**Virginia Patents and property records of John of Bedford and the line of Thomas of Albemarle**

From James Rodgers……………..in Red

9/2016: There seems to be some confusion as to patents. Someone could have rights to a certain parcel( and possibly be occupying it) and will or devise that interestate prior to the actual patent. I think this could be the case of the Baber lands from William's will if we do not have an actual clerk copy to go by and only abstracts. For example, William d.1811Buckingham had properties surveyed in 1764. Patents did not occur until 1788. These lands adjoined other lands he owned and he was actally in possession long before a patent. These modes of occupancy and ownership also should be considered when looking at patents in the name of deceased people as well as patents naming a county that the land was no longer a part of when the patent actually went thru on the books. I have a deed of purchase of one of my Rogers ancestors in the 1740s purchasing rights to lands he didn't receive patent on until the 1760s. Yet in those years prior to patent, he occupied and improved the lands including having a mill erected.  These are just some things I have observed

The following 3 patents were made by John Phelps (most probably John of Bedford whose wife was Mary and signed her mark as a "C". These lands were the lands Thomas Sr. and the Babers bought from John and are located in Present Buckingham Co. near present New Canton.

Other patents made by a John Phelps were by John who died 1747 [Goochland?] and they lie in present adjoing Cumberland Co. These are all the patents John of Bedford made in this area before removing to his Otter Creek area of Bedford.  These total 800 acres which are all accounted for in land sales transactions. to follow.

1725 March 4

John Phelps - patent

Henrico Co. VA (present Buckingham)

100a mouth of Bear Garden (Phelps) Creek, south side of James River

1733, August 7

John Phelps - patent

Goochland Co. VA (present Buckingham)

400a Adj. his former patent on south side of Rivanna (should be Fluvanna)

1735, March 15

John Phelps - patent

Goochland Co. VA (present Buckingham)

300a both sides of Wolf Pit Branch

The following three transactions cover the above patents acreage in total.

1736, March 15

John Phelps of Goochland and wife Mary – sold

Goochland Co. VA (present Buckingham)

250a on Rockie Branch to Thomas Phelps for 20pounds adj. a line formerly called Skelton’s, recorded 5/17/1737 with witnesses Arthur Hopkins, David Duncan, Wentworth (X) Webb

**Comment Galgan’s John mulatto line.**

1741, November 2

John Phelps of Goochland and wife Mary – sold

Goochland co. VA (present Buckingham)

300a in St. James Parish on Wolfit Branch to Robert Baber Jr. of Caroline Co., Mary Phelps made her mark "C", witnesses Isaac Bates, Wm Cockerham, Robert Baber Jr, recorded 3/15/1742

1741, November 2

John Phelps of Goochland and wife Mary – sold

Goochland co. VA (present Buckingham)

250a in St. James Parish at the mouth of Bear Garden (Phelps) Creek adj. Thomas Phelps and John Phelps. to Robert Baber Jr. of Caroline Co., Mary Phelps made her mark "C", witnesses Isaac Bates, Wm Cockerham, Robert Baber Jr, recorded 3/15/1742

This is a patent for Thomas near the new lands of John of Bedford

1742, May 20

Thomas Phelps - patent

Brunswick, Co. VA (present Campbell-Bedford line area)

384a on the ridge between the branches of Buffaloe and Elk Creeks

This transaction is John of Bedford selling some of his Bedford lands to the Babers

1744/45, March 4

John Phelps and wife Mary of St. Andrew’s Parish - sold

Brunswick Co. VA DB 2 page 537 (present Campbell/Bedford line area)

140a to Robert Baber of Brunswick, south side of Otter River, recorded 3/7/1744

Mary Phelps made her mark "C"

1745/46, March 20

William Phelps – patent

Goochland Co. VA (present Buckingham)

400a east branch of Bear Garden (Phelps) Creek, adj. John Southern

1746 August 16 grant to William Phelps. Provided by Mark Phelps: This is William Jr as described in a Albemarle Deed Book ------Albemarle Co., VA, Deed Book 2, p. 199. No date. Grantor William Baber of the County of Albemarle to Warham Easley of the same county, for  
Warham Easley's cancelling and delivering Baber's bond of 100 lbs. To John  
Sharp, which Sharp had assigned to Easley, 200 acres in Albemarle County on  
both sides of the Great Creek of Slate River, granted to William Phelps by  
Patent dated 16 August 1746, and by him given by will to the said William  
Baber, and bounded beginning at John Sharp's corner . . . No wits.  
--------------- "says no date but I have seen other references that say  
1759"  
James responded with I only said my ABSTRACT says **1756.** Deed Abstracts of Albemarle co. VA Deed Book 2, 9 February 1758- 12 March 1761.

1746, August 28

Thomas Phelps, Jr. - patent

Goochland Co. VA (present Appomattox)

280a both sides of Bridle (Bent) Creek

1746, August 28

Thomas Phelps – patent

Goochland Co. VA (present Appomattox

300a both sides of Bridle (Bent) Creek

1747, November

William Phelps – sold

Albemarle Co. VA (present Buckingham?)

Parcel to Edmond Toney (Albemarle Court Orders page 313)

1748

Thomas Phelps

Lunenburg Co. VA (present Campbell/Bedford line area)

Appears listed on the Lunenburg Tithe list indented under John Phelps, Robert Baber listed as well on his own.

1748, August 20

**Thomas Phelps - patent**

**Albemarle, Co. VA (present Fluvanna Co.)**

**9a Island on Fluvanna River, near the north channel opposite said Phelps’ plantation**

The next 2 properties are in present Albemarle near the Hardware River and they were inherited by James, Son of William when his lands were divided by James and William Jr. James sold these lands in the 1770's (attached)

1749, April 1

William Phelps – patent

Albemarle Co. VA (present Albemarle)

400a on a branch of Totier Creek adj. Mr. Stith, Doctor Nicholas, John Lewis, William Harris, and Hugh Rice Morris

1749, April 1

William Phelps – patent

Albemarle Co. VA (present Albemarle)

350a adj. His own lines, Doctor Nicholas and Hugh Rice Morris

1750, November 3

Thomas Phelps – patent

Goochland Co. VA (present Buckingham)

300a on both sides of Hunt’s Creek of **Slate River** adj. Nicholas

This is Thomas Jr. patent of lands near John of Bedford

1753, January 12

Thomas Phelps, Jr. – patent

Brunswick Co. VA (present Campbell/Bedford line area)

332a on south side of Otter River

1754-1758

William Phelps

Bedford Order Book Index

Pg 187 Appointed surveyor of a road

Pg. 198 William Phelps vs. William Harris dismissed

1754-1761 order book

Pg72 Appointed overseer

1761-62

Pg 62 William Phelps vs. Board

1763-71

Phelps vs. Oglesby (many pages)

Phelps vs. Payne (many pages

1754, April 2

Thomas Phelps of Albemarle Co. - sold

Lunenburg Co. VA, p 465-466 (present Campbell/Bedford line area)

342a on south side of Otter River to John Anthony, Gent., of Lunenburg

Granted to Phelps 1/12/1753

1756, August 16

Thomas Phelps – patent

Albemarle Co. VA (present Appomattox)

300a on branches of David’s and Bent (Bridle) Creeks adj. William Megginson and Thomas Turpin

1756, August 16

William Phelps – patent

Albemarle Co. VA (present Buckingham)

200a on the great creek of Slate River adj. John Sharp

1756, August 16

William Phelps – patent

Albemarle Co. VA (present Appomattox)

275a on branches of Elk (North) Creek adj. David Patterson and Phelps’ old line

This appears to be another portion of William sr's lands that James received

1756, August 16

James Phelps AND William Phelps – patent

Albemarle Co. VA (present Appomattox)

400a on the western fork of Wreck Island Creek adj. William Still

This land transferred thru the heirs of William Jr.

1756, August 16

James Phelps AND William Phelps – patent

Albemarle Co. VA (present Appomattox)

400a on branches of Wreck Island Creek on Coleman’s Road and Stoval’s Road

It appears that William Jr. lived in the Otter River area in the 1750's

1757, March 29

William Phelps

Bedford Co. Order Book 1 , pg 16

William present at County Court along with Matthew Talbot, William Callaway, Zachariah Isbell, Gentlemen, Robert Ewing and William Mead, Justices and Samuel Hairston

1757, May 23

William Phelps – Title Bond

Bedford Co. VA page 119(present Campbell/Bedford line area)

William Harris and wife Ann bound to William Phelps for 500 pounds for a tract of land surveyed and patented for Mark Hays containing 520a (?)

1757, November 29

William Harris, wife Ann and William Phelps

Bedford Co. VA (present Campbell/Bedford line area)

(Library of VA, Call Number 39174, manuscript collections, 2pages)

Parcel of land in Bedford Co. to John Payne of Goochland Co.

1758

William Phelps

Bedford Co. VA (present Campbell/Bedford line area)

William appears on a list of soldiers who served in the French and Indian War. Other names mentioned that tie to immediate lower Bedford area now in Appomattox are George Abet, Thomas Daws, Richard Burks, Jr, William Burks, James Patterson, Richard Taylor, William Bumpass, David Rosser

1758

William Phelps - sold

Bedford Deeds

220a, 120a on east side of Flat Creek and 100a adj. same

1759, October 18

Thomas Phelps – sold

Albemarle Co. VA DB2 p 246-247 (present Appoamttox)

75a near the head on both sides of Brydle (Bent) Creek to Thomas Turpin in consideration of 200a of land, ad. Thomas Phelps, witnesses, David Patteson, Charles Pattison, Thomas "T" Snelson, Richard "R" Cheatwood, recorded 5/8/1760

1762, March 25

Thomas Phelps – patent

Albemarle Co. VA (present Appomattox)

400a on branches of Wreck Island and Bridle (Bent) Creeks adj. James and William Phelps

1768, September 20

Thomas Phelps – patent

Albemarle Co. VA (present Appomattox)

200a on south branches of Bridle (Bent) Creek adj. John Patterson and Alexander Hunter

James sells this land 10-11 years later (see below)

1771, March 16

William Phelps – patent

Albemarle Co. VA (present Appomattox VA)

180a on both sides of a branch of Elk (North) Creek of the Fluvanna adj. his own lines, crossing Baird’s or Calloway’s Road

Brenda: This William patents the lands on Elk creek in 71 but the patent says Phelps corner of a former survey. Huh? Do you have the survey records for those years?  Apparently this William had already had a former survey there as well. Elk creek.... isnt this over by Bedford John?  this is the only PATENT of lands to a William Phelps in those years

Kathie Mann: Buckingham was formed in 1761. In this patent, the land is said to "lie in Albemarle". It should be Buckingham. Why would they call it Albemarle? I asked JC this and I also asked him of a possibility of there being two Callaway's Roads. (Or maybe the road ran from Campbell into Buckingham). If we are talking about the same Callaway, his lands were in Bedford, then Campbell. Never a part of Buckingham or old Albemarle. Callaway's original patents were in Lunenburg and he was appointed the overseer of the road in old Bedford, what later became Campbell. What the heck?

This transaction is for the 750 acres patented by William Sr. in present Albemarle

1772, April 16

**James Phelps and wife Elizabeth of Bedford C**o. – sold

Albemarle Co. VA DB6, pg 17-19 (present Appomattox)

750a in two tracts of 400 and 350 to Robert Carter Nicholas, both tracts were granted by patents bearing date of 4/1/1749 in the name of **William Phelps, father of the said James**. Witnesses, Tho. Loman, John Nicholas, Hardin Perkins, John Hammonds, note of annexation to Buckingham from Bedford

This was patented by William Phelps but sold by James (Jr. I assume due to date but could have been part of lands William Sr. had a vested interest in prior to his death.

1782, May 2

**James Phelps and wife Elizabeth**

Campbell Co. VA DB 1, P 22-23 (present Appomattox)

180a granted to William Phelps by patent bearing date 3/16/1772 to James Ratliff. James Ratliff living there, adj. John Pleasants, dec’d, John bolling, dec’d, Matthew Petycrew.

This is part of the joint patent above on the Western Fork of Wreck Island Creek

1784, June 15

James Phelps – sold

Campbell Co. VA DB 1, p. 263-264 (present Appomattox)

100a more or less on the upper West fork of Wreck Island Creek, to John Hunter, adj. George Stovall, old patent line mentioned, dividing line mentioned, witnesses, Charles Hall, Thos. Carson, Robert Hunter

The following 3 patents join lands patented by Thomas Phelp s and went to William Jr.s heirs

1788, January 7

William Phelps – patent

Buckingham Co. VA (present Appomattox)

120a on south branches of Bent Creek surveyed 2/5/1794 adj. Clark, his own lines and

Wm. Diuguid, dec’d

1788, January 7

William Phelps – patent

Buckingham Co. VA (present Appomattox)

92a on the west side of David’s Creek surveyed 2/22/1764 adj. Thomas Thornhill and Francis Wagstaff

1794, May 26

William Phelps – patent

Buckingham Co. VA (present Appomattox)

380a near Bent Creek surveyed 5/26/1791 adj. self, William Thornhill, Peggy Long, Freeland’s old line, George Diuguid,

This is a son of William Jr.

1796, November 2

Robert Phelps, assignee of Charles Patteson – patent

Buckingham Co. VA (present Appomattox)

298a on David’s Creek and on both sides of Phelps’ Branch surveyed 5/7/1794 adj. William Phelps, crossing Court House Road, John Pankey – formerly Wagstaff’s, Edward Patteson, crossing Church Road, George Diuguid – formerly Clarks

The following to sales are from the joint patent James received on the Western fork of W.I .Creek

1797, September 9

James Phelps and wife Elizabeth – sold

Campbell Co. VA (present Appomattox)

178a on both sides of Wrack Island Creek to Isaac Crews, adj. John Hunter, Shearer, the patent line is mentioned

1800, March 12

James and Elizabeth Phelps (of Elbert Co. GA) – sold to William Bradley

Campbell Co. VA DB 5 p 94-95(present Appomattox)

100a on Wreck Island Creek adj. Isaac Crews, George Dreous, Edward Dickey, Alexander Davidson, formerly possessed by James Shearer, dec’d, at present possessed by Alexander Caldwell

The following was supplied by Doug Phelps, New Bern, NC

**John Phelps d:1771 (Bedford Co.) wife Mary**

816 acres - May 30, 1742 - land in Brunswick Co., between the branches of Buffalo and Elk creeks.

140 acres - July 30, 1742 - land in Brunswick Co., on south side of Otter River

226 acres - July 30, 1742 - Land in Brunswick ? Co., on north side of Otter River.

444 acres - July 27., 1745 -land in Lunenburg Co., (formed from Brunswick) on south side of Little Otter River

350 acres - Jan 10, 1748 - land in Lunenburg Co., on the Otter River. (note: 226 acres of this was granted to him in 1742)

325 acres - January 10, 1748 - land in Lunenburg Co., on south branches of Little Otter River, joining his own