John Thoroughgood, whose brother, Adam Thoroughgood, had arrived in Virginia aboard a ship commanded by John Payne- almost certainly the later immigrant of Westmoreland County.

4) throughout this story, there are also associations with the Russell (as mentioned) and Montagu families, to which the Paynes of Huntingdonshire had been closely attached. Admiral John Willett Payne, Ralph, Baron Lavington, and William Payne-Galwey, were kinsmen of the Carteret family of Jersey, who, in turn, had been kinsmen of the Montagu family of Kimbolton, Huntingdonshire, from whom the Paynes of that county had leased land and been benefactors. Additionally, the descendants of this Jersey/St. Kitts branch later settled at Tempsford and Blunham, Bedfordshire, which is but a stones throw from St. Neots, Huntingdonshire, home of Sir Robert Payne, benefactor of the Montagu's. Nearly every last associate of Ralph Payne, Baron Lavington, were kinsmen of the Montagus.

DNA proof of common ancestry between these Payne branches is now coming to light that supports the record evidence, such as the small bit presented here. Over the past several years, I have attempted to uncover every scrap of record evidence that can be found- hoping to eventually stumble upon proof of this common ancestry beyond the combination of record evidence and DNA. I am convinced that such records DO exist in England and they are waiting for our discovery. In the mean time, the record evidence, along with the DNA, has allowed me to piece together a likely pedigree which includes the Paynes of Suffolk (subsequently of Boston and Ipswich, Mass.), Huntingdonshire (subsequently of Westmoreland County, Virginia), and Jersey (subsequently of St. Kitts, Virginia and Maryland), and perhaps others as well, such as: the Paynes of Gloucestershire and Hertfordshire (subsequently of Virginia and Boston, Mass.). It is an exciting time for Payne genealogy.

#### **Addendum September 8, 2002**

[Patrick Payne says] I hope everyone enjoyed that story about George IV. using the alias of Randolph Payne. The sources I reference also mention that Rene Payne, kinsman of

Adm. John Willett Payne, had brothers John and Edward Payne. John Payne had been Governor and Chairman of the East India Company before joining Rene in the partnership of the Smith, Payne & Smith Bank. They were all sons of a successful Haberdasher, but none of them mention his name... I trying to hunt them down, but it looks like it's going to be tougher than I thought. I'm thinking that they may descend from Sir Charles Payne, Bart., but that's a guess at this point. Rene, interestingly enough, had been living not far from Market Bosworth, Leicestershire, and had held Sulby Hall from an uncle. Sulby was leased, and later purchased, by the Prince of Wales. Rene had it renovated by Sir John Soames in 1782.

I have another story to tell as well. This one deals with the Payn's of Jersey, the origin of the surname, and a midwife's curse. It can be found at <http://papayne.rootsweb.com/midwife>. [I was unable to copy the long story from this Web site to my computer. You will have to go to the Web site to view it. – Donn]

#### **Resources :**

"The History of Parliament," published by Cambridge University Press under the auspices of The History of Parliament Trust by Act of Parliament, 1926.

"Thomas Lechford's Note-Book", Picton Press

"Merchants and Revolution," Princeton University Press, 1994

"The New England Merchants in the Seventeenth Century," Bernard Bailyn, 1955

"Victoria's History of the Counties of England- Huntingdonshire"

"Origin and Migration of the English Atlantic World," Alison Games, 1999

"Cavaliers and Pioneers, Vol. 1," Nugent

"Records of the Virginia Company of London"

"Hotten's Lists" John Camden Hotten

"Northamptonshire Deeds and Wills"

Regards,

Patrick Payne  
Atlanta, Georgia

The following text is from an email message to the Payne Family History email Forum on July 11, 2002 from/to

[ppayne1203@earthlink.net](mailto:ppayne1203@earthlink.net)

[PAYNE-L@rootsweb.com](mailto:PAYNE-L@rootsweb.com)

“ppayne” is Patrick Payne, the leader of the DNA project to identify Paynes.

I [Patrick] want to make you aware of a really great web site that provides a wealth of good information on Molecular Biology and the process of Genetics Testing. This site was created by a High School Biology teacher by the name of Nancy Custer and it is located at:

[http://www.contexto.info/DNA\\_links.htm](http://www.contexto.info/DNA_links.htm). If you really want to understand how Genetics testing can be useful to genealogy and how it can be applied, I highly recommend browsing the links provided at this site. Get yourself a cup of coffee (or your favorite beverage) and prepare to spend some time. There are some really nifty animations that make understanding it all relatively easy. If you want to cut right to the chase without spending the time visiting all of the links, you really should not miss the following:

<http://gslc.genetics.utah.edu/basic/basics.html> - Basic Genetics, produced by the University of Utah. Just click on the link "Tour the Basics" to begin.

<http://www.pbs.org/wgbh/nova/genome/program.html>- The PBS show, NOVA, offers this web site with (16!) videos of their show "Cracking the Code of Life." Chapter 2 of this series, "Getting the Letters Out," runs almost 6 minutes in length. I downloaded the Quick Time version of this for viewing and it took no time at all with my Satellite connection to the Internet. Your mileage will vary depending on your connection, but I suspect that even with a modem, it will not be a painful wait for the files to load.

I have included Nancy's web site as a link from my main page at

<http://home.earthlink.net/~ppayne1203> as well, but recommend that you book mark one (or both!) of these sites for future reference.

Now that everyone has good resources available for understanding the role of genetics in genealogy, we can move on to our results.

You can view our final report and analysis by either clicking on the link to "Final Report and Analysis" provided on the main page at <http://home.earthlink.net/~ppayne1203> or you can get there by going directly to the page at

<http://papayne.rootsweb.com/dna-project/analysis-1.html>.

Once there, you will be presented with a short list of definitions of the terms used in our testing. This is followed by individual links to the report pages, beginning with an "Explanation" page which explains Haplotyping, Principles and Methods used in the test. IMPORTANT NOTE: While the "Explanation" page is HTML, all other pages of the report are in .PDF format and will require you to have Adobe's Acrobat Reader to view the pages. Most computers nowadays come with the Reader already installed. If for some reason you find that you DO NOT have Acrobat Reader, it is available for FREE download at

<http://www.adobe.com/products/acrobat/readstep2.html>.

Page 1 of the report is simple a list of our participant. The "Sample ID" in the first column of the page is the identification number assigned by the lab to each participant and this ID is used throughout the report when referring to a given participant. Although the report also sometimes refers to the participants ancestor by name, I recommend that you have this list handy for the times when they do not. Otherwise, it will be difficult for

you to recognize who the report is referring to. The third column on page 1 is the Identifier that was assigned to each participant by me when we initiated the project to protect their privacy. This identifier, therefore, corresponds directly with the ID assigned by the lab. I have made it easier for everyone to convert these identifiers on the result chart page located at <http://papayne.rootsweb.com/dna-project/>. The first column on this chart has ALL of the information for each participant, including the project identifier, information on the ancestor, and the labs Sample ID (given at the end in bold type).

While I am referring to the result chart, another IMPORTANT NOTE is that this chart has changed since I first made it available. The lab had some corrections to it that have now been incorporated. So if you printed it out or something in the past, you will want to make these corrections as well. You will also note that I have added the different Lineages found in our testing to the chart. Payne Lineage 1, Ancestral Types 1, 2 and 3 are all grouped together to show their relationship to one another. Although it would appear that Ancestral Types 1, 2 and 3 comprise of only 8 participants, the number is actually 10, and this is explained in the report. These 10 individuals all descend from a common ancestor. The other Lineage identified in our test is indicated on the chart by Lineage 2. This Lineage is comprised of 5 participants, who show a high degree of relatedness and also descend from a common ancestor, however, they are separate and distinct from those of Lineage 1- indicating that the two Lineages do not share a common ancestry.

While I do not intend to describe every page of the report here, it need to make some comments about Page 2. This page includes an "Objectives" paragraph that the lab produced using the genealogies supplied by the participants as well as research notes that I provided to the lab to indicate where I thought we might find relationships between some of our participants. Because of this construction and the labs very limited knowledge of Payne genealogy, there are items contained in this section that I am sure will raise the eyebrows of some readers. So it is important for me to elaborate on why the lab chose the wording they did in some cases. You will also note an error or two on the page which I could not correct without destroying the formatting. For example, the lab mentions a family from NEW JERSEY, when in fact, this should read JERSEY, referring to Jersey in the Channel Islands. More significantly, readers may wonder where the heck the reference to John Payn (d. 1402) of Wymondham, Norfolk, comes from and why he is mentioned as the possible progenitor of four of our main branches!

John Payn is not mentioned in ANY of our published genealogies, or any where else to my knowledge. I discovered details about John some time ago and have been digging up several interesting facts about his life ever since. The records surrounding John indicate that he was an ancestor of the Paynes of Leicestershire, and as such, ancestor of the Paynes of Bury St. Edmunds, Suffolk, and of Huntingdonshire. Although it has not been generally accepted at this time that the Paynes of Suffolk and Huntingdonshire were kinsmen, I believe that my research establishes this relationship when we consider such things as the fact that John Payn's nephew, Edmund Winter, of Norfolk, had purchased Hengrave Manor in Suffolk. The later bailiff's of this Manor at Hengrave were William Payne, grandson of Sir Thomas Payne of Leicestershire, followed by his son, Henry Payne, Esq. (d. 1568). This father and son were members of the branch known as the Paynes of Suffolk (more specifically, of the area surrounding Bury St. Edmunds) and their family had purchased land in the county from the Drury family, with whom they became closely attached in a variety of ways. Henry Payne above mentions members of the Drury family in his will, providing provisions for them to reacquire land that he held. Henry Payne also owned what

is now known as the Ellesmere Chaucer (see notes on Baron Lavington at my web site connecting him to the later owners of this Manuscript), which came into his possession through the Drurys. Edmund Winter, as nephew of

John Payn, had also been associated with the Drurys. Also of great interest to me is the fact that Henry Payne, apart from his close attachment with the Drurys, had served as bailiff of Hengrave under Sir Thomas Kytson, whose will and administration he took upon Kytsons death. Sir Thomas Kytsons sister, Margaret, was the wife of John Washington, whose descendants immigrated to Virginia. We know through the genealogical record that the Washingtons were known to their Payne neighbors and there are several accounts of the friendships between the two families. The Drurys also came

to America, settling in Maryland, where they too became involved with a Payne family. The DNA testing, which now confirms relationships between branches of the Maryland and Virginia Paynes, may provide us with new clues about these relationships with the Washingtons and Drurys and, perhaps, shed light on both the genetic and genealogical evidence pointing to a common descent from John Payn. This is no longer the great leap of faith or speculation that it once was. We have a wealth of record evidence that can now be supported by genetics.

The tie between the Suffolk and Huntingdonshire Paynes, apart from numerous associations found through their social activities and relationships, can be seen in the fact that Robert Payne (father of Sir Robert Payne, 1573-1631), had purchased in 1590, land in Huntingdonshire from Katherine Fermor PULTENEY, widow of Michael Pulteney of Misterton, Leicestershire, and her then husband, Sir Henry Darcy. Michael Pulteney was a near kinsman of Sir Thomas Payne of Market Bosworth and his wife, Margaret Pulteney. Albert W. Paine, in his "Paine Genealogy-Ipswich Branch," which was published in 1881, first made the suggestion that the Paynes of Huntingdonshire descended from an elder son of Sir Thomas Payne of Leicestershire. He largely based his suggestion on the fact that Robert disappeared from the Leicestershire records and does not appear with his kinsmen in Suffolk. He concludes that either Robert must have died (although there is no indication for it in the Leicestershire records) or that he had removed to another county. He mentions that a Robert Payne appears at the correct time in the records of Huntingdonshire, and this Robert was that from whom Sir Robert Payne descended. This information can also be found in Col. Brooke Paynes "The Paynes of Virginia," under the entry for Sir Robert Payne whereby the College of Arms in London provides us with a biographical sketch of Sir Robert, describing him as a great-grandson of Robert Payne. When all of the record evidence is taken together and applied to the genetics, a clear relationship between these families emerges and also explains for us why we see the connections between various branches of the family in nearly every subsequent generation right up to the 19th-century with the family of Baron Lavington.

This genealogical picture can be deduced when we consider our family traditions claiming that the immigrant John Payne of Westmoreland County, Virginia, had been a son of Sir Robert Payne of St. Neots, Huntingdonshire, and that his neighbors, Thomas and Ralph Payne, of Lancaster and Middlesex County, had been descendants of the line which had also produced Baron Lavington. This family is believed to have come from Jersey in the Channel Islands and we know through the genetic testing that it also includes the family of Isaiah Payne (d. 1735) of Maryland (a descendant of Thomas Payne and Jane Smallpiece, of St. Mary's County), as well as two other previously

unrecognized relations- Charles Payne of Virginia, who married Elizabeth Davis; and William Payne who had married Celia Lewis. Anyone who has conducted research on the name Smallpiece can tell you that it is a very uncommon surname in both England and America. It is

curious, therefore, that when the surname is encountered, it is in connection with either Thomas Payne of Maryland, the Paynes of Suffolk, or John Payn of Wymondham, whose wife, Sibyl de Hethersett, had been a kinsman of Humphrey Smallpiece of Norfolk. The DNA testing suggests that these groups (descendants of John Payne, and the descendants of the Jersey family), shared a common ancestor during the time of John Payn of Wymondham, Norfolk. John Payn appears to have had his own connections to Jersey, and may have been a member of that family. If that proves to be true, then we can see how (and why) the record evidence would link him and the Paynes of Leicestershire, Suffolk, Huntingdonshire, Jersey, Virginia and Maryland. The one piece of the genetic puzzle that we are lacking to further support this suggested pedigree is participation in our DNA testing from known descendants of the Bury St. Edmunds branch of the Payne family. If we can include some of these descendants and their DNA signature falls within our newly defined Payne Lineage 1, then we would have a complete genetic pedigree on which to base our genealogical research with the knowledge that they can be shown genetically to descend from a common ancestor (currently pointing to the time of John Payn).

Wendy has information indicating that Rene Payne and his family, although described as of Northamptonshire and Leicestershire, were distantly related to Admiral John Willett Payne, half-brother of Baron Lavington. It was this relationship which prompted Adm. Payne to approach Rene Payne, a Banker, on the problem facing the marriage between the Prince of Wales and Mrs. Fitzherbert. Her sources also mention a kinship with "the branch of the Payne family from Bedfordshire." This relationship was undoubtedly through the fact the Adm. Payne's family had removed from St. Kitt's and settled at Tempsford and Blunham, Bedfordshire. However, we know that prior to their arrival in St. Kitt's, Adm. Payne's family had hailed from Jersey in the Channel Islands which they had left in 1651. They settled for a few years in Wiltshire (vice Devonshire as others have reported), and then circa 1654 removed to St. Kitt's. Mention of this can be found in the History of Parliament's entry for Adm. John Willett Payne and Ralph Payne, Baron Lavington.

As for the Northamptonshire family, our mission should be to uncover how they were related to the Jersey family. It obviously was not within the first couple of generations surrounding Rene Payne as his immediate ancestors were from Northamptonshire. His father had been a Haberdasher and his uncle Governor of the Bank of England. Beyond that though, I currently know nothing- but I am working on it. I believe that such a prominent leader of the Bank of England would have a biography somewhere which should give us some clues. I would think that he would be cited in Dictionary of National Biography, but my local library does not hold it. That would be the first place to look I think. I also intend to search The History of Parliament, thinking I may have missed something since I have concentrated on things 17th-century and before. I have it on CD, so I hope to do that soon.

Currently, the information I have on Rene Payne's family is sparse and I there is some conflicting information to work out. I believe that he had brothers John and Edward and sources state that he held Sulby Hall, Northamptonshire, through his uncle, whom I believe would have been the unnamed Governor of the Bank of England. Rene had at least three

illegitimate children by Martha Pearce who assumed the surname Payne in accordance with the provisions of his will. They became wards of Robert John Smith, Baron Carrington, who had been a partner with Rene in the Smith, Payne & Smith Bank. Jim Foord-Kelcey maintains that the eldest son, George, married Mary Eleanor Grey, and that they became the guardians of George "Little George" Payne, who had actually been the son of the Prince of Wales and Mrs. Fitzherbert- whose maiden name had also been Smith (or Smythe). There was undoubtedly a relationship between Robert John Smith, Baron Carrington, and Mrs. Fitzherbert, whose first husband had been Edward Weld. Baron Carrington's wife had been Elizabeth Katherine Weld-Forester, daughter of Cecil Weld-Forester, Baron Forester, by Katherine Manners. This is something that I think The History of Parliament can also help with as Baron Carrington and his father, Abel Smith, had been members of Parliament. The Complete Peerage will also contain biography's of these Peers which will be helpful. I will add that to my things to do this weekend.

One thing that I want to check on in regard to the Northampton Paynes is to see if Rene's family might have some connection with the Paynes of Berkshire who held land "of their ancestors" in Northamptonshire at Whittlebury, which isn't too far removed from Sulby and Welford. If such a connection existed, it would like them with the family of Thomas Payne (d. 1634), who had married in 1620 at Wantage, Berkshire, Jane Gallion- later wife of Thomas Mayhew of Massachusetts. In 1639, this couple made a Power of Attorney appointing Richard Payne of Abingdon, Berks., to oversee the land at Whittlebury left to Thomas Payne, Jr., son of Thomas and Jane (Gallion) Payne. I have details on this family and their links to Virginia and with Capt. George Payne and John Payne (of the John & Dorothy in 1634) as well. Since we know that some of our Virginia Payne branches had several connections with the Jersey family, with whom the Paynes of Northamptonshire were also related, this seems like a good place to start. Recall that Capt. William Payne (a descendant of the immigrant John Payne (d. 1689/90)), had married Olivia Wilmot, niece of Henry Frederick Hanover, Duke of Cumberland, who was the uncle of the Prince of Wales. Both Royals were very closely associated with Adm. John Willett Payne and his brother Baron Lavington; also, recall that William Payne (father of Thomas "Trader" Payne) had married Elizabeth Poindexter, granddaughter of George Poindexter of S. Saviour, Jersey.; finally, we should also remember the associations found between the family of the immigrant John Payne with the Lee family and that Col. Richard Lee's wife, Anne Constable, had been a ward of Sir John Thoroughgood, whose brother Adam had come to Virginia with John Payne aboard the John & Dorothy in 1634. John had been a partner of Capt. George Payne's partner, Joseph Hawes. Capt. George Payne and Hawes were brothers-in-law of Randell Mainwarring, who was a cousin of Matthew Craddock- and Craddocks factor in New England had been Thomas Mayhew. Make sense? We've come full circle in a paragraph. This was the simple story. Several more paragraphs could be added showing other associations which would accomplish the same thing.

You can see where I'll be spending my time for awhile... If anyone knows anything further about this Northamptonshire family, I would enjoy hearing from you.



About John PAYNE (b. abt. 1615 in England) from John Anderson:

He's my 8th great Grandfather. Until you wrote I didn't know he had a daughter, Margaret. My principal interest has been his son, Robert, who went under the name DAVIES for about five years prior to 1667.

You probably know that Robert had a daughter, Elizabeth (Betty) who married Thomas Waring in about 1738. From these two spring the WARING family in Old Rappahannock (Essex) Co. VA. my line.

I would appreciate any information you might have on 1) why Robert's alias, and 2) It appears that Elizabeth was "the heiress" of the PAYNE lands, passed on to the WARINGS through her marriage to Thomas WARING. Any ideas on why this was since she also had a brother Robert PAYNE, Jr.?

Also, Brooke Payne through Patrick Payne, surmises that John PAYNE's wife's surname was JENNINGS since John Payne lived next door to John Jennings on Pepectick Creek and was fast friends with the JENNINGS family. There is also a possibility that Margaret JENNINGS was John Payne's second wife. Was Margaret ROBINSON the first? ROBINSON is in my line: Catherine Payne ROBINSON is my 5th great Grandmother tending to support John's wife, Margaret, as a Robinson. I have no family history on Catherine.

My regular email address is: mijojohn@earthlink.net . Drop a line.

John Anderson

Subj: PAYNE/PAINE 1813-1881 NTH; ( LEI; NTT); Barnsley, WRY, ENG  
Date: 08/27/2000 12:42:56 AM Pacific Daylight Time  
From: jr\_bjpayne@extra.co.nz (Jim Payne)  
To: PAYNE-L@rootsweb.com

I have traced Joseph PAYNE s/o Joseph PAYNE or PAINE and Jane ROWE of Great Addington, Northamptonshire, England to Barnsley, Yorkshire, England where I now know there were three generations living from probably c1840 to at least 1881. This branch of the family also has ties to Loughborough, Leicester, and [Hyson Green] Nottingham

- 1)> Joseph PAYNE b1813 Great Addington, Northampton, England
- 1)> Mary PAYNE b1805 Nottingham, England
- 2)> John PAYNE b1846 Nottingham, Nottingham, England
- 2)> Marion S. PAYNE M b1847 Loughborough, Leicester, England
- 3)> > William J. H. PAYNE b1868 Barnsley, York, England
- 3)> Mary E. PAYNE b1869 Barnsley, York, England

3)> Lillian A. PAYNE b1871 Barnsley, York, England  
3)> John C. PAYNE b1873 Barnsley, York, England  
3)> Edwin H. PAYNE b1874 Barnsley, York, England  
3)> Florance M. PAYNE b1886 Barnsley, York, England  
3)Frederick C. PAYNE b1880 Barnsley, York, England

Both Joseph and his son John were insurance agents for the Royal Liver Society.

In the 1861 census Joseph and Mary PAYNE were at 120 Dodworth Road, Barnsley; in the 1862 Whites Directory there is reference to 68 Dodworth Road, Barnsley which is described as a Servant's Register Office; in 1863-1868 Joseph was at 12 Peel Street, Barnsley which was probably an office; in both the 1871 Census and the 1871 White's Directory Joseph was living at 68 Dodworth Road while 61/2 Church Street is given in the 1871 White's Directory as the Royal Liver Friendly Society Office; and in 1881 Joseph and Mary were at 53 Dodworth Road, Barnsley.

In 1871 John and his family were living in 10 Waterloo Road, Barnsley, and in 1881 132 Dodworth Road, Barnsley.

Just to cause further confusion, the 1871 Census has Mary Ann HEWITT b1855 Hyson Green, Nottingham, England living with Joseph and Mary as "niece" and as "Grand Daughter" in 1881

Jim & Bev Payne  
NEW ZEALAND  
jr\_bjpayne@extra.co.nz

**Washington, George, 1732-1799. The writings of George Washington from the original manuscript sources**

Electronic Text Center, University of Virginia Library  
Volumes 1 Through 37 and Index Volumes 38 and 39  
<http://etext.lib.virginia.edu/>

References to Payne

Found by Donn B. Parker ([donnlorna@aol.com](mailto:donnlorna@aol.com)) on February 2, 2004

**Summary and Analysis**

I [Donn Parker] found only one letter that George Washington wrote to a Payne in all of the University of Virginia collection (in Volume 37). There are references to Payne in the texts of Washington's writings in Volumes 4, 8, 31, and 33. But there are few clues as to which Paynes they are. All of the references and their contexts are in this report with Payne identified in the color red.

In Washington's writings I was looking for any evidence that indicated a close friendship between Washington and his family and William Payne (born 1724 and died 1782 according to Generation IV, Pages 232-235 in "The Paynes of Virginia") and his family. However, the William Payne in Washington's letters in Volume 37 was alive in 1799 and must not be the same as the 1724-1782 William. The letters concerned a complex dispute over the ownership of some property. The letter to a Colonel William Payne seems to indicate that he ran the Land Records office in Richmond, Virginia in 1799. None of the other Paynes in Washington's writing refer to any of them with the title of Colonel.

Patrick Payne, a current Payne family researcher indicated the following to me in an email message dated February 8, 2004:

As to the identity of the Col. William Payne of 1799, I would venture to say that this was most likely the son of the Col. William that died in 1782. He also achieved the rank of Colonel and had accompanied his father to Washington's home on at least one reported occasion. As I recall, he was with his father when Washington introduced them to his wife, explaining that this was the man that had knocked him to the ground or something to that effect.

William the son is identified and described extensively in "Paynes of Virginia, Generation V, Pages 244-248.

In Volume 4 a Payne countersigned a General Order from Continental Army Headquarters in Cambridge Massachusetts before the Battle of Boston. This would probably make this Payne an officer.

Also in Volume 4 in a letter dated April 5, 1776 from Williamsburg, General Lee complained to Washington about the indecision of the Williamsburg Committee of Safety except for one of its members named Payne.

In Volume 8 the General Orders from Headquarters in Middlebrook (NJ?) ordered that one Anthony Payne in the 15<sup>th</sup> Virginia Regiment was to receive twenty lashes for desertion. There is no Anthony Payne mentioned in Brooke Paynes, "Paynes of Virginia."

In Volume 31 on June 19, 1790 Washington sent a letter to the Secretary of State that a Payne had written to Jefferson with some new ideas on the affairs of France. And on June 19, 1791 a Payne is mentioned who responded to a pamphlet, "Reflections on the French Revolution," written by Edmond Burke. However, this may have been a misspelling of Paine because the letter later refers to Thomas Paine as having responded to the pamphlet.

In Volume 33 in a letter to Governor Henry Lee from Washington at Mount Vernon, he mentions a Payne who examined possible use of a newly invented threshing

machine on Washington's farms. Washington rejected using it because there were no water streams to supply the mechanical power to run it.

From Patrick Payne  
King George, Virginia

Thank you for the attachment. I have a couple of general comments for consideration, although they may not amount to much beyond my speculation.

First: in Washington's letter to Col. William Payne dated 28 November 1799, he opens with: "Sir: if this letter should find you at home..." This would seem to imply that the letter was addressed to Payne at home rather than to his office (as Washington also mentions- which would appear to support the idea further). Otherwise, we would have to believe that there was some system in place for Payne's letters, addressed to his office, to be delivered to his home. That doesn't seem logical to me. If we concede to this idea, then perhaps this also suggests knowledge on Washington's part of Payne's personal life. In other words, if Washington had been writing to Payne strictly in regard to a business matter, with no additional knowledge of him, the letter would have been addressed to his place of employment. On the other hand, if Washington had known Payne on a personal level, he would have likely known the address of his residence and written to him there- as it appears. It just seems that Washington would have found it much easier to obtain Paynes official business address, assuming that he had no other knowledge of him, than to come up with a personal address. So Washington knows Payne.

Second: in regard to the General Orders dated December 4, 1775, countersigned by Payne. Having spent a number of years in the military and having some education in its history, as well as being well acquainted with General Orders, I would have to say that since this General Order was in regard to a General Courts Martial of a Lt. Col., that any and all officers associated with the matter would have been superior in rank. All Court Martials are conducted as "a trial by peers" and it has been that way throughout the history of military law in America. So I believe we would be safe in concluding that this William (????) Payne would have necessarily held the rank of Colonel or above. As further support for this, assuming that I am correct that the "Cambridge" referred to was Cambridge, Massachusetts, then it is highly likely that the reference to "Parole Cushing" was to Col. Job Cushing, Jr. (1728-1808), of Shrewsbury, Worcester County, Massachusetts ["Family Register of the Inhabitants of the Town of Shrewsbury, Massachusetts," Andrew H. Ward, Boston, 1847; "Vital Records of Shrewsbury,

Worcester Co., Massachusetts to the End of the Year 1849," Franklin P. Rice & Trustees of the Systematic History Fund, Boston, 1904]. Here is some data on Cushing:

Military: Revolutionary Soldier. Was Captain of a company of Minutemen, Col. Artemas Ward's regt. in 1775; 1st Major 6th Worcester Co. regt., 1776, and chosen Colonel of the 6th Worcester Co. regt, in 1777. Was at the Battles of Bennington and Saratoga, after which he was on duty at West Point with Arnold.

Cushing, Job, Shrewsbury. Captain of a company of Minute-men, Col. Artemas Ward's regt., which marched on the alarm of April 19, 1775, to Cambridge; service, 9 days; also, Captain, Gen. Artemas Ward's (Worcester Co.) regt.; list of officers of Mass. militia [year not given]; also, Captain, Gen. Ward's regt.; list of officers dated May 24, 1775; resolved in Provincial Congress May 25, 1775, that commissions be delivered; also, same regt.; returns of officers for provisions dated Roxbury, July 27 and July 28, 1775; also, same regt.; return of officers for rations dated Dorchester, Aug. 3, 1775; also, Captain, Col. Jonathan Ward's regt.; muster roll dated Aug. 1, 1775; engaged April 28, 1775; service, 3 mos. 11 days; also, company return dated Dorchester, Oct. 7, 1775; also, 1st Major, 6th Worcester Co. regt.; list of field officers of regiments of Worcester Co. militia proposed by Legislature Jan. 12, 1776; regiment made up from Southborough, Westborough, Shrewsbury, Northborough and Grafton; also, 1st Major, Col. John Golden's (6th Worcester Co.) regt.; list of field officers of Mass. militia; commissioned March 23, 1776; also, Major, Col. Nathan Sparhawk's regt.; list of officers appointed to command men enlisted or drafted from Worcester Co. brigade, as returned to Maj. Gen. Warren [year not given]; also, official record of a ballot by the House of Representatives dated June 16, 1777; said **Cushing chosen Colonel**, 6th Worcester Co. regt.; appointment concurred in by Council June 16, 1777; reported commissioned June 16 (also given June 12), 1777; also, Colonel, Gen. Warner's brigade; engaged July 25, 1777; discharged Nov. 30, 1777; service, 4 mos. 15 days, travel included, in Northern department; also, Colonel; pay abstract for rations allowed between July 25 and Oct. 12, 1777, dated Scarsdeal, Nov. 30, 1777; also, pay abstract for service on an alarm at Bennington in July, 1777, dated Shrewsbury, March 2, 1778. ["The Genealogy of the Cushing Family (An account of the Ancestors and Descendants of Matthew Cushing, who came to America in 1638) by James Cushing, The Perrault Printing Co - Montreal, 1905. First Edition, 1877, by Lemuel Cushing, D18 81 (Finished by his family) Pg 46; Massachusetts Soldiers and Sailors in the War of the Revolution. Vol 4]

For some reason, the name CUSHING stands out for me... I don't have the name in my database anywhere, but I feel that I've come across it somewhere. I'll have to check "The Paynes of Virginia" to see if there is a reference to any Paynes in the service of Cushing.

I have no suggestions as to whom Anthony Payne might be. The name doesn't appear within any of the Payne families I have researched during this time period.

I could take a stab in the dark as to the "Mr. Payne" in regard to Mr. Talliaferros threshing machine, but that's all it would be. There are several Payne / Talliaferro associations that could apply, but they don't seem to help identify who the Mr. Payne could have been. But these associations seem to point to the Goochland County Payne family to which Dolley (Payne) Madison belonged. The Madisons were kinsmen of the Catletts, Conways and others who had intermarried with Talliaferros; such as: Francis Conway who m. 1744, Sarah Talliaferro; Robert Talliaferro who m. bef. 1688, Sarah Catlett; Francis (of the Mount) Talliaferro who m. 1687, Sarah Catlett; or Roger Madison who m. Elizabeth Talliaferro. There is also an intermarriage in 1797 between Baldwin Talliaferro with Ann W. Spotswood, a daughter of Alexander Spotswood and Elizabeth Washington, who was a great-niece of General Washington. This is the closest of the associations as Ann W. (Spotswood) Talliaferro was a close relative of Archer Payne (1748- aft. 1786) of Goochland, who had married Martha Dandridge, daughter of Col. Nathaniel West Dandridge and Dorothea Spotswood. The Paynes of Goochland County were closely associated with the Spotswood and Dandridge families and gave several of their children those names.

These are the only comments that I have and hope you have some use for them.

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## Selected Content from the Texts of the 37 Volumes

### VOLUME 37

#### **\*To THE SURVEYOR GENERAL OF THE LAND OFFICE FOR THE COMMONWEALTH OF VIRGINIA**

Fairfax County near Difficult Bridge, November 7, 1799.

Sir: I came from Mount Vernon to this place in order to run out some land which I hold in this County, near this place.

In doing which, I have discovered or think I have discovered, some vacant land between my lines, the lines of the late Thomas Lord Fairfax, and those commonly called Tarkeriches; now in the occupation of others, to whom they were sold by his agent.

Having been but little in this State since the Revolution, I am unacquainted with the legal steps necessary and proper to be taken, to make an entry thereof; which must be my excuse if the present application to you is wrong, or informal.

If it be proper, I pray you to make such entry as the case requires, and the cost, as soon as it is made known to me, shall be immediately paid by Sir Your etc.

P.S. I do not conceive that the waste land herein described (if there be any) can exceed a hundred acres.<sup>70</sup>

From a typed copy of the original (said to be in the office of the Governor of Virginia) through the kindness of Gov. John Pollard.

**\*To THE SURVEYOR GENERAL OF THE  
LAND OFFICE FOR THE COMMONWEALTH  
OF VIRGINIA**

Difficult Bridge Wylies Tavernon, November 8, 1799.

Sir: Since writing the enclosed, I have discovered that a Mr. Willaim Shepherd who was with me on the Survey, and who has acted a very disingenuous part upon the occasion, either has made, or pretends to have made, an Entry of the Vacancy (if there be such) which I have therein requested you to enter on my behalf, of land always reputed, and believed by the Neighbours, to be mine.

I therefore request to be informed, if the first is the case, whether he has complied with all the formalities of the Law? for as much as I am resolved, to contest every point with him that justice and propriety will warrant.

Of course, I request the Entry may be made agreeably to the description with which I have furnished you; adding (altho' I do not know that it is essential) the lines now, or lately, of the Revd. Mr. Fairfax's tract, called Towlston Grange. With respect I am etc.

P. S. The Entry of Willm. Shepherd, as he gives out, was made a year or two ago. If so, has he complied with the *subsequent* requisites?<sup>71</sup>

From a photostat of the original kindly given by Miss Eleanor Bruno, of Ridley Park, Pa.

**\*To JOHN GILL**

Mount Vernon, November 12, 1799.

Sir: I am just returned from Difficult-Run, whither I went to examine your land, and to see how it was situated in connexion with mine, to ascertain the quantity in the part you had offered to me, Its quality, &ca.

When you proposed to reserve all that part of lot No. 10 which lyes on the East side of Difficult run, I presume you were unacquainted with three circumstances attending it; 1st, that you would leave only 85 acres on the West side of the said run; 2dly, that you would take all the woodland (except a very narrow slipe or two); and 3dly, all the land of any value. For the land on the West side is not only extremely hilly and broken, but much worn and gullied. The (uninhabited) house thereon, is tumbling down; the Fence around the field is in ruins; and not a sufficiency of timber to repair it. And no part of the land within less than 80 rod of mine.

This account you may rely on as fact; for I not only examined the premises with attention, but measured with accuracy (carrying a surveyor with me), the part of lot No. 10 which lyes on the upper, or West side of the Run. In doing which I was accompanied by Mr. Wherry (your Tenant), Mr. Thomas Gunnell, and Captn. Wiley; who were with me the whole time, and shewed the lines and corners, which were to be found. The meanders of Difficult run from my upper corner thereon to the place where the line of lot No. 10 crosses it, were also traversed to shew, with precision, the situation of the two tracts; a sketch of which is enclosed. Taken from the Survey of the lands thereabouts, which you sent me, (belonging to Mr. Swift), in order to give you a more distinct and perfect view of the subject than it is supposed you had obtained from a superficial view of it, before.

>From this relation, which upon enquiry you will find literally correct, you must perceive, that that part of lot No 10 *alone*, which lyes on the upper, or West side of Difficult can not answer my purpose, nor would be an equivolant. And you must be further convinced, that from the scarcity of money, and fall in the price of land, indeed in property of all kinds, it is not for my interest to cancel the bargain which is in existence between us. Yet, as you seem to wish it, and I am not desirous of enforcing a contract (although I missed a favourable sale by making it) that would be injurious to you; I will, if it is not convenient to you to pay money for the Rents due thereon, (which would be most acceptable to me) agree to take the *whole* of lot No 10, to release the bargain for my land; or, as it is agreed on all hands, that Difficult run is mirey, inconvenient and troublesome to cross at *most* seasons of the year, and in winter *generally impassible*, except at the bridge, I am willing to receive (altho' stripped of its wood, and part of it much worn) the slide on the upper side, which you bought from Doctr. Dick, in lieu of that part of No. 10 which is on the lower side of the Run, and about the same quantity; the former comes to the upper corner of my land on the run, by a narrow gore, as may be seen by the sketch enclosed, but with the addition of the grd. included by the red line, in the Plat (if hereafter it could be obtained) would connect the whole tolerably well together, and all on one side of the run; which, from my own view, and the opinion of those who were with me, would be advantageous to both interests.

You now have the matter fully before you, and your answer as soon as convenient, would be acceptable to Sir, Your etc.

**\*To WILLIAM PRICE<sup>78</sup>**

Registrar of the Virginia Land Office.

Mount Vernon, November 20, 1799.

Sir: Your favour of the 15th instant, in answer to my letters of the 7th and 8th, addressed to the Surveyor General of the Land Office (wch. proves the necessity there was for my plea of ignorance) came duly to hand; with the Land Office Treasury Warrants; for your obliging attention to which, I pray you to accept my thanks.



Perceiving by your letter that Willm Shepherd has made a Survey, and returned it to your Office, similar in *some respects* to my proposed Entry; and believing that it must have been done unknowing to those who have lands adjoining, and comprehends Lands always reputed to be mine; and so understood by all the neighbourhood thereabouts; I request the favour of you to furnish me with a copy of the Survey and Plat, that I may be enabled thereby to investigate the matter more fully. Until which, I must beg that this letter may be considered as a Caveat against a Grant thereof to Win. Shepherd.

If the rules and Proceedings in your Office require a more formal protest against such issue, I must rely on your goodness to advise me; for having had very little to do with the local Laws of the State since the Revolution, and not having those passed since that period by me, I may be mistaken in this, as in my former application.

Enclosed is a five dollar Bill; if it be insufficient to cover the Expence of the Land Warrant, Copy of the Shepherd's Survey, and the Protest against a Grant issuing thereon, you will please to advise.

As another proof of my unacquaintedness in this business, my expectation was, that the Entry I proposed to make would have covered all the land within the described location; but the Warrant fixed it, I perceive, to 100 acres *only*. It may be more, or it may be less; and cannot be ascertained until the Survey is made. I should not like to be fixed to the above quantity, if the vacant land exceeds it. I am etc.

[N.Y.P.L.]

**\*To SAMUEL SOMMERS**

Mount Vernon, November 20, 1799.

Sir: In consequence of your letter, and the information of Mr. Rawlins, I sent to Richmond and obtained the enclosed warrant; with which **(in the absence of Colo. Payne)** I pray you to do what will be necessary to give it legal and proper effect and advise me thereof by a line lodged in the Post Office as the most certain mode of getting it to hand.

You will perceive that the Warrant is for 100 Acres *only*, this has proceeded from my mistake in saying, I *believed* the vacancy would not exceed this quantity; but my intention in the Entry was to cover *all* the waste land within the limits I had described, be it more or less, and if the location cannot comprehend this I shall be disappointed and ask your advice and assistance to correct it.

It appears from the Registers letter, which accompanied the Warrant that Mr. William Shepherd has made, and returned a Survey to that Office which bears some similitude to my Entry, I would ask the favour of you, therefore to examine the Surveyors Books to see at what time it was made and whether, in your judgment it is the identical Land I have been aiming to obtain. Mr. Shepherds conduct while I was employed in Surveying my land on Difficult was so full of concealment and deception that I have not, nor shall not place any confidence in any thing he may say respecting the premises. For if he has made a Survey of this vacancy it was done unknowingly to the neighbourhood thereabouts; who, one and all (whom I saw) expressed a belief that Tankervilles Line and mine, between which the vacancy is *now* supposed to lye, were the same, and was so understood by them all, and Mr. Jno. Moss who formerly lived on Tankerville's land, and whom I have lately seen declares the same. With esteem I am etc.

P. S. I have written to **Colo. [Payne]** also for information on this subject but request no delay on that account.

[N.Y.P.L.]

**\*To WILLIAM PAYNE**

Mount Vernon, November 28, 1799.

Sir: If this letter should find you at home, the intention of it is (through Mr. Rawlins the bearer) to enquire into the State of my Entry, of a supposed vacancy of land on Difficult run...<sup>81</sup> and always supposed...boundaries; and to be a...a Mr. Willm. Shepherd or others for him have taken in **your Office** to...the progress of my Entry and Warrant.

The press copy was poorly made. Words indicated by leaders [...] are illegible.

If you have seen the Register Mr. S. Sommers, since your return, you would from him, have received a perfect account of the whole...business. If you have not, Mr. Rawlins relation, who is acquainted therewith will save me the necessity of detailing them. I have done, and am ready to do, all that has been adjudged expedient and proper. I am etc.

[N.Y.P.L.]

**\*To SAMUEL SOMMERS**

Mount Vernon, November 28, 1799.

Sir: Colo. Little forwarded your letter of the 25th instant to me, yesterday evening; and I have now to request (if it is not already done) that my Entry may be made in the County Surveyors Book of Record, and the Treasury Warrant deposited therewith.

Not having the Laws of the Commonwealth (since the Revolution) by me, I am entirely unacquainted with the regular mode of proceeding with respect to Entries; but should conceive that, no application by letter to the Surveyors Office for one, after my letter had been there (without any person authorized to receive it) and advised to be carried to you as Deputy Surveyor, *and there entered*, could defeat my right. Be this however, as it may, I am persuaded you acted from you best judgment; and the matter, if contested must rest upon a fair representation of facts. It would be proper that my letters to the Surveyor (opened by you) should be deposited along with the Treasury Warrant and Entry. Being, next to my open and candid declaration in the presence of Shepherd and all others after finding that Tankervilles course and mine did not accord, and it having always been considered as my land, that I would enter it, the origin of the business.

I should have proceeded 'ere this to the ascertainment of this vacancy (if there be any); but it is proper that the course of the adjoining Lands should be first obtained, and the Proprietors thereof notified of my intention to give it a fair appearance. If these can be accomplished, I shall, when the Weather will permit set about this Work with the County Surveyor or yourself. With esteem I am etc.

[N.Y.P.L.]

**\*To CHARLES LITTLE**

Mount Vernon, November 28, 1799.

Dear Sir: Mr. Johnston delivered me your favour of yesterday, and a map of the Land, formerly Lord Tankervilles; but as he came late in the afternoon, and said he was obliged to return that evening, I did not incline to detain him until I could examine, and get such information from the plat as was necessary for my purpose. I therefore dispatched him, and took the liberty of detaining the latter until this morning.

I am much obliged to you for sending it to me (and have paid Mr Johnston for bringing it). It shews clearly, that Tankervilles line and mine, from the Bridge, or Colville Branch are not the same. The question then is, whether the space between is vacant, or part of the late Thos. Lord Fairfaxs twelve thousand Acre tract. I have no doubt myself, as well from other circumstances, as from Shepherds conduct, of its being waste and ungranted; but until I can get the meets and bounds of the above tract of 12000 acres, and perhaps of the Towlston Land also this fact can not be ascertained with precision.

The present Lord Fairfax has promised me every aid in his power to elucidate this matter; but thinks some of the Papers necessary to effect it are in the possession of his son (he does not say which) whom he expects down between this and Christmas: but finding that Mr Shepherd, and some who abet him, are active in their endeavours to arrest my Entry, it has put me more upon my mettle than I should otherwise have been, and more perhaps than the land, if obtained, is worth.

For this reason, I mean to have the line of these several tracts, so far as they relate to me investigated with as little delay as can be avoided. If therefore, while you are in Berkeley, you should by chance fall in with either Mr. Thos. or Mr Ferdinand Fairfax, it would add to the favours you have already conferred on me in this business, by requesting whichever of them has the Papers in possession (if they see no impropriety in the measure) to furnish me with a copy of the courses of such Land as adjoin mine, it would save me the trouble and expence of sending to the Land Office in Richmond for Copies thereof. Having the boundaries of the several tracts around mine and their connection with each other before me I might be enabled to discover without going on the Land, whether there be any surveyors error or not; although a Survey would be sure to contain the amount of such [illegible] as to obtain a Grant therefor.

After having obtained this information, a Survey be necessary it is more than probable that I shall avail myself of your kind offer to attend it. With esteem etc.

[N.Y.P.L.]

**\*To JOHN GILL**

Mount Vernon, November 26, 1799.

Sir: Under cover with this, you are furnished with the Invoice of such goods as I require.

As it was not so much in my power to fix the *prices*, as to designate the *quality* of the Goods, the amount of the cost of them may exceed, or fall short, of the sum due from you to me. If the first, the balance shall be paid by me, if the latter, I shall look to you for the deficiency.

I have drawn up, and signed before evidences, a memoranda of the agreement we entered into the day you were at this place, according to my conception of it. I have not, intentionally, departed either from the spirit or letter of it; and if it meets your approbation, the counterpart may be signed by you, before witnesses, and returned to me; together with the Deed from Mr. Herbert to you; and against your arrival in Alexandria I will have a conveyance of that part of lot No 10 which lays on the upper side of Difficult run, ready for your Signature.

It is not *always* an easy matter to make interested men, at a distance, (when they are deprived of opportunities of seeing, and judging for themselves believe that, there can be perfect candour used in a transaction, or relation of facts by the other party, when they are differently circumstanced [mutilated] nothing more certain than that, the Woodland part of No 10 which is on the lower side of Difficult run, would be infinitely more valuable to the proprietor of the land adjoining it, *on that side* than that part of Lewis's tract which lays on the upper side; separated therefrom by a deep and Mirey run which can only be passed in places and not at those in all seasons. For the same reason, the last mentioned slipe would be advantageous to me, although entirely stripped of wood and much exhausted. I am etc.

[N.Y.P.L.]

**\*To REVEREND BRYAN, LORD FAIRFAX**

Mount Vernon, November 26, 1799.

My Lord: In the early part of this month, I went up to Difficult-run to examine with more accuracy than I had ever done before, the small tract of Land you were so obliging (many years ago) to accomodate me with, for a Stage for my Waggon whilst I had plantations in Berkeley County; to see if it would *now* (having many years since removed my people from those Lands) answer for a small Farm; those around me being overstocked with labourers.

I was unable, with the assistance of several of the Neighbours thereabouts, to survey the lines, or more than one corner of the tract. There was also a corner to the Land lately belonging to the Earl of Tankerville, and at the end of the first course after leaving the run (where it was supposed the upper corner tree thereon formerly stood). From this, *well known corner* neither line tree nor corner tree could be found; the next, called for by the Deed, was a white oak on the bridge branch. In running the course of the Deed from thence, it crossed the main (Leesburgh) road much lower, than those present, conceived it ought to have done; the concurrent opinion being, that this course and Tankerville's were the same; and it was well known to them *all* that the latter crossed the Road higher up.

The person present, who had it most in his power to give correct information, attended for other purposes than to be useful to me; for when he found my line and Tankervilles did not accord, agreeably to the received opinion, he (William Shepherd) attempted to impress a belief that a very narrow-pointed gore, of a tract of 12,000 and odd acres, belonging to the late Thos. Lord Fairfax, run in between; and when it was observed that this was as improbable, as unheard of, by any of them before, it eked out by degrees, that his object was to deceive, until he could enter the gore as vacant land for himself.

I have troubled you with these details by way of an apology for the liberty I am about to take (if you see no impropriety in granting it) of asking, having heard that the above mentioned tract of twelve thousand and odd acres was a bequest to you, or your sons, by the late Thomas Lord Fairfax, for the courses, or so many thereof, together with such of your Towlston tract, on Difficult run, below and dividing the separate survey of 275 acres made for one Norris, as will enable me, not only to discover my own lines, but whether there is any vacancy between them and the Lands adjoining. To accomplish this, it will not escape your penetration, that there must be some corner; or line, of one or both of the tracts I have enumerated, and mine the same; otherwise the three plats (or so much of them as is essential to my purpose) could not be connected together so as to elucidate the po'mt in question.

Having had abundant proof of your readiness to oblige me on all occasions, I will add nothing further in excuse for asking this favour. As it is very probable Mr. Ferdn. Fairfax will make you a visit shortly I will be glad to be informed of his arrival, being informed that the land adjoining me, above (Ld. Tankerville's) is now in his possession. Sincerely wishing you a return of good health. I am with very great esteem etc.

**\*To REVEREND BRYAN, LORD FAIRFAX**

Mount Vernon, November 30, 1799.

My Lord: I thank you for the courses of so much of your land on Difficult as had any relation to my small tract at the Bridge over that stream, and for the communications contained in your favour of the 20th Inst.

The Information derived from these sources, has satisfied me that the opinion of the Borderers on my land that extended to Tankervilles line and my own opinion (when I found the lands seperated at the Bridge Branch) that what lay between them was vacant, is erroneous; and I have of course, arrested all proceedings; in order to obtain it as waste land.

The smallness of my tract (275 Acs only, by Norriss's Survey) and the [illegible] of its timber, together with the clearing of the part thereof (where useless to me) by [illegible] rendered the gore which had been declared mine, of some importance to the tract altho' the land is hilly, broken, and the soil and wood thin, especially in the article of timber; so far as I could form an opinion by running the course of my Deed. Yet, even under these circumstances, such an addition might have enabled me to have cut down more of the 275 Acres. Which, small as it is, I am told is to have part taken away by an older Patent of Lewis's; which calls for a straight line from my corner at the *old ford* of Difficult, to my upper corner thereon; and which, will take away some of the best land in the bend of the run. The right to do this you perhaps, can judge better of than I who have no knowledge of the property thereabouts.

As you hold the land on the North and East of my tract, and (according to information) Mr Ferdo Fairfax possesses that wch. is on the South and W [est] nothing remains to be done but in the settled and temporate part of the ensuing Spring if health will permit, for Your Lordship Mr. Fairfax and myself to repair to the scene, agree upon, and mark our lines of seperation to prevent encroachment on either side in future.

Mrs. Washington unites in best wishes for your restored health, and in respect to your Lady and family with etc.

**\*To WILLIAM PRICE**

Mount Vernon, December 2, 1799.

Sir: I have been duly favoured with your letter of the 25th. Ulto, enclosing a copy of the Survey made for William Shepherd, for four and three quarter acres, and the form of a Caveate against the issuing a Patent therefor.

I cannot from the survey, discover with precision where this land lays, and therefore shall give no further opposition to the Grant of it. If it be, where I *suspect*, it is within the bounds of a Patent under which I hold, of more than sixty years standing; of course, cannot effect it.

I am sorry that I have given you so much trouble in this business, at the sametime that I feel obliged by the prompt and ready advice you have been so kind as to give me for the prosecution of it. From what I had heard of Shepherd's Survey, I conceived differently of its object. I am etc.

[V.S.L.]

## **VOLUME 4**

### **GENERAL ORDERS Head Quarters, Cambridge, December 4, 1775.**

Parole Cushing. Countersign **Payne**.

Lieut Col Enos, tried at a late General Court Martial whereof Brigadier Genl. Sullivan was president, for "leaving his Commanding Officer without permission, or orders, and returning to Cambridge" -- The Court after mature Consideration of the Evidence, are unanimously of Opinion, that the prisoner was by absolute necessity obliged to return with his division, and do therefore acquit him with honour -- The General orders Lieut Col Enos to be forthwith released from his arrest.

## **March 1776 (Battle of Boston)**

General Lee wrote Washington from Williamsburg (April 5): "I most sincerely congratulate you, I congratulate the Public. on the great and glorious event, your possession of Boston. it will be a most bright page in the annals of America, and a most abominable black one in those of the Beldam Britain. go on, My Dr General, crown yourself with glory, and establish the liberties and lustre of your Country on a foundation more permanent than the Capitol Rock. My situation is just as I expected. I am afraid that I shall make a shabby figure, without any real demerits of my own. I am like a Dog in a dancing school. I know not where to turn myself, where to fix myself. the circumstances of the Country intersected by navigable rivers, the uncertainty of the Enemy's designs and motions, who can fly in an instant to any spot They choose with their canvass wings, throw me, or woud throw Julius Caesar, into this inevitable dilemma. I may possibly be in the North, when, as Richard says, I should serve my Sovereign in the West. I can only act from surmise, and have a very good chance of surmising wrong. I am sorry to grate your ears with a truth, but must at all events assure you, that the Provincial Congress of N. York are angels of decision, when compar'd with your Countrymen, the Committee of Safety assembled at Williamsburg. Page, Lee, Mercer, and **Payne** are indeed exceptions; but from Pendleton, Bland, the Treasurer. & Co., *libera nos, Domine.* "

## **VOLUME 8**

### **GENERAL ORDERS Head-Quarters, Middle-Brook, June 9, 1777.**

Parole Newcastle. Countersigns Newark, Newport.

The Commander in Chief is pleased to approve the following sentences of a General Court Martial, held the 6th. Instant and orders them to be put in execution forth with -- The delinquents to be immediately taken out of the Guard-house, and punished at the brigade parades, to which they respectively belong.

William Nicholson, Abraham Hill, Thomas Banks and Anthony Payne -- all of the 15th. Virginia Regt. charged with "Desertion" -- Nicholson and Hill to receive 25 lashes each; Banks and Anthony 20 each.

John King of the 1st. New-Jersey Regt. charged with "Desertion" to receive 50 lashes.

John Lowry of the 9th. Virginia -- charged with "damning the General and his orders" to receive 39 lashes.

James Daugherty of the 3rd. New-Jersey -- charged with "Desertion" -- to receive 100 lashes.

Daniel Hailey of the 3rd. Virginia Regt. charged with "Deserting from his regiment and inlisting in the 10th. Pennsylvania regiment" -- to receive 25 lashes.

Samuel Mason of the 3rd. Virginia regt. charged with "Deserting from his regiment and inlisting in the 10th. Pennsylvania regiment" -- to receive 20 lashes.

John Bybecker of the German battalion, charged with "Desertion and inlisting into another regiment" -- the sentence postponed for further evidence.

The duty of the Major General of the day, to begin at the mounting of the guard one day and to end at the same time the next.

The commanding officer of each corps to keep an ammunition account with their men, and make them pay, for all that is wantonly wasted.

Captains of companies to keep a list of their men's cloaths, and have them critically examined every Saturday -- A soldier shall not presume to sell any part of his cloaths on any pretence whatever.

The prisoners under sentence of death, to prepare for execution, tomorrow at 12 o'clock -- The whole Army, except General Lincoln's division, to be assembled for this purpose, near the Artillery park -- The criminals to be attended with such Chaplains, as they choose.<sup>20</sup>

See General Orders, May 7, 1777, and May 23, 1777, *ante* .

As there is a plenty of common and French sorrel; lamb's quarters,<sup>21</sup> and water cresses, growing about camp; and as these vegetables are very conducive to health, and tend to prevent the scurvy and all putrid disorders -- The General recommends to the soldiers the constant use of them, as they make an agreeable sallad, and have the most salutary effect. The regimental officer of the day to send to gather them every morning, and have them distributed among the men.

Otherwise white goosefoot.

**Volume 31:**

**\*To THE SECRETARY OF STATE**

Saturday, June 19, 1790.

The enclosed Letters and documents from Mr. Gouv. Morris are sent for the perusal of the Secretary of State.

The private letters from the Marquis de la Fayette and Mr. [Payne](#)<sup>99</sup> he also gives Mr. Jefferson a sight of; because there are some ideas in the latter which are new, and in the former, general information respecting the Affairs of France', which, by being compar'd with other Accts. may (though not of very late date, but from the respectability of the authority) enable one to form a better judgment of the situation of things in that Country, than they could do from any single relation of them. [1](#)

Thomas Paine. His letter of May 1 is in the *Washington Papers*. In it he speaks of having been intrusted by Lafayette with the key of the Bastille to send to Washington. and suggest that the President write a congratulatory letter to the King and Queen of France and the National Assembly on the example they are setting to Europe.

From the original in the *Jefferson Papers* in the Library of Congress.

**\*To TOBIAS LEAR**

Mount Vernon, June 19, 1791.

Dear Sir: Since my last to you (from this place) I have received your letters of the 12th. immediately from Philadelphia, and those of the 17th. and 24th of April after their having taken a trip to the Southward.

I find by Mrs. Washington's letters that Mr. Francis is very desirous of introducing Mrs. Read into the family again; this idea it would be well for him to relinquish at once, and forever; for, unless there are reasons inducing it, which my imagination cannot furnish, it never will happen. Hercules can answer every purpose that Mrs. Read would do, and others which she will not; and sure I am that the difference in the expence between the two will bear no comparison; besides, supposing Mrs. Read to act fairly and honestly (which by the bye I do not believe she is disposed to do) if she is not to be the absolute Mistress of her own conduct, in a word, *uncontroulable*, she would not remain in the family a month. She would also increase the number, and of course the expence of the *second* Table; which under the Administration of Mr. Hyde, I believe was equal to the first (public days excepted). But I hope it is a matter clearly understood by Mr. Francis that Wine is not to be used at it again under any pretence whatsoever; for there can be no line drawn if it be once admitted; either as to the quantity or quality that will be drank at it.

By the last Post, the letter of Messrs. Fenwick and Mason, explanatory of the Wine from Charleston, was forwarded to you; and I should be glad to hear that the wine was recd. in good order; for no attempts of that Ho. hitherto, seems to have succeeded well, so far as I am concerned in them. The other Wine to Mr. Jefferson will, I presume, be divided, and settled for,<sup>95</sup> as soon as he shall have returned from his Northern tour.

On July 7 Lear wrote to Mason, Fenwick & Co., at Bordeaux: "The six cases of claret and two cases of Grave wine, mentioned in your letter of the 9th. of July came to hand in good order by the way of New York; and the 14 cases, viz. two of muscat de Frouignan, seven of haut sauterne, and five of claret, were received in the like good order by the way of Charleston. For the first shipment you mention your having received payment from Messieurs Wakelin Welch and Son of London; and for the second the amount is paid to Mr. Jefferson as you requested. Of these wines none have yet been proved except the



claret of the first shipment which is pronounced very good. Those ordered by Mr. Jefferson are undoubtedly of an excellent quality coming directly from the fountain head. We have yet heard nothing of the first quantity of wine which you shipped for the President, and which was so unfortunate; except the information relative thereto in your letters. It seems to have passed thro' so many trials that when it does come, if at all, it must either be highly improved or totally spoiled. When the President forwarded to you the bull on Judge and Deputy he had but little confidence in its goodness, and the event is therefore no disappointment to him. The President directs me to communicate to you, Gentlemen, his thanks for your polite attention to his orders, as well as for your anticipation of his wishes by the wines sent in July last, and to inform you that seasonable notice shall in future be given of such wines as he may have occasion for from your quarter." Lear's letter is entered in the "Letter Book" in the *Washington Papers* .

Without going into the detail on the several points of yr. letters I can assure you that the measures you have adopted with respect to Washington, George and Lawrence, my black people, and the employment of Mr. Fraunces and Mrs. Emmerson, as far as they have been communicated, meet my entire approbation; and I wish you to inculcate strongly upon the white Servants of the family, (as mentioned in my last) that it will be vain and idle in them to suppose, that by a combination they will avoid their own duties, or can effect the discharge of those to whom the management of the Household business is committed. They must be sensible, that they have as high wages as are given to any Servants in their respective stations. that they are as well provided, and perhaps *better* paid than most, and no extra: duties imposed upon them; consequently, that if an attempt of this sort is made, it will recoil upon themselves. I shall communicate the same sentiments to those who are with me, that, if they do sin, it shall be with their eyes open, and under a knowledge of the consequences.

As I shall have occasion for a number of blanketts for my people this fall; and as the best time to purchase them, I am told, is after the Winter's demand is over; I should be glad if you would make a pretty diligent enquiry after them before I arrive; that I may know *whether*, and upon *what* terms, I can get supplied. It is probable I may want near two hundred.

The Majr. 96 desires me to write for half a bushel of Turnip seed of the best kind, viz, a peck of the white Summer, and the other peck of the red winter; but a good winter, and good Summer Turnip of any other kind, I suppose will do. It must be sent soon, or both will be useless.

George Augustine Washington.

I should like to see Mr. Paynes 97 answer to Mr. Burke's Pamphlet; 98 if it is to be had, and could be sent off by the Post on friday, it would meet me at George Town Monday the 27th; where I shall be, and from whence I shall proceed; but on what day is more than I am able to determine until I go there, and shall see what is necessary to be done at that place towards carrying the Law respecting the Permanent residence of the Government into effect. To do this, there are many matters to decide upon; and some of them not a little difficult. It is not very probable therefore that I shall leave Georgetown before Thursday; but I would not have such dependence placed on this, as to *expect* letters will meet me there on Wednesday evening; especially as it is in distant contemplation (if upon enquiry at Georgetown it shall be found that the difference in the length of the two Roads is not great) to return by the way of Frederick town, York and Lancaster, to Philadelphia.

Thomas Paine.

His reply to Edmund Burke's "Reflections on the French Revolution" constituted what was afterwards the first part of "The Rights of Man."

Paris has become so lazy, self willed and impudent, that John (the Coachman) had no sort of government of him; on the contrary, Jno. says it was a maxim with Paris to do nothing he was ordered, and every thing he was forbid. This conduct, added to the incapacity of Giles for a Postilion, who I believe will never be able to mount a horse again for that purpose, has induced me to find Paris some other employment than in the Stable; of course I shall leave him at home. A boy, or two may be necessary there, to assist about the horses, Carriages, and harness, but these (dutch ones) it is possible may be had for their victuals and cloaths; especially if there are large importations from Germany (as some articles in the papers say there will be). I mention the matter now, that in case arrivals should happen before I get back, of these kind of People, you may be apprised of my wishes, low and squat (well made) boys, would suit best. If emigrants are not to be had, there can be no doubt, but that some of the Dutch Servants in the family could easily procure such as are wanted from among the Citizens, and perhaps none readier, or better than by John himself when he arrives. Remember me to Mrs. Lear, and be assured of the esteem and regard of Yr. etc. [99](#)

From the "Letter Book" copy in the *Washington Papers* .

## VOLUME 33

### **\*To GOVERNOR HENRY LEE**

(Private)

Mount Vernon, October 16, 1793.

Dear Sir: Since my arrival at this place I have been favored with your letters of the 17th. Ult. and 7th. instt. For your kind attentions to me I pray you to receive my sincere acknowledgments.

I have always (from the accts. given of it) entertained a high opinion of Colo. Taliaferros threshing machine but knew at the sametime I had no stream that could supply water for one on any of my Farms. This was confirmed when Mr. **Payne** came hither and exam'd them. The model brought over by the English Farmers may also be a good one, but the utility of it among careless Negros and ignorant Overseers will depend *absolutely* upon the simplicity of the Constructn; for if there is any thing complex in the machinery it will be no longer in use than a mushroom is in existance. I have seen so much of the beginning and ending of these new inventions, that I have almost resolved to go on in the old way of treading until I get settled again at home, and can attend myself to the management of one. As a proof in point of the almost impossibility of putting the Overseers of this Country out of the track they have been accustomed to walk in, I have one of the most convenient Barns in this, or perhaps any other Country, where 30 hands may with great ease be employed in threshing; half of the Wheat of the Farm was actually stowed in this Barn in the straw by my order for threshing; notwithstanding, when I came home about the Middle of September, I found a treading yard not 30 feet from the Barn door, the Wheat again brought out of the Barn and horses treading it out in an open exposure liable to the vicissitudes of weather. I am now erecting a building for the express purpose of treading. I have sanguine expectations of its utility; and if I am not

deceived in them it may afford you some satisfaction when you come into this part of the Country to call and look at it.

I have a grateful sense of your kind offer of Mr. Workman; previous however to the communication I had engaged a Manager from the Eastern shore of Maryland but the impression on my mind for the favor intended me is not lessened on that acct.

I have not, as you will perceive, touched the subject of Politics in this letter. The reasons are, your letter of the 17th. has expressed precisely my ideas of the conduct, and views of those, who are aiming at nothing short of the subversion of the Government of these States, even at the expence of plunging this Country in the horrors of a disastrous War; and because I wish to await a little longer to see what may be the sense of legally constituted bodies at the meetings [99](#) which are about to take place.

Of the Democratic societies.

The public service requiring it, I shall set off in about ten days for Philadelphia or vicinity. Though unknown to your lady, I beg my respectful compliments may be presented to her. I wish you an agreeable and harmonious Session, and am with much truth Your Affecte. Hble. Servt.