**Augustine Vawter2 (Bartholomew1)**

Augustine was born ca 1706/07 Essex Co., VA and was alive in 1753 by deed. Married Mary Mitchell found alive in Essex County as late as 1760. One child named Alice is shown receiving money from the estate of John Mitchell

Thomas Mitchell likely married twice, 1st to Mary and 2nd to Elizabeth. Mary Vawter inherited from the estate of Elizabeth Mitchell. John Mitchell, son of Thomas, in 1760 Caroline Co. bequeaths to Alice Vawter.

*Essex Co., Deed Book 11 dated 20 Mar 1718 p. 118-119.*

Augustine Vawter, 11 years old bound to Bernard Noel (born ca 1706/7)

Bernard Noel, brother of Margaret Noel wife of John Vawter, died in 1748 and Mary Vawter is a witness to the will of Bernard Noel. *Lastly, I constitute and appoint my loving Wife, Sarah Noel, and Thomas Ayres and William Hord Executrix and Executors of this my last Will and Testament; In Testamony whereof I have hereunto set my hand and seal this Tenth day of February in the year of our Lord One thousand seven hundred and forty eight. Bernard Noel. Wit: W. Hord, William Ayres, Mary Vawter.*

*At a court held for Essex County at Tappahannock on 18 Jul 1749. The will of Bernard Noel was exhibited in court by Sarah Noel and sworn by the witnesses named above. Also on this date Thomas Ayres & John Retterford agree to make inventory of the estate of Bernard Noel.*

Prior to her marriage Winifred Vawter rented out land to Willoughby Pugh, deeded to her by her father John Vawter. Found in Essex Co. Deed 1745-1749 pp. 395-398 18 Nov 1749 between Winifred Vawter and Willoughby Pugh to farm 60 acres of Land (deed as shown above) for 16 years paying during the first two years quit rents, then 14 years to Winifred Vawter and heirs yearly rents of one pound fifteen shillings. Willoughby shall not build any house except framed work with mortice and Tenant according to the custom of VA or other building without consent of Winifred. Willoughby Pugh should have Liberty of Wood and Bark and said Land for Tanning and Turning and shall not be denied to profit thereby what he can at convenient times make use of. Wit: Bartho: Vawter, Augus: Vawter, Saml. Browne. Signed Winifred Vawter

(GJNote: the above is Augustine not Angus Vawter)

Book *Virginia Colonial Abstracts,* King & Queen Co., VA; Records Concerning 18th Century Persons pub. 1981 by Beverley Fleet. P. 418 -20 Mar 1749/50 p.443. William Noel, son of Bernard Noel dec’d of St. Anns parish, Essex Co., age 14, bound apprentice to Augustine Vawter, millwright and house carpenter.

There are two Augustines known. One in Caroline Co. b. ca 1727/28 and this Augustine b. ca 1706/07. Which signed the deeds below is yet unproved.

From the book *Culpeper County Virginia Deeds, 1749-1755*, by Dorman, pgs. 121-126.

Deed Book A-121 recorded 7-8 Feb 1750. John Vawter of Essex County to Ephraim Rucker and Margaret his wife of Culpeper County. Lease and release; for the love and good will he hath to his son in law and daughter Ephraim and Margaret Rucker and for 5 shillings. 200 acres, part of a tract granted John Vawter for 700 acres by patent 20 July 1736……corner to Kirtley and Stanton…. John Vawter. Witnessed: Bartholomew Vawter, Richard Vawter Senr., Angus Vawter, Richard Vawter. 15 Mar 1749/1750. Proved by Richard Vawter, Richard Vawter, Junr. and Angus Vawter.

Book A-126, Pages 126-131. Deed recorded 7-8 Feb 1750. John Vawter of Essex County to Angus Vawter of same. Lease and release; for the love and good will that he hath for his son (in release) Angus Vawter and for 5 shillings. 250 acres, being one half of a tract granted to John Vawter for 700 acres by pattent 20 Jul 1736 (except 200 acres which John Vawter hath already given to Ephraim Rucker and Margaret, his wife)….corner to Kirtley…to Conway’s land…. Line that divides this land from the other half which is alloted for Richard Vawter son of the aforesaid John Vawter. John Vawter. Witnessed: Bartholomew Vawter, Augustine Vawter, John Vawter, Richard Vawter, Jr., Richard Vawter. 15 Mar 1749/1750. Proved by Richard Vawter, Richard Vawter, Jr. and Augustine Vawter.

Book A-131, Pages 131-136. Deed recorded 7-8 Feb 1750. John Vawter of Essex County to Richard Vawter of Orange County. Lease and release; for the love and good will he hath for his son Richard Vawter and 5 shillings….250 acres being one-half of a tract granted unto John Vawter for 700 acres by pattent 20 July 1736 (except 200 acres which John Vawter hath already given and sold to Ephraim Rucker and Margaret his wife)… to Conway’s line…line which divides this land from the other divident which is allotted for Angus Vawter son of the aforesaid John Vawter…to Kirtley’s land…to Ephraim and Margaret Rucker’s land….John Vawter. Witnesses: Bartholomew Vawter, Angus Vawter, Richard Vawter, Jr. and Augustine Vawter. 15 Mar 1749/1750. Proved by Richard Vawter, Jr., Angus Vawter and Augustine Vawter.

*Essex County Deeds 1752-1754* pp. 84-85. Indenture 25 Jun 1752 bet. Augustine Vawter of Essex and Thomas Brown. Thomas Brown as apprentice to Augustine for 3 years and 9 months, the said Thomas now being the age of 22 years. To teach the art and mistery of a millwright and house carpenter and give a a suit of cloaths and as many tooles as is sufficent to build a Tub Mill and to the said Apprentices Publick Leavies during this term. Signed Augst. Vawter and Thos: Brown

p. 201 Indenture 20 Mar 1753 bet. Augustine Vawter of Essex and George Robinson of same. George doth by his own free will bind himself with consent of his mother as apprentice unto Augustine Vawter for five years. George being now the age of 17 years and 5 months. Augustine doth promise to learn said George the art of a Mill Wright and to provide sufficient meat drink washing lodging and cloaths fitting for an apprentice and at the expiration of 5 years to give him a suit of cloaths and pay the apprentice Publik leavies. Signed George Robinson and Augustine Vawter.

Essex Co., Deed BK 22, p117

Deed between Danial Noel of Essex County and his son Lot Noel. Deed of gift – 34A bounded on the land of Augustine Vawter and others. Said Daniel reserves for himself a life interest – Nov 17 1858. Wit: Edward Vawter and Augustine Vawter.

No children are known of Augustine, but a Elizabeth Vawter m. Thomas Newman in Essex Co. in 1747 and no parentage is yet known. Perhaps supporting her connection to Augustine Vawter is this indenture.

Essex Co., Orphan Accts Book 1 p 154,209 & 247, show Thos Newman as guardian for bro Alexander 22 Nov 1752 (Note Thos was presumably of age); for Zechariah Noell, orphan of Barnard Noell 15 Mar 1757; and for William and George Newman, orphans of Elias (brother) 17 Nov 1759.

**A Mitchell Researcher, Debbie Mitchell, debbie.mitchell@rogers.com seems to have proven that Mary Vawter is the same as shown here.**

All records of Thomas Mitchell show him in Old Rappahannock which became Essex Co. VA.  In 1678 (1677-1682:208) Thomas Mitchell and his wife Mary bought 600 acres from George Jones in what later became part of Richmond Co. VA.  In 1683 (1682-1686:61) George Jones resold this land.  Evidently Thomas Mitchell could not pay for it.

This may be a different Thomas than the one who was later married to Elizabeth.  In 1748 Thomas Mitchell witnesses a deed (24:297) from Silvanus Pumphry to Edward Rowzee, for land that was close to his own.  In 1750, his land is described in a deed (25:125) as belonging to his wife Elizabeth, therefore he must have died between 1748 and 1750.  In 1752 (guardian book 1:143) his son John Mitchell is made guardian of his daughter Sarah Mitchell "orphan of Thomas Mitchell".  John Mitchell had evidently become head of household, as in 1753 John witnessed a deed (26:318) for land close to his.  Thomas Mitchell's widow had died by 1757, which is when John Mitchell became administrator of her estate.  (10:144, 10:148, 11:234)

Spouse:        Elizabeth Death: bef 1758 Essex, VA

Essex Co. VA DB25:125  20 Dec 1750 William Maget of Surrey Co. (willed from Wm. Catlett Thomas) to Francis Waring & Thomas Waring Jr. of Essex  £321 for 321 acres in St Annes  Bounds: Edward Rowzee Jr., Robert Edmondson, Augustine Boughan dec’d., Samuel Henshaw, Popoman Swamp, Occupa. Creek, Robert Harbin, James Garnett, Elizabeth Mitchell and Edward Rowzee Sr.  Wit: Jno. Clements, Thos. Todd, N. Pendleton, Dorothey Billups, Susa. Allen Betty Billups

Essex Co. VA WB11:234 settlement of estate of Elizabeth Mitchell - money paid to Capt. James Garnett, Edward Rowzee, Mary Vawter amount left - £23.14.4

Children:

1 M:           John MITCHELL Birth: abt 1730 Death: 1807

Spouse:        Alice GRAY Marriage:      bef 1758

2 F:           Sarah MITCHELL Birth:         aft 1738

CASE OF THOMAS AND ELIZABETH MITCHELL

I believe that John Mitchell was the son of Thomas and Elizabeth Mitchell.  I also believe that Thomas Mitchell married twice: 1st to Mary and 2nd to Elizabeth.  I also believe John had a sister named Sarah who he became the guardian of in 1752.

First we must establish where John lived and what the boundaries were.  In 1784 he sold his land in Essex Co. and moved to Caroline Co.  It was bounded by Ralph Rowze, Henry Garnett, William Waring and William Waring Jr. (DB32:248)

Following are descriptions of the land surrounding John’s:  (2:286) 1663 John Catlett to Ralph Rowzee - ½ of 1542 acres on Occupacon Creek.  Witnessed by Thomas Hawkins, James Gaines.  (24:225)  1747 **John Vawter to John Noel** 70 acres bounds James Garnett, Wm. Robinson, Wm. Gray, Popoman Run, Boulware, Thos. Ramsey.  (24:297) 1748 Silvanus Pumphry to Edward Rowzee - 66 acres on occupation creek “land which Ralph Rowzee deced did give and bequeath by his last will and testament unto his dau Margaret” Witnessed by Thomas Mitchell and Ralph Rowzee.  (same book) John Hawkins to **John Vawter** land bounds Occupation Swamp, James Garnet, Samuel Henshaw.  (25:125) 1750 William Maget to Francis and Thomas Waring - 321 acres bounds Edward Rowzee Jr., Samuel Henshaw, Popoman Swamp, Occupa. Creek, James Garnett, Elizabeth Mitchell  (25:307) 1752 John Noel to John Rowzee  (26:60) 1752 Edward Rowzee Jr. to James Garnett  (26:81) 1752 Elizabeth Rowzee to James Garnett  (26:155) 1752 Augustine Ramsey to Cornelius Noel on Occupatia Swamp  (26:184) 1753 John Noel to John Lee - bounds William Parker, William Taylor, John Garnett, Thomas Waring, James Noell, Henry Samuell, Witnessed **by Edward Vawter**, Thomas Sale  (26:191) 1753 Ann Ripley to James Garnett on north side of Occapatia Swamp  (26:239) 1753 Augustine Ramsey to James Garnett on Occupatia Swamp  (26:318) 1753 Richard Ripley to John Henshaw land in fork of Occupation Swamp and bounds James Garnett (formerly Covington’s) Witnessed by John Mitchell, William Gray, Samuel Henshaw  (29:58)  1761 Samuel Noel to Samuel Henshaw bounds Popoman Swamp  Witnessed by William and Thomas Boulware

Now, let’s back up a minute.  John Mitchell married Alice Gray.  The Gray’s intermarried with the Boulware’s.  John’s son Mark also married into this same Gray line.  Mark married Peggy Shaddock, dau of Hannah Samuel, dau of Sarah Boulware, dau of Margery Gray, dau of William Gray.  This same William Gray was the grandfather of Alice Gray who married John Mitchell.  Sarah Gray, grand daughter of Margery Gray Boulware, married Ralph Rowzee.  The cycle goes on and on.

John Mitchell’s children intermarried with the Sale’s, Henshaw’s, and befriended the Newman’s, Hawkin’s, Noel’s, etc.  In 1753 John Mitchell (born about 1730) witnessed a deed from Richard Ripley to John Henshaw.  In 1760 John Mitchell and Samuel Henshaw survey a line between Hawkins and Thomas (Land Trials 1741-1760).  Now we have all the players, neighbors marrying neighbors, cousins, etc.

In the old Rappahannock Co. (which was Essex) in 1678 (1677-1682:208) George Jones sells 600 acres to Thomas Mitchell and his wife Mary.  Evidently they were unable to pay for it and George Jones took it back and resold it (1682-1686:61).  This land was on the north side of the Rappahannock River, thus Richmond Co.

In 1748 Thomas Mitchell witnesses a deed (24:297) from Silvanus Pumphry to Edward Rowzee, land on Occupation creek.  Other witnesses were Ralph Rowzee and Margaret Samuell. I noticed a pattern of neighbors and friends acting as witnesses on deeds and wills.  Now in 1750 (25:125) when William Maget sells to Francis and Thomas Waring 321 acres, it is bounded by Edward Rowzee Jr., Samuel Henshaw, Popoman Swamp, Occupa. Creek, James Garnett, Elizabeth Mitchell and Edward Rowzee Sr.  This indicates to me that Elizabeth Mitchell was a head of household and therefore widowed.  I believe that Thomas Mitchell lived there previously, hence Elizabeth’s dead husband.

This would indicate that Thomas Mitchell died between 1748 and 1750.

In 1752 (guardian book 1:143) John Mitchell is made guardian of Sarah Mitchell orphan of Thomas Mitchell.  Acting as sureties were Edward Rowzee and Thomas Newman.  Children under 14 yrs were assigned a guardian.  I believe in this case, as in Lovelace Mitchell’s case, the older brother became the guardian.  This would also indicate that John had become head of household, as the following deed will show.

Then in 1753 (26:318) John Mitchell witnesses a deed between Richard Ripley and John Henshaw for land in the fork of Occupation Swamp bounded by James Garnett (formerly Covington’s).  Other witnesses were William Gray and Samuel Henshaw Jr.  I’m convinced this is my John Mitchell and is about land near to his.

John’s mother, Elizabeth Mitchell dies before 1757 when he becomes administrator of her estate.  She died without writing out a will (hence the administrator).  Thomas Parker acted as his surety.  (10:144)  The appraisement of her estate by John Mitchell is signed by Thomas Andrews, Mark Andrews, and John Henshaw.  (10:148)  Mark Andrews shows up frequently in documents relating to John Mitchell’s children and friends (Noel, Sale, Henshaw).  This strengthens my belief that this is referring to my John Mitchell.  Then in 1760 (11:234**) John Mitchell makes payments from Elizabeth Mitchell’s estate to Capt. James Garnett, Edward Rowzee Sr. and Mary Vawter.  In John Mitchell’s own settlement of estate, a legacy was paid to Alice Vawter.**

In chancery papers of Caroline (Mitchell vs. Mitchell) it shows that John Mitchell wrote a will on 10 Aug 1807.  This will does not survive today.  In a court order book dated 15 Mar 1809 is listed John Mitchell's settlement of his estate. William Mitchell began it and William Sale finished it.  William Mitchell was probably a brother of John and may have died during that time, and William Sale was his son-in-law.

From the settlement we learn that his cash crop was corn.  We also learn that John Mitchell was in the process of settling someone else's estate, and didn't finish.  **Legacy's were due to Nancy Dollans, Mary Ingram, Alice Vawter, and John Mitchell.** I do not know who these people were.  My guess is that they were neices and a nephew.

Thomas and Mary Mitchell from the late 1600’s could in fact be a different Thomas, but I don’t believe so.  There were several John Mitchell’s in the county at the same time, thus making it extremely difficult to pin point which document was referring to my John Mitchell.  The other John Mitchell’s came from a Mitchell family in the southern part of Essex Co.  I could stretch it and say my Mitchell family was related to them, but that would be hard to prove.  It’s very likely, though.