

Thomas Gillenwaters - 1732-1780

<http://trees.ancestry.com/tree/13818328/person/-1959143/storyx/ce896dc6-e320-4ee1-9f2e-647610271de0?src=search>

Passage below from the book, "My Ancestors and Their Descendants" by William Luther Brown. Printed in 1937 in Atlanta, Georgia. Pages 131-133.

Thomas Gillenwaters - First Generation

Date of birth not known. Resided in Amherst County, Va. Died sometime between August 11, 1779 and March 6, 1780, as is verified by his "Last Will and Testament," copy of which is reprinted.

The first census of Virginia, 1782 to 1785, shows **Martha, widow of Thomas**, had seven in her family and it is supposed six children making herself the seventh. Only the names of the following children are known: **Elijah, Joel and Thomas, Jr.**

He served under the rulership of George II and George III, and used the old style Julian Calendar, originated by Julius Caesar.

----- Last Will and Testament of Thomas Gillenwaters

IN THE NAME OF GOD, AMEN. I, **Thomas Gillenwaters, of Amherst County**, being in a low condition of health, but in good and perfect memory, do make this my last will and testament in manner and form following, firstly: I give my soul to Almighty God and my body to be buried in such decency as my Executors hereafter shall think proper, as to my worldly estate. After discharging my just debts, I dispose of it in manner and form following,

Item. I give to my sons **Elijah and Joel** my land as follows, a straight line run from the old line where it crosses Duck Bill the upperpart of which, when so divided, is to be equally so as the advantage of each may be as equal as possible, **Elijah** to take his choice and **Joel** the other part, of that subdivision. I give to **Elijah** one two year old heifer. I give **Joel** the first colt my mare Blaze brings, providing he shall stay another year and work and behave in his place as usual.

Item. I lend to my beloved wife the remainder of my land and plantation during her natural life and then I give it to my son **Thomas**. As to the remainder of stock, household furniture, shop tools, and other advantages, I lend them to my wife to raise her children on, by me begotten, during her widowhood; provided she should marry, my desire is that what part of my estate should rest then in her hands should be to the support of my younger children such of them as are incapable of maintaining themselves. Last of all I leave my beloved wife, **Martha Gillenwaters** and **Elijah Gillenwaters** Executors to this my last will and testament.

IN WITNESS WHEREOF I have hereunto set my hand and seal, this **Eleventh day of august One Thousand Seven Hundred and Seventy-nine**.

THOMAS GILLENWATERS (L.S.)

In the presence of Thomas Wright Snelling Johnson John Merrit

At a court held for Amherst County the **Sixth day of March, 1780**. This Last Will and Testament of **Thomas Gillenwaters, deceased**, was this day produced in Court by **Martha Gillenwaters**, one of the Executors herein named, who made oath according to law, and proved by the oath of Snelling Johnson and John Merritt, two of the witnesses thereto, and the said Executrix with Benjamin Rucker and John Merritt, her securitys, acknowledged bond in the penalty of Ten Thousand Pounds, with the condition required by law and ordered to be recorded. Test.

Edmd. Wilcox, Clerk

KNOW ALL MEN BY THESE PRESENTS that we **Martha Gillenwaters, Benjamin Rucker and John Merritt** are held and firmly bound to **William Cabell, James Dillard, David Crawford and William Horsely**, Gent. Justices of the Court of Amherst County now sitting in the sum of Ten Thousand Pounds to the payment whereof well and truly to be made to the said Justices and their successors we bind ourselves and each of us our and each of our heirs, Executors and Admrs., jointly and severally firmly by these presents. Sealed with our seals this **Sixth day of March in the year of our Lord one thousand seven hundred and eighty**, and in the fourth year of our Commonwealth.

THE CONDITION of this obligation is such that if the above bound **Martha Gillenwaters**, Executrix of the Last Will and Testament of **Thomas Gillenwaters** decd., do make or cause to be made a true and perfect inventory of all and singular the goods chattels and credits of the said deceased, which have or shall come to the hands possession or knowledge of the said **Martha Gillenwaters**, or into the hands and possession of any other person or persons for her, and the same so made do exhibit into the County Court of Amherst at such time as she shall be thereunto required by the said Court, and the same goods chattels and credits and all other the goods chattels and credits of the said deceased which at any time after shall come into the hands, possession or any other person or persons for her do well and truly administer according to law, and farther do make a just and true account of her actings and doings therein when thereto required by the said Court and also shall well and truly pay and deliver all the legacies containing and specified in the said testament, as far as the said goods chattels and credits will thereunto extend, and the law shall charge, then this obligation to be void, and of none effect, or else to remain in full force and virtue.

Marth Gillenwaters (L.S.) Benjamin Rucker (L.S.) Jno. Merritt (L.S.)

At a Court held in Amherst County the Sixth day of May, 1780. This bond was acknowledged and order to be recorded. Test: Edmd. Wilcox, Clk.

Will Book No. 1, page 519, Amherst County, Va.

A COPY Teste: Wm. E. Sandidge, Clert.-----

Deed dated October 4, 1776, Abraham North to Thomas Gillenwaters, in consideration of 150 pounds, conveys 278 acres of land in the County of Amherst, Va.

okoldfield1

okoldfield1 originally shared this

25 Aug 2012 story

From the book, "My Ancestors and Their Descendants" by William Luther Brown. Printed in 1937 in Atlanta, Georgia. Pages 131-133.

Information Taken From Family Tree Maker's

72. Thomas Gillenwater, Jr., born Abt. 1732 in Middlesex, VA; died Abt. 1780 in Amherst, VA. He was the son of **144. Thomas Gilinwater, Sr.** and **145. Elizabeth Marcum.** He married **73. Martha Gillenwater** in Middlesex, VA.

73. Martha Gillenwater, born Bet. 1738 - 1740; died 1790 in Amherst, Va.

Notes for Thomas Gillenwater, Jr.:

[Willey Family Tree 16 Jan 2005.FTW]

Thomas spent all his known life in Amherst County, Virginia. The main proof of this is Thomas' last will and testament[CI:101:73:CI]. [FN:This will was copied into the probate records of the Monroe County Courthouse, Tompkinsville, Kentucky, when a great-grandson Joel Fletcher Gillenwaters certified that the original had been destroyed in a fire. A copy of the will is also on file in the Family History Center of the Church of the Latter Day Saints, Salt Lake City, UT. William Luther Brown and Barbara Rose Brown, q.v. reproduced the will in their books.:FN]

WILL OF THOMAS OF AMHERST

[IT:In the name of God Amen. I Thomas Gillenwaters of the Amherst county being in a low condition of health, but in good and perfect memory do make this my last will and testament in manner and form following. Firstly I give my soul to Almighty God and my body to be buried in such decency as my Executors hereafter shall think proper. As to my worldly estate after discharging my true debts, I dispose of it in manner and form following. Items: I give my sons Elijah and Joell my land as follows a straight line run from the old line where it crosses Duck Bill the upper part of which when so divided is to be equally divided so as the advantages of each may be as equal as possible. Elijah is to take his choice and Joell the other part of that subdivision. I give to Elijah one two year old heifer. I give Joell the first colt my horse Blaze brings, provided he shall stay on the year and work and behave on his place as usual.

Item: I give to my beloved wife the remainder of my land and plantation during the remainder of her natural life and then I give it to my son Thomas. As to the remainder of my stock, household furniture, shop tools and other advantages I leave them to my wife to raise her children on, by me begotten, during her widowhood. Provided she should marry, my desire is that what part of my estate should rest then in her hands should be the support of my young children, such of them as are incapable of maintaining themselves. Last of all I leave my beloved wife Martha Gillenwaters & Elijah Gillenwaters executors to this my last will and testament. In witness whereof I have hereunto set my hand & seal this seventh day of August one thousand seven hundred & seventy nine. Thomas Gillenwaters
seal \

In presence of
Thomas Wright
Snelling Johnson
John Merritt:IT]t

The extended family structure has not been proved; there is very little evidence to substantiate the family in its entirety. In his will, Thomas included his wife, Martha; three sons Joel, Elijah, and Thomas; and an unknown number of "young" children with neither sex nor ages given.

The 1783 tax list of Virginia includes a Martha Gillenwaters with six dependants. Assuming there were no deaths of minor children between Thomas' death and the time the tax list was compiled, there were apparently three minor children. Furthermore, since the will included no minor son except Thomas, we can probably assume that the three unknown minors were daughters. The "young" members of this family have been further defined from circumstantial evidence. **First, there was a William Gillenwaters who died in the Revolutionary War.** He has been tentatively included in Thomas' family because the only other potential father in the area, **John Gillenwaters**, had children of his own born in this time frame. **Secondly, Elizabeth was included as a daughter because of her marriage to James Simmons who had a long and close association with this Gillenwaters family, especially the son Thomas. This Elizabeth was almost certainly a daughter of Thomas and Martha.** The unnamed third daughter is included in the family because of the marriage between **Robert Cross and a "daughter of Thomas Gillenwaters"** at the right time and place. Barbara Brown attributes this information to **Mrs. J.T. Moore, nee Mary Elizabeth Gillenwaters of Bulls Gap, Hawkins, TN. Mary Elizabeth was a granddaughter of Joel.** Since there was no other known Thomas in the Amherst area at that time with a daughter of marriageable age, **Robert's bride was probably a daughter of Thomas and Martha.**

The inclusion of **Sarah as a daughter is more tentative.** A Stubblefield family researcher found a child born in Hawkins County, Tennessee with the middle name Gillenwaters. This family had come out of Virginia by way of Spartanburg District, South Carolina and settled into Hawkins County about the time of Elijah's and Joel's arrival. The circumstantial evidence is weak and this daughter can be considered no more than possible. If this Sarah Stubblefield should prove to be a Gillenwaters, then the last suspected minor child will have been identified. With the **exception of the son, Thomas, none of the birth dates of the children are known and can only be estimated.** I have estimated the children's birth dates based upon a best guess of all the known events, rate of child birth, and statements in the will. **When Thomas wrote this will in the summer of 1779, his "known" children would have been about 21 (Elijah b. est 1758), (Joel b. est 1762), 16 (Elizabeth b. est 1763), 13 (Sarah b. est 1765), 11 (unk fem b. est 1768), and 8 (Thomas b. 3 Feb 1771). William had already died.** These estimated dates of birth correlate with the events that occurred in the lives of the children and the scant details provided in Thomas' will. Two statements in the will lead me to believe that **Elijah was older than Joel.** Thomas wrote "I give my sons Elijah and Joel...." stating that Elijah is to choose first. He next gives Joel a colt "providing he shall stay on another year and work and behave in his place as usual." I interpret this to imply a lack of maturity on Joel's part. One can only conjecture why Joel was so anxious to leave the farm. Did he wish to join the Revolutionary army or was he anxious to move into the frontier?

Martha, the relict, received her dower rights to the remaining land to be held until she re-married or died. Upon her marriage or death, the balance of the plantation was to go to **Thomas, the son.** Since this son was eight years old at the time, such stipulation was normal. The minor children would be maintained from the farm produce. The girls would be expected to marry and be provided for by their husbands eventually. As long as the widow remained single, she would have an income. If Martha were to re-marry, all the income from the farm was to be for the support of any and all remaining minor children with the land going to the son Thomas. Certainly, the elder Thomas' will implies no other living males.

One Gillenwater researcher, Barbara Gillenwater Brown, believes that Thomas, the son of [BO:Thomas of Amherst:BO], was born about 1752 and was, therefore, the eldest of the children. She further postulates that it was this Thomas (1752) who moved into the Spartanburgh District and that he in turn had a son Thomas born in 1771. Mrs. Brown bases her theory on the **autobiography of Thomas Jefferson Gillenwater in which he stated that both his grandfathers (Gillenwaters and Wilkins)** had served in the Revolutionary War. Since the ages of Thomas of Amherst and Thomas (born 1771) preclude military service, Mrs. Brown theorized an intermediate Thomas. **Other family researchers agree that the Thomas Gillenwaters who migrated to Hawkins County, Tennessee, came out of Spartanburgh but do not accept the intermediate Thomas.**

In her book, *Gillenwaters and Related Families*, Barbara Brown reports that Martha was on the 1783 Virginia tax lists with six other persons in her household. Let us assume that her son Thomas (b. 1752) was living with her, had married in 1770, had one son, Thomas born in 1771. Thomas would have been but eighteen at the time of his marriage if we accept his date of birth as 1752 (it could have been earlier). This is a young age for a male to be married. Given this assumption, Martha's household in 1783 could have consisted of herself, her son Thomas (aged 31), a daughter-in-law (aged over 21), her grandson Thomas (aged 12). This would account for four people.

Since there is no evidence of any other Gillenwaters children of this time and place, the other three persons most likely have would been Martha's daughters. The theory of an intermediate Thomas is further dispelled by his seeming disappearance from the records. After Thomas (1771) emigrated from the Spartanburg area, no further evidence of a Thomas Gillenwaters exists in South Carolina.

THE FAMILY

The six people living with Martha in 1783 were probably her three sons and three daughters. Surprisingly, neither Elijah nor Joel are included in the tax roll as landowners or as tithables, white males over 21. Even though they had inherited land from their father, Elijah and Joel are not listed as owing taxes. Neither of them appear to have been married at this time so we might surmise that they were sharing their time between the Amherst farm and the Holston River Valley. **Elijah had been granted 10 acres in Carter Valley in what is now Hawkins County, Tennessee, but had yet to move permanently. Since Elijah never established himself permanently in Hawkins County, He may have been exploring the valley further north in southwest Virginia where he eventually settled. Vera Ross Boyatt reported that Joel bought 200 acres of land in Hawkins county in December of 1882 on John Davis Creek.** Since he had not yet sold the land he had inherited, Joel must have used the cash he received from his crop that year for a down payment and secured the purchase with a promissory note for the balance.

Two years later in 1785 Martha's household has been reduced to herself and one other person. She is left with one dependant. **Elijah and Joel have sold their inheritance and emigrated to the southwest Virginia territory. Sallie now 22 had married a neighbor, James Simmons. Sarah is now 21 and married to the Stubblefield boy.** Who remains - the youngest daughter who is only 17 or Thomas? **The daughter could have married Robert Cross or Thomas has left with his sister Elizabeth and brother-in-law James Simmons for South Carolina.** After 1785, Martha no longer appears on the tax list. Has she gone to live with Thomas?

:BLACK TOM:

In 1790 the Thomas Gillenwaters who came to be known as Black Tom in Hawkins County, appears on the South Carolina tax rolls as the head of household with two other males and three females over the age of 16. The birth dates of everyone in this home would have been 1774 or earlier. One can only speculate who was living in the house. Since Tom had yet to marry, the census cannot include his wife. It is possible the household includes his mother, his sister Sarah and her husband Wyett Stubblefield, his unnamed sister and her husband, Robert Cross. **Thomas' older sister, Elizabeth Simmons, and brother-in-law, James Simmons, were living in Spartanburg District but now had two infants.**

Coincidence in family research is frequent and most always inviting. There were always those family members who set out for a new territory knowing no one in that place; but, most frequently, the immigrants were following a path created by other family members or friends. Shortly after 1790, Black Tom married into the Wilkins family who had traveled west from Culpepper County, Virginia and settled in District 76 from which the Spartanburg District was spawned. Tom's sister married a Stubblefield whose family also came out of Culpepper County with some of them settling in the Spartanburg area. Did the Stubblefields know the Wilkins?

The land left to Martha and Black Tom was sold in 1791 by a Thomas Gilenwater who was residing in Spartanburg, South Carolina. Undoubtedly, the seller was Black Tom. **The sale implies that Martha must have died by this time and that the land had passed onto Black Tom as his inheritance. If Tom's year of birth were correctly recorded on his headstone, he would not have reached his majority until the following year. Was the sale quasi-illegal or was Tom born before 1771?**

William Luther Brown also included the following in his book:

[IT: At a court held for Amherst County the sixth day of March 1780, the last will & testament of Thomas Gillenwaters, deceased, was this day presented to court by **Martha Gillenwaters** one of the executors herein named who made oath according to law and proved by the oath of Snelling Johnson & John Merritt two of the witnesses thereto, and the said Executrix with Benjamin Rucker and John Merritt, her securitys, acknowledged bond in the penalty of Ten Thousand Pounds, with the condition required by law and ordered to be recorded. Test. Edward Wilson, clerk

Know all men by these presents that we **Martha Gillenwaters**, Benjamin Rucker and John Merritt are held and firmly bound to William Cabell, James Dillard, David Crawford and William Horsley, Gent.

Justices of the Court of Amherst County now sitting in the sum of Ten Thousand Pounds to the payment whereof well and truly to be made to the said Justices and their successors we bind ourselves and each of us and our and each of us our heirs, Executors and Admrs., jointly and severally firmly by these presents. Sealed with our seals this sixth day of March in the year of our Lord one thousand seven hundred and eighty, and in the fourth year of our Commonwealth. The Condition of this obligation is such that if the above bound **Martha Gillenwaters**,

Executrix of the Last Will and Testament of **Thomas Gillenwaters**, decd do make or cause to be made a true and perfect inventory of all and singular the goods chattels and credits of the said deceased, which have or shall come to the hands possession or knowledge of the said **Martha Gillenwaters**, or into the hands or possession of any other person or persons for her, and the same so made do exhibit in the County Court of Amherst at such time as she shall be thereunto required by the said Court, and the same goods chattels and credits and all other the goods chattels and credits of the said deceased which at any time after shall come into the hands, possession or knowledge of the said Martha or into the hands or possession of any other person or persons for her do well and truly administer according to law , and futher do make a just and true account of her actings and doings therein when thereto required by the said Court and also shall well and truly pay and deliver all the legacies contained in and specified in the said testament, as far as the said goods chattels and credits will thereunto extend, and the law shall charge, then this obligation to be void and of none effect or else to remain in full force and virtue.

Martha Gillenwaters \ Benjamin Rucker \ Jno Merritt \

At a Court held for Amherst County the Sixth day of May, 1780. This bond was aknowledged and ordered to be recorded. Test. Edmd. Wilcox ,

Children of Thomas Gillenwater and Martha Gillenwater are:

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i. Elijah Gillenwater, born in Amherst, VA; died Oct 1832 in Washington Co, VA; married Elizabeth Clarke 16 Nov 1818 in Hawkins, TN.

ii. James Gillenwater

iii. Elizabeth Gillenwater

iv. Joshua Gillenwater, born 1770 in Campbell, VA;
married (1) Sally Layne; married (2) Suzanne Jones.

Notes for Joshua Gillenwater:

[Willey Family Tree 16 Jan 2005.FTW]

Wednesday, April 23, 2003 12:09 AM Dear Mrs Willey: Joshua Gillenwater that was born in 1770 in Campbell Virginia was the father of Absalom Gillenwater born 1802 in Virginia he married a Hanah Underwood on Dec 19,1821 she died in 1880 they had 10 children one was my great great grandfather James Gillenwater born Aug 23,1821 in Franklin Virginia died Jan 3,1875 in Pike Co Waverly Ohio he was in the Civil War he married a Charlotte Blakeman born 1826 in Ashland Ky died 1903 the rest of this go to www.ancestry.com for Moses Blakeman Sr & Elizabeth Nance her parents on the side-blkmn of Harold Ward's research so i don't have to retype all of my family tree again,on Joshua Gillenwater i don't know of his death just his children he married to Sally Layne & had 10 children & than to Suzanna Jones they had 3 children,if you have any other information let me know,Your sincerely William Blackburn Cincinnati Ohio <wmbblackbern@webtv.net>

v. Thomas Gillenwater

vi. Joel Gillenwater

vii. William Gillenwater

viii. Sarah Gillenwater

ix. Thomas Gillenwater

okoldfield1

okoldfield1 originally shared this

11 Jun 2013 story

Information Taken From Family Tree Maker's [Willey Family Tree 16 Jan 2005.FTW]

1732-1780 Amherst County, Virginia