

THE JUSTICE FAMILY IN VIRGINIA

1650-1800

BOOK TWO

**JUSTIANIAN JUSTICE
OF
CHARLES CITY COUNTY**

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FOREWORD

I

This is the second part of the early history of this family as indicated above. Part I. furnishes a thumbnail sketch of the origin of the Virginia Colony, and with it as a background, the arrival in the colony of William Justice and his marriage to Mary Frame, daughter of Captain John Frame. This couple lived and died in Weymoke Parish in Charles City County.

William and Mary Justice were married possibly as early as 1650, and could have had children from that time up until his death in 1664. Records indicate that ²John and ²Justinian were their sons.

Part II. of The Justice Family concentrates exclusively on ²Justinian and his children and follows them as closely as possible up to an arbitrary cutoff date of 1800.

Part III. concerns itself with the life of ²John Justice and his children and grand-children up to 1800.

Part IV. explores the idea that there may have been a third son of ¹William and Mary - a Ralph Justice who spent his life in Accomack County. This compiler is inclined to believe this is true. However, evidence to support this theory is circumstantial and very thin, reducing essentially to his being an orphan when he appeared in Accomack County Court in 1669 and was adjudged by the court to be sixteen years old (therefore b. 1653 and contemporary with ²John and ²Justinian), and the curious fact that living nearby in Accomack was one Arthur Frame who might have been a kinsman of Mary Frame Justice. This might explain why the boy could have gotten to Accomack from

II

Charles City County.

One further word of explanation. Our forefathers seem to have been inclined to name as many offspring after themselves as possible. This resulted in an unbelievable proliferation of Johns and Marys and mass confusion for the reader in trying to keep them identified. The confusion is not too bad horizontally, for in a given generation there were not more than two or three individuals with the same given name. Furthermore separate branches of the family moved into different counties after leaving Charles City, thereby making it easy to identify the John in Surry Co., the John in Brunswick County, and the John in Halifax as three separate individuals.

Vertically, however, it is highly confusing in the same county to try to distinguish between a John, his son John, and grandson John. Therefore a simple numerical key is used in all parts of this material to indicate in which of the five generations the person is a member. ¹William Justice, in Charles City County had number 1 all to himself. His sons ²John and ²Justinian were second generation. Now that you have a program lets go ahead.

3rd. generation

4th generation

V.

Chart III.

John Justis b. 18 March 1720 (Surry Co.)(Chatham Co.,N.C.)	Justinian Justis b. 14 Dec. 1721 (Lunenburg Co.)	Major Justis b. 16 May 1724 (C-city)	Prissilla b. 2/5/1695 m. 5/28/1718 b. 12/25/1694
		Judith Justis b. 7 Dec. 1726	
		David Justis b. 27 Oct. 1729 d.1754 (C-city)	
		Phrame Justis b. 25 Jan. 1733 (Greensville Co.)	
		Prissilla Justis b. 16 May 1735	

Charles City Co.

3rd. generation

4th generation

5th generation

VI.

Chart IV.

William Justis	William Jr.	James	William Jr.	Patsey m. John Camp 30 Aug. 1793	Betsey m. Littleton Wesson 23 Dec. 1793	Frankie m. William Moore 20 July 1797	Polley m. James Goodrum 31 Dec. 1801	Mary m. Abel Nanny 1 Nov. 1810
	1st.		2nd.					

Charles City Co. Brunswick Co.

Surry Co.

Surry Co., Va.

Halifax Co., N.C.

Benjamin	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah
Mary	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah
Rebecca	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah
John	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah
Joseph Cannon	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah
Richard	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah
Samuel	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah
Robert	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah
Sarah	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah
William	John Justice	Jean	Mary	Elizabeth	Lydia	Sarah

John Justice
b.c. 1698 d1774
daughters Cannon

William Jr. 11/29/1802	William
Nancy Andrews	William
Peggy m. 1/22/1787	William
William Grantham	William
Rebecca m. 1/16/1796	William
Daniel Mathews	William

3rd generation 4th generation

5th generation

Chart VI.

VIII.

Charles City Co. Lunenburg Co.

Chart V.

James Parish	Richard Justice
David	Richard Justice
Daniel	Richard Justice
Susley	Richard Justice
Daniel Jr.	Richard Justice
Zachariah	Richard Justice
Sally	Richard Justice

3rd generation 4th generation 5th generation

VII.

PART ONE

²JUSTINIAN JUSTICE AND DESCENDANTS

Whats in a name? That which we call a
rose by any other name would smell as
sweet - -
Shakespeare

This compiler first laid eyes on the name Justinian Justis in an index of wills and administrations for Lunenburg County, Virginia. The date of the will was July, 1756. In working backward in time through nine generations this was the first time this name had surfaced, and I stared at it with fascination. What kind of parent would do that to a newborn son? Of course I secured a copy of the will, and it will be included here in its proper order. For awhile I thought the name truly unique as the search continued through many volumes of Virginia records in an effort to find connecting clues leading back to the immigrant William Justice.

I continued to speculate as to the inspiration for the name. Could he have been named after one of his father's great friends? No other Justinian in view in the records. Was he named after a popular or historic personage in England at the time? I checked the history books without luck. The only Justinian there was a Roman emperor.

And then the name came to the surface again. This time on a tax list, The Quit Rents of Virginia, showing that a Justinian Justis paid tax on 200 acres of land in Charles City County in 1704. The date was far too early for this to have been the individual in Lunenburg county, and so obviously I now had the answer. A boy gets a name like that by

being named after his father. Right? Right! The only trick, as it turned out later, is to be sure you have the right father.

In 1969 a detailed search of Charles City county court records began to turn up many entries about the name Justinian, and instead of being mystery figures it began to look like this father and son would be the best documented of the early personages in the family history.

And then occurred one of those marvelous pieces of luck which every genealogy buff dreams about. Dr. and Mrs. Robert Terry of Nashville, Tennessee, who had become interested in the Justice genealogy while working on her family history, located an incredibly old family bible. Published in 1743, it is presently owned by the Gilbert Clinard family in High Point, North Carolina. On a fly leaf it lists the family of a Justinian Justice born December 25th, 1694, and his wife and children including a son, Justinian, born December 14th, 1721! By combining this with the Charles City records the mystery at last began to clear.

At one time it had been amusing that there should be one individual with so improbable a given name. In the final analysis there were three of them:

²Justinian b.ca. 1660, son of William and Mary (Frame) Justice; his son ³Justinian II b. 1694; and grandson ⁴Justinian III b. 1721. Now that you have a program lets have a closer look at number one.

The children of ¹William and Mary Justice were in probability born in the ten years before his death - that is between 1654 and 1664. For want of a more exact date then, lets strike an average and show circa 1660 for both ²Justinian and his brother ²John.

(3)

There is no certain way to tell which was older, however, some indications seem to point to ²Justinian. There was at that time the widespread practice of primogeniture - the passing of control or ownership of real estate to the oldest son on the death of the father. After the death of ¹William Justice his wife married first Thomas Capell and several years later when Capell died she married Peter Plumer. The feeling one gets from place names and the names of people mentioned in ²Justinian's records, is that the family in his lifetime lived in the same place and that his was the strongest influence in family affairs. Observe that it was he who paid taxes on 200 acres in 1704, although ²John lived there at the time. Though Charles City records are admittedly full of gaps, in those which remain, it is ²Justinian who is mentioned first as an adult - four years before his brother.

The brothers probably lived their entire lives on or near ¹Williams 160 acres along Kittawan creek in Weynoke Parish. They are probably buried somewhere there. This spot on a modern map is about three miles due southeast of Charles City courthouse.

If born about 1660 ²Justinian would have been old enough to marry by 1680. He could have married as early as twenty or twenty one, and young marriages were the custom in that time and place. One might even speculate that it would have been improbable that he would wait until he was twenty seven to marry. If he did marry at a younger age the girl must have died soon after - perhaps in childbirth - for he did indeed marry at twenty seven. The lady he then married was the widow of a John Brown, and the marriage took place before the following date:

CHARLES CITY COUNTY ORDERS 1687-1695 p. 94
AT A COURT HOLDEN AT WESTOVER 21 DECEMBER 1687

(4)

JUDG^MT IS GRANTED WM MARSTON PLT AG^ST MR. CHARLES GOODRICH HIGH SHERR: FOR YE NON APPEARANCE OF JUSTIN JUSTIS AT THIS FIRST COURTE AFTER ARREST FOR YE VALUE OF TOBO IN CASQ: WITH COSTS. THE SHERR: HATH ORDER FOR ATTACHMENT IN COURSE.

This entry is the first to mention him by name. It establishes (1) That there was a Justinian Justice (2) that he was an adult in Charles City by 1687 and associates him with Marston (who lived in Weynoke) and Goodrich. The next entry compliments the first.

CHARLES CITY COUNTY ORDERS 1687-1695 p. 111
ATT A COURT HOLDEN FOR CHARLES CITY COUNTY 3 FEB.
1688

PRESENT

COLL. EDWARD HILL

MAJ. JOHN STITH MR. P. PERRY

CAPT. DAN LEWELLIN MR. ED. BROWNE

JUDG^MT IS GRANTED WM. MARSTON EXER OF FRA: LORD AGT. JUSTINIAN JUSTIS AS WARRYING THE ADVX OF JOHN BROWNE DEC^D FOR 200 TOBO: IN CASQS. YE SD MARSTON SWEARING TO YE TRUTH OF HIS ACCO^TT.

Note: The sense of these entries is that ²Justinian had married the widow of Browne who was her husbands executrix. Wm Marston had a claim against the Browne estate. When ²Justinian married the widow he became liable for her debts. Marston filed suit and got a judgment, which the sheriff was instructed to execute. The expression "after arrest" in the first entry meant "after legal stop" and was not a literal arrest. Bear in mind we now have located a ²Justinian complete with wife, and so far as we know capable of having children any time after December of 1687. The unhappy business of estate settlement was still going on four years later:

CHARLES CITY COUNTY ORDERS 1687-1695 p. 364
AT A COURT HOLDEN AT WESTOVER FOR CHA: CITY COUNTY
ON YE FIFTH DAY OF OCTOBER ANNO DOMONI 1691
JUSTINIAN JUSTIS ORDERED TO BRING AN ACCOYT OF THE
ESTATE OF JNO. BROWNE DEC'D TO MAJOR STITH WHO
PROMISES TO ANALISE YE SAME & RETURN IT TO YE NEXT
COURT.

²Justinian had at least some opportunity to see the
court in action other than as the subject of its
deliberation. Note the casual difference in spelling
of his name as a member of a grand jury:

CHARLES CITY ORDERS 1687-1695 p. 520
AT A COURT AT WESTOVER 3 AUGUST 1694
GRAND JURY SWORN -

CHRISTOPHER HUDSON/ROBERT BESLEY/JOHN MAN/JUSTINIA
JUSTIS/JAMES COOPER/WILL PETEPOLE/THOMAS THROWER/
WITT MITCHELL/ JOHN HARWOOD/EDWARD MAIN/JOSEPH
RENSHAN/WITT LAMES/CHARLES GEE/FERDINAND JURROFT.

Note: The four brief court notations above appear to
be the only surviving records of this type concern-
ing ²Justinian. There is one other governmental
record which is the previously mentioned Qult Rents
of 1704 in which he is shown as paying taxes on 200
acres of land.

We have thus far established ²Justinian's parents,
where and to whom he was married. I believe he lived
his life and is buried near ¹William Justice in old
Weynoke Parish on the original family property.

This brings us to his children. We have only the
brief information in the records from which to
document this third generation in Virginia. The
conclusions I have reached were arrived at by
careful examination of, and deductions drawn from,
the facts available. You are invited, dear reader,

to accept my findings, or draw new ones of your own.
Daughters born to ²Justinian and his wife in all
probability changed their name by marriage and since
no parish registry book survives for Weynoke Parish
for that period it becomes impossible to trace them.
Indications are there were four sons:

- ³William
- ³Justinian II
- ³Richard
- ³John

Now lets take one of these men at a time and trace
his life as completely as possible including his
children and grandchildren beginning with:

PART II.

³JUSTINIAN II - OF ²JUSTINIAN
see CHART III.

According to statistics from the previously mention-
ed bible owned by the Clinard family of High Point,
N.C., his family looked like this:

- Justinian Justis b. Dec. 25, 1694
- Prissilla his wife b. Feb. 5, 1694/95
- Married May 28th 1718
- Issue: John Justis b. 18 March 1719/20
- Justinian Justis b. 14 Dec. 1721
- Major Justis b. 16 May 1724
- Judith Justis b. 7 Dec. 1726
- David Justis b. Oct. 27, 1729
- Phrame Justis b. 25 Jan. 1732/33
- Prissilla Justis b. 16 May 1735

³Justinian was born in Charles City county - probably
at the place where the family had always been
located. He lived there all his life and evidently
died there in May of 1755. From the record he

appears to have been a family man who was warmly involved in many aspects of the lives around him. Life was likely never dull at his house. Following are excerpts about him from the records, after which we will go over a thumbnail sketch of each of his children as listed above:

CHARLES CITY ORDERS 1737-1751 p. 46

AT A COURT HELD FOR CHARLES CITY JUNE10, 1738 JUSTINIAN JUSTICE JUNR. AGT ELIZA HARWOOD IT APPEARING THAT THE SUM OF THIRTY EIGHT SHILLINGS & NINE PENCE IS DUE FROM YE DEFT. DO PAY UNTO THE PLF. YE SD. SUM OF THIRTY EIGHT SHILLINGS AND COSTS.

CHARLES CITY ORDERS 1737-51

p. 57 SEPTEMBER COURT, 1738

BENJ. HARRIS GENT. AGT THOMAS HUDSON THE DEFEND'T BEING RETURNED ARRESTED, AND FAILING TO APPEAR & JUSTINIAN JUSTIS JUNR. BEING RETURNED HIS BALE, THEREFORE ON YE MOTION OF THE PLAINT'S ATTORNEY A CONDITIONAL JUDGMENT IS AWARDED AGT. YE DEFEND'T FOR WHAT SHALL BE RECOVERED PROVIDED IF THE DEFEND'T APPEARS AT YE NEXT COURT THEN THIS JUDGMENT TO BE VOID.

CHARLES CITY ORDERS 1737-51 p. 60 OCTOBER COURT 1738

BENJ.A. HARRIS GENT. AGT. THO HUDSON THE PLAINTIFF HAVING A CONDITIONAL JUDGMENT AGT. YE DEFEND'T AND JUSTINIAN JUSTIS JUNR. HIS BALE BY DEFAULT ETC. AND THE DEFEND'T NOW ALSO FAILING TO APPEAR ON THE MOTION OF THE PLF'S ATTORNEY THE SD. JUDGMENT IS NOW CONFIRM'D & A WRIT OF ENQUIRY AWARDED TO BE EXECUTED AT THE NEXT COURT. IT IS ALSO ORDERED THAT THE DEFEND'T HAVE LEGAL NOTICE HEREOF.

CHARLES CITY ORDERS 1737-51 p. 68 NOVEMBER COURT 1738
BENJAMIN HARRIS GENT. AGT. THO HUDSON FOR FIVE

POUNDS ONE SHILLING & SIX PENCE COURT. MONEY DUE ON ACCT. JUDGMENT BEING CONFIRMED AT THE LAST COURT AGT. THE DEFENDANT AND JUSTINIAN JUSTIS JUNR HIS BALE, AND A WRIT OF INQUIRY AWARDED AGT. THE DEFEND'T BUT ON THE DEFEND'TS COMING INTO COURT AND CONFESSING JUDGMENT FOR THE SD. SUM & THE DEFEND'TS SECURITY FOR PAYMENT FOR THE SAID SUM THE TRIAL BY JURY IS WAIVED & ORDERED THAT THE DEFEND'T AND IRBY HUDSON PAY FIVE POUNDS ONE SHILLING & SIX PENCE & COSTS & ONE ATTORNEYS FEE.

CHARLES CITY ORDERS 1737-51 p. 110 NOVEMBER CR. 1739

JUSTINIAN JUSTIS AGT JNO MAXFIELD THE PLT. BY HIS ATTORNEY PRAYS THE DEFENDANT GIVE SPECIAL BALE & THE COURT HAVING CONSIDERED THE SAME - IT IS ACCORDINGLY ORDERED THAT THE SHERIFF DOE TAKE THE DEFEND'T JOHN MAXFIELD INTO HIS CUSTODY & HIM SO TO KEEP UNTILL HE SHALL GIVE SUCH BALE, AND THEREUPON THE SD. DEFEND'T & JAMES BELL IN OPEN COURT ACKNOWLEDGES THEMSELVES TO STAND BOUND UNTO OUR SOVEREIGN LORD THE KING HIS HEIRS AND SUCCESSORS IN THE SUM OF TWO HUNDRED POUNDS STERLING MONEY & ON THE DEFEND'TS FAILING TO APPEAR AT THE NEXT COURT THE SD. SUM OF TWO HUNDRED POUNDS STERL. TO BE LEVIED ON THE GOODS AND CHATTELS OF YE SD. DEFEND'T & HIS BALE JAMES BELL & ON MOTION OF HIS ATTORNEY A SPECIAL IMPARLANCE IS GRANTED HIM.

CHARLES CITY ORDERS 1737-51 p. 122 APRIL COURT 1740

JUSTINIAN JUSTIS AGT JOHN MAXFIELD THE PLT. BY HIS ATTORNEY PRAYS LEAVE TO AWEEND HIS DECLARATION WHICH IS GRANTED, ON WHICH THE PLF BY HIS ATTORNEY PUTS IN A NEW ONE & THE SUIT IS REFERRED FOR TRIAL TO THE NEXT COURT.

CHARLES CITY ORDERS 1737-51 p. 133 JUNE COURT 1740
JUSTINIAN JUSTIS AGT. JNO MAXFIELD THE DEFT BY HIS ATTORNEY PUTS IN HIS DEMURRER TO THE PLNS

REPLICATION ON WCH BY CONSENT OF THE ATTORNEYS OF BOTH PARTIES ISSUE IS JOINED AND THE SUIT IS REFERRED TO THE NEXT COURT.

Note: Sounds like ³Justinian and Jno. Maxfield may have fallen into the hands of two attorneys who needed some exercise - or wanted to run up some fees.

CHARLES CITY ORDERS 1737-51 p.135 JULY COURT 1740 IN THE ACTION OF TRESPASS DEPENDING BETWEEN JUSTINIAN JUSTIS PLT. AND JNO MAXFIELD DEFEND'T THIS DAY CAME THE PARTIES AFORESAID BY THEIR ATTORNEYS UPON WHICH THE PLEAS OF THE SD JUSTINIAN JUSTIS UPON YE REPLICATION PLEADED BEING SEEN AND BY THE COURT HERE FULLY UNDERSTOOD IT SEEMETH TO YE COURT THAT THE SD REPLICATION & YE WATER IN THE SAME CONTAINED ARE SUFFICIENT IN THE CASE FOR THE SD JUSTINIAN JUSTIS TO COMPELL THE SD JOHN MAXFIELD TO ANSWER TO HIS WRIT & HE IS INSTRUCTED TO DO SO & UPON THAT THE AFORESAID JOHN MAXFIELD PLEADS NOT GUILTY AND THE PLT. JOINS.

CHARLES CITY ORDERS 1737-51 p. 140 AUGUST COURT 1740 JUSTINIAN JUSTIS VS. JNO. MAXFIELD THE PARTIES BY THEIR ATTORNEYS APPEAR & THE SD. DEFEND'T MAXFIELD IN OPEN COURT SURRENDERS HIMSELF IN CUSTODY IN DISCHARGE OF HIS BALE AND ACCORDINGLY HE IS ORDERED INTO THE CUSTODY OF THE SHERIFF & ON YE MOTION OF YE DEFEND'TS ATTORNEY THE SHERIFF IS ORDERED TO BRING HIM TO YE BARR & THEREUPON THE JURY BEING EMPANNELED TO TRY THE ISSUE JOINED WERE CALLED - NAMELY JNO EDIOE, JOHN DANZER, JNO BACKHURST, PETER ROYSER, EDWD MAJOR, JOHN EDIOE THE YOUNGER, CHARLES CIAN, GEORGE BASKERVILLE, JAMES CLARKE, SAM'L GREGORY CHARLES FLOYD, JOHN MINGE JUNR., WHO BEING SWORN AND HEARD THE EVIDENCE, WERE ORDERED TO WITHDRAW IN ORDER TO GIVE THEIR VERDICT TO THIS COURT.

IT IS ORDERED THEY DELIVER THE SAME TO THE SHERIFF AND THAT EACH OF THEM RESPECTIVELY ATTEND AT YE NEXT COURT IN ORDER TO PRESENT THE SAME ON PENALTY OF BEING FINED AS THE LAW DIRECTS.

Note: A verdict contin ued for sixty days? Someone had better watch the referee.

CHARLES CITY ORDERS 1737-51 p. 144 OCTOBER CT. 1740 JUSTINIAN JUSTIS AGT JOHN MAXFIELD THE JURY EMPANELLIED & SWORN TO TRY THE ISSUE FAILING TO RETURN THEIR VERDICT AT YE LAST COURT WERE ORDERED TO RETURN TT TO THIS COURT, BUT IT APPEARING TWO OF THEM WERE UNABLE TO ATTEND BY SICKNESS THE SAME IS REFERRED TO YE NEXT COURT WHERE EACH RESPECTIVE MEMBER IS STRICTLY REQUIRED TO GIVE THEIR ATTENDANCE IN ORDER TO PRESENT YE SD. VERDICT.

CHARLES CITY ORDERS 1737-51 p. 148 DECEMBER COURT THE JURY EMPANELLIED AND SWORNE BETWEEN JUSTINIAN JUSTIS PL. AND JOHN MAXFIELD DEF'T NAMELY & FAILING TO RETURN THEIR VERDICT LAST COURT NOW RETURNS THEIR VERDICT IN THESE WORDS VIZT. WE FIND FOR THE DEFENDANT JNO EDIOE, FOREMAN, WHICH VERDICT IS ORDERED TO BE RECORDED AND ORDERED THAT THE PLT. PAY COSTS OF SUIT & ONE ATTORNEYS FEE.

Note: Our man was robbed, thats all.

CHARLES CITY ORDERS 1737-51 p. 161 MAY COURT 1741 ORDERED THAT JUSTINIAN JUSTIS PAY ALEXANDER MARSHALL OF HENRICO COUNTY FOR ONE DAY'S ATTENDANCE AS AN EVIDENCE FOR HIM IN HIS SUIT AGT. JNO MAXFIELD THE SD. MARSHALL LIVEING IN YE ABOVE COUNTY ADJUDGED TO BE FIFTEEN MILES FROM THIS COURT AS ALSO FOR COMEING & RETURNING WITH FERRIAGES AS YE LAW DIRECTS.

CHARLES CITY ORDERS p. 161 MAY COURT
ORDERED THAT JUSTINIAN JUSTIS PAY EDWARD MARKS OF
PRINCE GEORGE CO. FOR ONE DAYS ATTENDANCE IN YE
ABOVE SUIT THE SD. MARKS ADJUDGED TO LIVE TWELVE
MILES DISTANT FROM THIS COURT HOUSE AS ALSO FOR
COMING AND RETURNING THE SD. DISTANCE WITH
FERRIAGES AS YE LAW DIRECTS.

Note: the 'ferriages', of course, were toll fees
paid to cross the James River in the ferry.

³Justinian was at this time forty seven years old -
a husband and father with kids six, nine, twelve,
fifteen, seventeen, twenty, and twenty one years old.

CHARLES CITY ORDERS p. 172 AUGUST COURT 1741
SAM', GREGORY VS. FRANCIS EPPES
³JUSTINIAN - - JURY DUTY - - CIVIL CASE

CHARLES CITY ORDERS 1737-51 p. 176 SEPTEMBER COURT
JUSTINIAN JUSTIS IN OPEN COURT ACKNOWLEDGES A DEED
OF GIFT TO HIS SON JOHN JUSTIS AS HIS ACT AND DEED
& THEREUPON ORDERED TO BE RECORDED.

Note: This would be the ⁴John shown to have been
born in 1720, and ³Justinian would appear to be
making a transfer of property to him on his reaching
age 21.

CHARLES CITY ORDERS 1737-51 p. 193 DEC. COURT 1741
ON THE PETITION OF JNO. PARKER AGT. JUSTINIAN JUSTIS
FOR THREE HUNDRED POUNDS OF TOBO THE SD. SUM
APPEARING TO BE TRUE & JUST IT IS CONSIDERED BY YE
COURT THAT THE PLA. RECOVER FROM THE DEF'T THE SD
SUM WITH COSTS & ONE ATTORNEYS FEE.

CHARLES CITY ORDERS 1737-51 p. 230 JANUARY COURT 1743
THO WENDY AGT. JUSTINIAN JUSTIS DISMISST.

CHARLES CITY ORDERS 1737-51 p. 341 FEBRUARY COURT
RICHARD CUMBS AGT ROBERT POWERS
JURY DUTY- - - - - JUSTINIAN JUSTIS

CHARLES CITY ORDERS 1737-51 p. 350 MAY COURT 1745
A GRAND JURY IMPANNELED AND SWORN NAMELY FRANCIS
HARDYMAN, WM IRBY, RICHARD PAINTER, JUSTINIAN JUSTIS,
EDWARD MAJOR, JEFFREY MURRELL, THOMAS JOHNSON,
CHARLES CHRISTIAN, JOHN BRADLEY, THEODRICK CARTER,
JOHN WAYNARD, JAAC WILLIAMS, EDWARD DANLEY, JACOB
DANZER, ROBLT VAUGHN, SIMON STUBBLEFIELD, BERNARD
MAJOR, DAVID DAVIDSON, WILLIAM WILCOX THOMAS EVANS

CHARLES CITY ORDERS 1737-51 p. 412 JUNE COURT 1746
THOMAS HUDSON VS. JAMES MITCHELL
ON THE JURY - - - - - JUSTINIAN JUSTIS

(and)

DUNCAN GRAHAM AGT IEMELLIN EPPES
ON THE JURY - - - - - JUSTINIAN JUSTIS

Note: All this jury duty must certainly have
interfered with spring plowing.

CHARLES CITY ORDERS 1737-51 p. 474 MAY COURT 1748
JUSTINIAN JUSTIS - - - - - GRAND JURY DUTY

CHARLES CITY ORDERS 1737-51 p. 479 MAY COURT 1748
(An action listed by the court clerk as:)
SOLOMON SAVEALL PLA. AGT. SIMPLETON SPENDALL DEF'T
(On a lease which in the body of the document names
the parties more accurately as Richard Kennon PLA.
and John Winge Def't -)

CHARLES CITY ORDERS 1737-51 p. 491 February Ct. 1749
A DEED FROM JUSTINIAN JUSTIS SENR. TO HIS SON
(ET)

JUSTINIAN JUSTIS JUNR WAS BY THE SD JUSTINIAN JUSTIS SENR ACKNOWLEDGED TO HIS SD SON AS HIS ACT AND DEED & PRISCILLA HIS WIFE BEING FIRST PRIVATELY EXAMINED RELINQUISHETH HER RIGHT OF DOWER IN & TO THE LAND IN YE SD DEED MENTIONED ALL WHICH ORDERED TO BE RECORDED.

Note: ³Justinian above transfers property to his second son as he did earlier to his son ⁴John at the latter's age twenty one.

CHARLES CITY ORDERS 1737-51 p. 594 1st WED./MAR. 1751 THE LAST WILL AND TESTAMENT OF RICHARD COCKE DEC'D WAS PRESENTED IN COURT BY JANE COCKE EXECUTRIX THEREIN NAMED WHO MADE OATH THERETO ACCORDING TO LAW AND BEING PROVED BY THE OATHS OF JOHN SHERMAN GREGORY, JOHN MOUNTCASTLE, AND JUSTINIAN JUSTIS WITS.

CHARLES CITY ORDERS 1751-1757 p. 129
AT THE NEW COURTHOUSE SEVENTH DAY OF AUGUST 1754
ISAAC HILL EX'R OF THE LAST WILL OF DAVID JUSTIS, DEC'D PLA. AGT. JUSTINIAN JUSTIS DEFT.
WILLIAM WILLIAMS OF THIS COUNTY COMES INTO COURT AND UNDERTOOK FOR THE DEFENDANT THAT IN CASE HE SHALL BE CAST IN THIS SUIT HE SHALL SATISFY AND PAY THE CONDEMNATION OF THE COURT OR RENDER HIS BODY TO PRISON IN EXECUTION FOR THE SAME OR THAT HE THE SAID WILLIAM WILLIAMS WILL DO IT FOR HIM AND THEREUPON THE SAID DEFENDANT PRAYS AND HAS ORDER TO IMPART TILL THE NEXT COURT AND THERE TO PLEAD.

CHARLES CITY ORDERS 1751-1757 p. 203 7th OF MAY 1755
ISAAC HILL EXECUTOR OF DAVID JUSTIS DEC'D AGAINST JUSTINIAN JUSTIS DEFT BY AGREEMENT OF THE PARTIES IT IS ORDERED THAT THIS SUIT BE DISMISSED AND THAT THE DEFENDANT PAY THE PLAINTIFF HIS COSTS.

Note: David was the first of ³Justinian's sons to die, and his death occurred prior to August 7, 1754 at about age 24. His executor probably filed the suit above to collect some residual inheritance from the father. This entry above dated May, 1755 closed the suit, and it also is the last reference to ³Justinian during his life. He died almost immediately, at age 59 years 6 months, and his oldest son ⁴John, who had moved to Sussex County some forty miles to the south four years earlier, was named his executor. On May 17th the executor of one Thomas Eldridge, Dec'd, filed a claim in Sussex County against ⁴John Justice as his father's executor:

SUSSEX COUNTY ORDERS p. 175 17 MAY 1755
(In a suit at law - -)

JUDITH ELDRIDGE EX'RX OF THOMAS ELDRIDGE DEC'D PLA.
VS.

JOHN JUSTICE EX'OR OF JUSTINIAN JUSTICE DEC'D DEFT.
CONTINUED TO THE NEXT COURT.
(and)

SUSSEX COUNTY ORDERS p. 244 SEPTEMBER 1755
JUDITH ELDRIDGE EX'RX OF THOMAS ELDRIDGE DEC'D PLA.

VS.
JOHN JUSTICE EX'OR OF JUSTINIAN JUSTICE DEC'D DEFT.
DISCONTINUED FOR WANT OF PROSECUTION.

Note the change of spelling of the name JUSTIS - JUSTICE in the entries above, and with these entries we close the record of the second ³Justinian, only a short time after the death of his son ⁴David. Another son, ⁴Justinian III died about fourteen months later in Lunenburg County. He will be discussed in short order. However, for now lets continue by taking up ⁴John Justice, mentioned above as his father's executor.

⁴John Justice

⁴John put his expectant wife, Elizabeth, in the wagon and moved away forever from the family home on the banks of the James River.

The move they made was to the south, some forty five miles into Sussex County where they lived for about twelve years. His motivation for the move was probably similar to that experienced by whole generations of people on the frontier - following other family members or friends who had moved, or perhaps there was an opportunity to acquire cheap land, or just the attraction of a new beginning with new faces in new places.

Shortly after settling in Sussex County, ⁴John filed suit in September, 1751 in Brunswick County, which joins Sussex Co. on the west to collect a small debt. A Brunswick county attorney handled the matter for him:

BRUNSWICK COUNTY ORDERS 1751-53 BK. 4 p. 103 Sept 1751
THE PETITION OF JOHN JUSTICE AGAINST AUGUSTINE CURTIS FOR A DEBT THEREIN SUPPOSED TO BE DUE BY TWO JUDGMENTS IS BY AGREEMENT AS WELL OF THE PETITIONER BY ROBERT JONES JUNR HIS ATTORNEK AS OF THE DEFENDANT IN HIS PROPER PERSON DISMISSED AND IT IS ORDERED THAT THE DEFENDANT PAY UNTO THE PETITIONER HIS TOBACCO COSTS BY HIM IN THIS BEHALF EXPENDED.

Note: During their first four years in Sussex County three children were born to ⁴John and Elizabeth. As soon as they were old enough they were duly taken to church, christened, godparents named, and the whole procedure duly recorded in the

ALBEMARLE PARISH REGISTER:

SURRY-SUSSEX COUNTIES VIRGINIA 1739-1787 pt. 1

p. 54 Elizabeth John Justice b.Oct 17, 1751 Godparents
da. of Elizabeth Bapt. Feb. 2, 1752 Anne Magee
his wife 1752
Wm Willie minister Sarah Roe

p. 59
Judith John Justice & born Nov 20, 1754 Godparents:
da. of wife Elizabeth Bapt. Feb. 9, 1754/5 Ephraim Justis
Sarah Johnson
Eliza Griffin

Note: Daughter ⁵Judith was doubtless named after ⁴John's sister ⁴Judith. She obviously died young, being the only child not mentioned later in her father's will. His brother ⁴Ephraim served as a godparent. Notice in this entry the surname spelled Justice - Justis. Another entry:

John John Justice & born March 11, 1755
son of wife Elizabeth

Note: Also in the ALBEMARLE REGISTER are entries showing:

p. 60 Justice, Ephraim Godparent of Joseph Hix b.
8-29-1755

Justice, John Godparent of David, son of
Joseph Cotes and wife Anne
b. Aug. 16, 1753
Bapt. Sept. 30, 1753

Note: Within sixty days of the birth of his first son (above) ⁴John got word of the death of his father ³Justinian back in Charles City. He was named executor of his father's estate. As such, a claim was filed against the estate and John as executor:

SUSSEX COUNTY ORDERS 1754-1757 p. 175 MAY 1755
JUDITH ELDRIDGE EXERX OF THOMAS ELDRIDGE DEC'D PLT.
VS.

JOHN JUSTICE EXOR OF JUSTINIAN JUSTICE DEC'D DEF.
CONTINUED TO THE NEXT COURT - - -

p. 244 SEPTEMBER COURT, 1755

JUDITH ELDREDGE EX'ER OF THOMAS ELDREDGE DEC'D PLT.

VS.

JOHN JUSTICE EX'ER OF JUSTINIAN JUSTICE DEC'D DEFT.
DISCONTINUED FOR WANT OF PROSECUTION.

Note: The ⁴John Justice family continued in Sussex County, and three more children were born. They are not shown in the Albermarle Parish Register, but their names and birthdates are listed in the ⁵David Justice Revolutionary War pension file (W-7947) in the General Services Administration archives with the other children of this couple:

JEWIMA, DAU. OF JOHN & ELIZABETH JUSTICE	b. 29Jan1760
PATTEY, " " " "	" b. 17Jan1762
DAVID, SON " " " "	" b. 14Aug. 1763

And lastly in Sussex County ⁴John was called as a witness in the trial of one John Garland which was transferred from Sussex County to the superior court in Williamsburg:

SUSSEX COUNTY ORDERS p. 18 JUNE 4th 1763

Abstract. BEFORE THE JUSTICES OF THE COUNTY OF SUSSEX FOR THE EXAMINATION OF JOHN GARLAND FOR FELONY CAME JOHN MASON JUNR, JOHN JUSTICE, AND WILLIAM ANDREWS & ACKNOWLEDGED THEMSELVES INDEBTED TO OUR SOVEREIN LORD THE KING, GEORGE THE THIRD IN THE SUM OF 100 pounds STERLING EACH, YET UPON THIS CONDITION THAT IF THE SAID JOHN MASON JUNR JOHN JUSTICE & WILLIAM ANDREWS SHALL MAKE THEIR PERSONAL APPEARANCE BEFORE THE NEXT COURT OF OYER & TERMNER AT THE CAPITAL IN WILLIAMSBURG THEN & THERE TO GIVE EVIDENCE ON BEHALF OF THE KING AGAINST JNO GARLAND IN A WATER OF FELONY & THEFT THEN THIS RECOGNIZANCE IS TO BE VOID.

JOHN MASON

Note: Sometime between July of 1763 and May of 1765 ⁴John moved his family fifteen or twenty miles to the west into Brunswick County, Virginia. Chances are his son ⁵William, born 27 February, 1765, was born in Brunswick. Sixteen years later, according to a reference "COLONIAL & STATE RECORDS OF NORTH CAROLINA" this newborn William and his brother David were both corporals in Captain Augustin Spain's company of the 2nd North Carolina Regiment of militia March 11, 1781. William would have been 16, David 18. Anyway, about ninety days after William was born:

BRUNSWICK COUNTY ORDERS BK. 9 p. 193 27 MAY, 1765
ORDERED THAT JOHN JUSTICE BE APPOINTED SURVEYOR OF THE ROAD THAT LEADS UP FROM PENNINGTON'S FORD TO HAMILTON'S PATH IN THE ROOM OF JOHN STEPHENS JR WHO IS DISCHARGED FROM THAT OFFICE AND THE HANDS AS USUAL DO ASSIST HIM IN KEEPING THE SAME IN REPAIR ACCORDING TO LAW.

BRUNSWICK COUNTY ORDER BK. 9 p. 313
AT A COURT HELD FOR BRUNSWICK COUNTY THE TWENTY THIRD DAY OF JULY 1765 FOR THE PROOFS OF PUBLIC CLAIMS - - (on a list)

JOHN JUSTICE'S CLAIM FOR TAKING UP A RUNAWAY HAVING BEEN MADE OATH TO THE SAME IS ORDERED TO BE CERTIFIED.

BRUNSWICK COUNTY ORDER BK. 10 1765-1768 p. 130
AT A COURT HELD FOR BRUNSWICK COUNTY THE TWENTY FIFTH DAY OF AUGUST IN THE SIXTH YEAR OF THE REIGN OF OUR SOVEREIGN LORD GEORGE THE THIRD AND IN THE YEAR OF OUR LORD CHRIST 1766

UPON THE MOTION OF JOHN JUSTICE IN BEHALF OF HIS SON JOHN JUSTICE JR AND IT BEING PROVED TO THE COURT THAT THE SAID JOHN JUSTICE JR WAS BORN WITH AN UNCOMMON MARK IN THE LOWER PART OF HIS LEFT EAR IT IS ORDERED THAT THE SAME BE CERTIFIED AND RECORDED.

Note: ⁵John Junr. was at this time eleven years old. What a strange and interesting entry! The reason for having this fact recorded may have been something totally different, but my guess is that it was to prevent any false and possibly disastrous identification by strangers at some future date. In the early eighteenth century it was still common practice to physically mark a person convicted of a felony by actually branding him with a hot iron or in some manner scarring him on a shoulder, in a hand, or perhaps by splitting the lobe of an ear. Perhaps the father felt it would be a safeguard in those times to have his son's birth defect "in the lower part of his left year" legally recognized as such.

BRUNSWICK COUNTY ORDERS BK. 10 p.443 July 29, 1767 ORDERED THAT JOHN BOOTH PAY UNTO JOHN JUSTICE ONE THOUSAND FIVE HUNDRED AND FORTY FIVE POUNDS TOBACCO FOR THIRTY THREE DATES ATTENDANCE AND TRAVELLING FIFTEEN MILES SIXTEEN TIMES AS A WITNESS FOR HIM AGAINST LEWIS MALONE.

Note: On September 20, 1768 another son was born to Elizabeth and ⁴John. They named him Henry (GSA W-7947). That same week ⁴John bought a new farm. He was at this time forty eight years old.

BRUNSWICK COUNTY DEED BK. 9 p. 181 26 SEPTEMBER 1768 (abstract) HENRY COCKE OF BRUNSWICK COUNTY SELLS TO JOHN JUSTICE OF THE SAME COUNTY 310 ACRES ON SOUTH SIDE OF MEHERRIN RIVER WHICH WAS LAND GRANTED TO THOMAS COCKE, OF SURRY CO., 10 SEPTEMBER, 1755.

Note: ⁴John and Elizabeth and their children probably lived on this property for the next six years. During this time three more children made their appearance:

STEPHEN born 24 July, 1770
KEZIAH, A DAUGHTER, BORN 1 January 1774
Allen born 22 August, 1775 (GSA W-7947)

The times were tense and people were gravely concerned about the future. The storm clouds of the American Revolution were gathering. On April 18th of 1775 General Thomas Gage, commanding the British garrison in Boston, sent about 1000 men on an eight-mile march to Concord to confiscate some arms and gunpowder the colonists were known to be gathering there. Several dozen minutemen met them in the village square at Lexington the next morning, and after a heated exchange of words shots were fired and eight minutemen were killed and ten others wounded.

Within weeks the second Continental Congress met in Philadelphia and debate raged about what course of action to follow. Many of those present wanted to break completely with England while others wanted to appeal to the King for redress of their grievances.

Units of the Colonial Militia met British troops in several places, the most noteworthy of which was probably that at Bunker Hill (more accurately Breed's hill) in Boston on June 17, 1775 in which hundreds were killed and the Colonials gave an amazingly good account of themselves.

On the day before, June 16th, the Continental Congress had elected one of its own members, George Washington, to take command of American forces. A war was on, but for the first year the Americans still considered themselves as being a part of the British Empire. It was not until a year later, July 4th, 1776 that representatives at Philadelphia signed the Declaration of Independence.

The effect the outbreak of war had on any one individual is, of course, unknown. Whether it figured in ⁴John Justice's thinking is unknown. He did, however, decide to sell his property during this time:

BRUNSWICK COUNTY ORDER BK. 13 p. 128

WONDAY THE TWENTY FIFTH DAY OF NOVEMBER 1776
AN INDENTURE OF BARGAIN OF SALE BETWEEN JOHN JUSTICE
AND ELIZABETH HIS WIFE AND HEZEKIAH THROWER WAS
PROVED BY THE OATHS OF JORDAN HOWSE, JOHN THROWER
& CHRISTOPHER THROWER WITNESSES THERETO, AND
ACKNOWLEDGED BY THE SAID ELIZABETH (SHE BEING FIRST
PRIVILY EXAMINED AS THE LAW DIRECTS) AND IS ORDERED
TO BE RECORDED.

⁴John Justice evidently sold this property with the idea of moving into North Carolina. The above is the last entry concerning him in Brunswick County records and three years later he received a land grant for 190 acres in Orange County, North Carolina where he died in 1794 at age seventy four. He left a beautifully prepared will which mentions all his children above except his daughter Judith:

CHATHAM COUNTY WILLS 1790-1799 p.9,10 Folios 1,3,4,
Department of Archives and History, Raleigh, N.C.

In the name of God amen, I John Justice of the county of Chatham in North Carolina being infirm in body but of sound mind and memory thanks be to almighty God for the same and calling to mind the mortality of my body and knowing it is appointed for all men once to die do make and ordain this to be my last will and testament in manner and form following First and principally I recommend my immortal soul into the hands of God that gave it hoping through the merits of my blessed Redeemer to inherit life

everlasting and my body I recommend to the Earth to be buried at the discretion of my executors and as to my worldly estate wherewith it hath pleased God to bless me I dispose with it in the following manner viz. First my will is that all my just debts be regularly discharged. Item I give to my beloved wife Elizabeth Justice during her natural life four negroes namely Hannah, Peter, Jacob and Poll - I

give to my beloved son John Justice after the death of my wife my negro fellow Jacob to him his heirs and assigns forever - Item I give to my beloved son David Justice my negro fellow named Phill to him his heirs and assigns forever - Item I give to my beloved son William Justice one negro girl named Lyd to him his heirs and assigns forever - Item I give to my beloved son Henry Justice one negro boy named Jan to him his heirs and assigns forever - Item I give to my beloved son Stephen Justice one negro girl named Cloe to him his heirs and assigns forever.

Item - I give to my beloved son Allen Justice one negro boy named Isaac to him his heirs and assigns forever Item I give to my beloved daughter Elizabeth Pickard after the death of my wife Elizabeth Justice on negro Woman named Hannah to her and her assigns forever - Item I give to my beloved daughter Keziah Justice one negro boy named Ned to her and her assigns forever Item I leave two negro girls namely Nan and Dinah to be sold and equally divided between my eight children namely John, Elizabeth, David, William, Henry, Stephen, Keziah, and Allen to them their heirs and assigns forever - Item I lend to my beloved wife Elizabeth Justice one feather bed and furniture and likewise all my household furniture and working tools that is not herein mentioned during her natural life and at her death to be equally divided between my six youngest children. Item - I give to my beloved son David Justice one

feather bed and furniture and two cows and calves and two head of sheep to him his heirs and assigns forever - Item I give to my son Henry Justice one Horse and saddle one feather bed and furniture two cows and calves and two head of sheep to him his heirs and assigns forever - Item I give to my son Stephen Justice one horse and saddle one feather bed and furniture two cows and calves and two head of sheep to him his heirs and assigns forever - Item I give to my Grand-son Samuel McAdams one horse and saddle one feather bed and furniture one cow and calf and two head of sheep to him his heirs and assigns forever - Item I give to my Grand-daughter Elizabeth Pickard the feather bed and chest that I lent to her father William Pickard to her her heirs and assigns forever Item I lend the use of the plantation whereon I now live with all the lands thereunto belonging and likewise one horse and saddle to my beloved wife Elizabeth Justice during her natural life - I desire that the plantation whereon I now live with all the lands thereunto belonging at the decease of my wife Elizabeth Justice may be sold and equally divided between my six youngest children. Namely David, William, Henry, Stephen, Keziah, and Allen to them their heirs and assigns forever - Lastly I constitute my beloved wife Elizabeth Justice Executrix and my beloved sons David and William executors of this my last will and testament. In witness whereof I do hereunto set my hand and seal this sixth day of April one thousand seven hundred and ninety-

Sign'd seal'd and published Signed John ^{his} X Justice
In the presents of us mark

Thomas Snipes August Session 1794 proved
Effereiter Moore in open court.

With the will above this concludes the study of ⁴John and his children to about 1800, and leaves this branch of the family tree located in Chatham county, North Carolina. If you have any family members in Chatham county at or shortly after that time, perhaps this will help you place their origin.

Next, lets take up ⁴John's brother, the third Justinian, son of Justinian II. See chart III.

⁴Justinian III Justis was born in Charles City Co. Virginia on December 14, 1721 according to the Clinard Bible. Thanks to the gap in Charles City records which extends up to 1737 there is nothing available about him until that time. When he first came onto the scene he was eighteen years old, married to a young lady whose name was Eupha, and the two of them, doubtless prompted by parents and others, were involved in what turned out to be a horrendous lawsuit.

This lawsuit was in Chancery - - that is, it was a suit about property, and may have been over separate property owned by Eupha before their marriage. At any rate it was bitterly contested over a five year period, and doubtless spelled out the end of their marriage before it was hardly begun. We pick up ⁴Justinian right in the middle of this affair:

on a list for 1775 as paying tithes for 19 persons over 16 including slaves. Both of these men appear in Lunenburg, remember, some twenty years after ³William and ³Justinian III arrived from Chas. City. ⁴David left no record from 1775 until 1808:

LUNENBURG CO. DEED BK. 22 p. 2 21 MAY 1808
W⁴ JUSTICE OF CO. OF LUNENBURG TO DANIEL JUSTICE OF COUNTY OF BRUNSWICK - FOR L10 PER ANNUM - LEASES TO SD. DANIEL THAT TRACT OF LAND SD WILLIAM RECENTLY PURCHASED OF HENRY COLLIER'S ESTATE FOR A TERM OF FIVE YEARS FROM 25 DEC. NEXT ETC.
WITS: ZACHARIAH JUSTICE - DAVID (X) JUSTICE - JONAS GEE - FRANCIS EDWARDS - PROVED 14 JULY 1808

⁴David Justice died intestate.

LUNENBURG CO. WILL BK. 7 p. 33a INVENTORY AND APPRAISAL OF THE ESTATE OF DAVID JUSTICE DEC'D (estate small)

RECORDED 9 JULY 1812

LUNENBURG WILL BK. 7 p. 42 ACCT OF SALE OF PROPERTY OF THE LATE DAVID JUSTICE DEC'D RETURNED BY ZACHARIAH JUSTICE.

REC. 8 OCTOBER 1812

Note: This concludes all the information presently in hand concerning ⁴David Justice of Lunenburg Co.. Three other individuals are noted in the county after the turn of the century. It is not clear to which parentage they might be attributed. They are: John Justice - security for Mary Justice who

married Abel Nanney 1810

Benjamin Justice - security for Sarah Justice who married _____ "fore 1817 and

LUNENBURG MARRIAGES - WATHENEY & YATES p. 72

MARRIED 23 DECEMBER 1806 ELIZABETH GARRETT
STEPHEN JUSTICE

DANIEL TAYLOR SEC.

This concludes records up to 1800 of ³Richard and his offspring. We continue with his brother ³John.

³JOHN JUSTICES - OF ²JUSTINIAN

See charts I and II

³John Justice was born ca. 1698 in Charles City co., Weymouth Parish, the son of ²Justinian Justice and the widow of one John Browne. ³John was probably brought up on the 163 acres on the James River which had been patented by his grandfather, ¹William Justice.

As a matter of fact, there is an interesting tie-in with this original property: when ¹William got his patent on this property (Part I of this history) the description showed it as " - - joining to (the land) of John Cannon - - ". So the first generation Justices and Cannons were neighbours in a very tiny community.

John Cannon had a son, John Jr., who moved south of the James river into Surry County. Our ³John Justice married a daughter of this John Cannon Jr., and himself moved about 1725 to Surry County where he lived the remainder of his life. His family was the first Justice family unit to move away from Charles City Co., and was the only family of this name in Surry County. His earliest record there:

SURRY CO. WILLS & ADMINISTRATION 1671-1750
Will for Richard Shockeye Rec. 20 Oct. 1731
Witt: John Justice

Note: Then there is the will of his father-in-law which lists ³John's daughters and son ⁴John but was made before son ⁴William was born:

SURRY COUNTY WILLS & ADTINS. 1671-1750 bk.9 p. 388
11 JULY 1741 WILL OF JOHN CANNON
LEGATEE WIFE JOANNA ESTATE FOR LIFE
TO DRANDAUGHTER JOANNA SCARBROUGH
TO GRANDAUGHTER JEAN JUSTICE 1 NEGRO
TO GRANDAUGHTER MARY JUSTICE (NEE OF AGE) 1 NEGRO
TO GRANDAUGHTER ELIZABETH JUSTICE 1 NEGRO
TO GRANDAUGHTER LYDIA JUSTICE 1 NEGRO
TO GRANDAUGHTER SARAH JUSTICE
GREAT GRANDAUGHTER JOANNAH SCARBROUGH
TO GRANDSON JOHN JUSTICE JR. "ONE GUN"
TO COUSIN CANNON *20 SHILLINGS FOR SCHOOLING 3
GRANDCHILDREN JOHN, ELIZABETH, AND SARAH JUSTICE"
JOHN JUSTICE EXR. PROVED 21 OCTOBER 1741

Note: As indicated above add to the list of ³John's children in the will one additional son ⁴William born after 1741. This made a father and two sons then: ³John Sr. and sons ⁴John Jr. and William.

³John Sr. was on Jury duty:
SURRY COUNTY COURT ORDERS 1749-1751 p. 277
AT A COURT HELD FOR SURRY CO. 17 JUNE 1751

PRESIDENT
JOHN RUFFIN RICHARD COCKE
JAMES GEE KANTWELL COCKE GENT JUSTICES
BENJAMIN BAIRD, EDmund BARROW, ROBERT SANDIFER,
RICHARD BARKER, JOHN JUSTICE, EPHRAIM FARHAM, AND
RICHARD RIEVES WHO WERE SWORN WITH OTHERS AT MAY
COURT LAST A JURY IN-A CAUSE DEPENDING IN THIS
COURT BETWEEN DAVID HUNTER MERCHANT AND JOHN
STEGALL DEPT. BEING CALLED AND NOT APPEARING IT IS

CONSIDERED THAT THEY TAKE THEIR FINE WITH OUR LORD THE KING BY THE PAYMENT OF FOUR HUNDRED POUNDS OF TOBACCO EACH UNLESS THEY APPEAR AT THE NEXT COURT AND GIVE SUFFICIENT REASON FOR THEIR FAILURE.

Note: Can't imagine why seven jurors out of a panel wouldn't show up - maybe the creek rose and they couldn't get there?

SURRY COUNTY ORDERS 1749-1751 p. 284 20 AUGUST 1751
RICHARD BARKER, EPHRAIM FARHAM, BENJAMIN BAIRD,
JOHN JUSTICE, RICHARD RIEVES, ROBERT SANDIFER AND
EDmund BARROW WHO FAILED TO APPEAR AT THE LAST
COURT AS JURORS IN THE SUIT BROUGHT BY DAVID HUNTER
AGAINST JOHN STEGALL NOW APPEAR AND GAVE SUFFICIENT
REASONS FOR THEIR FAILURE AFORESAID AND ARE
ACCORDINGLY EXCUSED.

SURRY COUNTY DEED BK. 7 1753-1757 p. 354
ABSTRACT. DEED OF GIFT. I JOHN JUSTICE SENR. OF THE
COUNTY OF SURRY FOR TEN POUNDS CURRENT MONEY IN
HAND PAID BY JOHN JUSTICE JUNR. OF THE COUNTY
AFORESAID DO SET, CONFIRM AND DELIVER UNTO THE SD.
JOHN JUSTICE A TRACT OF LAND LYING IN THE PARISH OF
SOUTHWARK AND COUNTY AFORESAID CONTAINING SEVENTY
FIVE ACRES - LYING ON THE SOUTH SIDE OF JOHN
JUSTICE'S PLANTATION AND BEING PART OF THE SD.
JUSTICE'S TRACT OF LAND - BEGINNING AT A GUY ON
RICHARD ELLIS'S LINE THENCE TO WILLIAM COOPERS LINE
AND ALONG IT TO A HICKRE IN ELLIS'S LINE THENCE
TO THE FIRST STATION. I HAVE HEREUNDER SET MY HAND
AND SEAL THIS ANNO DOMINI 1757 SIGNED SEALED AND
DELIVERED
IN PRESENCE OF JOHN JUSTICE
RICHARD ELLIS
JOSEPH JORDAN

ACKNOWLEDGED IN COURT AUGUST 15, 1757
W & NELSON CLK

Finally, in SURRY COUNTY VIRGINIA MARRIAGES 1768-1825 - Knorr, two young ladies, Peggy Justiss and Rebecca Justiss are recorded as having gotten married. They were almost certainly daughters of ⁴William. Peggy married William Grantham 22 January 1787; ⁵William Jr. married Nancy Andrews 29 November 1802; and Rebecca married Daniel Mathews 16 January 1796.

This concludes the available records of ⁴William Justiss of Surry county. We will now take up the record of his brother, ⁴John Justiss of Surry county, son of ³John:

⁴JOHN JUSTISS - SON OF ³JOHN JUSTISS OF SURRY
See Chart VI.

This ⁴John Jr. was the swinger of the Surry county group. He was born ca. 1733 and appears of record first in his grandfather John Cannon's will as being of "schooling" age in 1741. He had, of course, a brother ⁴William and sisters Elizabeth, Jean, Mary, Lydia, and Sarah. Of the sisters only Elizabeth is named later in the records - the others seemingly having married and changed their names. In 1757, when ⁴John Jr. would have reached his majority, his father transferred property to him:

SURRY COUNTY DEED BK. 7 1753-1757 p. 354
ABSTRACT: DEED OF GIFT. I JOHN JUSTICE SENR. OF THE CO. OF SURRY FOR TEN POUNDS CURRENT MONEY IN HAND BY JOHN JUSTICE JUNR. OF THECOUNTY AFORESAID PD. DO SELL, CONFIRM AND DELIVER UNTO THE SD. JOHN JUSTICE A TRACT OF LAND LYING IN THE PARISH OF SOUTHWARK AND COUNTY AFORESAID CONTAINING SEVENTY FIVE ACRES BEGINNING AT A GUM ON RICHARD ELLIS' LINE THENCE ALONG ELLIS' LINE TO THE FIRST STATION. I HAVE HERE-
UNDER SET BY HAND AND SEAL THIS ANNO DOMINI 1757

SIGNED SEALED AND DELIVERED
IN PRESENCE OF JOHN JUSTICE
RICHARD ELLIS
JOSEPH JORDAN ACKNOWLEDGED IN CT. AUG. 15 1757
W¹ NELSON CLK. CUR.

Note: Whether ⁴John Jr. was married at this time is not known, but because he was of age, and had ownership of property, it seems likely. If he was, there is no record, and the wife must have died early, because ten years later he was married to a Miss Sarah Cook (Coker?) who was to be his companion for the balance of his life:

COLONIAL SURRY-SUSSEX MARRIAGE BONDS 1754-1810 p.11
JOHN JUSTISS AND SARAH COOK DAU. OF REUBEN AND ANN COOK
SEC: BENJ. HILL WIT: HENRY COOK 2 JUNE 1767

In the next several years ⁴John and wife Sarah were raising a family. During the years shortly before and during the American Revolution ⁵Benjamin, ⁵Richard, ⁵Mary, ⁵John, ⁵William, and ⁵Sarah (Sally) were born.

In 1774 ⁴John decided to quit Surry county and Virginia for what must have seemed more advantageous surroundings in Northampton County, North Carolina. He was then about forty years of age. He paused in Northampton county only briefly and then bought new property in next door Halifax county, N.C.

HALIFAX COUNTY N.C. DEED BOOK 13 p. 152 2 JULY 1774
JOHN NORWOOD OF NORTHAMPTON CO., PROVINCE OF N.C. TO JOHN JUSTICE OF THE CO. AND PROVINCE AFORESAID FOR 216 POUNDS OF CURRENT MONEY OF VIRGINIA - 216 ACRES MORE OR LESS ON THE RIVER AT THE MOUTH OF TUDDY CUT

John was survived by his wife, Sarah, ten children and several grandchildren. The sizeable estate had to be divided, and the family applied to the commissioners court for help in a fair settlement:

HALIFAX COUNTY DEED BK. '8 p. 897

JOHN JUSTISS DEC'D DIVISION AND APPROPRIATION OF LANDS.

TO THE JUSTICES OF HALIFAX COUNTY A PETITION OF BENJAMIN JUSTICE, RICHARD JUSTISS, DAVID SILLS AND POLLY HIS WIFE, JOHN JUSTISS, WILLIAM JUSTISS, SALLY JUSTISS AND OF ROBERT JUSTISS, SAUEL JUSTISS AND REBECCA JUSTISS AND JOSEPH JUSTISS BY THEIR GUARDIAN, JOHN JUSTISS SHAW TO DIVIDE 2 TRACES OF LAND IN HALIFAX CO.: ONE CONTAINING 700 ACRES AND JOINING THE LAND OF HOOD J. HAMBLIN, BENJAMIN PEARSON AND OTHERS AND ANOTHER TRACT CONTAINING 200 ACRES, JOINING THE LANDS OF THE SD. HAMBLIN AND OTHERS:

HALIFAX CO. NOVEMBER CT. 1801:

COMMISSIONERS APPOINTED TO DIVIDE THE SD. LANDS: TERES WILLIS, WILLIAM A EATON, GILLIAM MENDOZA, WOOD J. HAMBLIN AND BENJAMIN PEARSON:

LOT # 1: BENJAMIN JUSTISS

" # 2: REBECCA JUSTISS

" # 3: JOHN JUSTISS

" # 4: JOSEPH C. JUSTISS

" # 5: POLLY SILLS

" # 6: RICHARD JUSTISS

" # 7: SAUEL JUSTISS

" # 8: ROBERT JUSTISS

" # 9: SARAH JUSTISS

" #10: WILLIAM JUSTISS

THE SD. LAND DIVIDED 28 JAN. 1802 AND LOTS DRAWN AS SHOWN

REG. HAL. CO. FEB. CT. 1802

TEST: JAMES GEE SURVEYOR

HALIFAX CO. DEED BK. 19 p. 93 STATE OF N.C.

TO THE SHERIFF OF HALIFAX CO. THE PETITION OF SALLY JUSTISS WIFE OF HALIFAX CO. WIDOW AND RELICT OF JOHN JUSTISS DEC'D REQUESTS ONE THIRD OF HER DEC'D HUSBANDS LANDS AND TENEMENTS AND IMPROVEMENTS IN HAL. CO. (SHE IS ALLOTTED 291 ACRES MORE OR LESS BY 13 COMMISSIONERS APPOINTED TO LAY OFF HER DOWER LANDS FOR HER.) NOV. A.D. 1801

REG. HAL. CO. MAY CT. 1803 TEST: L. LONG C. CT.

DEED BK. 24 p. 140 23 MAR. 1816

SALLY JUSTISS OF HALIFAX CO., N.C. TO DAVID SILLS OF NASH CO., N.C. \$90.00 291 ACRES MORE OR LESS IN HALIFAX CO. BEING THE DOWER LANDS ALLOTTED TO MY WIFE SARAH JUSTISS DEC'D.

SALLY JUSTISS AND A SEAL

WIT: B. C. EATON

J. C. JUSTISS

REG. HAL. CO. N.C. NOV. CT.

1817

DEED BK. 22 p. 54 20 DEC 1809

BENJAMIN, ROBERT, SAUEL, REBECCA, AND JOSEPH CANNON JUSTISS ALL OF HAL. CO. N.C. TO JOHN JUSTISS AND DAVID SILLS 291 SILVER DOLLARS BOTH BARGAIN AND SELL, ALL OUR RIGHT AND TITLE AND INTEREST IN AND FOR ONE TRACT OF LAND BEING 291 ACRES IN HALIFAX CO. BEING THE DOWER LANDS OF OUR LATE WIFE DEC'D.

BENJAMIN JUSTICE AND A SEAL

ROBERT JUSTICE AND A SEAL

SAUEL JUSTICE AND A SEAL

REBECCA JUSTICE AND A SEAL

JOSEPH C. JUSTICE AND A SEAL

WIT: DAVID WOODWARD X HIS MARK WILLIS SLEDGE

REG. HAL. CO. AUG. CT. 1811. TEST: H.I. BURGESS C. CT.

Note: With the death of Sarah Justice sometime between 1801 and 1809 the story of ⁴John Justiss comes to a close. ⁴John Justiss at the same time was the last grandson of ²Justinian to be accounted for in this narrative, and brings to a close

THE JUSTICE FAMILY IN VIRGINIA 1650-1800

BOOK TWO

JUSTINIAN JUSTICE AND HIS DESCENDANTS

The final sections of the early history of this Charles City county family will be dealt with in

Book Three

²JOHN JUSTICE AND HIS DESCENDANTS

(and)

Book Four

²RALPH JUSTICE AND HIS DESCENDANTS

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INDEX

Adams, Thomas	82	Campbell, Robert	38
Alfriend, Joseph	50,60	Campbell, Walter	78
Anderson, James	38	Cannon, Joanna	85
Andrews, Nancy	89	Cannon, John	77,84,85, 87,88
Andrews, William	19	Cannon, John Jr.	84
Apperson, Lucretia	71,81	Capell, Thomas	3
Armistead, -----	45,46	Carpenter, John	66
Atkinson, John	31	Carter, Theodrick	12
Backhurst, Jno.	9	Christian, Charles	12
Baird, Benjamin	85,86	Christian, John	33,50, 60,73
Ballard, Thomas	29,75	Christian, Turner	33
Barker, Richard	85,86	Cimbe, Richard	73
Barrow, Edmund	85,86	Cian, Charles	9
Baskervyle, George	9,29,75	Clancy, Sam'l	27
Bell, James	8,30,31,32	Clarke, Daniel	31
Besley, Robert	5	Clarke, James	9
Betty, George	41	Clifton, Benjamin	52
Bewery, Stephen	50,60	Clifton, John	52
Binford, John	44	Clinard, Gelbert	2
Booth, John	21	Cooke, Benjamin	13
Bowers, Young	72	Cooke, Henry	21,88
Bradley, John	12, 28, 33, 75	Cooke, Kantwell	85
Branch, Thomas	54	Cooke, Richard	13,29,85
Brewer, William	33	Cooke, Thomas	21
Brittle, John	52	Cole, William	28,75
Brooks, John	44	Coleman, John	41
Brookes, Robert	29,31,32, 34,75	Collier, Charles	44
Brown, Rev. Aaron	67	Collier, Henry	71
Brown, John	3,5	Collinsworth, Abby	64,65
Burbridge, -----	45,46	Collinsworth, Wm	64,65
		Cook, Ann	90
		Cook, Henry	90
		Cook, Ruben	90
		Cook, Sarah	90
		Cooper, James	5
Camp, John	65		

Cotes, Ann 18	Embry, William 38
Craddock, John 15	Eppes, Francis 11
Creedle, Henry 30	Eppes, Lewellen 12
Cross, Charles 78	Evans, Benja 56
Cumbs, Richard 12	Evans, Joseph 55
Curtis, Augustine 17	Evans, Thomas 12
	Ezell, Rev. Balaam 70

Daney, Edward 12	Faulcon, Jacob 92
Danzer, John Jacob 50	Finch, Wm. 29,75
Danzer, Jacob 50	Fletcher, Owen W. 65
Davidson, David 12	Floyd, Charles 9
Davies, Samuel 27	Fos, James 65
Dewell, Wyatt 88	Frame, Arthur 1
Donald, James 57	Frame, Capt. John
Dromgoole, Rev. Edwd. 65,67	Frame, Mary 1
Dudley, John 50	

Dupree, Henry 54,55	Page, Gen Thomas 22
Dupree, John Jr. 53	Gardiner, John 35
Dupree, John Sr. 53	Garland, John 19
Dupree, Lewis 53	Garrett, Mary 82
Dupree, Mary 53	Garrett, Elizabeth 84
Dupree, Rebecca 53	Gee, Charles 5

Baton, B.C. 94	Gee, James 85, 93
Baton William Jr. 91,93	Gee, Jonas 71,72, 80, 81,83
Edloe, John 9,10	Gilliam, Elizabeth 28

Edloe, John the young 9	Gilliam, Epa 28
Edlow, William 43	Gilliam, Epaphroditus
Edmonds, Rich 57	Gilliam, Iar 17
Edmonds, Francis 81,83	Glenm, Jeremiah 29
Edmunds, Rahab 70	Goodrich, Charles 4

Edwards, Francis 71,72,80	Goodrum, James 65
Eldridge, Judith 14,18,19	Graham, Duncan 12
Eldridge, Thomas 14,18,19	Grantham, William 89
Ellis, Rev. Irs 65	Gregory, John Sherman 13,50
Ellis, Richard 86,90	

Gregory, John Jr. 33	James, Rev. Cary 66
Gregory, Sam'l 9,11,28 50,60,75	Jennings, John 38
Griffin, Eliza 18	Jeter, John 53
Griffin, Elizabeth 49,50	Johnson, Arthur 88
Griffin, John 49	Johnson, Francis 43,51
	Johnson, George 33,65
	Johnson, Jacob 51
	Johnson, James 38,65

Haley, James 53	Johnson, Joseph 52
Hall, Durham 29,31,59	Johnson, Samuel 38
Hardemen, Littlebury 33,35, 50	Johnson, Sarah 18,49
Hardyman, Francis 12	Johnson, Thomas 12
Harris, Benj 7,58	Johnston, Isaac 36,37
Harrison, Benj 43,50,61	Johnston, Sarah 75
Harvey, John 28,75	Johnston, William 37
Harwood, Eliza 7	Jones, Robert Jr. 17
Harwood, John 5	Jones, George H. 65
Harwood, Samuel 33,50,60	Jones, John 80
Heartwell, Harrison 68	Jones, Willie 52
Hill, Benjamin 90	Jordan, Joseph 86,90
Hill, Edward 4	Jurrott, Ferdinand 5
Hill, Francis 57	Justice, Allen 22,24, 25
Hill, Isaac 13, 39, 47	Justice, Benjamin 90, 93,94,83
Hix, Anne 49,50	

Hix, Joseph 18,49	Justice, Betsy 65
Hix, Joseph Jr. 49	Justice, Daniel 75,76, 77,78,79,81,82
Howse, Jordan 23	Justice, Daniel Jr. 78, 79,80
Howard, Richard 65	Justice, David, 6,13, 14, 46,47,82,83,75, 76,77,81,82
Howard, William 64	Justice, David 15,19, 20,24,25,52,54,55, 71,72
Hubbard, Ralph 79	Justice, Elizabeth 85,
Hubbard, Russell 31	Justice, Elizabeth 17 87
Hudson, Christopher 5	
Hudson, Thomas 7,12	
Hunter, David 85,86	
Hurt, Merewether 80	

Irby, Wm. 12	
--------------	--

⁴Justice, Ephraim 18,35,47,
48,49,50,51,52,53,54,55,
60,61.
⁴Justice, Eupha Feme 27,29,
30,60
⁵Justice, Frankie 65
⁵Justice, Henry 21,24,25
⁵Justice, James 59,64,66,
67,68,69
⁵Justice, James P. 75
⁴Justice, Jemima 19
⁴Justice, Jean 85
⁴John 83
²Justice, John 1,2,3
³Justice, John 6,84,85,
86,87,88,89,90
⁴Justice, John 13,14,15,
16,17,18,19,20,21,23,26,
32,34,48,49,51,53,84,86,
87,89,91,92,93,94
⁵Justice, John 18,20,21,
24,52,53,54,55,
66,93
⁵Justice, Joseph C. 93,94
⁴Justice, Judith 6,46
⁵Justice, Judith 18,49
²Justice, Justinian 1,2,3,
4,5,55,72, 84
³Justice, Justinian 6,7,8,9,
10,11,12,13,14,15,
18,32,47,48,50,59,
83
⁴Justice, Justinian 2,6,13,
14,15,16,26,27,28,
29,30,31,32,33,34,
35,36,37,38,40,41,
42,49,60,62,73
⁵Justice, Keziah 22,24,25
⁵Justice, Lucretia 72
⁵Justice, Lydia 85
⁴Justice, Major 6,42,43,44,
45,46
⁵Justice, Mark 59,64,66,67,
68,69
³Justice, Martha 38,62
⁶Martha 55
²Justice, Mary 2,85
⁴Justice, Mary 37,39,
40,55
⁵Justice, Mary 36,65,
66,90,91
⁵Justice, Patsey 65
⁵Justice, Pattay 19
⁵Justice, Peggy 89
⁴Justice, Phraha 6
⁵Justice, Polley 65,66
⁴Justice, Prissilla 6,
13,15,32,42,46,
48
⁵Justice, Rahab 71
⁵Justice, Rebecca89,93
³Justice, Richard 6,28,
72,73,74
⁵Justice, Richard 90,93
⁵Justice, Rhoda 87,88
⁵Justice, Robert 93,94
⁵Justice, Sally 77,79,
93
⁵Justice, Samuel93,94
⁴Justice, Sarah 93,94
⁴Justice, Sarah 85
⁵Justice, Sarah36,41,90
⁵Justice, Stephen 22,24
²⁵,84
⁴Justice, Susley 78
⁴Justice, William Jr
38
¹Justice, William 1,2,
3,5,84
³Justice, William 6,15,
38,55,56,57,
58,59,60,61,
62,64,73,83
⁴Justice, William 15,16
35,36,43,49,
51,59,60,61,
62,63,64,65,
66,81,85,87,
88,89

⁵Justice, William 20,24,25, Marshall, Alexander 10
40,65,66,70
Marston, Benskin 73
71,72,81,89
90,93
⁵Justice, Zachariah 71,72,81, Marston, Wm. 4
78,79,80,81, Mason, John Jr. 19
82,83
Massey, Lucy 75
Matthews, Daniel 89
Matthews, Nancy 80
Maxfield, Jno. 8,9,10
Maynard, John 12
McAdams, Samuel 25
Meredeth, Sampson 31
Middleton, John 60
Minge, John Junr. 9,12,
50
Mitchell, Wames12,28,73
Mitchell, Witt 5
Milze, Jno 78
Moody, Thomas 33
Moore, Effereelter 26
Moore, William 65,70
Moore, ----- 83
Morgain, William 80
Moss, David 78
Moss, Mary 78
Mountcastle, John 13
Muncastle, Joab 28, 75
Murrell, Jeffrey 12
Myrick, Owen 65
Nagee, Anne 17
Main, Edward 5
Major, Bernard 12
Major, Edwd 9,12
Malone, Lewis 21
Malone, Robert 64
Man, John 5
Manning, Caleb 70
Marks, Edward 11
Nanney, Able 66,83
Nanney, Amos 70
Nanney, John 64
Nelson, Wm. 86,90
New, Edmund 57
Newsom, Glliam 93
Norwood, John 91

Ogborne, Tabitha 80

Rage, Edward 78	Royster, Peter 9,33
Page, Lewis 77,78,79	Rudders, Sam 39
Painter, Richard 12	Ruffin, John 85
Paisley, John 43,61	Russell, Tho. 29,34,43
Parham, Ephriam 85,86	
Parker, Jno 11	
Parrish, Mary 16,33,34, 43,49,60	Samson, Isaac 57
Parrison, Jonathan 46	Samson, Jno. 57
Patillo, James 78	Sandifer, Robert 85,86
Patterson, Jonathan Jr.39,40	Saveall, Solomon 12
Pearson, Littleton 71	Sawrey, John 54,55
Peebles, Joseph 66	Sawrey, Elizabeth 52
Peters, John Jr. 54	Scarborough, Joannah 85
Perry, Mr. P. 4	Scott, Wm 37,39
Petepoole, Will 5	Shaw, John Justiss 93
Pickard, Elizabeth 24,25	Sherman, Michael 50,60
Pickard, William 25	Ship, Sarah 80
Pleasants, John 35,44	Shockye, Richard 84
Plumer, Peter 3	Sledge, Willis 94
Powell, Jacob 52	Smith, Charles 72
Powers, Robert 12	Smith, Joshua 72
	Smith, Orlanda 72
	Smith, Pleasant 70
	Smith, Samuel 31,33
Ragsdale, Wm 71	Sills, David 91,93,94
Rash, Robert 82	Sills, Polly 93
Read, Clement 37	Sims, John 66
Renshaw, Joseph 5	Snipes, Thomas 26
Rhodes, Jno 78	Soane, Henry 73
Rice, Thomas 38	Southall, John 31
Riddlehurst, John 44,45	Southall, Phillip 31,50 60
Rieves, Richard 85,86	
Roe, Sarah 17	Spain, Capt. Augustin 20
Rose, John 38	Spencer, Mary 53
Royal, William 50,60	Spencer, Robert 53

Spendall, Simpleton 12	Wendy, Tho 11
Stacy, Simon 49	Wade, John 52
Stegall, John 85,86	Wadall, Jacob 31
Stephens, John Jr. 20	Wadall Pridgen 28,75
Stephenson, Will	Walker, Benja 43
Stevenson, Arthur 52	Walker, Henry 31,33
Stith, Drury 41	Walker, Lockety 43
Stith, Maj. John 4,5	Walker, Maury 43
Stith, Thomas 41	Wallace, Mary 49
Stokes, Silvanus 41	Ward, John 38
Stone, Minerva 30	Warwick, Ebens 91
Stuzrt, Walcom 31	Wasbuck, William 91
Stubblefield, Simon 12	Watkins, Elizabeth 92
	Watkins, Frederick 71
	Watkins, John 88
Tabb, Thomas 39	Watkins, John Jr. 91,92
Talbot, Sarah 60	Watkins, Mary 92
Taylor, Daniel 84	Watson, James 50,60
Taylor, Lewis 65	Wendy, Thomas 58
Terry, Robert 2	Wesson, Edward 69
Thartonn, Jas. 28	Wesson, Isaac Jr. 66,70
Thaxton, Jas. 75	Wesson, Littleton 65
Thompson, Nathaniel 53	Wesson, John Jr. 69,70,71
Thompson, Nicholas 31	Wesson, John Sr. 69,71
Thrower, Christopher 23	Wesson, Mary 67
Thrower, Hezekiah 23	Wesson, Thomas 65,69
Thrower, John 23	Wesson, William 65,67
Thrower, Thomas 5	Wilcox, Thomas 60
Turner, Simon 53	Wilcox, William 12
	Wilkerson, Benjamin 80
Ussery, Thomas 78,79	Williams, Bales 31
	Williams, Isaac 31
	Williams, Jaac 12
	Williams, Lazerus 37
Vaughn, Robly 12,50,60	Williams, Matthew 40
	Williams, Nathan 37
	Williams, Thomas 54,55,79
Weather spoon, Wm. 30	Williams, William 13,47

Williamson, Lewis 91

Williamson, Capt. Person 53

Wille, Wm 17

Willis, Lewis 93

Wray, Nelly 67

Woods, Robert 38

Woodward, David 94

Woodward, Micajah 52

Yarbrough, James 41

Surry Co. Surry Co., Va. Halifax Co., N.C.

Benjamin
Mary
Rebecca
John
Joseph Cannon
Richard
Samuel
Robert
Sarah
William

William Jr. 11/29/1802
Nancy Andrews
Peggy m. 1/22/1787
William Grantham
Rebecca m. 1/16/1796
Daniel Mathews

John Justiss
b.c. 1698 d. 1774
da. / Jno. Cannon

John Justice
Jean
Mary
Elizabeth
Lydia
Sarah

3rd generation 4th generation 5th generation

Chart VI.

Charles City Co. Lunenburg Co.

Chart V.

James Parish
Richard Justis
David
Daniel
Susley
Daniel Jr.
Zachariah
Sally

3rd generation 4th generation 5th generation