ROSS PROPERTY

The Ross property of nominally 50 acres was first patented in 1695 by Dictoris Christmas. It is unlikely that he lived on the property since he owned other larger estates in Elizabeth City and York counties. It is not known who acquired the property from Christmas or when it was first owned by the Ross family, but the earliest surviving records for Elizabeth City County indicate that a Ross family may have been living there in or before the 1690's. Hugh Rosse witnessed the will[1] of Thomas Wythe II in 1694, and in 1696 Hugh Ross was one of the appraisers of the estate of Joseph Cheely, deceased.[2] Other appraisers were Robert Crooke (master of the Syms Free School), Augustine Moore, and William Mallory, all of whom lived near the Ross property.

When Margaret Priest made her will[3] in 1719, she was the widow of James Priest who died about 1713[4]. In addition to children by Priest, she named sons Hugh, William and Frances Ross, as well as a grandaughter Ann Ross. Francis Mallory was surety for her son Hugh as executer and the estate was appraised by Simon Hollier, Edward Tabb and Anthony Armistead, Jr. James Priest, but no Ross, had paid taxes in 1704 on 50 acres in Elizabeth City County[5]. Thus it is plausible to assume that James Priest lived on the Ross property after he married the widow, Margaret Ross in 1702, but the estate reverted to the Ross family after his death.

When Francis Ross (probably the one mentioned above) died about 1731, his wife Elizabeth was granted administration of his estate and Francis Mallory was surety[6]. When Elizabeth Ross made her will[7] in 1756, she left a £166 legacy from her uncle John Mallory of London to her son-in-law Anthony Hawkins. He was to give £30 of it to Elizabeth's grandson Mallory Ross when the latter reached age 21. The father of Mallory Ross was not mentioned, and may have been dead at that time. Augustine Moore, Johnson Mallory, John Tabb and John Parsons were ordered to appraise the estate[8].

This limited data from the surviving county records tend to indicate that the above mentioned Mallory Ross was the one who paid taxes on 50 acres of land in Elizabeth County from 1782 through 1784. Except for 1704, 1782 is the earliest year for which land tax records have survived for Elizabeth City County. No tax records survived for 1785

and 1786, but from 1787 through 1793 Martha Ross paid taxes on 17 acres (her widow's one-third part?) and Francis Ross (probably her son) paid taxes on 33 acres. The will[9] of Martha Ross was recorded in 1794, and Francis Ross paid taxes on 50 acres from 1794 through 1804.

The subject Ross property was first identified in surviving records when Francis Ross deeded[10], in April of 1805, to his daughter Jane Ross "- - - twenty five acres of Land including the Land whereon the house now is, lying and being in the County of Eliza. City, and bounded on the south by the land of Holden Hudgins formerly Wythes. On the North and West by the school land, and on the East by the Land of the said Francis Ross - - -". This was the western half of the 50-acre estate. Apparently Francis Ross first married Jane Stores[11] and Jane Ross was their daughter. When he made his will[12] in September of 1805, he lent his second wife Mary "- - - the Twenty five acres of Land whereon I now live during her life for the support of my two last children Mallory Ross and Ann Ross untill they arrive to the age of Twenty one years, and after my wife dec'd It is my will and desire that all my Land should be equally divided between my daughter Jane Ross and my son Mallory Ross - - -". The will also stated that "- - - it is my will and desire that my Brother Cheely Ross pay one half of the mortgage for his part of the land that is between Mr Miles King and myself." In 1791, a Francis Ross had mortgaged[13] 50 acres on Back River "whereon I now live"to Miles King.

No additional records have been found that show a transfer of the Ross property. For some reason, from 1809 through 1815, Francis Ross, Jr.[14] paid taxes on 25 acres and Cheely Ross on 25 acres. From 1816 through 1818, 50 acres was listed in the tax records as the Ross estate. More information is needed to clarify the history of ownership.

James M. Vaughan must have acquired the subject property around 1819 since in 1820 the boundary was not precessioned between "Symms free school and Francis Ross -- no lines as the land belongs to J. M. Vaughan". Vaughan had probably acquired the school land from Houlder Hudgins, or his estate, by this time and had combined the properties. (Houlder Hudgins bought the school land in 1809, and he died in 1815.)

John L. Patterson

FOOTNOTES

1. Elizabeth City County Deeds, Wills, etc. 168?-1699, page 163. The exact spelling of names in this period of time has little significance. Ross could be spelled Rosse just as Wythe was sometimes spelled Wyth or With.

2. Ibid page 222. Since Cheeley (Cheely, Chealy) was later used as a boys given name in the Ross family, Hugh Ross' mother may have been a Cheeley.

3. Ibid 1715-1721, page 181.

4. Ibid 1723-1729. Priest's will was mentioned in a lawsuit.

5. English Duplicates of Lost Virginia Records - A True & Perfect Rent Roll of the Land in Elizabeth City County for the Year 1704.

6. Elizabeth City County Order Book 1731-1747, page 1.

7. Elizabeth City County Wills 1701-1859, page 96. It can be inferred from the "Mallory Family of Virginia - - " that Elizabeth Ross' father was William Mallory, a first cousin of the William Mallory who married Ann Wythe.

8. Elizabeth City County Order Book 1755-1760, page 85.

9. Elizabeth City County Deeds, Wills, etc. Book 34, page 155. Martha Ross did not name a son Francis in her will, but her son Johnson's will (Book 34, page 222) did mention a brother Frank. Apparently this was a nickname for Francis.

10. Ibid Book 12, page 423.

11. Ibid Book 34, pages 119, 141, and 392.

12. Ibid Book 12, page 552.

13. Ibid Book 34, page 46.

14. This Francis Ross, Jr. has not been identified. Another Francis Ross, Jr. died early in 1805 just before Jane Ross was deeded half of the subject property, and Jane's father did not mention a son Francis when he made his will in the following September. It was not unusual for nephews to be called Junior, and the Francis, Jr. in question could have been the son of Cheely or his brother Thomas. To add to the confusion of land ownership, the Francis Ross, Jr. who died in 1805 willed 50 acres of land he bought from Miles King (and the house he built on it) to his intended wife Elizabeth Palmer.