

Swearings of Bath and Greenup Counties

Van Swearingen and Lucy Davis

In the last quarter of the 18th century and first half of the 19th century there was a branch of the Maryland Swearingen family that migrated first to Augusta County, VA into the area that later became Bath County in 1791, and then on westward into Mason County, KY. This migration commenced with the family of Van Swearingen, son of John Swearingen and Mary Ray. Van Swearingen is reported to have been born on 1Oct1746 in Queen Anne's Parish, Prince George's County MD, however, no birth record was found. Some writers would have it that Van married three different times during his rather long life of 83 years: (1) Lucy Davis, (2) Martha Hundred and (3) Sarah Lockney. The facts of these purported marriages is lacking proof, but there is some evidence to support a first wife named Lucy [Inu], followed by another wife named Sarah Lockney. There is a record from a 1776 census reported for Van Swearingen near Rockville Maryland transcribed as follows:

- Van Swearingen, head of household, age 29, [born 1746]
- Lacy [Lucy?], wife, age 34, [born 1742]
- Leonard, son, age 9, [born 1766]
- Mary, daughter, age 7, [born 1768]
- Samuel, son, age 5, [born 1771]
- Clemmy [Clementius], son age 2, [born 1773]
- two servants.¹

From this census record it can be deduced that Van's wife may have been named Lucy. Most researchers have interpreted this record as "proof" of Lucy having been the mother of the four children reported in Van's household in 1776. Absent any proof to the contrary, this writer is inclined to accept Lucy as Van's 1st wife, and as the mother of Leonard, Mary, Samuel and Clementius. From a variety of sources Van Swearingen is reported to have had three older brothers: Thomas (b. 23Sep1728), Samuel (b. 1732) and John (b. 1735)². Only Thomas Swearingen appears to have still been living in the vicinity of Van Swearingen's family in 1776; by which time his other two brothers had moved out of Maryland: John Swearingen had moved to North Carolina, and Samuel to Beaver County, Pennsylvania. Van's parents had both died in Frederick County, MD prior to 1776. No records were found for any land owned by Van Swearingen near Rockville, MD, but it is likely that he owned one or more tracts, probably between 50 and 100 acres, and that he raised tobacco, which was the primary crop of the Tidewater region during that time period.

There are also reports that Van may have had an older daughter named Elizabeth Swearingen, born about 1756, who married Stephen Bartram possibly in Montgomery County, VA in about 1773. This writer cannot verify that Elizabeth Swearingen and Stephen Bartram were ever married, moreover, whether Elizabeth Swearingen was a daughter of Van Swearignen. Clearly, there is a problem with the dates of birth of either Van Swearingen or of Elizabeth Swearignen, if

¹ http://search.ancestry.com/cgi-bin/sse.dll?MS_AdvCB=1&db=va2&rank=1&new=1&so=3&MSAV=2&msT=1&gss=ms_db&gsfn_x=1&gsln=swear*&gsln_x=1&uidh=yq3, accessed 20Jun2013.

² *Swearingen/Vanswearingen and Related Families*, Karel L. Whyte, 1999, pp. 15-17.

they were father and daughter. Based on the transcription of the 1776 census record from Rock Creek, MD, Van would have been born in about 1746. In fact, most genealogical records found for Van Swearingen indicate 1746 as his year of birth. But, since no birth record was found for Van, it is possible that his year of birth may have been earlier than 1746. It is conceivable that the census record transcription is in error. The age difference between Van and his wife of 5 years does suggest that Van's transcribed age may have been in error. If Van were closer to the age reported for his wife, then Van may have been born around 1737-40. An older age for Van would make it possible for him to have had a daughter named Elizabeth, who was already married before the 1776 census, an event which would explain Elizabeth's absence from Van's household. One further item regarding Stephen Bartram's family is that he was reported in the 1820 census record living in Cabell County, only a few miles from Van's eldest son, Leonard Swearingen. More discussion on Stephen Bartram and Leonard Swearingen will be presented later in this article.

The motivation for Van Swearingen packing up his family around 1778 and moving almost 200 miles westward to the headwaters of the James River can only be guessed. By 1778 the colonies were fully engaged in the War for Independence, and Maryland and neighboring Virginia and Pennsylvania were becoming battlegrounds of that war. Van's destination on the Cow Pasture River was a far cry from the more densely settled and depleted soils of the Rock Creek area which would later become part of Washington D. C. Although only 200 miles in distance the move to the Cow Pasture must have been an arduous journey. The family would likely have traveled northwestward to the Swearingen (aka Shepherds) Ferry on the upper Potomac at Shepherdstown, where they would have joined the King's Highway (aka Great Wagon Road). Traveling west by southwest through the Valley of Virginia they would have traversed the length of the Shenandoah Valley, passing through the settlements of Charles Town, Winchester, Harrisburg and Staunton, enroute to the Cow Pasture.

The next chronological record found for Van Swearingen was in an Augusta County, VA grant deed summarized as follows:

"Daniel McDonald and Daniel Monrow, 70 acres by survey of 15Feb1780 in [Augusta County](#), on [Stuart's Creek](#) above or near the land of [Van Swearingham](#). Recorded 1Jun1782, p. 517. A. C. of 10 schillings sterling."³

From this land grant record it would appear that Van Swearingen had already taken out a grant or purchased land on Stuarts Creek prior to 1780. It seems more likely that Van Swearingen purchased his land, as no record could be found of his having received a grant. Given the distance of more than 200 miles from Rockville Maryland to Stuarts Creek Virginia, it hardly seems likely that Van Swearingen would have been able to acquire his tract on Stuarts Creek without first having moved his family into Augusta County. Stuarts Creek is an eastern tributary of the Cow Pasture which was likely accessed from the Great Wagon Road by branching off near present day Goshen and following a route northwesterly along the North River (Maury River on current maps) approximating the path of State Routes 39 and 42 through Panther Gap to Millboro Springs. See Figure 1 for a picture of the Cow Pasture River above the mouth of

³ *Cavaliers and Pioneers, Volume VIII, 1779-1782*, edited by Dennis Ray Huggins, 2005, p. 317.

Stuarts Creek and Figure 2 for a picture of present day Millboro Springs at the junction of Routes 39 and 42.

This early access route to the Cow Pasture is set forth in the following excerpt:

"The tendency of the Appalachian ridges to run out, or to be interrupted by watergaps, is of much practical importance. Routes of travel were thereby suggested to the white pioneers and to the Indians before them. The breaking down of Shenandoah Mountain [by the penetration of the North River] offers a line of easy approach from the Valley of Virginia to the Cowpasture at Fort Lewis. Panther Gap and the pass at Griffith Knob presented lines of approach to the settlers who occupied Stuart's Creek and the lower Cowpasture."⁴

Van Swearingen settled on Stuart Mill Creek in about 1780 where he probably was a subsistence farmer. Refer to Figure 3 for a picture of Stuarts Creek looking upstream from Route 39. The bottomlands of Calf Pasture, Cow Pasture, Bull Pasture and Jackson's River were relatively fertile, and being at about 1,400 feet elevation, the climate was quite temperate. Prior to 1700 this region west of the Blue Ridge had scarcely been penetrated by English explorers. In 1716 Virginia Governor Alexander Spotswood organized an expedition into the Shenandoah Valley described as follows:

"So the governor headed a party of exploration. The start was from Williamsburg, then the capital of Virginia. Above Fredericksburg there was no road. The Blue Ridge was crossed through or near Swift Run Gap, and near where Elkton now stands the South Fork of the Shenandoah was reached. It was named the Euphrates and was thought to flow into the Great Lakes. On the west bank Spotswood and his gay companions uncorked the large variety of liquors they had brought along and indulged in a grand spree. Probably not enough firewater remained for a second big drunk, and the "gentlemen" of the party seem to have been in no mood for farther adventure. But the rangers who had guided Spotswood were left behind to continue the exploration."⁵



FIGURE 1
Cow Pasture River near Millboro Springs



FIGURE 2
Millboro Springs, Bath County Virginia



FIGURE 3
Stuarts Creek at Route 39 Bridge

⁴ Annals of Bath County, Virginia, Oren F. Morton, 1917, p. 3.

Following Governor Spottswood's expedition to the west side of the Blue Ridge range, word spread throughout the colonies and to England of the prospect of opening new, fertile lands to European settlement in that region. A treaty with the Indians gave impetus to such settlement. A petition was filed in 1727 by a consortium of wealthy tidewater planters for a grant of 50,000 acres in the Shenandoah Valley briefly described as follows:

"Eleven years after Spottswood's revel on the bank of South River, we find a petition to the governor and council that speaks of the [Cowpasture](#) by its present name. The signers were Beverly Robinson, Robert Brooke, William Lynn, and Robert and William Lewis. These men were not themselves explorers, but were influential planters of Tidewater. The two Lewises were not of the family that became so conspicuous in the annals of Augusta and her daughter counties [Bath included]. John, the father of the Lewises of Augusta, had not yet come from Ireland. But William Lynn was his brother-in-law."⁶

This petition reads as follows:

"Your Petitioners have been at great Trouble and Charges in making Discoveries of Lands among the Mountains, and are desirous of taking up some of these Lands they have discovered; whereupon your petitioners humbly pray your Honours to grant him an order to take up Fifty Thousand Acres in one or more tracts of the head branches of James River to the West and Northwestward of the [Cow Pasture](#), on seating thereon one family for every Thousand Acres, and as the said Lands are very remote and lying among the great North Mountains, being about Two Hundred Miles at least from any landing..."⁷

Nothing in the record suggests that this petition was ever acted upon, but it marked the beginning of migration into the Valley of Virginia and the region west of the Blue Ridge. By 1732 an Irish immigrant named John Lewis had settled in the hills just north of the future community of Staunton described in the following extract:

"In the summer of 1732 John Lewis settled a mile north from where Staunton soon arose. He was a person of means and leadership and was accompanied by about 30 of his Ulster followers. A more prominent comer was James Patton, who was unwearied in soliciting immigration to the Augusta colony. By the end of a dozen years there were several hundred Ulster families scattered over the present counties of Augusta, Rockingham, and Rockbridge, and even into the Valley counties lying nearer the Tennessee line."⁸

Augusta County was formed in 1745 from the southwestern portion of Orange County and extended westerly to the limits of lands claimed by the Virginia Colony, including territory that would later be organized into Kentucky County. The boundary of Augusta then remained unchanged until 1770 when the southern half was split off to create Botetourt County. The next significant organizational change to Augusta County occurred in 1776 when its northwestern portion was partitioned to create Yohogania, Monongalia and Ohio Counties. Bath County was formed from portions of Augusta, Botetourt and Greenbrier Counties in 1791 and abutted Rockbridge County to the northwest.

When Augusta County was first formed in 1745 it contained an estimated 4,000 European settlers scattered over a relatively wide area:

⁵ Ibid., p. 11

⁶ Ibid., p. 13.

⁷ Ibid.

⁸ Ibid., pp. 14-15.

"Lewis and his companions were regarded as squatters on the public domain. To make them feel the authority of the state, two immense tracts of choice land were given to William Beverly and Benjamin Borden. The grant of 118,491 acres to Beverly lay around Staunton. It was known as Beverly Manor and also as Irish Tract. Lewis was of middle age when he came to Virginia. His sons, Thomas, Andrew, and William were then minors but became more prominent than himself. Thomas was the first county surveyor of Augusta. Andrew assisted in surveying and both brothers were very energetic as land prospectors.

Under the date of October 29, 1743, an order of council for 30,000 acres was issued in favor of James and Henry Robinson, James Wood, and Thomas and Andrew Lewis. The grant was located in the basin of the James River above the mouth of the [Cowpasture](#). Thomas and Andrew Lewis, now 25 and 23 years old, seem to have been the only active members of the syndicate, although Wood, of Frederick County, was also a surveyor. The Robinsons were aristocrats of Tidewater and their names were enough to give prestige to the enterprise."⁹

No settlers are believed to have been established in the area that ultimately became Bath County until after the Lewis brothers began subdividing their 30,000 acre grant commencing in 1745. This subdivision occurred rather rapidly over a two year period and consumed most of the bottomlands along the "pastures" and their main tributaries:

"These surveys were in favor of James Waddell, Ralph Laverty, James Stuart, James McCay, John Mitchell, John Cartmill, and James Hughart. Those of Stuart, McCay, and Mitchell were on [Stuart's Creek](#)."¹⁰

The average tract size ranged between 250 and 500 acres. Of course, the Lewis brothers made certain that they received their fair share. When Colonel Charles Lewis died in the summer of 1774 from his wounds received at the Battle of Point Pleasant on the Ohio River his estate was appraised at nearly \$4,000, including eight slaves, 24 horses, 96 cattle, 43 sheep, and 50 hogs. By the time that Van Swearingen acquired his tract along Stuart Creek in about 1778 most of the best agricultural lands of the "pastures" had been subdivided and under cultivation for almost 30 years. Pockets of settlement began to emerge along the streams tributary to the "pastures", including Dickenson along the Lower Cow Pasture, Fort Lewis, Upper Mill Creek, Green Valley, Bull Pasture, Burnsville and Jackson's River. Van Swearingen's family was associated with the Upper Mill Creek settlement briefly described as follows:

"The upper Mill Creek settlement occupied the basin of that stream above Panther Gap. Names associated with this somewhat limited space are Bratton, [McDonald](#), Putnam, Rhea, [Swearingen](#)."¹¹

In the [Annals of Bath County, Virginia](#), Oren Morton provided the following abbreviated description of the Bath County Swearingen family:

"[Van and Leonard Swearingen](#), living on [Mill Creek](#) in 1790, seem to be descendants of the Van who was living in Berkeley County in 1738."¹²

There are several elements of this brief description that merit elaboration and explanation:

⁹ Ibid., pp. 15-16.

¹⁰ Ibid.

¹¹ Ibid., p. 36

¹² Ibid, p. 200.

1. This was the only mention found anywhere by this writer of Leonard Swearingen having actually lived in the Bath County region. By extrapolation, the fact that Leonard Swearingen is believed to have been the eldest son of Van Swearingen and Lucy [Inu, possibly Davis], and that Leonard was only about 12 years old when his father relocated from Rockville, MD to the Cow Pasture, it must be assumed that Leonard was also with his family on Mill Creek until reaching adulthood in about 1787. Some researchers report that Leonard married Mary Cole in Cavell, Bath County in 1787. Leonard and Mary's first child, William Rufus is also reported by the same researchers to have been born in Cavell, Bath County in 1788. The dates and location associated with these events seem somewhat suspect based on other records. First, note that Bath County wasn't formed until 1791. Next, note that no such place or township named "Cavell" could be located. It seems probable that the name of Cavell is a misnomer for Cabell County, which was formed from the southwestern part of Kanawha County in 1809. There are records found for a Leonard Swearingen in Cabell County which will be discussed later in this paper. Finally, note that a record is in existence of Leonard's marriage to Mary Cole in Rockbridge County on 10Mar1789.¹³
2. Morton also stated that the Swearingens lived on Upper Mill Creek, whereas the only grant deed found in Augusta County with the name of Van Swearingen indicated his land to be located on upper Stuart Creek. Mill Creek on current maps is shown as a tributary of the Calf Pasture, which is outside present day Bath County to the southeast. Since virtually all records found pertaining to Van Swearingen and his known descendants in the old Augusta County region fall within present day Bath County, it must be assumed that Morton had reference to one of the branches of Stuart Creek and not the Mill Creek branch of the Calf Pasture, or that Van Swearingen may have initially settled on Mill Creek and later on Stuart's Creek.
3. Morton also suggests that Van and Leonard Swearingen were descended from Van Swearingen of Berkeley County. Given the matching family names and dates associated with the Van and Lucy Swearingen family of Rock Creek, Maryland, there is little doubt that the Van Swearingen family of Bath County was descended from John Swearingen and Mary Ray of Prince George's County Maryland, not from the Swearingens of Berkeley County.

It should further be noted that Leonard Swearingen was not listed in a 1791 tax assessor role performed for Bath County in the first year of its formation. Leonard would have been about 26 years old in that year, and probably would have appeared in this assessment list had he been living within the county. Leonard's father and younger brother, Samuel, were both recorded in this assessment list as follows:

"Heads of Families in 1791

First District—Samuel Vance, Assessor.

...Swearingham Van...

There was a total of 467 tithables, 132 slaves, 1376 horses, 6 studs and 4 carriages.

Second District - John Oliver, Assessor.

...Swearingen, Samuel...

¹³ Rockbridge County Marriages, 1778-1850, Dorthie and Edwin C. Kirkpatrick, 1985, p. 204.

There was a total of 224 tithables, 44 slaves, 664 horses, and 5 Studs.

Grand total for Greater Bath: 790 tithables, 176 slaves, 2040 horses, 11 studs and 4 carriages."¹⁴

Since Bath County was not formed until 1791, there is a period of about 12 to 14 years after Van Swearingen settled on Stuart's Creek during which records associated with his presence would have been recorded in either Augusta County or Botetourt County. This writer did not have access to those records, and could not verify whether any records related to the Van Swearingen family in this part of Virginia existed prior to the formation of Bath County. However, existence of such earlier records is probable and worth the effort of searching them out. There was one record of interest during this period worth noting:

"Augusta County Court Judgments - May1794:
Van Swearingen vs. Richardson -- Plaintiff
[Swearingen] was lessee of the Panther Gap Mill
and plantation in Rockbridge, which belonged to
Crockett."¹⁵

The foregoing citation of a judgment entered in Augusta County Court in May1794 provides a brief glimpse into the life of Van Swearingen in the 1790's. From this abstracted record it would appear that Van Swearingen was leasing a mill and land from a Mr. Crockett, and that that mill was apparently located at or near Panther Gap. Since the mill was described as having been in Rockbridge County, it must have been situated on North River very near to the boundary between Bath County and Rockbridge County. As previously stated, Panther Gap is situated on the North River [Maury River] about midway between the communities of Goshen and Milboro Springs. As demonstrated by the photo of the Panther Gap area on State Route 39 shown in Figure 4, the canyon at Panther Gap is relatively narrow and not conducive to any significant amount of agriculture, but a good site for a grist mill. About one mile upstream from Panther Gap the canyon opens up into a broad valley where the North River turns easterly into Mill Creek as illustrated in Figure 5. If the Van Swearingen family did reside on upper Mill Creek as stated by Oren Morton, then they would have been only a couple of miles from Panther Gap and on fairly fertile river bottom lands.



Figure 4
Maury River on SR 39 at Panther Gap



Figure 5
Mill Creek Valley on SR 39

¹⁴ Annals of Bath, Ibid., p. 120.

¹⁵ Chronicles of the Scotch-Irish Settlement in Virginia, Augusta County, Volume 1, Lyman Chalkey, 1912, p. 403.

Charles Fenno Hoffman (born 1806), author, editor and poet, traveled through the "West" on horseback in the 1830's and wrote two books which were compilations of letters written during the course of these travels. Following is an excerpt from one of Hoffman's books in which he described his journey into Bath County via Panther Gap.

"The Panther Gap, which is the last of these glens, is one of the finest mountain-passes I have seen. The prodigious height and sheer descent of the cliffs, that appear to have been torn asunder to form the passage, with the redundant forest-growth at their base, give both dignity and richness to the scene. Looking from the bottom of the narrow dell, you know not whether most to admire the towering crag that cleaves the sky above you, or the fragrant thickets of laurel and magnolia, that, blossoming at its foot, essay to climb the knees of their rugged parent. Soon after emerging from the Panther Gap, I chanced to pass a farm-yard... The house stood remote from the road, at the end of a long lane... The rooms of the farm-house -- though the establishment was large enough to be very comfortable -- were separated from each other by a board partition only..."¹⁶

At the time that Hoffman penned this description of Panther Gap he had already visited the hot springs of Bath County and was returning downstream along the North River to Goshen. Consequently, the farm at which Hoffman spent the night after exiting Panther Gap would have been in Rockbridge County upstream from Goshen. Hoffman's chronicles clearly were not very detailed so the fact that he made no observations of a grist mill in the canyon upon the North River is not surprising. The fact that Van Swearingen appears to have operated a grist mill around the time that his eldest son, Leonard, was approaching adulthood may have influenced Leonard's decision to establish his own grist mill on Lost Creek in Cabell County.

Van would have been of an age to have served in the Revolutionary War (30 to 36 years old), but his sons were likely too young to have participated. The eldest son, Leonard, would not have reached his 16 year until 1780. The actual skirmishes with the British did not extend west of the Blue Ridge, so the people of Bath would have been spared direct exposure to battle, but few in the colonies were spared indirect impacts. Men enlisted in local militias, State militias or the Continental Army. The Bath area had more than its share of men engaged, mostly in support of the colonial cause. After the unsavory experience with Governor Dunmore during the Point Pleasant fiasco, few Appalachians were favorably disposed to lend any support to the royalists. Whether Van or Leonard Swearingen took an active part in the Revolutionary War is unknown to this writer, but they could not escape offering whatever little support they could muster by way of contributed livestock, goods and foodstuffs from their small farm.

A glimpse into the activities of the Van Swearingen family after the formation of Bath County is afforded through the lens of the extant Will Books between 1791 and 1842. Jean Randolph Bruns has abstracted and published these records in a book entitled Abstracts of the Wills and Inventories of Bath County, Virginia, 1791-1842. There are 46 separate instances of a Swearingen appearing in these estate records. These various listings include Van Sr., Samuel, Clementius, Alexander, William D., Van Jr. and Lucy D. For a complete accounting of these various Swearingen records the reader is referred to the Bruns abstracts. A sampling of these records is offered hereinafter to provide the reader with a sense of the civic and social involvements of this family:

¹⁶ A Winter in the Far West, Volume II, C. F. Hoffman, 1835, p. 298-300.

1. 6Jun1798 Van Swearingen was reported as a debtor or creditor in the estate inventory of Thomas Feamster.¹⁷
2. Jun1800 Van Swearingen was listed as one of dozens of debtor in the Stores accounts of John Oliver, deceased.¹⁸
3. 12Nov1807 Van Swearingen and two others appraised the estate of Samuel Blake.¹⁹
4. 10Aug1813 Van Swearingen and two others posted a bond for \$500 in favor of Van Swearingen's service as Constable.²⁰
5. 2Jun1821 Van Swearingen, Clementius Swearingen, Lucy D. Swearingen, etal. were listed as purchasers from the estate of Jane McKee.²¹
6. 2Jun1802 the estate of Samuel Swearingen was inventoried.²²
Presumably this was the son of Van Swearingen, who appears to has died within the past few months.
7. 13Dec1815 Clementius Swearingen and three others performed an inventory of the estate of William Richards.²³
Note that this was the first of numerous entries for Clementius Swearingen, son of Van Swearingen, related to inventorying, appraising or auctioning of estate properties.
8. 12Dec1825 Martin Ratliff and George Mayse filed a bond in amount of \$200 for Ratliff's service as guardian of Alexander Swearingen, infant child of Lucy Swearingen.²⁴
Some genealogical researchers report that Van Swearingen and Lucy [Inu] had a daughter named Lucy, born in 1777. It seems possible that the Lucy Swearingen referenced in this record was that daughter. This begs the question as to the identity of the father of Alexander Swearingen.
9. 12Apr1838 William D. Swearingen, etal. were listed as buyers from the estate property of John H. McDannald.²⁵

In addition to the Bath County Will Book records, there are also records of marriages from Morton's book listed as follows:

"This list of marriages that are more or less associated with Bath history is compiled chiefly from the marriage bonds on record at Warm Springs.
 ...Gay, Thomas (Mary Swearingen) - 1791...
 ...Swearingen, Samuel (Hannah Scott) - 1798...
 ...Swearingen, Alexander (Sarah Layne) - 1800..."²⁶
 Also, Clementius Swearingen to Polly Johns, 31Jan1799 (unsourced)

Mary, Samuel, Alexander and Clementius are all believed to have been children of Van Swearingen. Mary, Samuel and Clementius appeared in the 1776 census record taken at Rockville, MD of the Van Swearingen family. Samuel is believed to have been the person whose estate was inventoried in Bath County on 2Jun1802. Van Jr., William D., Alexander and Lucy D. were also children of Van Swearingen. Lucy D. is reported to have been born in 1777, probably in Rockville Maryland just before the family moved to Augusta County. It is probable that Alexander, Van Jr. and William D. were all born after the family settled on in Augusta [later Bath] County.

¹⁷ Abstracts of the Wills and Inventories of Bath County, Virginia, 1791-1842, Jean Randolph Bruns, 2005, pp. 15-16.

¹⁸ Ibid., p. 21.

¹⁹ Ibid., p. 49.

²⁰ Ibid., p. 67.

²¹ Ibid., p. 108.

²² Ibid., p. 28.

²³ Ibid., p. 77.

²⁴ Ibid., p. 127

²⁵ Ibid., p. 195.

²⁶ Ibid., pp. 127-131.

In addition to the foregoing cited records related to the Van Swearingen family in Bath County, there were also census records for Van and his children in Bath County between 1810 and 1840 summarized as follows:

- 1810: Van Swammgood [Swearingen, Sr.] and Clemintin Swearinger [Clementius Swearingen]
- 1820: Lucy Sweoreryen [Swearingen], Van Swearingen Sr., Van Swearingen Jr., and Clementius Swearingen.
- 1830: Sarah Swearingen, Clementius Swearingen and William Swearingen.
- 1840: Lucy Swearingen, Clementius Swearingen, William Swearingen and William D. Swearingen.

One final note on the Van Swearingen family of Bath County, VA; descendants of this family have continuously resided in the county to the present time, and 35 burials for this family are listed online at "Find a Grave". The oldest interment dates from 1908 and the newest from 2004. They are located mostly in the Rehobeth United Methodist Church Cemetery located about 3.5 miles east of Millboro Springs on State Route 633 (Pig Run Road). This church and cemetery are situated atop the ridge separating Pig Run from Laurel Run, a tributary of Stuart Creek. About 4.5 miles further north on Route 633 from the Rehobeth Cemetery on Route 629 is located an older burial ground at the Green Valley United Methodist Church Cemetery on Stuarts Run. This cemetery has not been as well maintained as others in the area around Millboro Springs. This is unfortunate for genealogical researchers, as it clearly has burials dating from early pioneer times and possibly contains the remains of Van Swearingen and many of his descendants.

Leonard Swearingen and Mary Cole

One very important member of this Van Swearingen family was totally missing from the records of Bath County, except for the vague reference by Oren Morton that Leonard Swearingen was living in the county in 1790. Leonard Swearingen, the eldest son of Van Swearingen and Lucy Davis, may very well have been living in Bath County in 1790, but he was missing from the 1791 census. The earliest record found for Leonard Swearingen was in nearby Rockbridge County in the filing of his marriage summarized as follows:

"10Mar1789 Leonard Swearingen and Mary Cole; bride ward of John McCoskey; minister John Brown, Presbyterian. Rockbridge County, Virginia."²⁷

The exact source of this record is not known to this writer, but the Kirkpatricks stated that most records captured in their book came from four primary sources: (1) Marriage Bond filings, (2) Minister's Returns, (3) Consent Forms, and (4) County Clerk's Marriage Register. Bond filings could precede a marriage by several days and were no guarantee that a marriage ever took place. Since there was no reference made in this record to a bond filing, it must be assumed that this was a record of the actual marriage of Leonard Swearingen and Mary Cole.

It should be noted that Mary Cole was identified as a ward of John McCoskey [McCroskey]. The kinship connection, if any, between Mary Cole and John McCoskey is unknown. The John McCroskey Sr. and Elizabeth Gay family migrated from Antrim County, Ireland in about 1735 and were among one of the earliest settlers on the Borden Tract near New Providence

²⁷ Rockbridge County Marriages, 1778-1850, Dorthie and Edwin C. Kirkpatrick, 1986, p. 204.

Presbyterian Church on Hayes Creek, an area that would become Rockbridge County in 1778. Most of John and Elizabeth McCroskey's eight children were born in Ireland and migrated with their parents to the Valley of Virginia in about 1745. The identity of the John McCroskey, guardian of Mary Cole, is unknown to this writer, but he most likely was a grandson of the original immigrant, John McCroskey Sr.

Research of early Rockbridge County history does not produce the name of anyone with the surname of Cole. The closest reference found was of "Cole's Ford" in several road orders for Augusta County between 1740 and 1769 along South River [St. Mary's Fork of James River]. This geographic name suggests the presence of someone named Cole in this region during the 18th century, but this writer could not unearth the identity of this presumed Cole pioneer. There was an English immigrant named Richard Cole, who appeared in Augusta County area just prior to and during the Revolutionary War. Richard Cole ultimately settled and died in Bath County. However, the known children of Richard Cole appear to have been one generation later than Mary Cole, wife of Leonard Swearingen. Therefore, this writer is unable to provide any clues as to the identity of Mary Cole or her possible ancestry. By virtue of Mary Cole having been the ward of John McCroskey, it seems probable that she was living in the McCroskey household in the New Providence Church area of Rockbridge County at the time of her marriage to Leonard Swearingen. Mary's residence would have been about 20 miles to the southeast of Stuart's Creek, the presumed residence of the Swearingen family in Bath County.

Aside from the marriage record, the next earliest trace of Leonard Swearingen found by this writer anywhere in Virginia was in connection with Lincoln District, Kanawha County described as follows:

"Lincoln District No. 4 is the most southern in the county, and is bounded on the north by Butler district, east by Grant, south by Logan county, and west by the State of Kentucky, from which it is separated by the [Tug River](#)... The streams falling into the [Tug river](#) have a general northwest course. Among them are Powdermill creek, [Lost creek](#), Camp creek,... The first cabin was built by a man named Nevens, in the year 1799. In the next year (1800) he was joined in his wilderness home by John Wilson, Jacob Noe, John Prinston, Richard Williamson, Hezekiah Wiley, Job Spence, Lazarus Damron, Daniel Cox, John Jarrell, and Henry Hampton. In the next ten years many other cabin homes appeared along the valleys and upon the hills of this region. Among those who assisted in establishing them were; William Thompson, Josiah Robinson, William Adams, Adam Crum, William Bromley, Micajah Frasher, James Vinson, Elijah Donathan, Richard Williamson, Thomas Copley, Jacob Marcum, William Crum, John Marcum, Josiah Marcum, Moses Marcum, James Kirk, William Ratcliffe, John Spaulding, Clemens Spaulding, Alexander Sutherland, Richard Evans, David Garred, John Cox, Samuel Damron, James Fraley, and [Leonard Swearingen](#)... The first grist mill was built in 1808 by [Leonard Swearingen](#), at the mouth of [Lost creek](#), one-half mile below the falls of [Tug river](#). It was a log building with one run of stone, but an old settler who remembers it said to the writer, "It was a very good mill for that day and made excellent meal."²⁸

From the foregoing account of the earliest settlement on the Tug River in the vicinity of Fort Gay it can be deduced that Leonard Swearingen may have been living in this area as early as 1801, and not later than 1808. This part of Kanawha County was a fair distance from Bath County (approx. 250 miles), and not easily accessed in the 1790's. However, Kanawha County was situated at the northern terminus of the James River - Kanawha Turnpike, the primary route used

²⁸ History of the Lincoln District, No. 4 - Wayne Co. WV, Submitted by Lorna Corns Workman <pworkman@newwave.net>, <http://files.usgwarchives.net/wv/wayne/misc/lincoln1.txt>, accessed 27Jun2013.

by Virginians for access into the Ohio River Valley. This route was used by Colonel Andrew Lewis (of Bath County) when he marched his troops into battle at Point Pleasant in 1774:

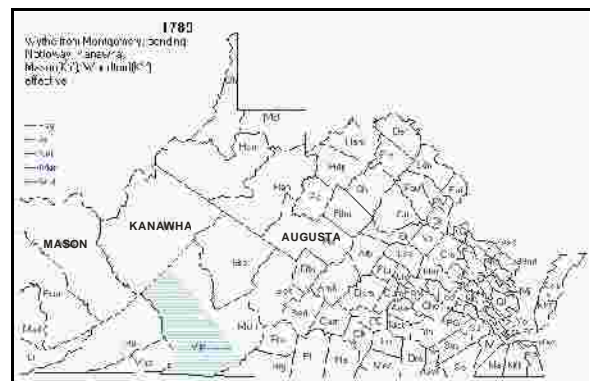
"The historic James River & Kanawha Turnpike, now the route of U.S. 60 and parts of Interstate 64, began as a meandering game trail. Native Americans used the trail for centuries to reach the Kanawha salt licks, and later it was an important passage for European immigration through the Appalachians. Col. Andrew Lewis's army traveled over it to the Battle of Point Pleasant in 1774. By 1785, the state of Virginia authorized construction of the Old State Road, along the path of the Lewis trail. In 1791, the road was improved to the head of navigable water on the Kanawha River at Kellys Creek (present Cedar Grove), where westward travelers secured bateaux or flatboats made at "the Boatyards" for their downstream journey."²⁹

Leonard Swearingen probably traveled overland on the Old State Road from Bath County to Kellys Creek, where he likely engaged a bateau to complete the journey down the Kanawha River to the Ohio River sometime between 1791 and 1793. At the time of this journey Leonard would have been in the company of his wife, Mary, and their oldest child, William Rufus, who would have been about three years old. Following is a quotation from History of Greenup County, Kentucky:

"Leonard Swearingen (1765-1842) married Mary Cole (1770-1842), moved to Greenup County soon after 1793 and lived near present location of Argillite. Their children were William Rufus (1788) [probably about 1790], Lucy (1793), Van (1795), Clement (1805), Samuel (1806), John (1807), and Jane (1813) [actually 1803]..."³⁰

The source of this brief biography on Leonard Swearingen probably came from a family member and appears to have inaccuracies. There are records on file in Cabell County which do support the proposition that Leonard may have first settled in Mason County (later Greenup County) and then later moved into Cabell County, before finally returning to Greenup County (Lawrence County) where he is reported to have died in 1842. In order to make sense of these early records pertaining to Leonard Swearingen's family, it is important to understand the jurisdictional setting of the region. Following is a chronological listing of State and County organizations in the region south of the Ohio River abutting the Big Sandy River:

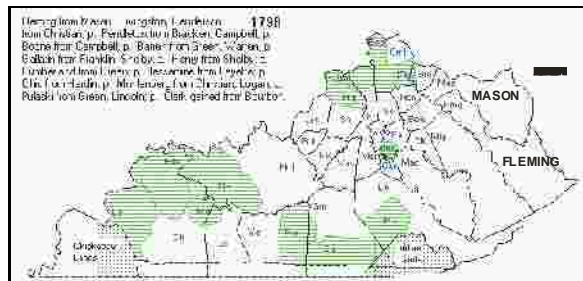
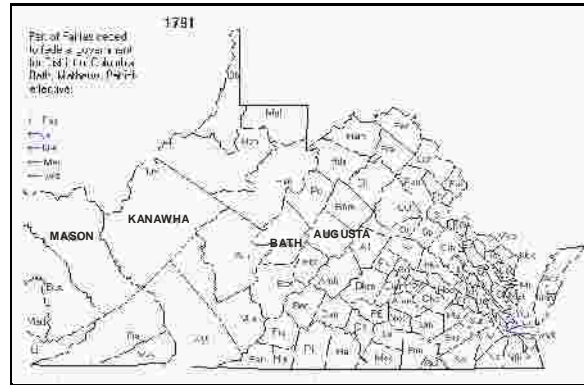
- 1789 - Mason County created from Bourbon County and Kanawha County created from Greenbrier and Montgomery Counties (Separated by Big Sandy River)



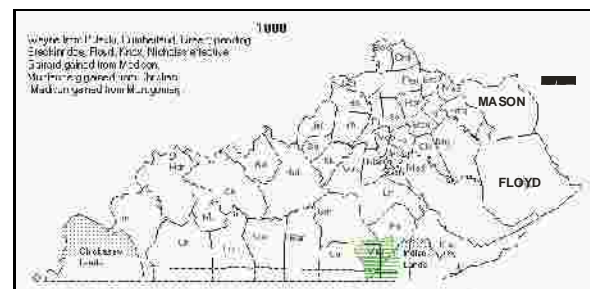
²⁹ <http://www.wvencyclopedia.org/articles/978>, accessed 20Jun2013.

³⁰ History of Greenup County, Kentucky, Nina Mitchell Biggs and Mabel Lee Mackoy, 1951, pp. 266-267.

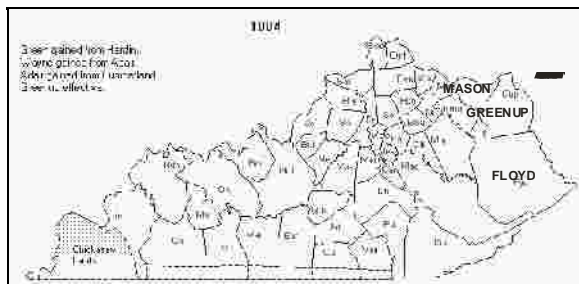
- 1791 - Bath County created from Augusta, Greenbrier and Botetourt Counties
- 1792 - Kentucky separated from Virginia and admitted as new state



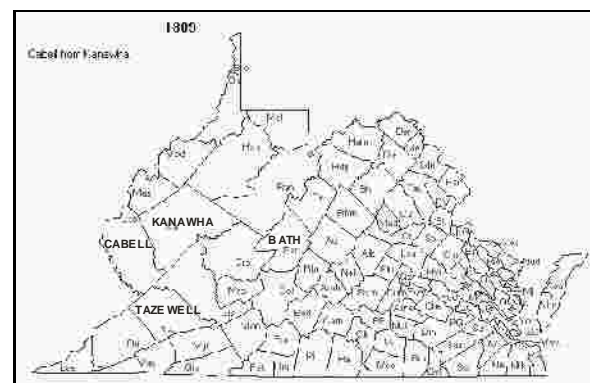
- 1798 - Fleming County was created from Mason County, KY



- 1800 - Floyd County created from Mason, Fleming and Montgomery counties, KY

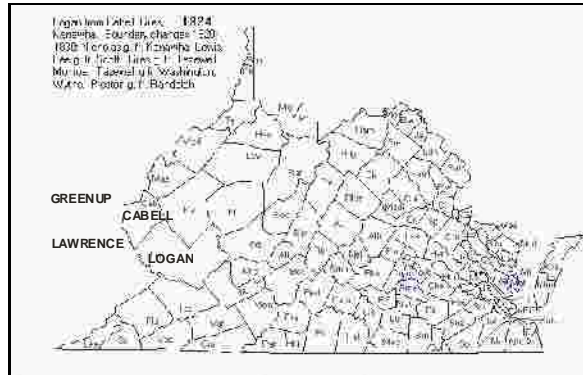


- 1804 - Greenup County created from Mason County, KY



- 1809 - Cabell County created from Kanawha County, VA

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- 1842
- Cabell
Wayne
Lawrence
- GREENUP
CABELL
WAYNE
LAWRENCE
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- From the foregoing presentation of state and county formations in the vicinity of the Big Sandy River it is possible to infer the specific jurisdiction to which any given record likely pertained during the period that Leonard Swearingen is presumed to have resided in that area. First, it should be noted that prior to 1792 all of the region south of the Ohio River fell within Virginia. Upon the separation of Kentucky from Virginia in 1792 the area south of the Ohio River and west of the Big Sandy River was within the newly formed state of Kentucky. Furthermore, Greenup County was not formed until 1804 nor was Cabell County formed until 1809. Consequently, if Leonard Swearingen lived along either side of the Big Sandy River prior to those years as purported by various researchers, then he likely would have been living in either Mason or Floyd County, KY, or Kanawha County, VA. If living in Virginia after 1809, Leonard almost certainly would have lived in Cabell County. If living in Kentucky between 1804 and 1822, Leonard almost certainly would have been living in either Floyd or Greenup Counties. Since Wayne County was not formed until 1842, the year of Leonard's death, then he almost certainly never lived within the jurisdiction of Wayne County. Finally, with the formation of Lawrence County in 1822 it is almost certain that Leonard's home property was no longer in Greenup County, but likely fell within Lawrence County.

One final point in need of clarification is the boundary that separated Greenup County from Floyd County upon the formation of Greenup County in 1804. That boundary generally extended from the confluence of the Levisa and Tug Fork branches of the Big Sandy River at the location of present Louisa KY and Fort Gay VA and extended westerly in a straight line for approximately 50 miles. This boundary remained in effect until the formation of Lawrence County in 1822. It is important to note that several of the records cited hereinafter pertaining to Leonard, William Rufus and Van Swearingen involved land or events along both sides of the Tug Fork, and therefore engaged both Cabell County VA and Floyd and Lawrence Counties KY.

The brief biographical sketch presented in History of Greenup County, Kentucky states that "Leonard Swearingen moved to Greenup County soon after 1793 and lived near present day Argillite". There are two fundamental flaws in this statement:

1. Since Greenup County was not formed until 1804, Leonard could not have initially moved to Greenup County. It is probable that Leonard initially may have settled in Mason County in an area near present day Louisa. This possibility is supported by the fact that in the 1830 and 1840 census records Leonard was reported living in Lawrence County, which during that period encompassed the area around Louisa, KY.
2. It is doubtful that Leonard ever lived in or near Argillite, as that community is situated in Greenup County to the north of Lawrence County. It is more likely that one or more of Leonard's sons may have lived near the Argillite community. John and Clementius Swearingen were reported in the 1830 census living in Greenup County nearby to one another, whereas Leonard and his other two sons: Van and Samuel, were reported living in Lawrence County adjacent to one another. In 1840 John and Clementius were still in Greenup County, whereas Leonard's other two sons: Van and Samuel were still in Lawrence County. Leonard was not reported in the 1840 census by name, but he very likely was the male (age 70-79) living in the S. [Samuel] Swearingen household. Likewise, the female (age 70-79) was very likely Samuel's mother, Mary Cole Swearingen. By the 1850 census Leonard and his wife are presumed dead, and three sons: Samuel, Clementius and Van were all reported living in District 1, Greenup County. According to History of Greenup County, Kentucky Clementius Swearingen is "buried in a cemetery on the high hill at Argillite..."³¹ If true, then this would suggest that possibly John and Clementius Swearingen may have lived at Argillite.

The best evidence this writer could find regarding the location of the Leonard Swearingen family during the period between about 1793 and 1807 was from the census records for several of Leonard's children: Van (b. 1795), Hanah Jane (b. 1803), Clementius (b. 1805) and Samuel (b. 1806). All four of these children reported in the 1850 census that their place of birth was in Virginia. This being the case, then it seems very likely that Leonard Swearingen lived in the Cabell County, Virginia area from as early as 1795 until sometime between 1820 and 1830, as he was reported on the 1820 census in Guyandotte, Cabell County, Virginia, and on the 1830 census in Lawrence County, Kentucky. Further proof of Leonard not having lived in Kentucky in the early years was his absence from the 1800 second census of Kentucky.

Following are a series of records from the Cabell County area which suggest Leonard's residency in that County:

1. 1810 substitute census of Cabell County: Leonard Swearingen, three tithables and five horses.³²

³¹ History of Greenup County, Kentucky, p. 267.

³² Cabell County, Virginia, 1810 Substitute Census, John Vogt, 2011, p. 6.

Since most of the actual census records for Virginia prior to 1820 are lost, John Vogt compiled a facsimile (substitute) of a census for the year 1810 from the personal property tax records. In this transcribed tax record Leonard Swearingen was recorded living in Cabell County in 1810 with three tithables. Each tithable would have represented one male in the household over the age of 16 years. One tithable presumably represented Leonard as head of household, whereas the other two tithables likely represented sons over the age of 16. It seems probable that these two sons would have been William Rufus born about 1790 and Van born about 1795.

2. 1815 Directory of Cabell County landowners reflected the following entries for Swearingens:
 - a. Swearingen, Leonard; Big Sandy River, 1/4 mile below Loss [Lost] Creek; 40SW.
 - b. Swearingen, Leonard; Tug Fork of Big Sandy River; 40SW.
 - c. Swearingen, William, of Tennessee; Mill Creek, 4-1/2 miles from mouth; 26SW.
 - d. Swearingen, William, of Tennessee; branch of Mill Creek; 35SW.

Given the date and location of these records, there is no doubt that this Leonard Swearingen was the subject of this investigation. Note that in 1815 the Cabell County courthouse was located at Barboursville on the Guyandotte River, about 10 miles east of present Huntington, West Virginia. Also note that the trailing elements of these records, i.e., 40SW, denoted the approximate bearing and distance from the Courthouse to the subject tract. Finally, note that it is this writer's opinion that the William Swearingen identified in these land records was the eldest son of Leonard and Mary Swearingen, namely William Rufus Swearingen. From these records it would appear that William Rufus Swearingen had relocated from Cabell County to the state of Tennessee sometime prior to 1815. In the 1820 census records there are listings of two William Swearingens in Tennessee, both aged 26-40 years, one in Jackson County and the other in White County. Either one of these William Swearingens might have been the son of Leonard and Mary Swearingen. Note that William's tracts were situated on Mill Creek which flows northwesterly, joining the Tug River at present day Fort Gay. The second listed tract situated about 35 miles southwest of Barboursville would have been on upper Mill Creek only about three miles distance from Lost Creek, on which Leonard Swearingen owned land and is reported to have operated a grist mill.

3. 5Apr1811 - Indenture, Archibald Bennett, formerly of Mason County, KY and wife, Patsy, to Samson Sanders, 300 acres on Mud River...Witnessed by: Thomas Ward, Samuel Short, Leonard Swearingen and Daniel Bloomer.³³

Mud River joins the Guyandotte River at Barboursville, and flows from the east through Teays Valley, which was the most direct route of travel from the Kanawha River to the Huntington, WV area. Samuel Short appeared in Deed Book 1 in connection with two other land transactions involving Leonard Swearingen listed hereinafter. Thomas Ward appeared in numerous land records in Deed Book 1, one in particular was in conjunction with Samuel Smiley for the sale of land on Mill Creek and the Tug River fork of the Big Sandy. Daniel Bloomer only appeared in connection with two land records in Deed Book 1, both in connection with Leonard Swearingen and Samuel Short. The basis for Leonard Swearingen, Samuel Short and Daniel Bloomer having appeared jointly on land transactions could not be ascertained by this writer. However, from this record and the associated parties, it would appear that Leonard Swearingen had dealings throughout Cabell County, many miles distant from Lost Creek.

4. 12May1812 - Cabell County: Commonwealth vs. John Morris: Defendant entered plea of Not Guilty; Jury: Jesse McComas, Henry Haynie, Leonard Swearingen, Charles Booth, et al.³⁴
5. 1Aug1812 - Floyd County Marriage Bond: William Swearington [sic] and John Frasher for a marriage shortly to be had between William Swearington and Polly Brownby.³⁵

This is believed to have been for the marriage of William Rufus Swearingen, eldest son of Leonard Swearingen and Mary Cole. It should be noted that a John Frasher married a daughter of Henry Gay and Marthaw [lnu] in Rockbridge County; and that William Swearingen's sister, Mary, married Thomas Gay. The Gay family lived for several generations in Rockbridge County, VA. Whether there is any kinship connection between the John Frasher, who married the daughter of Henry Gay and the John Frasher, who went with William Swearingen on William's marriage bond is unknown to this writer, but seems possible. Consequently, it is possible that William Swearingen and John Frasher were kinsmen by marriage.

³³ Cabell County, Virginia, Deed Book 1, 1808-1814, Carrie Eldridge, 1996, p. 12.

³⁴ Cabell County, Virginia, Minute Book 1, 1809-1815, Carrie Eldridge, p. 18.

³⁵ Annals of Floyd County, Kentucky, 1800-1826, Charles C. Wells, 2013, p. 132.

6. Aug1813 - Floyd County Court Book 1: Suit of **Swearingen [Leonard]** vs. Miller continued on defendants motion. Defendant to take depositions of Peter Brizzel and John Hatton of Cabell County, Virginia. Plaintiff to take depositions of Samuel Short and **William Swearingen** of said County and State.³⁶
The fact that the witnesses in this case were all located in Cabell County, VA is strong indication that both Leonard Swearingen and his son, William Swearingen, both resided in Cabell County in 1813.
7. 22Jul1813 - Floyd County Marriage Bond: by **Van Swearington** [sic] and **Leonard Swearington** for a marriage shortly to be had between Van Swearington and Polly Chapman.³⁷ Also note: 1813, February 20. Mr. W.J. Mayo, Sir, this is to request you to issue a license to join my daughter Polly and Van Swearingen in matrimony and for so doing this shall be your authority. (S) William Chapman.
This is assumed to have been for the marriage of Van Swearingen, 2nd eldest son of Leonard Swearingen and Mary Cole.
8. Sep1813 - Floyd County Court Book 1: **Leonard Swearingen**, Appellant vs. Phillip Miller, Appellee; judgment confirmed, defendant to pay \$11.91 debt plus cost.³⁸
Although believed to have been living in Cabell County in 1813, Leonard Swearingen had apparently filed a suit in Floyd County to recover a debt owed by Phillip Miller. Because of the fact that Leonard's home and place of business appears to have been near the mouth of Lost Creek in Cabell County and nearby to the border between Virginia and Kentucky, it would appear that parties living and doing business in this region were frequently involved in transactions across the Stateline. Phillip Miller probably was a resident of Floyd County, as he appeared in a Road Order issued by the Court at its May1812 term to clear a road from the mouth of Tom's Creek to the mouth of George's Creek. The distance from Leonard's Lost Creek Mill to Floyd County Courthouse at Prestonsburg was about 40 miles overland, as contrasted to almost 50 miles to Cabell County Courthouse at Barboursville. Assuming that Phillip Miller lived somewhere along the Levisa Fork between Tom's and George's Creeks, he would have resided about 30 miles distant from Leonard Swearingen's mill on Lost Creek. Assuming that the grist mill was Leonard's primary business interest, it seems likely that Phillip Miller's debt was related to services rendered by Leonard Swearingen's grist mill. Thirty miles seems to be an inordinate distance to haul grain to be ground by Leonard's mill, thus underscoring the probable importance of Leonard's mill in the region. The mode of transport between the upper Levisa and Lost Creek would have been by skiff or barge floated down the Levisa to Louisa and then upstream on the Tug Fork to Lost Creek. Leonard's mill was located about a mile below the first falls on the Tug Fork, thus suggesting that the Tug Fork would have been navigable upstream to Lost Creek. Figure 6 is an aerial view of the Tug Fork at its confluence with Lost Creek which clearly suggests a stream of ample flow, width and depth suitable for navigation in the 18th century.
9. 15Dec1813 - Quit claim from John Cox to **Leonard Swearingen** of **Greenup, KY** for a tract on **Tug Fork**. Witnessed by: Samuel Short, John Wellman, Daniel Bloomer and Samuel Smiley.³⁹
This record is particularly significant in that it identified Leonard as being of Greenup County, KY in 1813, whereas the 1810 substitute census recorded Leonard with personal property in Cabell County. From this seeming dichotomy it might be inferred that in this decade Leonard owned land in both Cabell County and



FIGURE 6
Tug Fork at mouth of Lost Creek

³⁶ Ibid., p. 87.

³⁷ Ibid., p. 138.

³⁸ Ibid., p. 88.

³⁹ Deeds, Ibid., p. 28

Greenup County, possibly even having residences in both counties. Keep in mind that prior to the formation of Lawrence County in 1822, the southern boundary of Greenup County extended to a point about five miles south of present Louisa, KY. Therefore, the southern portion of Greenup County prior to 1822 would have been directly across the river from the Lost Creek area where Leonard is known to have operated a grist mill. Consequently, it is possible that Leonard owned land on both sides of the Tug Fork in the general vicinity of the Louisa/Fort Gay area.

10. 10Oct1814 - Quit claim from Stephen Marcum of **Floyd County, KY** to Jacob Marcum, for tract on **Tug Fork**. Witnessed by: Samuel Smiley, **Leonard Swearingen** and Samuel Short.⁴⁰

This record has Leonard Swearingen, Samuel Short and Samuel Smiley all witnessing a transaction involving a tract on the Tug Fork, and a party identified as being of Floyd County, KY, which was immediately south of Greenup County. Note that Tug Fork was the name given to the north branch of the Big Sandy River, which branching is situated at Louisa/Fort Gay, only a few miles downstream from Lost Creek.

11. 17Oct1814 - Commonwealth vs. John Ward: Assault and Battery; Jury: **William Swearingen**, William Clark, Alexander Hazlett, **Leonard Swearingen**, etal.⁴¹

William Swearingen is presumed to have been the eldest son of Leonard Swearingen. From the fact that both William and Leonard were impaneled as jurors in Cabell County in 1814, it might be presumed that they were both residents of that county in that year.

12. 18Oct1814 - **Leonard Swearingen** vs Daniel Walker, covt.

13. Jan1814 - Indenture: Christian Fouke and his wife Margaret (late **Swearingen**) of **Berkeley County, VA** to Abraham Morgan of **Logan County, KY** part of the tract surveyed for soldiers of Virginia Regiment. 400 acres purchased by **Van Swearingen**, deceased, from Allen McDonald, who purchased from John Bishop of said Regiment;...surveyed for **Van Swearingen** in May1775.⁴²

This record had no connection to Leonard Swearingen, but is included in this analysis in order to avert any possible confusion. The Van Swearingen referenced in this indenture was a distant relation of Leonard Swearingen, not Leonard's father as some researchers have presumed. This Van Swearingen was the son of Thomas Swearingen and Jane Riley. Margaret Swearingen was Van Swearingen's daughter by his second wife, Priscilla Metcalf. Van Swearingen apparently devised this 400 acre tract (a part of the original Savage Grant for service during the French and Indian War) to his youngest child, Margaret Swearingen Fouke. It is doubtful that any member of this branch of the Swearingen family ever lived in Cabell County.

14. 25Feb1815 - Indenture: John Cox of **Floyd County, KY** to Samuel Smiley, tract on left fork of Sandy [Tug Fork] at first falls at the mouth of **Lost Creek**, survey of **Leonard Swearingen**. Witnessed by: William Buffington, Floyd Cox, Michael Auxier and Michael Auxier Jr.⁴³

Note that the reference to "left fork of Sandy" was the same stream identified elsewhere as Tug Fork. Also note that this parcel was either the same tract or adjacent to the tract on which Leonard Swearingen had a grist mill.

15. 1Aug1815 - Quit Claim: Samuel Smiley to **Leonard Swearingen**, tract on **Tug Fork** of Sandy by Lost Creek.⁴⁴

This was same tract purchased by Samuel Smiley from John Cox, described in Item 14, above.

16. 2May1815 - Quit Claim: Daniel Walker to James Wilson, Tug Fork of Sandy. Witnessed by : Samuel Smiley, **Leonard Swearingen** and Mikel Auxer.⁴⁵

It seems likely that Daniel Walker and Leonard Swearingen were near neighbors on Tug Fork. Note the suit below brought by Leonard Swearingen against Daniel Walker, probably for the collection of a debt.

17. 17Jul1815 - Indenture: **William Swearingen** of **Floyd County, KY** to James Bell a tract between **Mill Creek** and **Tug Fork** of Sandy where James Vinson lives.⁴⁶

This William Swearingen is believed to have been the eldest son of Leonard Swearingen. It is important to note that William was described in this land record as being of Floyd County, whereas in the 1815

⁴⁰ Ibid., p. 32.

⁴¹ Minutes, Ibid., p. 29.

⁴² Ibid., p. 33.

⁴³ Cabell County Virginia, Deed Book 2, 1814-1819, Carrie Eldridge, 1999, p. 5.

⁴⁴ Ibid.

⁴⁵ Ibid., p. 7.

⁴⁶ Ibid., p. 35.

Directory of Cabell County landowners (Item 2, above) he was described as being of Tennessee. In retrospect, this writer is inclined to believe that the 1815 Directory was in error, and that William Swearingen was merely across the Tug River in Kentucky.

18. 17Jul1815 - Indenture: William Swearingen of Floyd County, KY to James Bell, claim sold to Swearingen by Thomas Ward, part of a survey by Samuel Smiley, 55 acres where Ball Lives on Mill Creek of Sandy [Tug Fork] bounded by John Wellman.⁴⁷
This tract and the foregoing described in Item 17, above, are likely the same two tracts identified in ownership of William Swearingen in the 1815 Directory (see Item 2, above).
19. 17May1816 - Leonard Swearingen vs Daniel Walker, covt.⁴⁸
20. 16May1816 - Leonard Swearingen sat as Juror.
21. 26Aug1816 - Indenture: Samuel Smiley and wife, Dolly, to John Nivens 1000 [100?] acres on Tug Fork of Sandy, land purchased of Robert G. Scott - a small tract in Kentucky where John Cox and wife, Susannah live, to be retained by them, tract conveyed to Smiley from Leonard Swearingen.⁴⁹
The wording of this deed is a trifle muddled, but could be interpreted as being for a 100 acre tract in Kentucky conveyed from Leonard Swearingen to Samuel Smiley. If this interpretation is correct, then the referenced small tract in Kentucky may have been Leonard Swearingen's presumed landholding in Greenup County, probably in the general vicinity of Louisa, KY.
22. 27Jan1818 - Indenture: Michael Auxier and wife, Jane, to Van Swearingen, 75 acres on left fork [Tug] of Great Sandy below claim of James Wilson.⁵⁰
23. 25Jun1818 records marriage of Hannah Jane Swearingen to Ambrose Watts. She was daughter of Leonard and Mary (Cole) Swearingen. Ambrose was son of Elias and Elenor "Nellie" (Mills) Watts.
This writer could not locate this marriage record in any of the Cabell County records in his possession, but includes it as a probable record of the marriage of one of Leonard's daughters.
24. 19Jan1818 - Indenture: Michael Auxier and wife, Jane, to Van Swearingen Jr., tract on Tug Fork of Great Sandy below Rockcastle Creek, patented by Samuel Smiley and William Buffington.⁵¹
The two foregoing deed documents are believed to have been in reference to another son of Leonard Swearingen, namely Van Swearingen born about 1795. These two tracts may well have been on the south bank of the Tug Fork in Kentucky. This possible location is based on the reference to Rockcastle Creek, which is located on the south side of the river and flows into the Tug just opposite the mouth of Lost Creek. Thus far, we have seen several instances where land transactions recorded in Cabell County seem to have included tracts across the Tug Fork in Greenup and Floyd County, Kentucky.
25. 29Jun1818 - Indenture: John Nivens and wife, Margra, to David Jarritt, 100 acres on Tug Fork of Sandy, purchased of Samuel Smiley, conveyed by Leonard Swearingen. Land where John Cox and wife, Susannah live.⁵²
This transaction appears to involve the same tract previously presented in Item 21, above. If so, this tract may well have been on the south bank of the Tug River in either Floyd or Greenup County, KY.
26. 1815 Tax List: Leonard Swearingen, one tithable, four horse, one mill.⁵³
The Cabell County Deed Book 2 transcriptions compiled by Carrie Eldridge contains a summary of the 1815 Tax List for Cabell County. Leonard Swearingen reported only one tithable, presumably for himself. His two older sons: William and Van would already be living on their own, and his younger sons: Clementius, Samuel and John would have been too young (under age 16) to be reported. It is important to note that neither William nor Van Swearingen were reported in this listing, suggesting that they were probably living across the river in either Floyd or Greenup County, Kentucky in 1815. Also note that Leonard was reported as owning a mill.
27. 1Jan1820 - Indenture: Van Swearingen and wife, Mary, of Floyd County, Kentucky to Stephen Marcum, tract on Tug Fork of Sandy one mile below Rock Castle Creek by patent of Samuel Smiley and William Buffington to survey of James Wilson.⁵⁴

⁴⁷ Ibid.

⁴⁸ Minutes, Ibid., p.34.

⁴⁹ Deed Book 2, Ibid., p. 35.

⁵⁰ Ibid., p. 57.

⁵¹ Ibid.

⁵² Ibid., p. 64.

⁵³ Ibid., p. 103.

⁵⁴ Cabell County Virginia, Deed Book 3, 1819-1824, Carrie Eldridge, 1988, p. 16.

This is believed to have been the same tract acquired by Van Swearingen Jr. in Item 23, above. As already discussed, this tract is believed to have been on the south side of the Tug Fork and situated within Kentucky. One mile below Rockcastle Creek would place this tract near the mouth of Patrick Branch and almost directly across the river from the present Glenhayes community. Note that this was the last land record found for a Swearingen in Cabell County records.

28. 7Aug1820 - U. S. Census Records: Guyandotte Township, Cabell County, Virginia: **Leonard Swearingen** household, 2 males 10-15, one male over 45, and one female over 45.

This was clearly the household of our subject, Leonard Swearingen, son of Van Swearingen and Lucy [Davis?]. So, Leonard was still living in Cabell County, VA in 1820, very likely at his homestead and mill at the mouth of Lost Creek. It is curious that Leonard reported only two young males and no young females in his household, as it was thought that there should have been three sons: Clementius, Samuel and John.

29. 27Oct1834 - Road Order: ordered that **Van Swearingen** appointed overseer of road from Big Branch at upper end of widow Vincent's field to David Jarrett's instead of Elias Watts, all hands to aid repair.⁵⁵

This Van Swearingen is believed to have been the 2nd son of Leonard Swearingen. According to the 1830, 1840 and 1850 census records, Van Swearingen continuously lived in Lawrence County, Kentucky. Note the reference to "David Jarrett's", as it was David Jarrett who purchased the 100 acre tract from John and Margra Nivens on 29Jun1818 as described in Item 24, above. That tract had formerly been in ownership of Leonard Swearingen, and believed by this writer to have been located on the south side of the Tug Fork in Kentucky. Given the association of this road order to land owned by David Jarrett, and the fact that Van Swearingen is known to have owned land on the south side of the Tug Fork and lived in Lawrence County for more than 20 years, it seems probable that this road order actually pertained to land owners in Lawrence County, and not Cabell County. The basis for Cabell County having jurisdiction over the maintenance of a road that appears to have been located in the neighboring county and state is not clear to this writer.

Miscellaneous Records:

Following is a grant filing by Leonard Swearingen for 50 acres in Cabell County situated on Lost Creek dated 24Aug1816, pursuant to a warrant issued 3Nov1813 and surveyed 2Jul1815 and abstracted as follows:

"Wilson Cary Nicholas Esqr. Governor of the Commonwealth of Virginia: To all to whom these presents shall come Greeting: Know Ye, That in conformity with a survey made the 2nd. day of July, 1815; by virtue of a Land Office Treasury warrant No. 5126; issued the 3rd. day of Novr. 1813; There is granted by the said Commonwealth, unto **Leonard Swearingen**, A certain Tract or parcel of Land, containing Fifty Acres, situate in the **County of Cabell**, on **Lost Creek** and bounded as followeth, to wit: Beginning at a beech and gum on the point of a ridge just below Lost Creek, corner to **John Cox**; thence North nine degrees East fifty six poles to a Lynn and white Oak; North forty eight degrees, East twenty poles to four poplars, South seventy nine degrees East forty eight poles to two maples, two chestnuts and a white Oak on the point of a ridge; South eighty three degrees, East one hundred and thirteen poles to a sugar tree; due East twenty four poles to two beeches on the bank of **Lost Creek**; South fourteen degrees, West fifty six poles to two beeches and a poplar on the Bank of the creek; South seventy degrees, West ninety eight poles to a Sycamore and sugar tree on the Bank of the Creek North fifteen degrees, East twenty eight poles to a sugar Tree and two Beeches, corner to **John Cox**; North sixty one Degrees, West thirty seven Poles to a white Oak; and thence South seventy eight degrees, West seventy four poles to the beginning; To have and to hold, the said Tract or parcel of Land with its appurtenances, to the said **Leonard Swearingen** and his heirs forever. In Witness whereof, the said Wilson C. Nicholas, Esqr. Governor of the Commonwealth of Virginia, hath hereunto set his hand and caused the lesser seal of the said Commonwealth to be Affixed at Richmond, on the twenty fourth day of August in the year of our Lord, one thousand eight hundred and sixteen and of the Commonwealth the Forty first W. C. Nicholas."

⁵⁵ Cabell County Virginia, Minute Book 3, 1826-1835, Carrie Eldridge, 1994, p. 237.

The following militia muster roll for Cabell County shows the presence of William Swearingen, Private, on 24Feb1815 with the 120th Regiment:

"Cabell County Muster Roll - Company of riflemen under command of Brigadier General Joel Leftwich, commanded by Captain John Simmons from Cabell County. The company became a part of the 2nd Regiment Virginia Militia commanded by Lieutenant Colonel Dudley Evans. First muster rolls show that the services began 27Sep1812, and the last muster roll was 29Mar1813.

In compliance with general order bearing date 13Jan1815, the following details have been made from the 120th Regiment commanded by Captain Spurlock, 24Feb1815:

Burwell Spurlock, Captain, commissioned 5Dec1810

John Hannon, Ensign

Achilles McGinnis, Lieutenant

William D. Morris, Lieutenant

...William Swearingen, Private."⁵⁶

History of Butler District, Cabell County:

The first settler seems to have been Samuel Short who built his cabin where the town of Fort Gay now stands about the year 1796. Robert Tabor, who followed him, patented a tract of land embracing 2,500 acres in 1798. Others who followed as settlers were Thomas Short, Samuel Hatten, William Adams, Peyton and Joseph Newman, John and Richard Grayson, Thomas Vaughan, Peter Loar, Benjamin Sperry and William Artrip. All these men seem to have found homes in Butler before the year 1800. Others who came in later years were Michael Burke, John Smith, Pleasant Workman, Joel Ferguson, James Bartram, William and Solomon Perry, Joseph Fulkerson, John Breedon, Jess Cyrus, John Deering, Jesse Stith, Goodwin Lycan, Samuel Smiley, John Thompson and Abraham Queen.

This history of Butler District indicates that Samuel Short and Samuel Smiley were early settlers of the area around Fort Gay, WVA. Note that both of these men had interactions with Leonard Swearingen as demonstrated hereinbefore in various land and court records. The ancestry of Samuel Smiley is uncertain, but it should be noted that a Smiley family was among the earliest settlers in the Rockbridge County area, and that Samuel Smiley may well have been descended from that family.

Also note the reference to James Bartram having been among the earliest settlers in the Fort Gay area, as the Leonard Swearingen family may well have had a connection to the Bartams. There are reports of an intermarriage between Stephen Bartram and Elizabeth Swearingen. Refer to the following quotation from a Genweb posting:

"My Swearingen ancestor is Elizabeth, who married Stephen Bartram. Stephen was the son of George Bartram (from Scotland) and his wife Ann Bartram, who was the daughter of John Bartram, botanist to the King of England ca.1760's and 1770's. Stephen, with his family, and Elizabeth's brother, Leonard Swearingen were on the 1810 Cabell County tax list for Virginia. Elizabeth and Leonard were the children of Van Swearingen who settled in Bath County, Virginia."

Stephen Bartram is believed by many researchers to have been a brother of the James Bartram referenced in the above history of Butler District. The identity of Stephen's wife, Elizabeth Swearingen, [if that in fact was the name of Stephen's wife] is not known with certainty. Some researchers report this Elizabeth Swearingen to have been the sister of Leonard Swearingen, however, those same researchers also report Elizabeth's birth to have been about 1756 in Dublin, Ireland. Neither this year nor place of birth comport with a child of Van Swearingen and Lucy Davis. There appears to be more conflicting and contradictory data about Elizabeth Swearingen than there are reliable "facts". The presence of a sister or close kinsperson of Leonard Swearingen living contemporaneously in Cabell County, VA could have been the motivation for Leonard's moving to the Big Sandy area. However, Elizabeth Swearingen's existence and kinship are suspect at best.

⁵⁶ Ibid., p. 531

On the other hand, this writer believes that there was a direct connection between the families of William Artrip and Leonard Swearingen. Leonard's son, Samuel Swearingen, is believed to have married Elizabeth Artrip, daughter of William Artrip on 4Oct1827 in Lawrence County, KY. Since William Artrip lived most of his life in the immediate vicinity of Fort Gay, VA, the marriage between Samuel Swearingen and Elizabeth Artrip in 1827 provides a strong basis for assuming that Leonard, Samuel and Van Swearingen continued to live in close proximity to Louisa, KY until 1840 and beyond.

ARTRIP GRANTS

- 20 Feb 1815, William Artrip and Benjamin Sperry, Cabell County, 100 a. On the Left hand fork of Sandy River, beginning and continuing 150 poles below the mouth of the first run above the mouth of Mill Creek, Grants No. 64, p. 446
NOTE: Benjamin Sperry was William Artrip's brother-in-law, Sperry having married William's older sister, Winnie Artrip. Also note that there was an earlier intermarriage of a Sperry and Artrip: William's grandfather, Colbert Artrip was married to Mary Sperry. Finally, note that William married Jessie Sperry (reportedly his 1st wife) in about 1825.
- 4 Dec 1833, William Artrip, Cabell County 25 a. On the Big Fork of Sandy, adjoining his old Survey, Grants No. 82, p. 378

Thus ends the analysis of the Van Swearingen and Lucy Davis family, and the Leonard Swearingen and Mary Cole Family. The next chapter in this analysis of the Swearingen family commences with Samuel Swearingen and Elizabeth Artrip and their offspring.