

CHAPTER III

JAMES² FERGUSON

There are many records, which together, identify James² with his father, wife, children, and his neighbors.

James²'s date of birth can be estimated since he must have been at least 21 years old when he qualified as an administrator of his father's estate. On that basis he was born no later than 1719.

He married Agnes Adams ca 1735-1738 in Goochland Co., VA. There is no evidence to locate the place of burial for James² or his wife Agnes.

ORDER BOOK 5, p. 425, 19 June 1744 - Order to clear a section of Three Notch'd Road - Ordered that the Male labouring Titheables belonging to the under mentioned Persons do assist in opening & clearing the Road for the first time from the three chopt road to the Church of which John Holland is Appointed Overseer Viz^t. Tho^s. Cauthon Overseer for Michael Holland Pouncy Anderson James Graves Overseer for John Smith Tho^s. Sanders JAMES² ffARGUSON Phillip Hoggatt ffra^s. Kerby Henry Wood Henry Martin Henry Atkins William Dudgins Mich^l. Holland Jun^r. John Sandland Benjamin Henson John Kid William Gardner Edm^d. Hodges Edward Houchins John Houchins James Alford Cap^t. Holland Henry Parish & John Witt. - The importance of this order to us is apparent when you realize that it establishes the relationship of the JAMES ffARGESSON referred to in Goochland Co. records subsequent to 15 Sep 1741 as the husband of AGNESS (ADAMS) ffARGESSON. In his will her father, Robert Adams, described the four hundred acre tract inherited by Agnes as a tract lying next to that of Thomas Sanders. In the road order, JAMES² ffARGUSSON and Sanders are listed as neighbors. Since no other Deeds of the said ROBERT ADAMS which are ordered to be Recorded. Note: Robert Adams, Jr., is the brother of AGNES (ADAMS) FERGUSON. Robert Adams, Sr., who died in 1740, executed his last deed of sale on 19 Jun 1739. In the General Index to Deeds, Wills, etc., Goochland Co., VA, 1 May 1728-29 March 1839, no deed is recorded by which he sold land to any of the Hollands. Therefore, it seems logical to assume that JAMES² ffARGUAON is attesting to the signature of his brother-in-law rather than that of his father-in-law. Robert Adams, Jr., married on 15 Oct 1748 Penelope Lynch, daughter of Major Charles and Sarah (Clark) Lynch.

Order Book 6, p. 241, November 1746 - Suit for Trespass - JOHN² ffARGUSSON vs James Daniel - ffargusson, the plaintiff failed to prosecute and the case was dismissed.

Order Book 6, p 336, June 1747 - JAMES² ffARGUSON vs Richard Ward, in Detinne. The pl^t. declares that he delivered unto the Defend^t. one feather Bed & ffurniture of the value of ten pounds some wrought pewter of the value of five pounds and a trunk lock'd with Sundry Goods therein of the value of ten pounds to be safely kept by the Def^t. and redelivered to the Pl^t. when thereto requested that the Def^t. refused to redeliver the same goods unto the pl^t. to his Damage thirty. At September Court last the Defend^t. pleaded not guilty and for tryal thereof put himself upon the Country and the Pl^t. likewise. At this day a Jury to wit Robert Walton, John Lee, Joseph Johns, Howel Burton, William Pledge John Alexander Gideon Pattison, Joseph Bingley, Abel Chaxton, Henry Turner, Miles Gathwrite, Samuel Ridgway were impannelled and sworn to try the Issue aforesaid who upon their Oaths do say "Wee find for the Pl^t. nine pounds nineteen shillings and Sixpence Current money /s/ Rob^t. Walton. Whereupon it is considered by the Court that the pl^t. so recover ag^t. the Def^t. the said sum of nine pounds nineteen shillings and six pence Curr^t. money by the Jurors afores^d. in their verdict assessed together with the costs of this Suit and a Lawyers ffee.

ffARGUSON vs ffARGUSON - On the motion of JOHN² ffARGUSON a Witness from Amelia for JAMES² ffARGUSON ag^t. Richard Ward it is Ordered that the said JAMES do pay him for Six days attendance and for coming and returning twenty five miles three times Three hundred and seventy five pounds of Tobacco.

Order Book 6, p. 392, November 1747 - Farguson's Administⁿ. - JAMES² FARGUSON comes into Court and makes Oath that ANNE FARGUSON deceased died without any Will so far as he knows or believes and on his motion Certificate is granted him for obtaining Letters of Administration in due Form. John Perkins entering himself Security for the same.

Ordered that William Ford Giles Letcher, Robert Burton, and Joseph Farrar or any three of them being first sworn before some Justice of the peace do appraise the Estate of ANNE FARGUSON deceased and that her Administrator do return an Inventory thereof to the next Court.

Order Book 5, pp. 465/6, 20 Nov 1747 - APPRAISEMENT of the Estate of ANN FARGUESON Deceas'd appraised by Rob^t. Burton William Ford and Giles Letcher According to Order of Court

4	small Shotes . . at 2/ .8/ . . 4 Larger ditto . @ 3/6 . 14/ .	£1.2._.
5	Sows . . 8/ . £2.2 Young Sow's . . 3/6 . . 7/	2.7._.
4	Cows & 4 yearlings at 30/ 7/ . .	6._._.
1	Horse . . £3 . . 10 1 Mare . . £4.6 headSheep at 6/ .£1/16)	9._._.
1	Sett Wedges & 1 Pestle 10s. A parcell Old Iron 10s	1._._.
2	Axes 9s. 1 Cart Saddle 1 p ^r . Traces 2p ^r . Haems 4s.	_13._.
2	Hides 8/. 1 bed and furniture £4. 1 Ditto £3.	7.8._.1
	Ditto £2. 1 Ditto £1.7. 1 sm ^l . Trunk 1 drawer & 1 old Trunk 3/.)	3.10._.
2	Spining Wheals 11s. 1 Table 2/6. 1 Chest 2/6	_16._.
1	BoxIron and heaters 3/6. 1 p ^r . Spoon Moulds 7/6	_11._.
	a Parcell Pewter £1.5 1 Pot Rack 5s.	£1.10._.
1	Ditto 2 pr. Pothooks 1 Pot 1 Skim ^r . 15/ 1 Frying Pan 1 Spitt 5/.	1._._.
1	Pott 6s. 1 Grindstone /6. 30 Geese £1.10	1.16.6
2 1/2	pound feathers	_2.6.
		—————
		37.2._.

Given under our hands

Rob^t. Burton William Ford Giles Letcher

At a Court held for Goochland County Aug^t. 16. 1748. This Inventory was ordered to be recorded.

Order Book 6. pp. 303/4, 25 July 1753 - Deed, Sandland to Holland - THIS INDENTURE made this twenty fifth Day of July in the year of our Lord one thousand seven hundred and fifty three, Between JOHN SANDLING (sic) of the County of Goochland of the one part and John Holland of the said County of the other part WITNESSETH, that the said JOHN SANDLING for and in consideration of ninety pounds of lawfull Money of VA by him the said John

Holland . . . paid . . . the receipt whereof the said JOHN SANDLING doth hereby acknowledge . . . hath . . . sold . . . one certain tract or parcel of Land lying and being in Goochland County on the West side of Deep Creek of Treasure run containing two hundred Acres and Bounded as followeth (to wit) BEGINNING at a white Oak on the West side of the said Creek on ROBERT ADAM'S line running thence on the said Line North eighty degrees west sixty four poles to a red Oak the Said ADAM'S corn^r. thence . . . continued one hundred and eight poles to a red Oak thence North fifteen Degrees East one hundred and seventy two poles to Pointers thence South Eighty degrees East two hundred and two poles to three pines on the said Creek and thence down the creek according to its meanders to the first Station . . .

SIGNED Seald and Deliver'd)

In the Presence of us) /s/John Sandling, seal.
Witness. James George, Obediah Daniel Rob^t Allin

Received the day of the date of the within) written Indenture of the within named John Holland /the sum of Ninety Pounds curr^t. Money it being the Consideration Money within mentioned Is agree^d. p^r. me) £90

/s/ JOHN SANDLING.

. . . At a Court held for Goochland County September 18th. 1753. Frances Sandling wife of John Sandling (being first privately examined) relinquished her right of Dower. . .

Test. Val: Wood CICur.

Note - The Sandi and to Holland deed has been included due to the fact that both men were neighbors of JAMES² FERGUSON and his wife AGNES. John Sandi and sold his VA land in July 1753, and on 31 Aug 1753, we found that he bought 200 acres in Granville Co., NC, as per the following abstract:

Deed Book "B", Granville Co., NC, pp. 301/2 -

Aug. 31, 1753 - Peter Vinson of Granville Co., NC to JOHN SANDLAND, Sr. of Goochland Co., VA, for 30 pds. 200 acres on the NE side of Cedar Creek . . . at Timothy Fuller's corner, being lower part of tract granted to Peter Vinson Oct. 28, 1752. Wits.: Osborn Jeffreys, Wm. Mackbee, John Sandland, Jr . . . Signed Peter Vinson and Judeth Vinson.

Order Book 6, pp. 318/9, 20 Nov 1753 - THIS INDENTURE made and concluded this 20th Day of November, in the Year of our Lord one thousand seven hundred & fifty three BETWEEN JAMES² FARGUSON of Goochland County of the one part and David Parrish of the same County of the other part WITNESSITH that the aforesaid JAMES FAR=guson for the valueth Considrati^on (sic) of ___?___ Pounds Curr^t. Money . . . doth . . . sell . . . unto the aforesaid David Parrish . . . one tract or parcell of Land citu^ate lying and being in Goochland County and of the North side of James River, and on the Branches of Lickenhole Creek and bounded as followeth (to wit) BEGINING (sic) at a corner Hickery on the said fergusons most line binding upon Will^m. Hodges thence Eastwardly and along the said fergusons back line and binding upon the said Hodges and Humphry Parrish Land and lines to a corner pine thence Southwardly and along line binding upon the aforesaid David Parrish's Land with the severall Courses thereof to the place began att for by computation Seventyfive Acres of Land . . .

/s/ James Farguson, Seal

Signed Sealed and Delivered in Presents
of Robert Page, Jo^s. Peace, William Atkisson.

. . .

At a Court held for Goochland Co., November 20th 1753. JAMES² FARGUSON acknowledged this deed with the Livery of seizin Endorsed, to be his Acts & Deeds, which were Ordered to be Recorded.

Teste. /s/ Val. Wood CICur.

Order Book 6, pp. 332/3/4/5, 20 Dec 1753 - THIS INDENTURE made this xxth. Day of December in the year of our Lord Christ MDCCLIII. BETWEEN JAMES² FARGUSON of the parish of Northam in the County of Goochland planter and AGNESS his wife of the one part and Richard Johnson of the parish of St. Martins in the County of Louisa Gent. of the other part WITNESSETH that the said JAMES² ffORGUSON and AGNESS his

Gentlemen three of the Justices of the Peace for the County of Lunenburgh or any two of them Greeting. In Pursuance of an Act of the General Assembly of our Colony of VA, Intituled an Act for Settling the title & Bounds of Land &c. We command you or any two of you; that you Cause to come before you or any two of you AGNES ffARGUSON, the Wife of JAMES² ffARGUSON, and her having privately examined and apart from her said Husband, touching her consent to her Relinquishment of her right of Dower in a certain tract or parcel of Land containing by Estimation Three hundred and sixty seven Acres, lying and being in the County of Goochland, and which was convey'd by her said Husband unto Richard Johnson Gent. by Indenture of Bargain, & Sale, Recorded in the County Court of Goochland the XVth day of January MDCCLIV. You are to Certifie on the Back of this Commission to the Justices of our County Court of Goochland aforesaid such her Consent or Privy Examination, or otherwise her refusal herein ffail not. Witness Valentine Wood Clerk of our said Court at the Court-house the sixth Day of June in the xxviith Year of our Reign.

/s/ Val: Wood.

Lunenburgh County Sc^t.

In Pursuance of the within Commission to Us Directed We the Subscribers have Privately examined AGNES FARGUSON Wife of JAMES² FARGUSON, touching her Consent to her relinquishment of her Right of Dower, in & to the within mentioned Land, And do hereby Certifie her consent, to her Relinquishing the Same. GIVEN under our Hands this 30th. Day of October, in the Year of our Lord MDCCLIV.

AGNESS (her [a.] mark) Fargeson Seal.

/s/ Cornellus Cragill.
John Cox.

At a Court held for Goochland County August the 21st 1759. This Commission was presented into court and Ordered to be Recorded.

Test.

Val: Wood C. Cur.

Note: The commission which Valentine Wood recorded 21 Aug 1759, was accomplished by the Lunenburg Justices on 30 Oct 1754. Why the delay on Wood's part in presenting the results to the Goochland Co. Justices? The release of dower was signed with a mark, yet on two of the three deeds executed by the Ferguson's prior to their departure from Goochland Co. she signed her name. The following abstract of a deed locates JAMES² FERGUSON in Granville Co., NC, before Valentine Wood sent his commission to the Lunenburg Justices. Could they not have written the reply, signed the purported deponent's statement with a mark, and returned it in order to satisfy the Clerk of Goochland Co.? However, by directing an order to the authorities of Lunenburg Co., VA, Wood gives us the proof that JAMES² FERGUSON and his wife, AGNES (ADAMS) FERGUSON, were on their way South. It has been suggested that they spent the years between the departure from Goochland Co. and their appearance in SC ca. 1765/6 with relatives in Lunenburg Co. This is not consistent with the population shifts of the period, nor the temperament of a couple, who were both prosperous and from families whose aim in life was the acquisition of landed estates. Nor do I believe that relatives would welcome them and their children, visiting for a period of approximately thirteen years. It is my belief that Mr. Wood directed his order to Lunenburg Co. as being the one convenient to Goochland having a common boundary with Granville Co., NC. If they did, in truth, question her, it was from there that she was summoned.

GRANVILLE CO., NC - Deed Book "B", pp. 293/4 - Ragland to Ferguson

THIS INDENTURE made the twenty Sixth Day of January in the year of our Lord one thousand seven hundred and fifty four Between Evan Ragland of Granville County in the province of North Carolina of the one part and

"In the Action of Debt Between James Underwood Pl^t. and JAMES² FERGUSON Def^t. the Def^t. appears and confesses Judgment to the Pl^t. for nine pounds fourteen shillings & seven pence Virg^a. money wherefore it is considered by this Court that the Pl^t. recover ag^t the Def^t. the s^d. sum with costs."

At a Court held for Granville County the XIXth day of December Ano Domi MCICCLVIII - Present His Majesty's Justices.

Deed Book "G", pp. 325/6, Granville Co., North Carolina THIS INDENTURE Made the sixth day of February in the Year of our Lord One thousand Seven hundred & Sixty five Between JAMES² FAUGERSON of Granville County and Province of North Carolina of the one part and Joseph Linsy (sic) of the same County of the other part W^hINNESSETH that the said JAMES FAUGERSON for and in Consideration of the sum of Two hundred pound proclamation Money to him in hand . . . doth . . . sell . . . to the said Joseph Linsy . . . all that parcel of Land . . . lying . . . in the County of Granville afores'd and bounded as followeth to Witt BEGINNING at George Jordans Senior his corner hickory thence along Jordan his line to the mouth of Worleys branch thence along the said Branch to the Mouth of David Parrish his Spring branch thence up the said Spring branch to a Walnut tree thence South along a line of Marked Trees to a Center of Several Marked black Jack trees & Red Oaks in George Jordan Jun'r his line thence along an East Course to the Creek to a line tree a Beach thence down the Creek to the mouth of the White dirt branch thence up the said branch to sid forgisons said Line from thence to the hickory at the beginning Containing by Estimation Two hundred & forth Acres . . . IN WITNESS WHEREOF THE SAID JAMES² FURGUSON hath hereunto sett his hand & affix'd his Seal the Day and year first above Written

/s/ James Furguson (Seal)

Signed Seald & delivered)
in Presence of)
Xmas Ray)
John (I) Spencer)
Thomas (I) Ray) Granville County Feb'y Court 1765

This Deed was Acknowledged in Open Court by JAMES FURGESON & _____ his wife she being first previously Exam'd by _____ also Relinquished her Right of Dower in the said Land all which on motion was Ordered to be Registered

Teste Sam'l Benton CC
Truly Registered Sam'l Benton P. R.

Note: When JAMES² FERGUSON acknowledged his deed to Joseph Lindsey, the court clerk noted that his wife had relinquished her dower right, but he failed to enter her name.

JAMES² FERGUSON and his wife sold their plantation in Granville Co., NC, on 6 Feb 1765. They must have moved through NC and into the Chester Co., SC area without delay since both JAMES² and JAMES³ FERGUSON each had a survey made by 8 October and 13 September 1765, respectively. The grants for each of these tracts were signed in 1768.

CRAVEN CO., SC (now Chester Co.) The following two survey reports for land grants are found in Volume 10, p. 198 and p. 185, respectively:

South Carolina. Pursuant to a precept from John Troup Esq dated the 3d day of Sept 1765, I have admeasured and laid out unto JAMES FERGUSON JUNIOR, a tract of two hundred acres of land on the SW side of Catawba River, in Craven County between Fishing Creek and Rockey Creek: Bounding on all sides by Vacant

William Wiley
Abraham Furgason

List of Visitation Beginning December 12, 1774 of the Rev. John Simpson, while pastor of Fishing Creek Presbyterian Church, Chester Co., SC, published by Chester County Genealogical Society, p. 4, col. 1, February 8, 1775, Mr. Simpson visited in the home of JAMES² FERGUSON, and in his own hand noted the names of the following family members present for his instruction: Jas. Ferguson, Agnes (wife), Abm. (son), Saml. (son), Joseph (was he a son who died, a cousin, (?), Betty (dau-in-law Elizabeth Martin, wife of son Robert, perhaps?), Robt. (son), Maren (I question spelling, maybe Mourning, a g-daughter, or dau. of James² and Agnes, about whom we do not know?), and Agnes (another dau. or g-dau.?). The comments in parentheses are mine-WWB. Notably absent were the families of JAMES³ FERGUSON (The future Tory Colonel) and that of ADAMS FERGUSON. This can be explained, I believe, because JAMES³ had established his own home as evidenced by his grant of two hundred acres near his parents in October, 1765. ADAMS³, whom we believe to be a son of JAMES² and AGNES (ADAMS) FERGUSON. Of this fact, I cannot cite any evidence other than that his Christian name ADAMS is the surname of Mrs. JAMES² FERGUSON. He and his wife, Elizabeth Findley, named a daughter Agnes and a son James which lends additional weight toward the theory that he is the son of James and Agnes. Their absence on the day of Mr. Simpson's visit can be accounted for by the fact that ADAMS³ had established his own home as evidenced by a grant surveyed on the drafts of Sandy River on 27 November, 1772.