

Herbert Waggener

b. about 1676 in South Farnham Parish, Essex Co., VA

d. before 2 Aug 1743 in South Farnham Parish, Essex Co., VA

m. Elizabeth Jayne GARRETT or GARNETT, who died before 1771

[Elizabeth may be 1st or later wife. I have no proof either way. Our cousin, Rick Waggener, thinks that since there were so many later marriages between Garnetts and Waggeners, that she must be a Garnett and the Garrett was just due to difficulty of seeing the difference in old handwritten documents. Could be true.]

Sons of Herbert Waggener: When Herbert died, the children appear to have been fairly young, except the married daughters. That would argue for a younger wife. Also, the eldest son, John, left home along with most of the other sons. Seems that if that was his mother, he would have stayed to help with the farm and expected to inherit. As it was, John and our ancestor James Herbert left for Spotsylvania County about the time their father died, and their brother, Thomas, joined the Army. Still younger brother, Edmund, followed Thomas into the Army and was killed at Braddock's Defeat, where his brother Thomas was wounded. Their brother Reuben lived in Culpeper Co with John and James, and died in Adair Co., KY. There was also possibly a son named Greensby or Granville, or he was a grandson. It is hard to tell whether the son Granville / Greensby died and the information we have is a grandson or not.

Daughters of Herbert Waggener: the two oldest girls, Mary and Ann, were married when Herbert died (see his Will). The next daughter, Elizabeth, had an illegitimate child, Sarah Waggener Sears, and never married. You'll see that the father (or grandfather) of her child supported the child and left her slaves and goods in his Will. It's interesting that the father/grandfather was William Sears, and Sarah married a William Sears. A descendant said that the Waggener name went down in their line but that they lived on the opposite side of the county of Gloucester, VA, from the other Sears families. The youngest daughter, Sophia, also did not marry. Whether there was some stigma that she carried by way of her sister or she just didn't marry, I am not sure. She did give property to her "son" Thomas Coleman. Whether he was really her son or the son of her heart, is a good question. Anyway, it looks like the family just fell apart after the father died.

Herbert was the 7th child of John Waggener and Rachel Ward Waggener.

Under the Will of his father, Herbert: "I give my son Herbert Waggnor 1 cow being in full of his portion.... Will that if my negro woman Doll should ever have any more children ___ what I have allready given that the next child she has goes to Dinal Allen wife of Erasmus Allen and her heirs and the next negro child after goes to Herbert Waggnor and his heirs.

Herbert Waggener's Will, dated August 2, 1743 is available at the Essex Co., Courthouse, VA, and at the Essex County, Virginia Archives.
WILL OF HERBERT WAGGONER, ESSEX CO., VA AUG. 2, 1743

In the name of God Amen I Herbert Waggoner of the County of Essex in South Farnham Parish being very weak in body but in perfect sense and memory do make and ordain that my present last will and testament in manner and form following Imprimis. I recommend my soul to Almighty god and my Body to the Earth to be Decently buried and as to the Disposing of my Temporal Estate which it hath pleased God to bestow upon me do I give and Dispose thereof as follows: Viz Item I tend unto my Beloved Wife my land and Plantation, and all my Negroes with their increase and all my personal estate goods chattels whatsoever. During her Natural Life and after her Decease all my Land and Plantation do I give and bequeath unto my eldest son John Waggener to his and his heirs forever. I do give also to my son John one shift sterling in his full of his portion of my estate, both Rail and Personal. Item, and after my beloved wife Elizabeth's Decease, all my Negroes and their increase, and all my personal Estate, Goods, Chattles whatsoever, I do give to be equally divided among all my children whose particular Names I shall have Mention Viz Ann Greenhill, Mary Evans, wife of John Evans, James-Herbert, Elizabeth, Thomas, Sophia, Granvile, Reuben and Edmond Waggoner. Only Ann Greenhill and Mary Evans, allowing four pounds each out of their parts, for which they have already in a feather bed received. And further my will and desire is that all my youngest children shall be brought up out of my estate and to have Sufficient Education by my Executors. And I do constitute and ordain my beloved wife Elizabeth, and my son John Waggoner Executors fully and solely of this my present last Will and Testament, and I do hereby Revoke, Disanull, and make void all former Wills and Testaments by me herefore made, and this only and no other to be taken for my Last Will and Testament, in

testimony whereof I have hereunto set my hand and effected my Saeal this Second day of August in the year of our Lord 1743. Herbert Waggoner Seale Signed Sealed and delivered in the presence of Benjamin Waggener, John Allen, Junior

The following copied from THE VIRGINIA GENEALOGIST- ESSEX COUNTY

Herbert Waggoner's Will Presented 20 Sept 1743 by Elizabeth Waggener Proved by Benjamin Waggener and John Allen junr. Pages 37-39, Bond of Eliza. Waggener as executrix of Harbert Waggener. 20 Sept 1743 For L500 Sterling. Securities, Erasmus Withers Allen and George Coleman, Elizabeth Waggener, Erasmus W. Allen, George Coleman 20 Sept 1743. Acknowledged Pages 49-53. Herbert Waggener. Inventory. Made in obedience to order of xx7br(Sept.) 1743. Appraiser sworn before Captn. Wm. Roane, Gent. No total valuation.

Children of Herbert Waggener: - birth dates of all the children are estimates.

1John Waggener

b. about 1702 South Farnham Parish, Essex Co., VA

d. about 1773 in Culpeper Co., VA

m. about 1734: Rachael Meador, probably dau of John Meadow d. 1721

Under his father's Will, John received his father's land in Essex Co., VA, upon the death of Elizabeth Jayne Waggener.

He moved Spotsylvania Co., VA after his father's death:

Spotsylvania Co, VA DEED BOOK D 1742-1751, page 180:

Sept. 5, 1749. William Golson and Susanna, his wife, of St. Geo. Par., Spts. Co., to George Blakey of sd. Par. and county. £65 curr. 500 a. in St. Geo. Par., Spts. Co., joining the lands of Anthony Garnett and Joseph Hawkins, and remaining part of a pat. of land granted Anthony Golson and sd. Wm. Golson, Sept. 28, 1728. Lark. Chew, Larkin Johnston, Ambrose Foster, John Waggoner. Sept. 5, 1749.

SPOTSYLVANIA CO, VA DEED BOOK D 1742-1751, page 184:

Dec. 13, 1750. Obediah x Howerton of St. Geo. Par., Spts. Co., to John Waggoner of county and Par. afsd. £40 curr. 300 a. Witnesses, Erasmus

Wrs. Allen, George Blakey, Samuell Waggoner. April 2, 1751.

Spotsylvania Co, VA, DEED BOOK E 1751-1761, page 206:
April 4, 1758. Thomas x Graves and Eleanor, his wife, of Spts. Co., to John Waggener of sd. County. £30 curr. 120 a. in St. Geo. Par., Spts. Co., whereon sd. Graves lives, bounded by lands of Beverley Stanard, John Farish, Wm. Johnston and the late Samuel More. Witnesses, Lark. Chew, Robert Goodloe, Joseph Herndon. April 5, 1758.

SPOTSYLVANIA CO. VA DEED BOOK F 1761-1766, page 225:
Decr. 7, 1761. John Waggener of St. Geo. Par., Spts. Co., to Robert Bradley of same Par. and Co. £30 curr. 300 a., remainder of a tract taken up by George Dowdy, etc. Andrew Waggoner, Ann x Waggoner, Sophia Waggoner. Decr. 7, 1761.

Spotsylvania Co, VA, DEED BOOK F 1761-1766, page 232:
Nov. 7, 1763. John Waggener of St. Geo. Par., Spts. Co., and Rachel, his wife, to Ephraim Beazley of same Par. and Co. £60 curr. 122 a. in Spts. Co., purchased by sd. Waggener of Thos. Graves and Eleanor, his wife, as by deeds, April 4, 1758. Thomas Coleman, Andrew Waggener, Robt. Goodloe. Nov. 7, 1763.

[I assuming this is John selling his Father's land after Elizabeth Jayne Waggener died.]

Essex Clerk of the Court Records Book 30, p. 491 & 492:
"This Indenture made this 18th day of November on the year of our Lord One Thousand seven Hundred and Seventy one (1771) , and on the Twelfth Year of the reign of our sovereign Lord George the third King of Great Britain France and Ireland Defender of the faith CG Between John Waggener and Rachel his wife of the County of Culpeper of the one part and James Gatewood and William Gatewood of the County of Essex of the other part Witnesseth that the said John Waggener and Rachel his wife for an in Consideration of the sum of Ninety Pounds Current money to him the said John in hand paid by the said James and William the receipt whereof he doth hereby acknowledge. They the said John and his wife Have Granted Bargained and sold aliened Confirmed and by these presents do Grant Bargain and sell alien and confirm unto the said James and William Gatewood their heirs and assigns forever a Certain Messuage Tenement or Tract of Land situate lying and being in the

County of Essex and in the Parish of Southfarnham Adjoining Thomas Meador's land and likewise Elizabeth Allens and Thomas Allens Lands containing by estimation two Hundred acres be the same more or less, and also the trees, woods, underwoods, Commons, Pastures, Profits Commodities, Advantages, Hereditaments, Ways, Waters and Appertenances, whatsoever to the said Messuage on Tenement or Tract of Land above mentioned Belonging or in any wise appertaining; and also the Reversion and Reversions Remainder and Remainders. Rents and services of said premisses and of every part thereof, and all of the Estate Right Title Interest Claim and Demand whatsoever of them the said John Waggener and Rachel his wife of on and to the said Messuage tenement or premisses and every part thereof. To have and to hold the said Messuage, Tenement or Tract of Land and all and Singular the Premisses above mentioned of every part and parsell thereof with the appurtonances unto. James and William Gatewood there heirs and assigns, to the only proper use and BBehoof of the said james and William Gatewood there heirs and assigns forever And the said John Waggener and Rachel his wife for themselves and their heirs the said messuage, Tenement or Tract of Land and premises and every part thereof against them and their heirs, and against all and every otyher person and persons whatsoever, to the said James and William Gatewood their heirs and Assigns shall and will Warrant and forever Defend by these presents, In Witness whereof, the Parties first above mentioned to this Indenture have hereunto set their hands and affixed their Seals the day and year firs John Waggener above written. Rachel her mark Waggener

Sealed and delivered
in the presents of

Received of the within named Ja.s Gatewood and Wm Gatewood the within mentioned sum of Ninety Pounds Current money being the Consideration Expressed in the within Indenture, I say recd by me this 18th Nov.

Anno Dom. 1771.

Witness John Waggener

At a Court held for Essex County at Tapp.a on Monday the 18th day of Nov. 1771 John Waggener and Rachel his wife (she being first privately examined and thereto consenting) acknowledged this Indenture to James Gatewood and William Gatewood to be their act and Deed and the said John acknowledged the Receipt for the Consideration money thereon endorsed to be his act and Deed also, which are admitted to record.

Test

John Soo Cl.

John Waggener and wife grantors to:

7 March 1773 Greenhill Ambrose? Book S p. 3

177? Waggener, Andrew Book S p. 300

John had 3 sons, William, Andrew and James, all of whom served in the Revolution. Andrew was a Major serving under Washington.

2Mary Waggener

b. about 1723 South Farnham Parish, Essex Co., VA

m. John Evans 2 Aug 1743

3Anne Waggener

b. about 1725 South Farnham Parish, Essex Co., VA

4Thomas Waggener

b. about 1725 South Farnham Parish, Essex Co., VA

d. before 1771

Thomas was a soldier most of his adult life. He apparently served in Canada in the 1740's when he was a very young man, perhaps after the death of his father. By the time of the French and Indian War from 1755 to 1762, he served under George Washington . The Library of Congress has many letters to and from Thomas Waggener. He was wounded at Braddock's Defeat. The letters between Thomas and George Washington show some tension, and Washington mentioned that he supported someone else for a promotion after the French and Indian War. Thomas appears to have died shortly after the French and Indian War.

7-1748 Witnessed document for Sister Elizabeth.

THOMAS WAGGENER, b. Unknown, Essex Co., Virginia; d. Bef. 1771.

From "Waggoner Family 1670 to 1970" by Earl Wagner, 1970:

buillt-FORT BUTTERWORTH-West Virginia

WEST VIRGINIA

ARCHIVES & HISTORY, pub. 1906

A stockade. Situated on the South Branch of the Potomac, about three

miles above the present town of Moorefield, in the South Fork District, Hardy County. Erected by Captain Thomas Waggener under orders from Colonel Washington in 1756.

-FORT PLEASANT-
WEST VIRGINIA

ARCHIVES & HISTORY, pub. 1906

A strong structure, having cabins, palisades, and blockhouses. It was erected by Thomas Waggener, under orders of Colonel Washington, in 1756, on the "Indian Old Fields" about a mile and a half above the "Trough" on the South Branch of the Potomac, in Moorefield District, Hardy County. One of the block houses was still standing in 1830. It was sometimes called Fort Van Meter, and at other times was known as "Town Fort." Round about this fort were the scenes of many Indian depredations.

Captain Thomas Waggoner- First Virginia Volunteer Regiment
Captain Thomas Waggoner was a son of Herbert and Elizabeth Waggener of Southfarnham Parish, Essex County, Virginia. Captain Thomas Waggener served as Company Commander in the First Virginia Volunteer Regiment under Colonel George Washington during the French and Indian War

1754-1757. He was commissioned Lieutenant February 26, 1754 and promoted to Captain August 16, 1755. He was a veteran of Old Fort Necessity in 1754 and was at the Battle of Great Meadows, Pennsylvania, (Braddock's Defeat by the French and Indians) July 9, 1755; and was at Fort Holland on the South Branch of the Potomac River, North West of Winchester, where the Virginians built two Forts in 1756. Earlier in the same year Captain Waggoner with a Company of 60 men was ordered by Colonel Washington to build and garrison two additional Forts on Pattersons Creek.

Note: Entered Service and was Commissioned in Prince William County. Virginia Troops in French and Indian Wars List of Officers of the Virginia regiment, 29 May, 1754, and the Dates of their Commissions
Captains

Colonel Joshua Fry, February 25, 1754.

Lieutenant-Colonel George Washington, Jan. 25, 1754.

Major George Muse, March 15, 1754.

Captain Adam Stephens, February 25, 1754.

Captain Robert Stobo, March 6, 1754.
Captain Andrew Lewis, March 8, 1754.
Captain Peter Hog, March 9, 1754.
Lieutenant Jacob Vanbraam, January 25, 1754.
Lieutenant George Mercer, February 25, 1754.
Lieutenant Thomas Wagener, February 26, 1754. *****
Lieutenant John West, February 27, 1754.
Lieutenant William Poloson, February 28, 1754.
Lieutenant John Savage, March 9, 1754.
Ensign James Towers, January 25, 1754.

A list of Officers and the Dates of their Commissions

Captains:

Captain Mercer, August 15, 1755.
" Waggener, August 16, 1755.*****
" Stewart, August 18, 1755.
" Lewis, August 23, 1755.
" Woodard, August 25, 1755.
" Spotswood, August 26, 1755.
" McKenzie, September 4, 1755.

The foregoing contains a list of all the Soldiers which are to be found either upon the Pay Rolls, or Muster Rolls. The party of Recruits which join at Wills Creek after the Battle of the Meadows- the Men who received the present of a Pistole from the Country as an acknowledgement of their Gallant Behavior upon that occasion- and the detachment which marched to Augusta sometime after the Defeat. By which (there appearing to be 350 upon the Roll) it is evident there are many men (here) Including that are not entitled (strictly) to a share of the 200,000 acres of Land under Gov' Dinwiddles Proclaim, and scarce possible that any can be omitted which are- this being carefully attended to least any might be deprived of their Right by not appearing on the list when they applied to
April 30, 1771. G. Washington

Journal of Captain Charles Lewis. October to December 10, 1755

<http://www.ls.net/~newriver/va/clewis.htm>

9. Thomas Waggener was at the defeat and death of Jamonville, May 28, 1754, and was slightly wounded. He had previously served under Governor William Shirley of Massachusetts, in the projected Canada expedition of 1746. He received the thanks of the House of Burgesses for his gallantry at

Fort Necessity. Others of the name also served during this period. Ensign Edward Waggener was killed at the defeat of Braddock, and Captain Andrew Waggener received lands under the proclamation of Governor Dinwiddie of 1754-ED.

1755 November 20th-Ensign Bacon arrived at the fort from Patterson's Creek, where he had been to erect a fort. On his way he heard the Indian Hallow, and saw many tracks of Indians in the woods. This alarmed the fort, but being late 'twas not possible to send out a party; but orders were given for a hundred men to parade in the morning under Captain Waggoner.

November 21st-A very bad morning, wet and continuing to rain. A party of one hundred men paraded under Captain Waggoner,9 to search for the Indians on Patterson's Creek, according to Ensign Bacon's information of the day before. Major Andrew Lewis and myself went as volunteers on this command. We returned the same day with the party. No Indians or tracks of Indians to be seen.

Thomas Waggener was at the defeat and death of Jamonville, May 28, 1754, and was slightly wounded. He had previously served under Governor William Shirley of Massachusetts, in the projected Canada expedition of 1746. He received the thanks of the House of Burgesses for his gallantry at Fort Necessity. Others of the name also served during this period. Ensign Edward Waggener was killed at the defeat of Braddock, and Captain Andrew Waggener received lands under the proclamation of Governor Dinwiddie of 1754-ED.

From Sandy Fortner:

There is an indenture, made August 8, 1771, between "John Waggener of the County of Culpepper, oldest brother and Heir at Law to Thomas Waggener, late of Culpepper in the First Virginia Regiment, and to Edmund Waggener, late ensign of the said Virginia Regiment, now both deceased, of the one part; and Andrew Waggener pf the County of Frederick, oldest son of said John Waggener."

The indenture is for parcels of land on the Ohio River, (part of 200,00 acres apparently granted by proclamation to veterans of the French and Indian War), "which the said Thomas Waggener and Edmund Waggener were entitled as Officers in the said Virginia Regiment and

under the proclamation of the Honorable Robert Dinwiddie," and which "the said John Waggener bearth to the said Andrew Waggener and for his better advancement and for the further consideration of Forty Pounds of rent (tax) money in hand paid to the said John Waggener to the said Andrew Waggener."

There is a record of surveyed land from the "Earliest Surveys of Land in Kentucky, made as in Fincastle Co., Kentuck Co., Fayette Co., Jefferson Co., and Lincoln Co., Virginia. Principally "By Virtue of the Governor"s Warrant Under His Majesty's Proclamation of October 7, 1763." "For Service in the Late War Between France and Great Britian." From Original Surveys and Plats in the Kentucky Land Office. Catalogued by Philip Fall Taylor, State Archivist of Kentucky. There is a record for Thomas Waggoner, of the rank of Capt. Washington's (presumably meaning Captain under Wahington), for 3000 acres, surveyed on July 4, 1774, By Hancock Taylor; Finecastle Co., on s. fork of Elk Horn; cor. to Slaughter and Jones; to Andrew Waggoner, heir-at-law, Ass'd to Edmund Taylor. This would seem to be at least some of the land mentioned in the indenture.

The indenture document seems to clearly indicate that Thomas was dead in 1771, which would mean he did not serve in the American Revolutionary War. Also, the fact that Thomas' brother John is giving the land to John's descendants, would seem to indicate that perhaps Thomas had no descendants that I know of. There used to be, however, a reenactment group that replays his defense of Fort Pleasant. Many researchers confuse Thomas's nephew and namesake, son of John Waggener, with him and think that he was in the Revolution, but he had apparently died by then. He reached the rank of Captain and served for many years under George Washington. I have just a ton of information on him. He was also a character in a little known Zane Gray book about the French and Indian War.

The land that Thomas and his brother Edmund would have received from their service in the French and Indian War went to their brother John, who gave it to his son Andrew. Andrew failed to pay his share of the costs associated with surveying the land in, I think, what became Ohio, and so the amount of land he actually received was small. Some of his grandchildren moved to the land many years later and several died, apparently from fevers, as the land was swampy.

5 Elizabeth Waggener

b. ca 1728 South Farnham Parish, Essex Co., VA

d after 1782 in (probably) Gloucester Co., VA

It appears that Elizabeth had a child, Sarah Waggener Sears, out of wedlock between the time her father died and 1847. This was a terrible thing then and she probably suffered terribly and her child was stigmatized. It appears that her brother forced the father or grandfather (William Sears) of Sarah to help Elizabeth. And, when he died, he left goods and slaves to his son Albert Sears and to Sarah Waggener Sears, by name. Whether Albert was also born outside of marriage, I don't know.

It appears that

1748: From [UL:Virginia Colonial Abstracts, Vol. 27:UL], King and Queen County 7th Collection, p. 32: Essex Co, Items, p. 352: Bond. 19 July 1748, William Sears of Drisdale parish, King and Queen Co., for L 200, to Elizabeth Waggoner of South Franham par, Essex Co. That he will pay L 50, by 19 July next "For the keeping the Child Sarah Waggoner one year".

Witnessed by Nathaniel Pendleton, Thos Waggener, Reuben Waggener.

1752: Virginia Colonial Abstracts, Vol. II, King and Queen County: Will of William Sears 1752. Records of Essex County. Tappahannock, Virginia. Will Book 9. p. 190. In the name of God Amen I William Sears of Saint Ann's parish and County of Essex in Virg'a being weak in Body but of sound Mind and Memory, after recommending my soul to God that gave it, do make this my last Will and Testament, in Manner Following Imprimis my will and Desire is that my Estate of Negroes Cattle and hoggs be kept together for six years after my decease and what money is rais'd from it to be Apply'd to the keeping maintaining and the Education of my Beloved son Albert Sears and Sarah Wagoner Sears daughter of Eliz'a Wagoner Junior of same County (sic) Item the Fifty pounds my Father in Law Mr Jeremiah Rawlings of King & Queen County owes me I give and bequeath to my son Albert Sears to be Managed at the desecration of my Executors hereafter mentioned, and all the residue of my Estate whatsoever, I devise may be equeally Devided by my Executors, Between my said son Albert Sears, and Sarah Wagoner Sears, after the above six years is expired likewise as I earnestly desire my Friend the Hon'ble Wm Beverly Esq'r of Blandfield will stand my Ex'or I therefore doe constitute and appoint him and Mr James Mills of same County merchant my true and Lawful Exe'ors of this my last will and

Testament, give under my hand and seal this 17th day of May in the year of our Lord in thousand seven hundred and fifty two William Sears (Seal). Sign'd Seal'd and Deliver'd in the presence off Jn'o Clements, Francis Lafon.

Probated 16 June 1752. Exor's Bond 24 July 1752. L 1000. current money.

Signed by James Mills.

Pursuant to an order of the Essex Co. Court, dated the 24th day of July, 1752, we the subscribers met at the plantation of William Sears, Dec'd, in Caroline Co., and have appraised his Estate which was brought before us this 14th day of November, 1752.

	P	S	D
Negro Gloucester	50.		
" Liverpoole	45.		
" Flower	30.		
" Sarrah	35.		
" Jenny	45.		
" Milly	35.		
" David	25.		
" Eston	20.		
" Angeligo	15.		
One pot and hooks	00.5		
One frying pan	00.4		
Five Cows	06.15		
Two steers	03.10		
Three "	03.00		
Two Heifers	01.00		
Two Calfs	00.15		
Six wilding (?) hoes	00.12		
Five hilling hoes	00.04		
Two wedges	00.05.06		
Three narrow axes	00.05		
Four grubin hoes	00.08		
Total	\$312.13.06		
Eight Hoggs & three shoats	04.09.06		
Total	\$317.02.06		

Signed: William Johnston
Oliver Towles

Samuel Jeter

At a Court held for Essex Co., at Tapp., on the 6th day of Jan. 1753, This inventory and appraisment in the County of Caroline, belonging to the Estate of Wm Sears, Dec'd, of the County of Essex, was

this day returned & order to be recorded & was truly recorded.

Teste:

John Dee,

Clk. E. C.

1763: From Essex County Deed Book 29, p. 239-240: This Indenture made the 5 Day of October in The Year of our Lord one Thousand Seven hundred and sixty three Between William Sears of the County of Gloucester of the one part and Elizabeth Waggoner Jun'r. of the County of Essex of the other part Witnesseth that Where there is a marriage already agreed upon and by Gods Grace Shortly to be had and Solemnized Between the said William Sears and Sarah Waggoner Sears the Daughter of the said Elizabeth Waggoner Jun'r. and whereas the said William Sears On the Consummation of the said marriage Will be entitled to the possession of Sundry Slaves named Gloucester, Sarah, Davie, Ester, Ange, Pender, Judy the sole property of the said Sarah Waggoner Sears and for the great good will love and affection that the said William hath and Bears to the said Sarah and to the intent that the said slaves before mentioned with all their increase shall be and continue on the issue of them the said William and Sarah and such manner and form as hereafter in these presents are expressed mentioned and declared it is commanded granted conditioned concluded and declared and fully agreed upon by and between the said parties for these presents in the manner and form following that he the said William Sears for the Consideration aforesaid doth covenant grant and promise for himself his heirs executors that the said Sarah shall have the free liberty to dispose of the one half of the said slaves and their increase by her last Will and Testament in Writing or otherwise as she pleaseth and the other moiety or half part of the said slaves and all their increase to the issue of them, The said William and Sarah lawfully begotten of their Bodies and if no issue should proceed by the said marriage then all the said slaves to revert and return to the said Sarah to be disposed of as she pleaseth by her last Will and Testament in Writing or otherwise further the said William Sears for himself his heirs Executors doth covenant grant and agree to and with the said Elizabeth Waggoner Jun'r her Heirs Executors issue that he

the said William Sears shall will permit the said Sarah and all and every other person or persons whatsoever to whom any part of the said slaves should come or of right ought to come by means of these presents peaceably and quietly to have hold and possess the same without any manner of let trouble suit hindrance or interruption of him the said William Sears his Heirs Executors or any other person or persons whatsoever having claiming or pretending to have any estate right or title for by or under the said William Sears his Heirs or assigns according to the Indent form and true meaning of these presents In Writing whereof the said William Sears hath hereunto set his hand and seal the Day and Year above Written.

Sign'd and Seal'd

William Sears

(L.S)

In the Presence of

Reuben Waggener, Sophi Aggener

Elizabeth marke X her Waggener

At court held for Essex County at Tapp.+ on the 21st Day of November 1763. This Instrument of Writing was proved by all the Witnesses hereto and on the motion of Elizabeth Wagener Jun'r is ordered to be Recorded. John Lee Jun'r Clk

1790 : First Census of the U.S. 1790, Records of the State

Enumeration: 1782-1785, p. 69: Petsworth Parish, List of James Hibard, Gloucester Co, Va:

Elizabeth Waggoner, 1 white soul, 1 dwelling, 1 other building

William Sears, 9 white souls, 1 dwelling, 5 other buildings.

6 James Herbert Waggener

b. ca 1730 South Farnham Parish, Essex Co., VA

7 Sophia Waggener

b. ca 1732 South Farnham Parish, Essex Co., VA

d. after Nov 1767 in Culpeper Co., VA

SPOTSYLVANIA CO. VA DEED BOOK F 1761-1766, page 225:

Decr. 7, 1761. John Waggoner of St. Geo. Par., Spts. Co., to Robert Bradley of same Par. and Co. £30 curr. 300 a., remainder of a tract taken up by George Dowdy, etc. Andrew Waggoner, Ann x Waggoner, Sophia

Waggoner. Decr. 7, 1761.

Essex County Clerk of the Court Deeds Book 30, p. 137-138:

4-20-1767 Sophia Waggener purchased sixty-three acres in South Farnham Parish, Essex County, from Archibald and Mary Richie for Twenty-seven pounds, five shillings.

Essex County Clerk of the Court Deeds Book 30, p. 180-181:

11-7-1767: A Deed of Gift: Sophia Waggener "for the love, good service and affection which I have and do bear towards my loving son Thomas Coleman" give and grant the sixty-three acres she purchased from Capt. Richie. If Thomas dies without issue, the land reverts to Sophia, and she is not to be forbidden from living on the land during her natural life. witnessed by Nathan Waggener, Thomas Armstrong and George Coleman. Signed and Sealed Sophia Waggener.

8 Reuben Waggener

b. ca 1733 South Farnham Parish, Essex Co., VA

From Sue Littell:

The Will of Reuben Waggener

In the name of God Amen, the 23rd day of June one thousand eight hundred and nine, I Ruben Waggener of County of Adair and state of Kentucky, being weak in body, but of sound and perfect memory thanks to God, but calling to mind the mortality of the body and knowing that is appointed one for all men to die do constitute and appoint this my last Will and Testament in words and firm following..... I give and bequeath to my dearly beloved wife Caty Waggener the tract of land whereon I now live, after ninety two acres are taken of, adjoining to the place called Majors and Bradfords, to make three hundred acres to be hereafter disposed of which the home tract contains three hundred and twenty-five acres, and all the stock of every kind excepting a stud colt which is to be kept and when sold to purchase a horse beast for Andrew and one for Edmund, so soon as the Colt becomes..... lable together with the frame and farmer household and kitchen furniture together with the following negroes named Daniel, Hunter, Judith, Griffey, and Sarah, to be at her disposal during her life, and my property at Columbia and all other money among to the state after my just debts be paid, and reserves of two hundred dollars to be kept by my executers for plantation expenses, and the balance to be equally divided amongst the legatees, so as to bring their portions equal, and as the legatees come to age or acting for themselves, that

what of said estate be spaced to let them have and charge them with the amount, and after the decease of my beloved wife, that all persons and moveable (?) property to be divided or sold as the case may be, to make their portions equal.

Item. I give and bequeath to my son in law John Ingram, a negro woman named Rachel at \$300, and a negro boy named Job at \$233.33, and three hundred and fifty acres of land lying on the north fork of Big Creek, Saunders survey at \$312.50 and sundries given previous \$202.75.

Item. I give and bequeath to my son in law Simeon Creel a negro woman named Fanny at \$216.68, and a negro named Jimmy \$233.33, one hundred and eighteen acres of land, part of Elliot's Survey at \$118 and a negro girl named Mona (?) \$191.67, sundries given previous \$82.58.

Item. I give and bequeath to my son Andrew Waggener the half of three hundred acres of land known by the name of Majors and Bradfords and ninety-two acres taken from the home survey to be divided equal in quality and quantity between Andrew and Edmund at \$750 and a negro boy names Bill at \$266,66.

Item. I give and bequeath to my son Edmund Waggener the balance of the land as(?) with Andrew at \$750 and a negro boy named Nelson (?) \$233.44.

Item. I give and bequeath to my daughter Polly Waggener a negro woman named Rosy and a girl named Mary at \$1133.33.

Item. I give and bequeath to my daughter Malinda a negro boy named Ambrose and another named Harry at \$633.33.

Item, I give and bequeath to my son Greensby Waggener three hundred and twenty-five acres of land, part of a survey granted to Ellis & Rucker to be possessed (?) of the same after the decease of his mother, but in case of marriage before said decease of one hundred acres to be laid off adjoining William Dudley to improve and possessed of the whole of the land at \$650 and I do hereby constitute and appoint my loving wife Caty Waggener my executrix and my trusty friends Charles Creel, John Ingram, and Simeon Creel, my executors to see this my last will and testament carried into full execution, agreeable to the intent and meaning of the same, and I do hereby utterly revoke and disavow all and every former wills and testaments whatsoever, in testamony whereof I have hereunto set my hand and seal the day and year above written. Signed sealed and

acknowledged in present of
John Tom Slater
Washington Crawley Ruben Waggener (Seal)
Sam Crawley

(Sue Littell says she found a hand written transcription of this will in the family files of the Adair County Library. I have transcribed the hand written transcription into the above. I have added the commas to make it a little easier to read.)

9 Edmund Waggener

b. 1735 South Farnham Parish, Essex Co., VA.

d. 1755 near what is now Pittsburgh, PA

Was a Sargeant in the French and Indian War and rose to Ensign before being killed at Braddocks Defeat. The records show that Thomas Waggener led a small group of American troops to hide behind cover in fighting the Indians at the ambush where Braddock was killed. Apparently, the English portion of the soldiers didn't understand taking cover and they shot at te Americans, so Edmund was likely killed by friendly fire.

10 Greensby Waggener

b. 1736 South Farnham Parish, Essex Co., VA POSSIBLY