

Nicholas Hunter: A Time Line

By Hunter M. Cole

[Editor's note: there are significant disputes between Hunter-family researchers on the identities of two Nicholas Hunters, one a brother to William, our immigrant, and the other the son of our immigrant, William. The editor will identify this difference of opinion by inserting [] and using italics. Further research is needed to obtain clarity.]

In colonial America the name Nicholas Hunter appears a number of times in records of Virginia and North Carolina. The earliest citation dates from the late seventeenth century when Nicholas was identified as a headright in a Nansemond County, Virginia, land grant.

In populating Virginia and in bringing taxation to the colony's vacant lands, the Crown distributed free tracts by a "headright" system, a headright being a person whom a host had transported into the colony. An immigrant could be claimed as a headright one time only. After the host proved he had paid his headrights' expenses of sea travel, the governor gave him a reward of fifty acres of land per headright. In 1685 Nicholas Hunter and William Hunter were declared as headrights of Charles Rountree.

These two Hunter names would proliferate in Nansemond and in neighboring Chowan, N. C., as sons, grandsons, and nephews were born. Since various Nicholases and Williams are entered in public records without precise identification, the ambiguity stirs debate among genealogists. Without doubt, Nicholas was William's son *[this is disputed by other researchers who believe the Nicholas who arrived in 1685 as Charles Rountree's headright was a BROTHER to William, not his son Nicholas]*. The two were transported with Joan Hunter, Rebecca Hunter, John Sayre, Robert Rountree, and their host Charles Rountree. The identities of Joan and Rebecca are not known. Although some guess that Joan was William's wife and Nicholas's mother, without more evidence the wife's identity cannot be assured. William of Nansemond's will, now lost, is referenced in deeds that Nicholas was transferring to his children William and Isaac in 1729. In these deeds Nicholas is identified as a son of the late William Hunter of Nansemond.

The date Nicholas was born is uncertain, but the place of his English birth is conjectured to be Yorkshire, Northumberland, or Durham, since the names William Hunter, Nicholas Hunter, and Rountree are recorded in parish registries of those three shires. A young brother named William, who had been left in England, would come to Virginia about 1700 with his wife and two children, all four being identified as William of Nansemond's headrights in 1701. Previously in Virginia William of Nansemond had fathered two sons, Robert and Isaac, and a daughter Sarah (later Mrs. William Battle).

Nicholas's father rose in social standing and influence when he became a clerk of the court and a justice of the quorum for Nansemond County. He died about 1728, the year the boundary between Virginia and North Carolina was redrawn. The new line assigned a sizable segment of southern Virginia to North Carolina and included Albemarle County and Chowan precinct, where the Hunters' Nansemond land was now relocated.

After living in Nansemond for about eighteen years, Nicholas brought an immigrant into the colony and for doing so was awarded a patent for land surveyed as

slightly less than fifty acres. The granted land was situated on Meherrin Swamp adjacent to his father's two tracts of 420 acres, a portion of which Nicholas would inherit ca. 1728. This land at Meherrin and several miles north of the courthouse town of Edenton was situated in Nansemond's Upper Parish of southern Virginia and close by Bennett's Creek. It now is within Gates County, North Carolina.

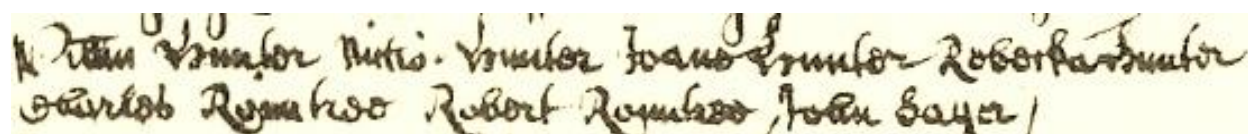
Nicholas was married first to a wife named Elizabeth and later to a wife named Rebecca [*other researchers posit that Elizabeth was the wife of Nicholas, brother of William, and Rebecca was the wife of Nicholas, son of William*]. Nicholas [*believed to be a brother to William by some*] and Elizabeth fostered a boy named Francis Benton, along with the minor's land. A conjecture is that young Francis was Elizabeth's brother. [*Nicholas, brother of William, and his wife Elizabeth are believed to have lived in Nansemond County Virginia, even after the state line change in 1728. William's original land, and his son Nicholas' land were in Chowan County, NC after the state line change*].

After leaving Nansemond and settling in Carteret Precinct of Bath County, North Carolina, Nicholas [*son of William*] deeded land in Chowan to his sons Isaac and William, who had remained there.

Nicholas acquired acreage on White Oak River close by Onslow Precinct and became a justice of the peace serving both in Carteret and in Onslow. His recurring appointments to that office appear in lists of the Governor's Council's Commission of Peace. In Carteret Nicholas and Rebecca were associated with Quakers, although it has been argued that they were not Quakers themselves. They reared a household of many sons and daughters who became legatees in Nicholas's will. It was signed at a time when Nicholas was "sick and weak" and is dated 1749. His almost illegible scrawl written with a trembling hand implies old age and debility.

Nicholas Hunter of Nansemond, Chowan, and Carteret d. 1749

1685 On November 4 the earliest known citation of Nicholas Hunter [*other researchers believe this Nicholas was a brother to William, not his son*] appears on a land patent of Charles Rountree, in which Rountree is granted 300 acres of land in the Upper Parish of Nansemond County, Virginia, for having transported "Wm. Hunter, Nico. Hunter. Rebekah Hunter, Joan Hunter, Charles Rountree, Robert Rountree, John Sayer" into the colony of Virginia (Virginia Patent Book Seven, p. 487).

A photograph of a handwritten list of names in 17th-century secretary script. The names are written in dark ink on a light-colored background. The names are: William Hunter, Nico. Hunter, Joane Hunter, Rebecka Hunter, Charles Rountree, Robert Rountree, John Sayer.

Excerpt from the original land patent, showing the headrights' names as written in 17th century secretary script: "William Hunter Nico. Hunter Joane Hunter Rebecka Hunter Charles Rountree Robert Rountree John Sayer"

1701 On April 25 William Hunter, a headright in the 1685 patent and now a judge ("justice of the quorum") in Nansemond County, is granted a patent of 240 acres

situated in the Upper Parish of Nansemond and on the southeastern side of Meherrin Swamp. He has transported five headrights into the colony: “Wm Hunter & his wife & daughter Alice & son Nicho Hunter, Mary Cohon” (Virginia Patent Book Nine, pp. 309-310). *[It is believed that this 1701 headright for Nicholas was for William’s son Nicholas and the 1685 Rountree headright was for William’s brother, Nicholas].* By this time Judge William of Nansemond is the father of two sons (Robert and Isaac) and a daughter (Sarah), all three born in Virginia possibly by either Joan or Rebekah. Unless the judge is a bigamist, the “wife” claimed as his headright therefore must be the wife of the headright “Wm Hunter,” who is a son of Judge William and a brother of Nicholas of Nansemond. “Daughter Alice” would be mentioned in the will of her father “Wm Hunter” (1732, Chowan County) and in the will of her mother Ann Hunter (Chowan County, 1749). However, the name of “Nico Hunter,” stated in the patent to be the son of “Wm Hunter,” does not appear in either parent’s will. The identity of the headright “Mary Cohon” is not known at present. Since Judge William’s son Nicholas already was residing in the colony in 1701 and had been claimed in 1685 as Charles Rountree’s headright, “Nico Hunter” of 1701 is evidently a different Nicholas. *[Other researchers believe that the 1685 headright was for William’s brother Nicholas, not his son. The 1701 headright was for William’s son Nicholas].* Note: In 1701 Judge William and son “Wm” would have been separated for at least sixteen years. During this time the son had married Ann in England and become the father of Alice and Nicholas, grandchildren of Judge William. (Although seemingly sound, this interpretation of the identities is contentious).

1703 On April 24 for having transported a headright named Hugh Williams into the colony, Nicholas Hunter is granted a patent for 46 acres in the Upper Parish of Nansemond on the northeastern side of Meherrin Swamp, adjoining the land of his father William Hunter (Virginia Patent Book Nine, pp. 513). As the 1711 entry (below) implies, Nicholas is a tobacco farmer.

1704 In A Compleat List of the Rent Roll of the Land in Nansemond County in Anno 1704 “Nic’o Hunter” is taxed on 190 acres (English Duplicates of Lost Virginia Records, compiled by Lous des Cognets, Jr., Baltimore: Genealogical Publishing Company, 1981, p. 203). This 190 acres seems to be a total of the 46 Nicholas was granted in 1703 and the 148 he was granted in 1711. The conflict in dates may reflect the year the records were recorded in the ledger rather than the date the grant was made.

1711 On April 28 for a payment of two pounds of tobacco per acre Nicholas Hunter and his wife Elizabeth on behalf of themselves and Francis Benton, “an infant,” are granted 148 acres from an 800 acre tract of escheat land on the westward side of the southern branch of the Nansemond River. *[Other researchers believe that this Nicholas is William’s brother, not his son].* The land, formerly belonging to Thomas Hampton, is adjacent to land of John Hare (Virginia Patent Book Ten, pp. 37-38). Nicholas and Elizabeth, possibly Francis’s sister, have come forward to assist the underage boy whose failure to pay the annual quitrents has caused the Benton tracts to revert to the Crown as escheat land. Francis seems to be the heir of Epaphroditus Benton (seemingly a Quaker name), who in the years 1682 to 1698 was granted

patents for a total of 1130 acres of land in the Upper Parish of Nansemond County (Virginia Patent Book Seven, pp. 169, 606; Virginia Patent Book Nine, pp. 182, 307). In 1711, evidently Francis has become twenty-one, for he is granted a Nansemond patent for 106 acres in his own name (Virginia Patent Book Ten, p. 38).

On December 19 Nicholas's neighbor Richard Webb is granted 214 acres of new land in the Upper Parish. Formerly escheat land of William Randolph, Esquire, on the western side of the southern branch of the Nansemond River, it adjoins Nicholas's tract associated with Francis Benton (Virginia Patent Book Ten, p. 53).

1716 On April 12 Nicholas and four others (John Reddick, Joseph Stallings, Edward Shet, and Henry Hill) witness Nicholas Stallings's sale for 7,000 pounds of "good tobacco" of 50 acres at the head of Bennett's Creek in Nansemond. This land had been granted to John Odom in 1679 and sold to Nicholas Stallings in 1700. Witnesses to the sale at that time were William Hunter (Nicholas's father), Stallings, and Odom, all being residents of Nansemond. This sale in 1700 is the only known documentation mentioning Judge William Hunter of Nansemond in the records of Chowan (Chowan Deed Book W No. 1, 1699-1803, n. p. See Margaret M. Hoffmann, Chowan Precinct, North Carolina, 1696 to 1723, 1976, 2000, p. 5).

1719 "At a General Court for the Province at the Court House at Queen Ann's Creek in Chowan Precinct the 29th of October 1719" by the testimony of Nicholas, Robert Chapell, and Mary Chapell the Chowan grand jury indicts four Spivey brothers—Thomas, Abram, Benjamin, and Jacob—for the crime of hog stealing. On information supplied by Nicholas, Richard Bond, William Ashley, and Joseph Ashley the grand jury indicts Abram Spivey of mismarking hogs (Colonial and State Records of North Carolina, Vol. II, p. 365).

1720 Nicholas Hunter and Thomas Rountree are among sixteen members of a grand jury: "At a General Court of Oyer & Terminer held & Continued for the Province at the General Court House at Queen Ann's Creek in Chowan Precinct the 1st day of November 1720 . . . the grand jury are impanelled and sworn Nics Crisp fforeman, Thos Rountree, Thos. Luten, ffras. Brnch, Wm. Stewart, Hen. Bonner, Thos. Matthews, Wm. Charleton, Laus. Sarson, Nics Hunter, Henry Clayton, Saml. Pagett, Jams. Peek, Jams. Ffarlow, Thos. Yates and] Geo. Turnage" (Colonial and State Records of North Carolina, Vol. II, p. 408).

1721 On March 30 at the courthouse at Queen Ann's Creek in Chowan a grand jury is impanelled and sworn, including Thos. Betterly foreman, Jams. ffarlow, Wm. Havett, Wm. Wilson, Wm. Stewart, Saml. Bernard, Jno. Raspberry, Griffeth Jones, Wm. Charleton, Isaac Hill, Nics. Hunter, Jas. Williamson, Thos. Rountree, Joseph Sanderson, Hen. Woodhouse, W. Leary, John Alston, [and] Wm. Jones (Colonial and State Records of North Carolina, Vol. II, p. 433).

On July 27 at the courthouse at Queen Anne's Creek in Chowan a grand jury is impanelled and sworn, viz. Joseph Jessop fforeman, Joseph Wicker, Henry Bonner, James Williamson, Jno Pittiver, Wm Jones, Saml Spruill, Wm Stewart, Saml. Pagett,

Jos. Spruill, James Ming, Jno. Swain, Johna. Evans, Thos. Blitchenden, Col. Maur. Moore, Aaron Oliver, Thos. Harding, Thos. Rountree, Nics. Hunter, Wm. Lattimer, [and] Patrick Maule” (Colonial and State Records of North Carolina, II, p. 442).

1723 On March 26 for 2,000 pounds of tobacco James Spivey of the Upper Parish of Nansemond and Margaret his wife sell Isaac Hunter fifty acres of land, all houses, and orchards, part of a land patent granted to Spivey in 1720 near the head of Meherrin Swamp and adjacent to land owned by Nicholas (Chowan Deed Book C 1, p. 388). Isaac’s identity is ambiguous, but he likely is Nicholas and Elizabeth’s son, who would be of age, at least twenty-one, and thus born circa 1702. However, this Isaac could be another Isaac, Nicholas’s brother.

1728 Probable year that Judge William Hunter of Nansemond dies.

The new boundary between Virginia and North Carolina relocates a swath of the Upper Parish of Nansemond within the bounds of North Carolina. The new map places the original Hunter tracts of the Upper Parish and along Meherrin Swamp within Chowan County.

Nicholas has remarried [*Other researchers believe this Nicholas, son of William, only married once, Rebecca. Elizabeth was the wife of William’s brother Nicholas*] and moved to Carteret Precinct of Bath County, North Carolina. He and his wife Rebecca are now residing in White Oak community on White Oak River. Nicholas becomes involved with the duties of maintaining roads near his property. In the March term of court in Carteret it is ordered that “Whereas a difference has happened between the inhabitants of the east & west side of White Oak River about the High Way, wherefore it is ordered that a jury of twelve men shall be appointed to lay out the road most convenient way on the east and west side of the said river.” Nicholas Hunter is one of the jurors “who are hereby obliged to lay it out and make return to the next court” (“Minutes of the Carteret Court of Pleas and Quarter Sessions”). In the September term of court it is ordered “that Nicholas Hunter of White Oak River be an overseer of the road from the east side of White Oak River to meet with John Frazier” (“Minutes of the Carteret Court of Pleas and Quarter Sessions”).

1729 On March 3 for £150 Nicholas buys 640 acres on the east side of White Oak River from Joseph Fulford. The sale is witnessed by Ebon Dexter, Jos. Chadwick, and Abram Mitchell (Carteret Deed Book D, p. 15).

On March 25, since they no longer are residing in Nansemond (now Chowan), Nicholas and Rebecca give Thomas Rountree power of attorney to sell their former Nansemond land to their sons William and Isaac (Chowan Deed Book C, p. 599). This tract on the southeast side of Meherrin Swamp, site of Nicholas’s father Judge William Hunter’s properties, is the land the father deeded to Nicholas in his now lost will. Each of Nicholas’s sons receives one half of the 240 acres in this tract patented to their grandfather William Hunter in 1701 (Virginia Patent Book Nine, pp. 309-210).

1731 On November (day omitted from deed) for £30 Nicholas Hunter of White Oak in Carteret Precinct sells 200 acres of land” lying on the east side of White Oak River a quarter of a mile below the house where Nicholas Hunter now lives” to Nathaniel Taylor of Carteret Precinct (Carteret Deed Book D, p. 96).

At a council held at the Council Chamber in Edenton on November 23, it was “ordered that a Commission of the Peace issue for Onslow precinct directed to James Tunis, Edward Mashburn, Joseph Mumford, James Murry, James Taylor, Lazarus Thomas, Thomas Johnson, Capt. Francis Brice, Christopher Dudley, Nicholas Hunter, Abraham Mitchell, Richard [p. 257] Nickson, and John Frederick constituting and appointing them Justices of the Peace for and within the said precinct which court to sit on the first Tuesday in January, April, July, and October yearly” (Colonial and State Records of North Carolina, Vol. III, pp. 256-257).

1739 On March 15 at a meeting of the North Carolina Governor’s Council it is “ordered that a new Commission of the Peace issue for each county within the government and that the following persons be therein appointed Justices for each county respectively, vizt. . . . For Carteret - Thos Lovick Esq., Nich. Hunter, Hope Dexter, Enoch Ward, Thos Austin, Saml Chaddock, Wm Wilkins, Ar Mabson, David Shepperd, Joseph Wicker, Ralph Eves, Jas Bell Junr., Jos [sic] Bell Senr., Jas Wenwright, [and] Chas.. Cogsdale” (Colonial and State Records of North Carolina, Vol. IV, p. 345).

In Chowan an old bill suspected of being counterfeit comes into question and its history is discussed when “Nathaniel Field being brought into Court from this court for uttering a counterfeit ten pounds bill to Aron Sherrod and upon examination he told and confest he did pass the sd. bill to the sd. Sherrard that he reced a bad bill by one Isaac Speight but old Nicks. Hunter [formerly a local resident now living in Carteret and being distinct from a younger Nicholas Hunter who resides nearby in Perquimans County] told him twas a good bill & he put ye sd bill to Coll. Hill Wilkins for his opinion who gave him answer that if he had not been told of it he should have taken it for a good bill.” (Bertie County, North Carolina, Court Minutes, 1724 through 1739 by Weynette Parks Haun, #231).

1742 On May 6 the Colonial Council reads sundry petitions for grants of land and issues Nicholas a patent for 200 acres of land in Carteret. The survey shows that it is located on “part of a marsh lying on the east side of White Oak River, joining the edge of the marsh contiguous to Deep Creek, the high land that Nicholas Hunter now lives on, Gales point on White Oak River, [and] the meanders of the sd River and the mouth and side of Deep Creek” (Carteret Patent Book Five, p. 164 and Colonial and State Records of North Carolina, Vol. IV, p. 619).

1744 On September 1 Nicholas and Rebecca, along with their children Job, Ezekiel, Kesiah, Ann, and Esther, are witnesses who “laid on hands” and who sign the bond of the Quaker marriage of Samuel Wilson and Sarah Oldfield in Onslow County (Onslow Deed Book B, p. 12).

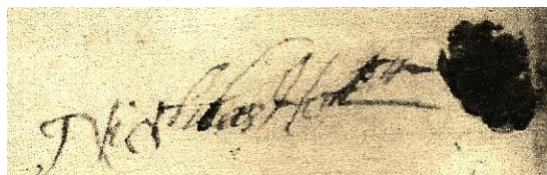
On March 23 at a council held at the Council Chamber in Edenton “His Excellency the Governor by and with the advice and consent of his Majesty’s Council doth order that a Commission pass the Seal of this Province constituting and appointing Edward Marsburn, Charles Harrison, James Foyle, Abraham Michel, Nicholas Hunter, Christopher Dudley, John Starky, Charles Jeffries, [blank] Shubridge, Thomas fulwood, Christian Heidelberg, [and] Jos. Morgan Justices of the Peace for the precinct of Onslow to sit and hold court on the first Tuesday in April, July, October, and January annually (Minutes of the North Carolina Governor’s Council, Colonial and State Records of North Carolina, Vol. IV, p. 46).

On December 1 at a counsel held at Newbern “His Excellency the Governor, by and with the advice and consent of his Majesty’s council was pleased to order a new Commission of the Peace to issue for Carteret County constituting and appointing Thomas Lovick, Joseph Bell Senr., Enoch Ward, Arthur Mabson, James Winwright, Richard Rustill Senr., Saml Chaddock, David Shepperd Junr, Joseph Bell Junr., Charles Cogell, Cary Godly, Nicholas Hunter, [and] John Chilherall Esqur. Justices of the Peace within the said county” (Colonial and State Records of North Carolina, Vol. IV, p. 712).

1745 On April 4 Moses Houston is granted 186 acres adjacent to Nicholas’s land, the south side of Deep Creek swamp, Bryan McCullers’s land, and the creek (Carteret Patent Book Five, p. 217).

1747 On February 2 in “natural love and affection which I bear to my well beloved son Ezekiel Hunter . . . and for divers causes and considerations” Nicholas Hunter deeds 200 acres on the north side of White Oak River to Ezekiel. The deed is signed by Nicholas and Rebecca , her mark, in the presence of Moses Houston, John Gillet, and Thomas Cumin and registered at March court, 1749 (Carteret Deed Book E, pp. 231-232).

1749 On January 3 Nicholas signs his will in Carteret.

A photograph of a handwritten signature in cursive script on aged, yellowed paper. The signature is written in dark ink and appears to be 'Nicholas Hunter'. To the right of the signature is a dark, circular ink smudge or seal.

Signature of Nicholas Hunter as it appears in his will

On February 2 “in consideration of the natural love and affection which I have and bear to well beloved son Lebeus Hunter” Nicholas deeds 120 acres on the north side of White Oak River to Lebbeus and “appoints his well beloved son Ezekiel in trust with the land until my well beloved son Lebbeus comes to the age of twenty and one years.” The deed is signed by Nicholas and Rebecca Hunter, her mark, in the presence of Thomas Cumin, John Gillet, and Moses Houston and proved in March court, 1749 (Carteret Deed Book E, pp. 232-232).

Nicholas dies between January 3 and the first Tuesday in March, when the will is proved at a court of common pleas in Beaufort Town. "These are to certify that Moses Houston in open court made oath that he saw Nicholas Hunter sign, seal, publish & declare the within testament of writing to be his last will and testament and that John Gillett and John Willocks were present at the signing of the said will and that Rebecca Hunter Exr. & Ezekiel Hunter Exr. therein appointed qualified themselves as the law directs." Bequests are made to sons Stephen, Ezekiel, Lebbeus, William, and Joab, to daughters Esther, Keziah Mitchell, Zillah, Rachel, Elizabeth, Sarah, and Ruth, to grandson George Mitchell, and to wife Rebecca (Wills files, North Carolina Archives). Not mentioned is a son Isaac of Northampton County, deceased, to whom Nicholas had deeded land in 1729 (Chowan Deed Book C, p. 600). Although Nicholas's signed will is extant, smears and dimness of the handwriting make it difficult to read. The distribution of assets was follows:

Son Stephen Hunter - land on Gailes Branch and miscellaneous household items and livestock

Daughter Esther - land on Gailes Creek and miscellaneous household items and livestock

Daughter Kesiah - land on Fulford's Creek to her son George Mitchell to hold during her lifetime until he is 21, but should he die before then, the land goes to Nicholas's next of kin

Daughter Zillah - household items, livestock, and a negro

Daughter Rachel - household items, livestock, and a negro

Son Ezekiel - livestock

Son William - one shilling

Daughter Elizabeth - one shilling

Daughter Sarah - one shilling

Daughter Ruth - one shilling

Son Joab - £50 in gold

Wife Rebecca - remainder of the estate

(Transcription by Raymond Hunter, William Hunter of Nansemond County and His Early Descendants by the Hunter Research Group, published by Raymond Hunter, Royston, Georgia, 2013).

One Dozen Pre-Revolutionary War Families of Eastern North Carolina and Sons of Their Descendants by Primrose Watson Fisher (New Bern Historical Society, 1958, p. 30) states that "Ruth Dudley was the former Ruth Hunter, daughter of Ezekiel Hunter and granddaughter of Nicholas Hunter who had come to North Carolina from Nansemond County, Virginia, where his father William Hunter had been active in political life. Nicholas Hunter was a planter and justice in Onslow County, which he was instrumental in forming."