



# The Jacob Hunter Trust Newsletter



Volume 28, No. 1

Richard H. Hunter, Editor

January 2019

## **Theophilus Hunter's Cemetery Saved from Relocation**

Belle Long of Raleigh, NC led a group of Hunter descendants who have worked tirelessly since Oct. 17, 2018 to protect the Theophilus Hunter Cemetery. In October they learned that North Carolina State University in Raleigh had plans to relocate the Theophilus Hunter, Sr. (c. 1737-1798) family cemetery located on the former Hunter land now owned by the State of NC and allocated to NCSU. The cemetery is adjacent to Spring Hill House, the historic 1801-1815 home built by Theophilus Hunter, Jr. (1767-1840). The house is now occupied by the University's Japan Center. The University has plans to develop the entire 130-acre Spring Hill site and has spent thousands of dollars in surveys and contracts to move the cemetery. Theophilus Hunter, Sr. has the only marked grave in the cemetery, but many other graves are thought to be included. The number of other interments is unknown.

Belle marshaled other Hunter descendants and contacted the Jacob Hunter Trust to call and write letters to NCSU officials and oppose the relocation of the cemetery. Belle and her team, that included Betsy Amos, Rich Hunter, Thomas Hunter, and Josh Price, did extensive research to determine other close relatives who died during the time the cemetery was active who were likely buried there. Ground penetrating radar commissioned by the University indicated 18 possible graves, but research has turned up at least 27 relatives who were probable burials.

On December 6, 2018 Mary Peloquin-Dodd, Interim Vice Chancellor, Finance and Administration at North Carolina State University, responded to those who wrote letters opposing the cemetery relocation. Her letter stated,

*It is clear from the responses we have received that there is no desire to relocate or disturb the grave of Theophilus Hunter, Sr.*

*Consequently, the University will erect a barrier between the Hunter grave and the adjacent driveway to protect it, consistent with our statutory obligation to protect the sanctity of cemeteries on state lands. Finally, please be assured the university will honor the integrity of the*

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*National Historic Site boundary surrounding the Spring Hill House and cemetery.*

Belle and those assisting in this effort to preserve this historic family cemetery are to be congratulated. The Jacob Hunter Trust sends many thanks to all for this successful advocacy. The group hopes that the University will allow work to continue to survey the boundaries of the cemetery and document other potential family members buried there. Belle Long continues to work with family researchers to build family trees of people related to Theophilus Hunter and his descendants. She is presently looking for information on Hill and Hall branches. If you have any genealogical information on these families, please contact Belle at [belleplong@gmail.com](mailto:belleplong@gmail.com).

Belle Long is a descendant of Theophilus Hunter, Sr.'s daughter, Delilah Hunter Hinton (married to James Hinton).

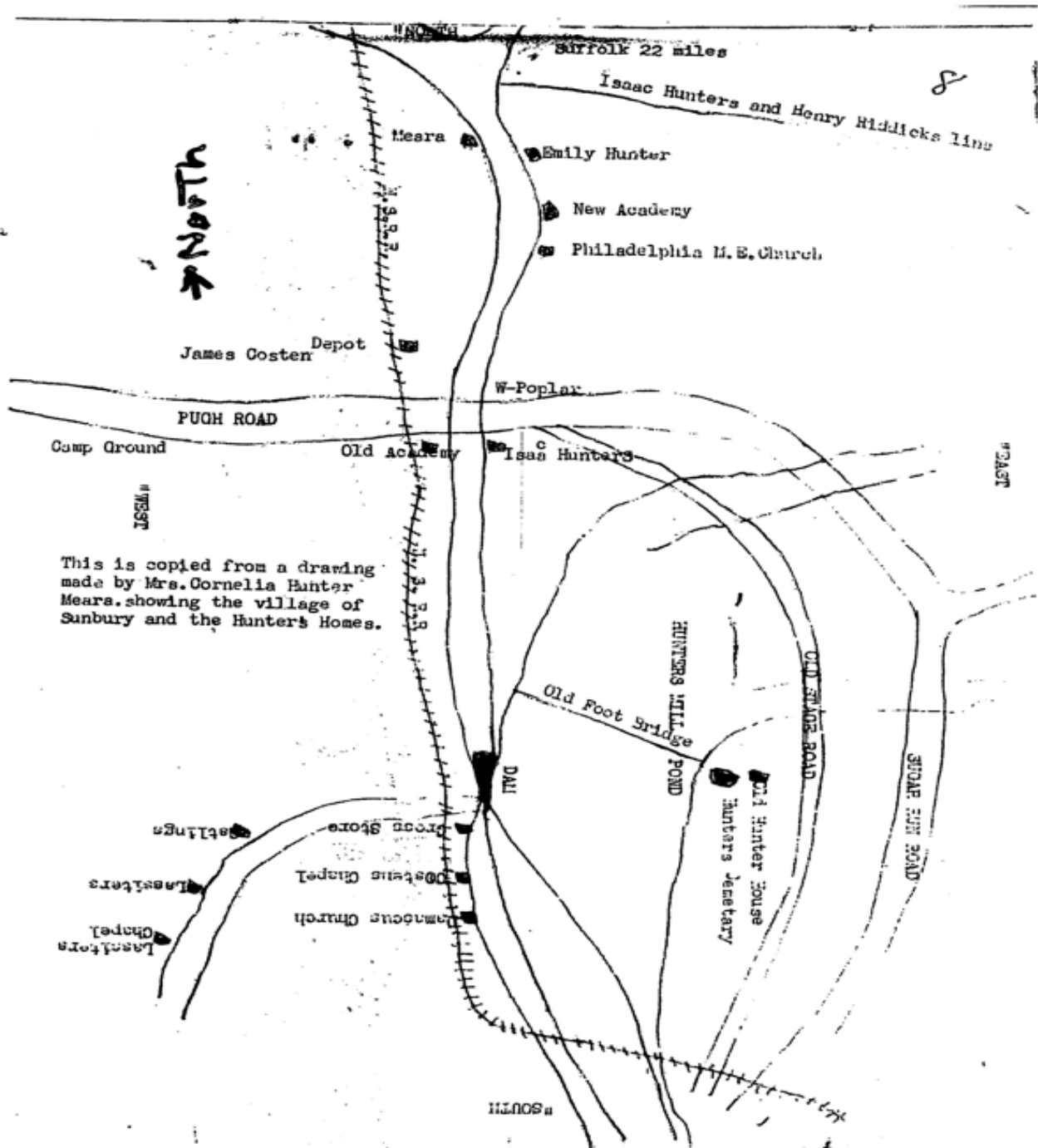
*[Editor's note: Theophilus Hunter, Sr. was a great grandson of William (weaver, our immigrant), grandson of Nicholas Hunter, son of Isaac, and brother to Isaac (tavern Isaac), Dempsey, Reuben, and Thomas Hunter.*

## **William Hunter's Original Land in America**

By Frank T. Cross and Richard H. Hunter

North Carolina natives Frank T. Cross and Mary Ann Cross Busby share ownership of land—passed down through family—that may have been a part of William Hunter's original patent recorded in what was then Nansemond County, Virginia. Courthouse records of the state line survey of 1728 list the property as being in Chowan County, North Carolina. The formation of Gates County, North Carolina in 1779—from the northern extensions of Chowan, Hertford, and Perquiman counties—now records this land as part of Gates County, North Carolina.

The original Hunter homestead in America lies south of US 158, south of Sunbury, North Carolina. It is believed the homesite included the 200-acre patent of 1695 and the adjacent 240-acre plot deeded to Hunter in 1702. Frank Cross provided the drawing below found at the Olivia Raney Local History Library, Raleigh, NC, of an old image drawn, from memory, by Cornelia Hunter Meara (1834-1909), of Sunbury, showing the old Hunter homesite and cemetery.



Applying the information shared via the Meara drawing to a topographical map of the area, Frank created a free-hand overlay highlighting the location of the millpond and adjacent grist and saw mills, cotton gin, and blacksmith shop.

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According to *The North Carolina Gazetteer* (2<sup>nd</sup> Ed.) (Powell, W.S. & Hill, M. (2010), p. 257), Hunter's Millpond was built prior to 1720 at the junction of Raynor Swamp and Harrell Swamp, at the head of Bennett's Creek in Gates County. It was destroyed about 1922 when the pond was released due to the construction of NC Route 32.



The railroad running through the area was the Suffolk and Carolina Railroad built in the 1890s and abandoned and taken up in the 1930s (Butchko, T.R. (1991). *Forgotten Gates*. p. 190).

### Evidence from Early Deeds

William Hunter's 1695 patent for 200 acres and his deed for an adjacent 240 acres purchased in 1702 begin the evidence for this property south of present-day Sunbury.

*accordingly give and grant unto William Hunter of Nansemond County weaver two hundred acres of land situate lying and being on the Eastward side of the maine Cyprus Swamp that turns out of Bennetts Creek in the Upper Parish of Nansemond County beginning and his adjacent property purchased in 1702, William Hunter is granted 240 acres adjoining his tract in Upper Parish on southeastern side of Meherrin swamp. (see: Cole, H.M.*

*<http://www.huntersofnansemond.info/land-records/>).*

There is further evidence that William (weaver) owned this land and transferred it to his son Nicholas, who transferred it to his son Isaac who then sold it to his uncle Isaac (of Chowan) in 1739 (see: Cole, H.M.

*<http://www.huntersofnansemond.info/land-records/>)*

On 2 May 1739 Isaac purchased three tracts from his nephew Isaac of Northampton Co., N. C., one of these a portion of the original William Hunter land (*Chowan County Deed Book C2, 17 March 1740. pp. 45-47*).

*Isaac Hunter Junr [son of Nicholas Hunter] to Isaac Hunter Senr [brother of Nicholas]*

*This Indenture made this 2nd May 1739 between Isaac Hunter Senr of Bertie Pct & his wife [Elizabeth Parker] of the one part & Isaac Hunter Junr of Chowan County [later of Northampton County] of the other part Witnesseth that the said Isaac Huntr Junr for the valuable consideration of fifty pounds currant silver money to him in hand paid by the sd Isaac Huntr Senr to me whereof he the sd Isaac Hunter Junr doth by these presents acknowledge & for himself his heirs exrs & assigns do likewise [illegible] discharge the said Isaac Hunter Senr & his heirs forever Having [illegible] granged barg'd sould & by these presents doth fully clearly & absolutley give in the year of our Lord 1717 grant bargd aline sell & forever make over & confirm unto the sd Isaac Hunter senr his heirs & assigns Three Tracts of parcels of land situate lying & being in the county aforesd containing by estimation three hundred & eighty four acres more or less the first being part of a patent granted to Wm. Hunter late of Virginia deceased & by him given to his son Nicholas Hunter and by him sould & conveyed to his son Isaac Hunter, party to these presents as by beginning at a marked red oak standing on the side of a swamp commonly known by the name of Meherrin Swamp that issueth out of Bennets Creek & running across the plantation whereon Nicholas Hunter formerly lived by a line of marked trees & posts to a live oak standing in the*

*head of a small branch & from thence S east or thereabouts by a line of marked trees to a red oak sapling standing on the line of the afsd Hunters which sd patent bearing date on the Secretary office in Virginia the 24th April in the year 1701 & from the afsd red oak sapling back along the sd patent line its several courses to a large branch commonly known by the name of Lasseters branch that issueth out of the aforesd Meherrin Swamp & from thence up the sd swamp its several courses abounded thereon to the first station be it one hundred acres more or less.*

We have established that “the maine Cyprus Swamp” and Meherrin Swamp were both names used at various times describing the swamp along Bennett’s Creek (See: Hunter, R.H. & Hunter, T.E. (2019). Identifying the Main Cypress Swamp and Meherrin Swamp. *Jacob Hunter Trust Newsletter*, Vol. 28(1), 2019, p. 8).

The millpond and subsequent grist and saw mills were most likely built by either William’s son, Nicholas; Nicholas’ son, Isaac; or William’s son, Isaac (of Chowan; Nicholas’ brother) as this property passed through their hands over the years. Isaac (of Chowan) gifted a portion of this property to his son, Major Jacob Hunter in 1747.

Hunter Family Research Group (*William Hunter of Nansemond Co. and His Early Descendants* (2013, p. 135) states that Jacob received this land and mill from his father Isaac Hunter (\_\_\_\_-1753). This Isaac is known as “Isaac of Chowan” and is a son of William Hunter, our immigrant.

*Jacob was bequeathed his father’s mill, and he had already been given a land gift by deed from Isaac and Elizabeth ‘for the love and affection’ for their son Jacob.*

*(Chowan Co. Deed Book E-1, p. 336, 9 Oct 1747, Isaac Hunter to Jacob Hunter).*

Also, on p. 109, Hunter Family Research Group, when describing Isaac of Chowan’s will, states, “Jacob was given the use of Isaac’s water mill plus a share of the remainder of the estate. Jacob had already received the bulk of his inheritance by way of a deed.”

At the intersection of Silver Springs Road (1404) and Route 32 was the homestead of Jacob Hunter (Major Jacob Hunter, son of Isaac of Chowan, and grandson of William, our immigrant).

*Jacob Hunter (\_\_\_\_-1784) was one of the leading men in future Gates County prior to and during the Revolutionary War. His 1780 will leaves to his son, Isaac Hunter (1759-1816), his grist and saw mill on Hunter’s Mill Swamp; it is for this mill and swamp that Hunters Mill Township takes its name. His son left the homeplace to his wife, Mary (Gordon) Hunter, with the exception of the ‘large barn and stone house,’ which was left to his son Isaac Benjamin Hunter. The ‘grist and saw mill’ went to another son, Isaac Riddick Hunter. Sometime in the 1850s the property was acquired by Seth R. Norfleet (ca. 1814-1881) and his wife, Martha Eliza (Rawls) Norfleet (ca. 1820- \_\_\_\_). In 1866 their oldest daughter, Harriett (ca. 1844-\_\_\_\_), married John Franklin*

*Cross (ca. 1841-\_\_\_\_). As the Crosses were living here in 1870 when her father wrote his will, leaving this farm to her.*

(Butchko, T.R. (1991). *Forgotten Gates*. The Gates County Historical Society, p. 191).

The Cross family continued ownership of this home and property with descendants Frank T. Cross and his sister, Mary Ann Cross Busby, as present-day owners. Frank and Mary Ann were raised in the home previously owned by Major Jacob Hunter on the southwest corner of SR-1404 (Silver Springs Road) and NC 32. According to Frank, Hunters Millpond ran through an area named Raynor Swamp, extending east of NC 32 (see Frank's drawing above). The property east of NC 32 is also part of William's land and is believed to be the location of the original Hunter family homeplace and family cemetery (see Meara drawing above). The Hunter home at the corner of SR-1404 and NC 32 is believed to be where William's son Nicholas and Nicholas' son Isaac resided for a period of years.

## **Did William Hunter (weaver) arrive in America in 1654 from Yorkshire, England?**

Bruce Lantrip sent the Trust a paper titled, *John Battle "Immigrant In 1654" of Pasquotank & Descendants*. The first page of this manuscript provides a quote from the book, *The Battle Book, A Genealogy of the Battle Family in America*, with Chapters Illustrating Certain Phases of Its History.

*JOHN BATTLE was one of the founders of the Battle family in America. Family traditions show him to have been born in Yorkshire, England, but the exact date is not known. He married there Elizabeth \_\_\_\_\_(surname not known). In 1654, he emigrated to America with his family and a number of relatives and neighbors, among whom were Sumners, Hunters, and Bakers, and settled on the west fork of Nansemond River, in a district since known as Nansemond County, Virginia. He secured a royal patent, dated December 14, 1654, for 200 acres of land from the Governor of the Colony of Virginia. On September 25, 1663, he secured from the Royal Governor, Sir William Berkeley, additional grants, one of which included 640 acres of land located on the Paspotank (now called Pasquotank) River in North Carolina (see Grants, Chapter V). He died about 1690. p. 199*

This manuscript suggests that our line of Hunters may have resided in or near Yorkshire, England before emigrating to America in 1654. This has not been confirmed by any of our researchers affiliated with the Jacob Hunter Trust.

# Identifying the Main Cypress Swamp and Meherrin Swamp

By Richard Hunter and Thomas E. Hunter

Early deeds describe William Hunter's (weaver) land in Virginia and later North Carolina as on "the maine Cyprus Swamp" and later on the Meherrin Swamp. Neither of these names appear in modern records leading to confusion. Multiple people interviewed in Gates County in 2014, including the county historian, never heard a reference to "the maine Cyprus Swamp" or Meherrin Swamp (see Hunter, R.H., William Hunter's Land?, *Jacob Hunter Trust Newsletter*, 24(1), 2015, p. 3-5). Some thought that the Meherrin Swamp must have been on the Meherrin River which would have placed the land north and west of the land on Bennett's Creek. However, the deeds below clearly establish that William's land was on the east end of Bennett's Creek containing the swamp known first as "the maine Cyprus Swamp" and then later as Meherrin Swamp. A map of this area is described in the Cross & Hunter article above. It should be noted that over his lifetime William acquired over 800 acres of land. This article pertains to his first known parcel (200 -acres) granted in 1695 and a second adjoining parcel containing 240-acres acquired in 1702.

Hunter M. Cole posted a deed granting land to William Hunter (weaver) dated 21 April 1695 describing the land lying on the "maine Cyprus Swamp that turns out of Bennetts Creek." <http://www.huntersofnansemond.info/land-records/#william>

*accordingly give and grant unto William Hunter of Nansemond County weaver two hundred acres of land situate lying and being on the Eastward side of the maine Cyprus Swamp that turns out of Bennetts Creek in the Upper Parish of Nansemond County.....*

Cole also posted a deed of 17 March 1729 where Nicholas, son of William (weaver) transferred land Nicholas inherited from his father that describes William's original land in Nansemond County, VA as on the Meherrin Swamp in the Chowan Precinct. <http://www.huntersofnansemond.info/land-records/#william> This deed, in part, states:

*sell & forever make over & confirm unto the sd. Wm. Hunter his heirs & assigns two parcels of land situate lying & being on ye southeastward side of Meherrin Swamp in Chowan Precinct beginning at a red oak sapling standing by Meherrin Swamp & running thence a southwardly course by a line of marked trees & past a cross the plantation whereon the sd. Nics. Hunter did formerly live to a hickory & by a line of marked trees to a live oak in the head of a small branch & from thence southeast or thereabouts by a line of marked trees to the line of the patent hereafter mentioned to a red oak sapling & thence along the several courses of the patent to the afsd. Meherrin Swamp & thence down the several courses of the afsd swamp & bounded thereon to the first station, be it one hundred & twenty acres more or less being part of patent formerly granted to Wm. Hunter late of the Upper Parish of Nansemond deceased father of the afsd Nics Hunter party to these presents as by a patent from the authority of Virginia bearing date the 25 of*



*Aprill 1701, doth & may appear & by the last will & testament of the afsd Wm. Hunter deceased descended to Nics. Hunter party to these presents as by the will afsd relation being thereunto had fully & at large doth & may appear the other part being a patent granted to the afsd Nichols. Hunter party to these presents for the quantity of forty-six acres as by patent bearing date the 24 Aprill 1703 doth & may appear beginning at a gum in Meherrin Swamp running thence & bounding on the land of Wm. Hunter deceased northeastwardly 29 degrees 22 poles to a red oak thence northwestwardly 100 degrees 24 poles bounding on the afsd Hunter's line to a beech thence northwestwardly.....*

The 1739 Isaac Hunter, Sr. and Isaac Hunter, Jr. deed listed on the Cole website: <http://www.huntersofnansemond.info/land-records/#isaac1>, establishes that William's land was in Chowan County NC after the state line change in 1728.

*This indenture made this 2nd May 1739 between Isaac Hunter Senr. of Bertie and his wife (Elizabeth Parker) of the one part and Isaac Hunter Junr. of Chowan County of the other part..... his heirs and assigns three tracts of parcels of land situate lying and being in the county aforesaid containing by estimation three hundred and eighty four acres more or less the first being part of a patent granted to William Hunter late of Virginia deceased and by him to his son Nicholas Hunter and by him and by him sold and conveyed to his son Isaac Hunter, party to these present as by beginning at a marked red oak standing on the side of a swamp commonly known by the name of Meherrin Swamp that issued out of Bennett's Creek and running across the plantation where on Nicholas Hunter formerly lived by a line of marked trees and posts to a live oak standing in the head of a small branch and from thence southeast or thereabout by a line of marked trees to a red oak sapling standing on the line of the aforesaid Hunter which said patent bearing date on the Secretary of office of Virginia 24th April in the year 1701 and from the aforesaid red oak sapling back along the said patent line its several courses to a large branch commonly known by the name of Lasseter's Branch that issued out of the afore Meherrin Swamp and from thence up the said swamp.....*

These early deeds confirm that Bennett's Creek runs through the swamps previously designated "the maine Cyprus Swamp" and later, Meherrin Swamp. This area is south of the village of Sunbury, NC and is a few miles east of Merchant's Millpond State Park. Further, the deeds establish that William's land was first in Nansemond County, Virginia and after the 1728 land survey ended up in Chowan County, NC. After Gates County was formed in 1779, William's original homestead ended up in Gates County, NC.

## **Hunter Original land in Virginia/North Carolina**

By Richard Hunter and Thomas E. Hunter

Our immigrant, William Hunter (ca 1655- ca 1704-28), first settled in 1685 in Virginia in the Upper Parish of Nansemond County. In 1695 he is shown with 200

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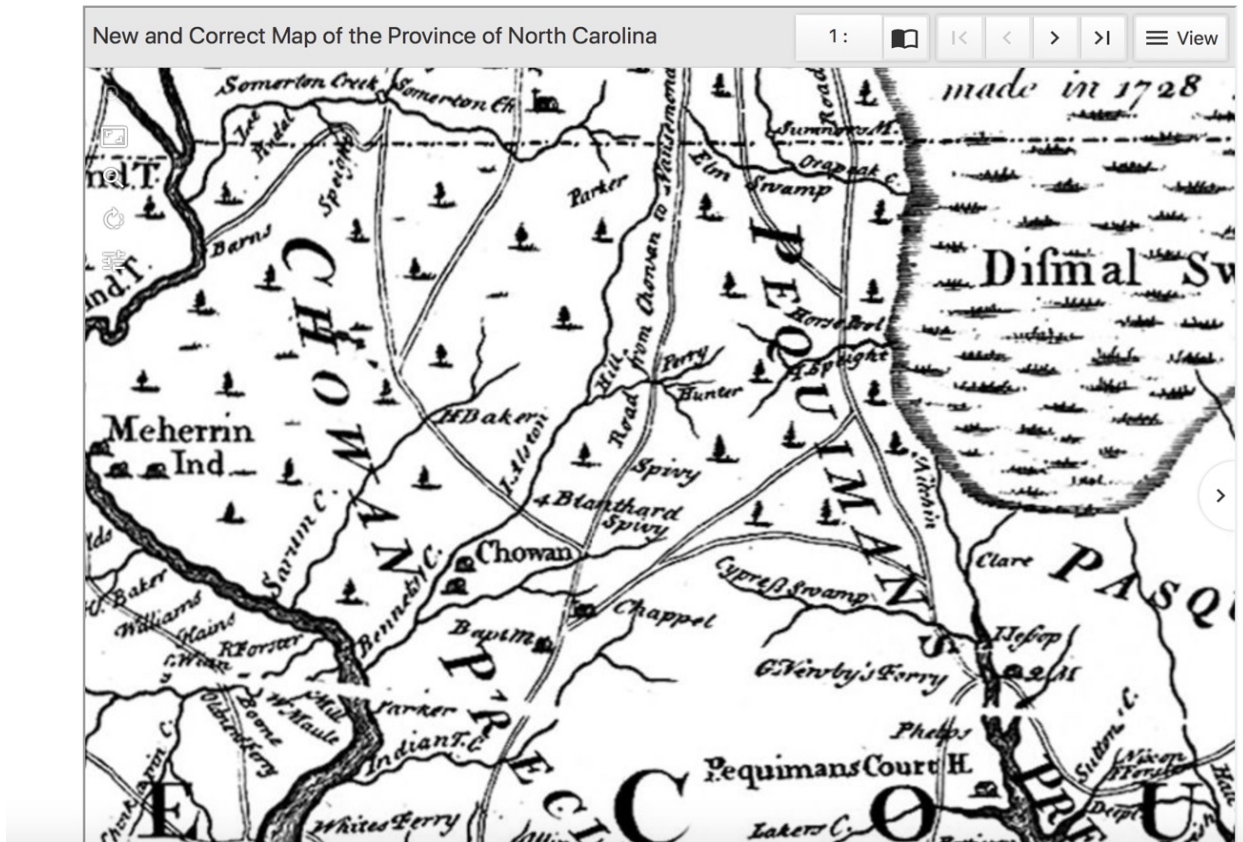
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acres, Upper Parish of Nansemond County, East side of the main Cypress Swamp of Bennett's Creek (Hunter Research Group 2013). Bennett's Creek passed through this large swamp of cypress trees as it progressed to its origin in Raynor, Duke, and Harrell swamps.

William's 200 acres was along Bennett's Creek as it intersected with the branch running into Raynor Swamp (see Mosley Map of 1733 below <https://digital.lib.ecu.edu/1028>).



In 1702 William acquired another 240 acres that was adjacent to his original 1695 200-acre patent (Cole, H.M. 2018). These two parcels became the early William Hunter homestead in America.

William's land ended up in Chowan County North Carolina after a land survey in 1728 that moved the state boundaries of Virginia and North Carolina. In 1700 Chowan (pronounced 'Show Wan') County covered over 3/4s of the State of North Carolina.

In 1779 Gates County was formed from Chowan, Perquimans, and Hertford Counties. William's land was then described in Gates County. William's 200 and 240-acre plots, depending on the year, was in Nansemond County Virginia, and the

North Carolina counties of Chowan and later Gates. Adding confusion to researchers, a deed registered in any of these counties could be the exact same property depending on the year.

William (weaver) had a total of 800 acres in 1704 but deeds for many of these other properties are lost at this time.

#### References:

Cole, H.M. (2018). <http://www.huntersofnansemond.info/land-records/#william>

Hunter Family Research Group. (2013). *William Hunter of Nansemond Co. and His Early Descendants*. Gainesville, FL: H-Bar Enterprises.

Corbitt, D.L. (1987). *The Formation of the North Carolina Counties 1663-1943*. NC Div. of Archives & History.

Powell, W.S. & Hill, M. (2010). *The North Carolina GAZETTEER: A Dictionary of Tar Heel Places and Their History* (2<sup>nd</sup> Ed.). Chapel Hill, NC: Univ. of North Carolina Press.

## Photo of Isaac Hunter's Tavern before it was "accidentally" destroyed to make room for a hotel

Betsy Hunter Amos provided the Trust a photo of the Isaac Hunter Tavern as it was in the early 1970s before being destroyed by "accident." As described by Betsy, "JC Knowles (a noted Wake County NC historian) thought he had a "handshake deal" [to save the Tavern] but one day returned, to find the tavern bulldozed and the ground cleared, and the remains burned for a hotel. Someone mistakenly thought, the tavern was only an old barn with no value and so destroyed a structure where the legislators first met to finally pick the capital of the state of NC, and that had survived for over 200 years, and that had survived at least one physical move."

Betsy's father, Carey J. Hunter, had preserved a file titled, *An Examination of the Building Called Isaac Hunter's*



*Tavern*, by Arthur J.P. Edwards dated February 4, 1970 that described the physical characteristics of the old historic Tavern. The picture, taken in 1969 by Charles Clark, was included in this report. More pictures and information on the site of the famous Tavern can be seen at: <https://legeros.com/ralwake/photos/weblog/pivot/entry.php?id=6718#body>.

If you are interested in a copy of the Edwards report, please contact Betsy Hunter Amos at: [halamos@aol.com](mailto:halamos@aol.com)

Additional pictures and

information about the Isaac Hunter Tavern can be found on the following websites:

<http://www.ncmarkers.com/Markers.aspx?MarkerId=H-3>,

<https://www.flickr.com/photos/north-carolina-state-archives/sets/72157614062085778/>,

<https://books.google.com/books?id=ZnJpHZCIIswC&pg=PA200&lpg=PA200&dq=isaac+hunter%27s+tavern&source=web&ots=uvDvjG1Fn&sig=HwMjTMk4OZLMIPjUtBGtfNzQJfQ&hl=en#v=onepage&q=isaac%20hunter's%20tavern&f=false>

Betsy Hunter Amos stated, "by today's logistics, the easiest landmark of the last known location of the tavern building was approximately under today's Hilton Hotel lobby at 3415 Wake Forest Rd. Raleigh, NC 27609." The hotel maintains an exhibit of the historic tavern in its lobby library area. The Trust appreciates Betsy Hunter Amos sharing her research with us.

*Editor's Note: Isaac Hunter (tavern Isaac) was a son of Isaac Hunter, grandson of Nicholas, and great grandson of William (weaver-our immigrant). He was a brother to Dempsey, Reuben, Theophilus, and Thomas (Hunter Family Research Group. (2013). William Hunter of Nansemond Co. and His Early Descendants. Gainesville, FL: H-Bar Enterprises).*

## Importance of the Isaac Hunter Tavern

By Betsy Hunter Amos

The Isaac Hunter Tavern is important, not just to Hunter descendants, but to all of Raleigh and even to the state of North Carolina. Wake County was formed in 1771 during the turbulent Regulator period in NC. It was formed for both political and practical reasons and was formed from land from 3 other counties. Lawmakers felt that by dividing the counties where the regulators were the strongest, they could weaken them and their movement. It also made it much easier for citizens to get to a nearby court house. A new seat would also make it easier to "attend general

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musters, elect Burgesses, and vestrymen, and to attend courts as witnesses and jurymen".

At the end of the colonial government in NC, we were a state with no permanent seat of government. The legislative bodies again became "itinerant publick Assemblies", as Gov. Tryon had called them in the colonial period, before he built Tryon palace. As early as 1779, Wake had been considered by the assembly, but it was not until thirteen years later and many heated legislative debates, the actual site was chosen.

In 1779 the legislators decided that..." one of 3 counties, Wake Johnston or Chatham would be convenient and agreeable to persons, who might be drawn thither, by attendance on public business." The legislators appointed commissioners to meet at Wake Courthouse to "view the several places in the counties...which may be proposed as proper, for becoming a seat of a government." Meeting prior to the next assembly Wake Co. was approved and in Oct 1779 a bill was introduced. It passed the Senate but failed on the second reading in the House. The matter sat idle for several years.

The "later day" got postponed from year to year until finally in Oct of 1787, the General Assembly dodged the responsibility of choosing one country over another, and (very skillfully) recommended that the Constitutional Convention being called for July of 1788, take on the added responsibility to "fix the place for holding future meeting of the General Assembly, and a place of residence for the chief officers of the state; which when fixed shall be the unalterable seat of government for this State".

That convention of delegates agreed when they met in Hillsborough, NC to "choose a point or place within ten miles of the plantation of Isaac Hunter". Hunter's Tavern was obviously a well-known location, operating for the last 20 years, and being at the intersection of two main roads, one a north-south highway between Virginia and South Carolina; and one east west and sitting in the center of the state.

## **Medical Injustice: Miasma and the Millpond**

By Richard H. Hunter

Theophilus Hunter (abt. 1725-by 1798) was a prominent citizen of North Carolina and was instrumental in establishing Raleigh at the state capital in 1791. After years of negotiations in 1788, a Constitutional Convention was formed and tasked with deciding the location of the capital city. They agreed that the new capital must be built within a 10-mile radius of Isaac Hunter's Plantation and Inn (or Tavern), a well-known rest stop on the road between Virginia and South Carolina. (Murray, E.R. (1983). *Wake: Capital County of North Carolina, Vol. I*. Raleigh, NC: Capital Co. Publ. Co.). Isaac Hunter (1720-1823) was a brother of Theophilus (and, Dempsey Hunter (est. 1730-est. 1762), the 5<sup>th</sup> great grandfather of the author).

"Theophilus served in many civic offices, as shown by public records in Wake County histories in the capitol in Raleigh. He was the first judge of the Wake County



Court of Common Pleas and Quarter Sessions, the first County Surveyor, the first county tax assessor, one of the five commissioners supervising the building of the initial state house (1791), and a city commissioner in Raleigh. He served as a representative to the North Carolina House of Commons and was a Colonel in the Colonial Militia.” (Hunter Family Research Group. (2013). *William Hunter of Nansemond Co. and His Early Descendants*. Gainesville, FL:H-Bar Enterprises. p. 63).

Also prominent in establishing Raleigh as the state’s capital was Theophilus’ son, Capt. Theophilus Hunter, Jr. (1760-70-1841). Theophilus Jr. served on the Wake County commission, was a founder of what became the Bank of North Carolina and was the founder of the Raleigh Academy (Hunter Family Research Group (2013), p. 66).

Raleigh was considered a healthy place to live compared to the lower lying areas near the coast. However, “in 1822 a mysterious ‘bilious fever of the remittent and intermittent character’ afflicted more than a third of Raleigh’s approximately 2,200 inhabitants. Of the 817 who contracted the malady, 46 died in a four-month period” (Murray, E.R. (1983), p. 435). Several residents temporarily left the city, including Governor Gabriel Holmes and his family. Governor Holmes’ wife was Capt. Theophilus Hunter, Jr.’s sister, Mary. They had a son, Lt. Gen. Theophilus Hunter Holmes.

A group of citizens and some physicians began calling the epidemic “marsh miasma” and blamed it on ponding of water near the Rocky Branch mill owned by Capt. Theophilus Hunter, Jr. Joseph Gales offered the following explanation:

*[The millpond]....owing to a very hot and dry season had been so reduced as to expose the Sun’s rays a great portion of land usually covered with water, and thereby produced a poisonous miasma, that sickened all who lived in parts of the city most exposed to it. There was [also] a heap of Cotton Seed in the Southern part of the City, which lay exposed to the rays of the Sun, that is believed to have contributed to the mischief.* (Murray, E.R. (1983), p. 436)

After the epidemic subsided in November (after the first frost), the city commissioners began investigating the cause and focused on Capt. Theophilus Hunter, Jr.’s millpond. The commissioners attempted to stop Hunter from damming the creek to refill the millpond and that led to a lawsuit against Hunter that lasted four years and ended up in the North Carolina Supreme Court. During these extended court reviews, concerned citizens and physicians on both sides of the issue wrote letters to local newspapers both opposed to the millpond and those who argued that the millpond was not related to the epidemic. The Supreme Court ruled against Capt. Hunter and subsequently his dam was leveled.

Medical opinion was divided with one group of physicians claiming that Hunter’s millpond had produced the fever-causing “poisonous effluvia” and an equal number claiming there were other causes. It was not until 1851, ten years after Capt. Hunter’s death, that the miasmatic theory was formally disputed by Dr. Charles E. Johnson of Raleigh, and not until 1898 that scientists identified the lowly mosquito as the carrier of malaria, in all probability the disease that Raleigh had experienced in 1822 (Murray, E.R. (1983), p. 436).

Capt. Theophilus Hunter, Jr. spent the last 19 years of his life dealing with the false accusations of his millpond causing this dreaded epidemic and the subsequent court cases, never knowing the truth that would fully exonerate him in 1898 (57 years after his death).

*Editor's note: Theophilus Hunter was the son of Isaac Hunter, grandson of Nicholas Hunter, great grandson of William Hunter (weaver, our immigrant). He was a brother to Dempsey, Reuben, Isaac (Tavern), and Thomas. Theophilus Hunter, Jr. was the son of Theophilis Hunter and Faith Rogers? (Hunter Family Research Group. (2013). William Hunter of Nansemond Co. and His Early Descendants. Gainesville, FL: H-Bar Enterprises)*

## PLEASE CONSIDER MAKING AN ANNUAL CONTRIBUTION TO THE JACOB HUNTER TRUST

In addition to publishing family history through the Jacob Hunter Trust Newsletter, the Trust maintains three, historic, family cemeteries. The Braxton Lee Cemetery in Ashland City, TN is where our grandparents Braxton Lee, Annie Lee, Jacob Hunter, and Mary Polly Dancer Hunter Lee are buried. The Jacob Hunter Cemetery and the Allen Hunter Cemetery in Williamson County, IL are the burial locations of several of our great grandparents, great uncles, great aunts, and other family who married children or grandchildren of Jacob Hunter or the Reverend Allen Hunter. Costs associated with maintaining these two cemeteries with the respect due these early pioneers are substantial and will increase over time.

It is the objective of the Jacob Hunter Trust to raise sufficient funds so the account may be turned over to a professional trust administrator at a bank with a trust department. Before this can be done, the Trust needs to raise sufficient funds so that the interest on the money will cover the costs associated with perpetual care of these cemeteries.

We are asking all interested individuals to donate every year so the income can exceed the annual costs of cemetery maintenance and build a balance to the level required to provide perpetual care based on annual earnings.

We also need people who are interested in providing support via Gifts and Bequests to the Jacob Hunter Trust. Judge Robert S. Hunter (1919-2012) has written instructions (see article below) for leaving money through one's will, "payable on death" (POD) to the Jacob Hunter Trust. The Jacob Hunter Trust is registered with the IRS as a tax-exempt 501 (c) 13 charitable organization. Donating to the Jacob Hunter Trust may provide substantial tax benefits.

# Trust 2018 Income and Expense Detail

## The Jacob Hunter Trust Account for 2018

<u>DATE</u>	<u>ACTIVITY</u>	<u>DEBIT</u>	<u>CREDIT</u>	<u>BALANCE</u>
1/1/18	Balance Forward			\$2,883.18
1/8/18	Richard H. Hunter		\$500.00	\$3,383.18
1/10/18	Ray E. Smith		\$250.00	\$3,633.18
1/10/18	Earl Ray Smith Trust		\$250.00	\$3,883.18
1/15/18	Phillip Lane, website work	\$25.00		\$3,858.18
1/18/18	Interest on checking acct		\$0.14	\$3,858.32
1/24/18	Richard & Ethel Sue Holladay		\$50.00	\$3,908.32
2/16/18	Interest on checking acct		\$0.16	\$3,908.48
3/16/18	Sharon Hall		\$50.00	\$3,958.48
3/17/18	Fred E. Hunter		\$100.00	\$4,058.48
3/16/18	Interest on checking acct		\$0.15	\$4,058.63
4/19/18	Judge Carolyn Quinn		\$300.00	\$4,358.63
4/18/18	Interest on checking acct		\$0.18	\$4,358.81
5/18/18	Interest on checking acct		\$0.18	\$4,358.99
5/21/18	Kenneth Pankey		\$100.00	\$4,458.99
6/4/18	Juanita Cowsert Johnson		\$500.00	\$4,958.99
6/8/18	Williamson Co Treasurer	\$9.86		\$4,949.13
6/13/18	Hicks Lawn Serv( AHC X 2, JHC X1)	\$135.00		\$4,814.13
6/17/18	Laura H & John Johnson		\$100.00	\$4,914.13
6/18/18	Interest on checking acct		\$0.20	\$4,914.33
7/18/18	Hicks Lawn Serv( AHC X 2, JHC X1)	\$135.00		\$4,779.33
7/18/18	Interest on checking acct		\$0.21	\$4,779.54
7/2/18	Rebecca Lawrence		\$150.00	\$4,929.54
8/6/18	Diana Moake Murphy		\$300.00	\$5,229.54
8/6/18	Jannette Moake Johnson		\$100.00	\$5,329.54
8/10/18	Hicks Lawn Serv( AHC X 3, JHC X1)	\$185.00		\$5,144.54
8/17/17	Interest on checking acct		\$0.21	\$5,144.75
8/23/18	GoDaddy (repair hacked website)	\$119.76		\$5,024.99
9/6/18	Hicks Lawn Serv( AHC X 2, JHC X1)	\$135.00		\$4,889.99
9/10/18	Tom & Dollie Hunter Moake Family		\$450.00	\$5,339.99
9/18/18	Interest on checking acct		\$0.23	\$5,340.22
9/30/18	Phillip Lane, website work	\$50.00		\$5,290.22
10/10/18	Hicks Lawn Serv( AHC X 2, JHC X1)	\$135.00		\$5,155.22
10/18/18	Interest on checking acct		\$0.22	\$5,155.44
11/8/18	Hicks Lawn Service (AHCX2, JHCX1)	\$135.00		\$5,020.44
11/16/18	Interest on checking acct		\$0.20	\$5,020.64
12/6/18	Transfer to JHT Savings Acct	\$3,000.00		\$2,020.64
12/17/18	R. Fred Hunter		\$ 250.00	\$2,270.64
12/18/18	Interest on checking acct		\$ 0.17	\$2,270.81
12/20/18	Earl Ray Smith Trust		\$ 250.00	\$2,520.81
12/20/18	Ray E. & Euneva Smith Trust		\$ 250.00	\$2,770.81
12/18/18	Interest on checking acct		\$ 0.17	\$2,770.98
	TOTAL	\$4,064.62	\$3,952.42	

The Jacob Hunter Trust  
Phone: 618 521-2814

10202 Briggs Road

Marion, IL 62959-5844

e-mail: rich@jacobhuntertrust.org

Newsletter on the web: <http://www.JacobHunterTrust.org>

## **Gifts and Bequests to the Jacob Hunter Trust**

by Judge Robert S. Hunter (1919-2012)

Your gift or bequest can help to assure that the Jacob Hunter Cemetery, the Allen Hunter Cemetery, and the Braxton Lee Cemetery can be restored and maintained for eternity. The easiest way to accomplish this is to make gifts from time to time. You can do so by making checks payable to “Jacob Hunter Trust” where funds will be strictly controlled and used only for purposes that are consistent with the trust objectives.

You can remember the trust in your will. A simple bequest, as follows will suffice: “I give and bequeath to the Jacob Hunter Trust, a trust created to preserve the burial grounds of descendants of Jacob Hunter the sum of \$(amount).”

Another simple way to make a gift to the trust is known as the payable on death account (POD). You can open such an account at your bank or savings and loan. You open this kind of account by creating it in the name of “(Your name) Payable on Death to the Jacob Hunter Trust.” The Trustee is Richard H. Hunter, 10202 Briggs Road, Marion, IL 62959-5844.

There are numerous advantages to such an account: 1. you retain full control over it as long as you live, 2. you can increase or decrease the amount or close it out without notifying anyone, 3. you are entitled to the income therefrom as long as you live, 4. it is entirely confidential. The only difference between it and any other account you own is that, upon your death, the balance that is in the account is paid to the Jacob Hunter Trust. The Jacob Hunter Trust is registered with the IRS as a tax-exempt 501 (c) (13) organization.

By contributing to the Trust, you will be strengthening our efforts to preserve family cemeteries, compile further historical information, and share information with interested relatives and selected public libraries.

## **Trust Website Hacked**

In August, 2018 we found that the Jacob Hunter Trust website had been hacked and made to disappear from the web. We contacted Go Daddy, the firm who hosts our site, and they confirmed that we were attacked along with several other sites. We had to pay Go Daddy to go through the site, line by line, to remove the malware commands that disabled the site. The repair included a two-year subscription to monitor and repair any future hacking attempts. We had to change all administrative passwords and secure add-ons for additional security and for automatic site backups. Phillip Lane, an IT consultant, assisted the Trust in securing the site. We are fortunate that none of our content was removed or compromised. In this environment where individuals and countries are maliciously attempting to disrupt and damage websites, it is essential that we purchase additional security to protect the integrity of our family website.

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**The Jacob Hunter Trust**  
**Phone: 618 521-2814**

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**Newsletter on the web: <http://www.JacobHunterTrust.org>**

## Notice to Readers:

**Trust recruiting assistance:** If you, or a child or grandchild, has skills in computer programming, especially having skills in WordPress, and are willing to volunteer a couple of hours a year, we need your help. The Jacob Hunter Trust's website is programmed in WordPress and we need someone to assist us upload newsletters and make minor updates and adjustments during the year. If you, or your offspring are able to help, please contact [rich@jacobhuntertrust.org](mailto:rich@jacobhuntertrust.org). Your expertise would be appreciated by many.

**Ernest E. Hunt, IV** maintains a genealogical record of our line of Hunters on his website: <http://mindspring.com/~hunter-family/index.htm>. We work closely with Mr. Hunt and maintain a link to his website from the Trust's website. If you discover new information about our family, please contact Mr. Hunt and the Trust.

***Thank you for your support of the Jacob Hunter Trust.***