

JAMES HERBERT b. before 1730 in Essex Co., VA
d. Apr 18, 1803 in Culpeper Co., VA
m. Ann JONES December 08, 1747

JAMES HERBERT³ WAGGENER (HERBERT², JOHN¹) was born before 1730 in South Farnham Parish, Essex Co., Virginia to Herbert Waggener and Elizabeth Jayne GARNETT or GARRETT, and died Apr 18, 1803 in Culpeper Co., Virginia. He married Ann JONES December 08, 1747 in Spotsylvania, Virginia, daughter of James JONES and Mary SHARP (not positive of the Sharp). Ann was born Abt. 1730 in Spotsylvania Co., Virginia, and died Apr. 1816 probably in Culpeper Co., Virginia.

James Herbert left Essex County, probably after his father died in 1743. James Herbert and his brother John both bought land in Spotsylvania County around 1750. (Crozier's Spotsylvania County Record, p. 206).

About 1750, in Spotsylvania County, James Herbert married Ann Jones, daughter of James Jones of Spotsylvania (Crozier's Spotsylvania Record, p. 32). By 1771, James Herbert and Ann had moved to Culpeper County, where James Herbert resided until he died. Ann probably continued to live there. There is an existing letter written from one of her daughters in VA informing the KY families of her death.

Spotsylvania County Records, Deed Book D-1742-1751. A deed dated March 4, 1744, between "George Cook and Sarah, his wife, of St. Geo. Par., Spts. Co., to Joseph ALLEN of South farnham Par., Essex Co." One of the witnesses listed is James WAGGONER.

Spotsylvania County Records, Deed Book D- 1742-1751. November 15, 1744. Edward Coleman and Lucrea his wife, of St. George Parish Spotsylvania Co., Va., to Samuel WAGGONER of Essex Co., and South Farnham Parish, 12 Pounds, 100 acres in St. George Parish, Spotsylvania Co., Va. Witnessed by: James WAGGONER. Joseph Reynolds, Kerenhappuch Reeves. February 5, 1744. (Lucretia WAGGENER Coleman, was James' 1st cousin, daughter of Samuel WAGGENER, Sr. and Christinia PRICE. Samuel WAGGENER Jr was her brother and also James' 1st cousin.)

Spotsylvania County Records, Deed Book **D**- 1742-175. Erasmus Wethers ALLEN of St. Geo. Par., Spts. Co., to James WAGGONER of same Par. and county. L30 curr. 300 a. in Spts. Co. Nathaniel x Allen, Thomas x Allen. May 1, 1750. Sarah, wife of Erasmus Wethers ALLEN, acknowledged her dower, etc. (Erasmus

Wethers ALLEN is James' 1st cousin, son of Margaret WAGGENER and William ALLEN, Jr.)

Our 5th cousin, Rick WAGGENER, who has done a lot of research, believes that the WAGGENERs followed the Tappahannock River inland to the Rapidan River, and just kept moving inland over the years. I doubt this because the area they where they lived in Spotsylvania Co. was far from either river, but who knows!

James Herbert and Ann Jones WAGGENER's children were:

1743: Under the Will of his Father, Herbert WAGGENER, he received as follows: "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. 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."

From Rick WAGGENER: From "A Book of Garretts" by Hester Elizabeth Garrett: James' will was proved on April 18, 1803, according to the Culpeper County Will Records. Listed in the will are children: Richard WAGGENER, James Jones WAGGENER, Thomas WAGGENER, John WAGGENER, and Ann WAGGENER. From Tyler's Quarterly, Genealogy of Virginia Families, Vol 2: James Herbert left Essex County and bought land in Spotsylvania County around 1750.

By 1771, James Herbert and Ann had moved to Culpeper County. That would be the last year of the French and Indian War, so a logical time to have moved. The hostilities had ended by then, though the War officially went on for another year.

James Herbert WAGGONER of Culpeper Co., VA, supplied goods to the Revolutionary soldiers as follows:

Nov. 1781 for 20 bu wheat

Nov. 1781 for 300# beef for Jerome Rosson

Oct. 1781 for 600# beef.

"Virginia Publick Claims, Culpeper Co, VA", compiled and transcribed by Janice L. Abercrombie and Richard Slatten, pgs 34-36 (source, Patricia M. (Martin) Bryson, DAR app 1994 (CAR #749241-Add-756). So, we can join the DAR based on his support of the Rev., as well as through Martin Loy.

From 1782 Personal Property Tax List from Culpeper County: "James WAGGONER" is listed with 1 white male over 21, 6 slaves (named: George, Jude, Ben, Jos, Delphy, and Sarah), 7 horses, 19 cattle, and he paid taxes of 4 pounds, 8 shillings, and 9 pence. His son James Jones WAGGENER seems to be listed with a John Williams Jun., who he apparently is working for.

From 1783 Personal Property Tax List: "James WAGGONER" is listed with 1 white male over 21, 6 slaves (same names as above), 7 horses, 19 cattle, and he paid taxes of 4 pounds, 8 shillings, and 9 pence. His son James Jones WAGGENER is again listed with John Williams Jr.

From the 1785 Culpeper Personal Property Tax List: "James WAGGONER" is listed with 2 white males over 21, 1 white male under 21, 4 slaves over 16, 6 slaves under 16, 8 horses, 16 cattle, 12 number of heads tythable, and he paid a tax of 7 pounds.

From 1786 Culpeper Personal Property Tax List: "James WAGGONER" is listed with 2 white males over 21, 5 slaves over 16, 7 slaves under 16, 7 horses, 16 cattle, 7 heads tythable, and he paid taxes of 7 pounds, and 18 shillings.

From 1787 Culpeper Personal Property Tax List: "James WAGGONER" is listed with 1 white male over 21, 4 black males over 16, 7 black males under 16, 8 horses, and 16 cattle. His son James has a separate listing under "James Jones WAGGONER."

From 1789 Culpeper Personal Property Tax List: "James WAGGENER Senr" is listed with 2 white males over 21, 4 black males over 21, 7 horses, 6 tithables, and he paid a tax of 2 pounds and 14 shillings. It appears that the amount of property James owned, was significantly reduced from 2-3 years earlier. Perhaps he had dispersed it already to his heirs, or perhaps he suffered some sort of economic losses. He had written his will in August of 1788. His son James Jones has a separate listing under "James WAGGENER."

From 1790 Culpeper Personal Property Tax List: "James WAGGENER" is listed with 2 white males over 16, 4 black males over 16, 1 black males under 16, 1 black male under 16, 5 horses, 6 tithables, and he paid a tax of 3 pounds. His son James is also listed as "James WAGGENER."

From 1791 Culpeper Personal Property Tax List: "James WAGGENER, Senr" is listed with 2 white males over 16, 4 black males over 16, 1 black male under 16, 6 horses, 6 tithables, and paid taxes of 3 pounds and 2 shillings. His son James is listed as "James J. WAGGENER."

From 1792 Culpeper Personal Property Tax List: "James WAGGENER Snr" is listed with 2 white males over 16, 4 black males over 16, 1 black male under 16, 6 horses, 6 tithable, and paid taxes of 4 pounds 2 shillings.

From 1793 Culpeper Personal Property Tax List: "James WAGENER" is listed with 2 white males over 16, 4 black males over 16, 3 black males under 16, 6 horses, 6 tithable, and paid taxes of 4 pounds 2 shillings. His son James is listed as "James J. WAGENER."

From 1794 Culpeper Personal Property Tax List: "James WAGGONER" is listed with 1 white male over 16, 5 black males over 16, 3 black males under 16, 5 horses, and 5 tithables. His son James is listed as "James J. WAGGONER."

From 1795 Culpeper Personal Property Tax List : "James WAGGONER" is listed with 2 white males over 16, 6 black males over 16, 3 black males under 16, 8 horses, and 8 tithable. His son James is listed as "James J. WAGGONER." This is apparently the last year James Herbert WAGGENER is listed. As noted below, this is the year that he and Ann made their property over to their son John, and the next year, he turned around and paid 300 pounds to what must have been his surviving siblings.

In 1795, James and Ann made over to their son John the 150 acres on which they lived (Culpeper Deed Book "S", p. 169). The next year (Culpeper Deed Book "S", p. 483), for L300 current money he mortgaged to Richard WAGGENER of Kentucky, James Jones WAGGENER of Culpeper, Thomas WAGGENER of Madison County, Herbert Green WAGGENER of Culpeper, and Ambrose Jones and John White, both of Madison County, all tract of land of 150 acres lying in Culpeper on which the said John WAGGENER now resides with the agreement that John may pay or cause to be paid to Richard and the other mortgages the L300 for which he gave bond on February 26, 1796, "on or before the death of James WAGGENER the elder of Culpeper County", in default of payment the mortgages may legally possess the property.

In 1795, James Sr. and Wife were grantors to Sute, Dan EVANS Book S? page 320 (I've never looked this up)

In his will dated August 28, 1788, and proved April 18, 1803 (Culpeper Will Book "D", p. 437), James bequeathed to his wife Ann all his estate both real and personal for her widowhood, at her death or

marriage it was to be equally divided among his children: Richard, James, Thomas, John, and Ann WAGGENER. He appointed his sons, Richard, James, and Thomas as Executors. The witnesses were Robert GARNETT, Beverly Bradley, and William Willis. (James Herbert's son Richard WAGGENER and grandson-in-law, Beverly Bradley, had already moved to Kentucky by the time James Herbert died in 1803.)

Herbert Green WAGGENER was left out of the Will, maybe indicating that he had already been given his share?

Children of James Herbert WAGGENER & Ann Jones:

1Richard WAGGENER: b. December 18, 1748 in Spotsylvania Co., VA; d. January 1818 in Barren Co., KY; m. Catherine "Caty" GAINES, October 12, 1773 in St. Marks Parish, Orange Co., VA, daughter of Henry Gaines and Ann George. Richard was probably the first of the children to move to KY, possibly going with the Travelling Church.

2Elizabeth WAGGENER b. Feb 12, 1750 or 51

3Mary "Molly" WAGGENER b. January 02, 1754 in Spotsylvania Co., VA, d. 1839. M Ambrose JONES (1745-1812) on June 25, 1784 in Culpeper Co., VA, son of Henry Jones (possibly of Stafford Co., VA)

4Lucy WAGGENER b. April 10, 1756, d. unknown; m. John WHITE March 25, 1790 in Culpeper Co., VA. There was a John White in Adair Co., KY, the same time as Herbert Green WAGGENER and also active in the same Church. Could be Lucy and husband.

5James Jones WAGGENER, b. May 06, 1758 in Spotsylvania Co., VA, d. 1821 in KY. James m. Elizabeth A. GARNETT, on October 04, 1786 in Culpeper Co., VA, dau of Robert "Robin" GARNETT (1736-1830) and Lucy Towles STOKELY.

6Nancy WAGGENER 17560-1761

7 Thomas T. WAGGENER b. November 15, 1762 in Spotsylvania Co., VA, d. October 06, 1842 in Christian Co., KY, m. Mary GARNETT (1764-1737), on October 04, 1789 in Culpeper Co., VA, dau of Robert "Robin" GARNETT (1736-1830) and Lucy Towles STOKELY. Thomas was probably named for his Uncle and brother of James Herbert WAGGENER, who died about that time. Thomas was a Sgt in the Revolution and received a pension.

8 John WAGGENER b. March 08, 1765 in VA, d. June 14, 1830 Adair Co., KY.
John m. Sarah "Sally" GARNETT b. 1763 in VA) about Mar 1785 in VA, dau of
Robert "Robin" GARNETT (1736-1830) and Lucy Towles STOKELY. John
was also very active in the Church with Herbert Green WAGGENER.

9 Ann WAGGENER b. October 03, 1771, d. unknown, m. John HUGHES on
October 15, 1785 in Culpeper Co., VA.