

A Chronology of Baynham Records in Jamestown

1616 **John Baynham** arrives in the ship *Susan*. [See entry for 7 February 1624/5 below.]

We know from other sources that the Susan was called a “small ship” when it delivered clothing to the settlers in 1615, and that it sailed from the port of London. In the 1624/5 muster, four persons are listed as arriving on the Susan in 1616, and one in 1615.

John Baynham was unusually old for a Jamestown settler, coming to Virginia at the advanced age of 46. In the 1624/5 muster, he was the third-oldest person in the colony.

17 Jan 1619/20 Patent to **John Baynham** for his “first dividend” of land, 200 acres located in Tappahanna, on the river bank across from James City in what later became Surry County. He would soon trade this land for another parcel in what became Warwick River County. [Virginia Patent Book 4, p316. See also the entries for 4 December 1624, May 1625, and 20 June 1651.]

The “Greate Charter” of 1618 to the Virginia Company had provided for 100 acres to each “ancient planter” who arrived in Virginia before Thomas Dale left in May 1616. Another 100 acres was to be awarded after the first was planted. Ancient planters who arrived after May 1616 were given half this amount. It therefore appears that John Baynham had arrived prior to May 1616. If John Baynham arrived after May 1616, he must have claimed two headrights to obtain the second 100 acres. Note that, if he did use headrights, they could not have included his wife or children, all of whom arrived after this date.

This patent, like all but two of the Virginia Company patents, is lost but it is referenced in a later patent to Monjoy Evelin. The date corresponds to John Rolfe’s letter dated January 1620 noting that “all the ancient planters...have chosen places for their dividends.” Although we know a patent was issued by the Company, the land could not be surveyed until after the arrival of William Cleybourne, the surveyor-general, in October 1621. By the time this land was surveyed, John Baynham had traded it to George Sandys, to whom the first extant patent was made in 1624. There are no records in the patent books of many of these earliest land claims – with only two exceptions, all patents in the record books were dated after the dissolution of the Virginia Company in 1624. (And all of those were not actually entered into the records until 1683.)

John Bennett Boddie’s Colonial Surry mentions John Bainham as an “Ancient Planter who either resided in or owned land in Surry.” In reality, it appears

that John Baynham not only never resided here, but traded his patent in what would become Surry almost as soon as he received it.

28 June 1620 John Gray assigned two shares in the London Company to **Richard Baynham** of London, goldsmith. [The Records of The Virginia Company of London, Susan Myra Kingsbury, ed., (Government Printing Office, 1906) Volume I, p381 and Volume III, p62.]

This is the only mention of Richard Baynham. Whether he is related to John Baynham is unknown. Interestingly, he never used the shares to claim the land patent to which these shares entitled him.

August 1620 **Elizabeth Baynham** arrives in the *Bona Nova*. [See entry for 7 February 1624/5 below.]

We know from other sources that the Bona Nova, a relatively large ship, made several trips to Virginia from London. The 1620 voyage left London on 7 September with 120 passengers aboard and arrived sometime in late November.

7 Jul 1620 thru
7 Jun 1624

From 7 July 1620 through 7 June 1624, “**Mr. Baynham**” appears more than 50 times as a member at sessions of the Quarter Courts held for the colony. [Kingsbury, Volume I and Volume II, numerous pages, none of which are indexed.]

All “adventurers” who had paid their own way to Virginia were members of the Court. If we needed any further proof that John Baynham was a gentleman who imported himself to Virginia, this is it. These records cover court meetings from 28 April 1619 through 7 June 1624 (after which the Company was dissolved). John Baynham was present at least 40 of these sessions, including the final one.

Nov 1621 **John Baynham Jr.**, son of **John Baynham**, arrives in the ship *Charles* from London. [See entry for 1 December 1624 below.]

4 Dec 1621 **John Baynham** on a committee to address the request of Capt. Leeke to be made a member of the Council. [Kingsbury, Volume I, p569.]

30 Jan 1621/2 **John Baynham** added to a committee to approve John Martin’s petition regarding his private plantation. [Kingsbury, Volume I, p596.]

22 Mar 1622/3 The famous Indian massacre occurs on this date. Of the approximately 6,000 people who had traveled to Virginia, only 1240 were still living. At least 346, more than 25%, were killed in this massacre. It is possible that John Baynham

and his wife were already living in Elizabeth City by this time, for no one living there was killed.

20 Mar 1622/3 A letter by Richard Frethorne of Martin's Hundred to his parents in England, begun on this date and finished on 3 April 1623, lists "the names of them that bee dead of the Companie came out with us to serve under our Leifetenants", among them **Geo: Banum**. [Kingsbury, Volume IV, p60.]

Richard Frethorne himself is listed among the dead at Martin's Hundred in the February 1623/4 muster. None of the dead he listed a year earlier are among the dead in that muster, so George Banum and John Beanam (see below) must have been different people. Whether either was related to John Baynham is unknown, but Martin's Hundred was quite near John Baynham's settlement in Blunt Point.

April 1623 Names of Adventurers that Dislike the Present Proceedings of Buziness (sic) in the Virg. And S. Islands Companies: **Mr. Baynham** [Kingsbury, Volume IV, p80.]

John Baynham was among those complaining of the Company's administration and (in effect) lobbying for the dissolution of the Company. He was also present at a court in Virginia on 12 April 1623 which discussed this petition.

16 Feb 1623/4 A List of Names of the Living in Virginia: ...at Elizabeth Cittie: **John Baynan**, Robert Sweet, ...**Elizabeth Baynam**..., [The Original Lists of Persons of Quality, John Camden Hotten (Reprint by G.A. Baker & Co., 1931) pp184.]

16 Feb 1623/4 A List of Names of the Dead in Virginia since April last:
At Martins Hundred: **John Beanam** [Hotten, p193.]

This might be John Baynham's son, who we know went to Virginia in 1621 but was dead by 1 December 1624. However, it seems unlikely for two reasons: the clerk spelled the name differently than for John and Elizabeth Baynham, and because the population at Martin's Hundred was almost entirely comprised of servants.

10 Oct 1624 Robert Sweete gent sworne and examined sayeth that Capt Nathaniel Buttler was very urgent and importunate with this examinee at two severall tymes to sett downe under his hande all such grevances and misbehaviours might anywise have in his owne particular or of any other injurys or injustice done by Mr. George Sandys Thresurer [Treasurer], promising this examinee that if there were any such thinge he wold remedy it in England or ells this examinat should accompt him a very villain. And further this examinee sayeth that the said Captain Butler hath urged **Mr. John Baynam** to the like as he hath harde

Mr. Baynam reporte. [Minutes of the Council and General Court of Colonial Virginia, H. R. McIlwaine, ed. (1924), p24.]

One of many records regarding the criticisms and charges against the Company made by Captain Butler.

Records of the Council and General Court (see below) cover only the period after 4 February 1622.

1 Dec 1624

Patent to **John Bainham** “of Kiccoughtan in the Corporation of Elizabeth Citty, gent., ... as his first generall dividend”, 300 acres “about three miles up the Maine Creeke, that runneth in between Haxoms Gaole and Blunt point and abutteth northerly upon a small brooke of the same parting it from the lands of Capt. Samuel Mathews...northerly 150 poles unto the land of William Cleyborne... 200 acres being for four servants (vizt.) John Hogskins (sic), John Mott Senr. and John Mott Junr. and John Dansye Junr. the son of John Dansye deceased who all came in the Georg (sic) 1621 at the cost and charge of Mr. George Sandys esq. ... who in open court sold and set over [the land due for these persons] unto the said John Bainham... the other hundred acres... in right of his transportation out of England of **his son John Bainham deceased** who came in the Charles 1621 and of Robert Draper who came in the Jacob the present year 1624...” [Virginia Patent Book 1, part 1, p17.]

This is the 20th patent preserved in the records, although the record is actually a copy made in 1683. The clerk who copied the patent sixty years later evidently made two mistakes in copying. “Haxoms Gaole” appears to be an error by the clerk – the original lost patent probably referred to Thomas Hothersall’s land on Blunt Point. The name “John Dansye” was another error – it is “Thomas” Dansye in the court record.

The headrights were those imported by George Sandys (see above record).

John Baynham could not claim his own headright because he had already used it for his original claim. Depending on whether he arrived before or after May 1616, he may have claimed two additional headrights for that original land.

The land was located opposite Mulberry Island in what is now the City of Newport News. Blunt Point River was what is now known as the Warwick River. John Baynham’s other immediate neighbors in this location were the surveyor-general William Cleyborne (who sold his plot to Richard Stephens) and Samuel Mathews.

4 Dec 1624

George Sandys patent for 300 acres “on the other side of the river opposite agt. James City and abutting westward on the land of **John Baineham** and eastward on the land of Edward Grindon of both which devidents he is now

actually possessed.” A note by William Cleyborne attached states that he surveyed a total of 650 acres, which included Sandys’ 300 acres, Grindon’s 150 acres, and “200 acres for **Mr. Bainham’s** dividend”. [Virginia Patent Book 1, part 1, p12.]

See the record below. This is referring to John Baynham’s original claim of 200 acres in Tappahanna. It seems pretty clear that George Sandys traded his headrights worth 200a to John Baynham in exchange for Baynham’s first patent.

3 Jan 1624/5 Mr. Threasurer [George Sandys] brought over into this country at his cost and charge in the good ship called the *George*, Thomas Daunsey the father and John Daunsey his sonne, John Mott the father and John Mott the sonne, and John Hoskins, and the land dew for them Mr. Thresurer doth make over to **Mr. John Baynam**. [McIlwaine, p39.]

This is the court record of the people for whom John Baynham claimed a part of his patent a month earlier. Note that the names are spelled slightly differently. These persons were all contract servants of George Sandys. George Sandys was clearly trading these headrights worth 200 acres for John Baynham’s land in Tappahana. There seems to have been some confusion over interpreting the headright provision, for five headrights should have been worth 250 acres. Later records of John Dansye Jr. suggest that his father had died during the voyage. Thus there may have been a question of whether the father was considered a valid headright.

7 Feb 1624/5 Mr. **John Banum** and Robart Sweete their muster:
John Banum aged 54 in the *Susan* 1616
Elizabeth Banum aged 43 in the *Bona Nova* 1620
Robart Sweete aged 42 in the *Neptune* 1818

Servants – all at Elizabeth Cittie:

Nicholas Thredder aged 30 in the *Katherin* 1623
Richard Robinsonn aged 22 in the *Bona Nova* 1620
John Hill aged 26 in the *Bona Nova* 1620
William Morton aged 20 in the *Margett and John* 1620
James Pascoll aged 20 in the *Warwicke* 1621
Robart Draper aged 16 in the *Jacob* 1624
Sara Gouldinge aged 20 in the *Ann* 1623

Provisions: 30 barrels corn, 1000 fish, 1 swine, 6 goats, 2 houses, 1 palizado.
Arms: 10 peeces, 2 pistolles, 1 murderer, 3 swords, 3 armors, 1 coat, 5 lb powder, 25 lb lead.

[Adventurers of Purse and Person Virginia 1607-1625, Annie Lash Jester (Princeton University Press, 1956), p54.]

In June 1624, King James I dissolved the Virginia Company and ordered a

census of the colony's inhabitants and their provisions. The resulting "muster" listed the colony's inhabitants, where they lived, and their servants. The names of persons who had died during 1624 were included, though none were in this household. Elizabeth City's muster was returned on 7 February.

As an interesting historical note, only two persons in the muster gave their arrival date as 1607. Thus of the original 100-odd settlers, only 2 were still living 17½ years later. About 7,000 persons had sailed for Virginia during these 17 years, but only about 1200 were still alive at the time of this muster. Elizabeth City was the largest of the settlements at the time, with 359 persons.

May 1625 On this date Sir Francis Wyatt sent to England a list of land titles in Virginia (which appears to be somewhat out of date). It lists both of John Baynham's holdings. In the "Territory of Tappahanna over against James Citty" are listed **John Baynham** (200 planted), Mr. George Sandys (300 planted), and Edward Grindon (150 planted), all "by Pattennt". At "Blunt Point" is listed "**John Baynham** 300 by patent". [Kingsbury, Volume IV, p555 and p557.]

None of these early "patents" are preserved.

12 Dec 1625 "Capt. Ralph Hamer counsellor of estate desireth of the courte to have five hundred acres of land scytuate on the northe side of Blunt point river, about three miles upp the saide river & abuttinge westerlie upon a creek dividing it from the land of **John Baynum gent.**, and thence extendinge easterlie two hundred and fiftie pole along the bank of the said Blunt point river..." [McIlwaine, p79.]

This is a fairly precise description of the location of John Baynham's land. The Blunt Point River was later called the Warwick River. Baynham's land was located opposite Mulberry Island on the north side of the Blunt Point (Warrick) River a few miles east of James Island..

22 Feb 1625/6 Ordered that Mr. **John Baynam** shall bringe the accoumpts to Mr. Weston [owner of the ship *Sparrow*] and deliver unto him such goodes and depts [debts?] as the said John Baynam by order from Maunder [purser of the *Sparrow*] hath received in this countrey. [McIlwaine, p96.]

8 May 1626 Court orders a patent of 500a for Mr. William Cleybourne "towards the head of Blunt Poynte River and abuttinge southerly on the land of **John Baynum**..." {McIlwaine, p103.]

See the patent to William Cleybourne below.

7/8 Aug 1626 Monthly courts were this day established at Charles Hundred and Elizabeth City "for the determinge of pettie controversies not excedinge the value of 200 lb. of Tobacco and for the punishinge of pettie offences... Commissioners

nominated for Elizabeth City court: Capt. Tucker, Capt. Martin, Mr. Jonas Stogden, Livt. Purfrey, Mr. Edward Waters, **Mr. John Baynam**, Mr. Salforde. [McIlwaine, p106.]

“Commissioners” were later called “Justices”.

12 Oct 1626 Court record: John Hart had posted a bond as security for “delivery of one man unto **John Bainham gent** at or upon the 25th day of Decemb 1625”. The man was not delivered, and the court ordered George Menefy, a Jamestown merchant, to retain 400 pounds of tobacco belonging to Hart. The servant man was “now alledged to bee sent & shipped on a ship from Ireland, Mr. Fells master.” The court ordered that, if the man was not delivered to **John Bainham** by 25 December 1626, “then the said 400 lb of Tobacco be paid to the said **Mr. Bainham** in full satisfaction of said bond.” [McIlwaine, p118.]

The amount of this bond was approximately equal to the amount of tobacco that one man could produce in a year at this time. John Rolfe and others had testified in 1623 that one person could grow 4 acres of grain and 110 pounds of tobacco, or about 400 pounds of tobacco alone. As an interesting historical note, the Virginia Company had shipped two boatloads of young women in 1621 to be sold off as wives to the planters – setting the floor price at 150 pounds of tobacco. A field hand was apparently worth three times as much as a wife.

11 Jan 1626/7 Whereas by the complaint of Thomas Weston, merchant, it doth appeare to the court that **John Bainham** of Elizabeth Citty hath paid unto James Carter, master of the *Anne* deceased, seventy and fowre pounds of Tobacco which was of the estate of Edward Maunder now in England & was appointed by order of the court to be paid unto the said Thomas Weston as to him belonging of right, therefore the court hath ordered that the said Bainham, in regard that the said payment made to James Carter was without any warrant or order, shall repay againe the said seventy fowre pounds of Tobacco to the said Mr. Weston. [McIlwaine, p133.]

12 Jan 1626/7 Arthur Smyth, a servant to Farrar (Pharoah) Flinton, petitions the court to seize the estate of Farrar Flinton who is “not here in this country” as security against three bonds made by Flinton. All three bonds were for delivery of servants. One of the bonds, made by both Flinton and Smyth, was for delivery of “two men servants unto **John Bainham** or his assignes” for 500 pounds of tobacco. [McIlwaine, p145.]

9 Feb 1628/9 At this court was proved the will of **John Bainham**, deceased, by the oaths of Rowland Graine, minister, and Jaques Pastall, planter, and that the said John Bainham was in perfect sense and memory at the making thereof. Alsoe at the same tyme Mr. Robt. Sweete brought in the inventory of the said **John**

Bainham's estate & desired to renounce the executorship of that estate, whereupon a letter of administration was granted unto Elizabeth Bainham the widow and relicte of the said John Bainham. [McIlwaine, p185.]

Although we can't tell for sure, it would appear that John Baynham died in late 1628 or early in January 1629 since there was time for his partner to make an inventory. There is no further mention of Elizabeth, although she surely remarried. The will itself is lost.

Roland Grayne, one of the witnesses, was apparently the minister serving Elizabeth City. He was himself dead in less than ten years, when his widow Elizabeth patented land due to him..

9 Feb 1628/9 Same court: Lt. Edward Waters testifies that "the inventory of Capt. Crotias now brought into this court ... is the true inventory of the said Capt. Crotias and that the said inventory was taken by him this deponent and **John Bainham** deceased". [McIlwaine, p186.]

Captain Rawley Croshaw (the more common spelling) had come to Virginia in 1608 (and his wife had arrived with Elizabeth Baynham in the Bona Nova in 1620, according to his patent of 1623). He served as a Burgess from Elizabeth City. Exactly when he died is unknown, but it would appear from this entry that John Baynham had probably died within a few weeks of this court date.

20 Sep 1636 Patent by Samuel Stephens, 500 acres in Warwick River County towards the head of Blunt Point River, abutting southerly on the land of **John Bainham** and northerly on the head of the River... [Virginia Patent Book 1, p387]

23 Sep 1637 Patent by Mrs. Elizabeth Stephens, 500 acres same as above patent to Samuel Stephens. [Virginia Patent Book 1, p484]

Both of these patents, which adjoined the John Baynham patent, predated the sale of the land by Richard Tisdall.

10 Feb 1635/6 Patent to **Richard Tisdall** for 200 acres, at the head of Merchants Hope Creek, by conveyance [deed] from Peter Hull, to whom it was due for transportation of four persons. [Virginia Patent Book 1, part 2, p697.]

This is the first mention of Tisdall in any records. Whether he had married Mary Baynham in England and just now arrived in Virginia, or whether Mary Baynham had arrived years after her parents and married Tisdale in Virginia isn't known.

- 25 Jul 1638 Patent to Edward Sparshott, 400 acres in Charles City County, adjacent Merchants Hope and the land of “**Sergeant Richard Tisdell**”. [Virginia Patent Book 1, part 2, p581.]
- 3 Oct 1638 Patent to Richard Milton, 400 acres Charles City County, adjacent land of “**Serjeant Richard Tysdell**” and Great Weyanoke Town. A marginal note reads: "This patt. renewed Aug. 23, 1643 & c., & a patt. of 200 acs. more of **Richard Tisdell** of the 10th of Feb. 1635 added unto it & 400 acs. more added unto both these patents all of which are in the name of Thomas Wheeler.” [Virginia Patent Book 1, part 2, p602.]
- 10 Nov 1638 Patent to Thomas Wheeler, 200 acres Charles City County, “at the head of a creek called Merchants Hope Creek” bounded wxs into the woods, exn by said creek, nxw upon the land of Edward Sparshott, and nxe by the head of said creek. By assignment from **Sergeant Richard Tisdall** to whom it was due by deed for transportation of four persons into this colony. [Virginia Patent Book 1, part 2, p621.]

This clarifies that Richard Tisdall assigned his patent of 10 February 1635/6 to Thomas Wheeler, and did so shortly after its issuance.

- 23 Aug 1643 Thomas Wheeler patents 990 acres, including the “assignment of two patents from Richard Milton and **Richard Tisdell**” being the 400 acre patent to Richard Milton of 1638 and the 200 acre patent to Richard Tisdale of 1636. [Virginia Patent Book 1, part 2, p893.]

The five entries immediately above are related. To my knowledge, they are the only indication that Richard Tisdall, and therefore probably his wife Mary Baynham, was ever actually present in Virginia. He purchased the rights to 200 acres, located in what is now Prince George County just west of Flowerdeiu Hundred, and patented this land in early 1636. Less than three years later, he had sold it to Thomas Wheeler. There is no further mention of Richard Tisdall in Virginia records that I found. They may have returned to England.

- 23 Oct 1643 Patent to Thomas Taylor, mariner, 350 acres in Warwick River County. This included 300 acres “granted unto **John Baynam**, deceased, bearing date 1 December 1624 which said pattent grew unto Richard Tisdall by marrying with **Mary Baynam daughter and heire** unto the said John Baynam.. “ and assigned by Richard Tisdall to Thomas Taylor. A curious note states that 100 acres of the 300 acres “was measured out by Elizabeth Lady Harvye”. [Virginia Patent Book 1, part 2, p923.]

This patent gives us quite a bit of information. The only way a daughter could have been a heir was if she were the only living descendant (or had been willed the land). It therefore seems that John and Mary were the only

children, John having predeceased his father to leave Mary as the sole heir. John Baynham's widow would have had a lifetime dower interest in the land, regardless of the wording of any will, so she was evidently dead by this time. Neither Mary Baynham nor Richard Tisdall is in the 1624/5 muster, so both were apparently still in England at the time of her father's death.

The entry regarding "Elizabeth Lady Harvye" surveying one-third of the land is confusing. This would imply that she may have been Baynham's widow. However, she was not the widow of John Baynham, rather the widow of Baynham's next-door neighbor Richard Stephens and the then wife of Thomas Harvey, so she must have surveyed one-third of the property for some other reason.

20 June 1651 Patent to Monjoy Evelin, 650 acres in James City County (in what later became Surry County.) The patent was a renewal of George Sandys' 1624 patent of 650 acres, described as including "200 acres thereof being formerly granted unto **John Baynham** by patent dated the 17 of January 1619..." Sandys had apparently disposed of the land and it ended up in the hands of Thomas Grindon, who had sold it to Evelin's father in 1649. [Virginia Patent Book 4, p316.]

This is our only record of the date of the first patent to John Baynham, which he had traded to George Sandys.

2 Oct 1680 Patent to William Edwards in Surry County, including renewals of earlier patents to William Edwards his father (in 1648) and to Thomas Senior... described as "Beginning at ye mouth of Tappahannah or Crouches Creek & running thence down James River... to ye mouth of a great Swamp... thence up ye said Swamp... to **Baynham's** swamp[?] at ye mouth of a great swamp..." [Virginia Patent Book 7, p67]

Like the above patent, this is referring to a long out-of-date land description. This is the land John Baynham had received in 1619 and subsequently traded to George Sandys. The land description is obviously taken from the earlier patents that his one is renewing.

The date of these two patents has evidently led to speculation that this refers to the John Baynham of Surry County. However, it is clear that both of these patents are referring to land that had not actually belonged to John Baynham for many decades.

