

Captain John Utie, of Utimaria, Esq.



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Doe p'mise & oblige my Selfe to make an Acknowledgment of the Same in Court to be there Recorded after the time of there Marriage When Demanded as Witness my hand this 15th Day of May 1694-5.

JOHN CARVER.

Test

Conquest Wyatt
Richard Bayley
George Seaton

At a Court held for Gloucester County the 16th day of December 1696.

This day came into Court John Carver presented and acknowledged the above Deed unto William Carver upon whose motion y same is admitted to Record & is Recorded.

¶ P. BEVERLEY, *Cl. Cor.*

¹⁵ These dates were supplied by Mr. Davison from other sources: "John Smith, Sen., of Shooter's Hill, died November 19th, 1771, at 3 in the morning, aged 56 years, at 'Harewood,' the home of Samuel Washington, near Winchester, to which he was on a visit. Mary Smith, Sen^r., of Shooter's Hill, died November 19, 1754, aged 50 years."

"'Shooter's Hill,' the home of the Smiths in Middlesex county, was situated on the Rappahannock River, not far from the town of Urbanna. The house was a large three-story brick, covered on the top with lead, and had a fish-pond on it, where a mess of fish might be caught at any time. John Smith, the proprietor, lived in style, with his coach-and-six, and three postillions in livery. The place descended to Dr. Augustine Jacqueline Smith, son of Augustine Smith, eldest son of John Smith and Mary Jacquelin, and was burned while the owner was in Europe."—*Mrs. Mary Smith Mütter, granddaughter of Rev. Thomas and Mary Smith.*

¹⁶ "The above register was furnished me from a number of sources, and in the main they all agree; there are, however, a few discrepancies. One gives the date of the marriage of E. J. and M. C., as 1697, while his wife at that time was but nine years of age. A remarkably youthful bride! Full investigation gives the above result."—*E. J. Davidson.*

(*To be Continued.*)

CAPTAIN JOHN UTIE, OF UTIMARIA, ESQ.

In the light of the manuscripts in the British archives which in recent years have so vastly increased our knowledge of Colonial Virginia, the event known as Harvey's "Deposition" from the government assumes an importance second to none in American history. It was the culmination of the noble protest of William Claiborne against the spoliation of Virginia territory by the grant to Lord Baltimore. There was something monumentally audacious in the seizure of the Governor and returning him back to the master who sent him; and any further light, therefore, upon the prime

actor of the measure must be interesting. This man was Captain John Utie, of the Virginia Council, who at the Council Board retorted the charge of treason on Harvey, and thus was the first to take a decisive step towards his arrest. It has recently been found that the wife of Richard Bennett in 1641 was Mary Anne Utie, and she perhaps was a daughter of Captain John Utie. But if so, she must have been very lately married, as in 1625 John Utie was living on Hogg Island with only his wife Anne and son John. She is referred to, however, as "lately Mary Anne Utie." Captain John Utie patented 100 acres in 1624 in Chippoak's Creek in Surry county. He was then called "Ensign Utie." Burgess for plantations between Archer's Hope and Martin's Hundred, October, 1629; for Hogg Island, 1629-'30; member of the Council 1631-'35, with the title of captain; in 1632 received 600 acres for planting Chiskiack. He settled at the mouth of King's Creek, and called his home "Utimaria." One of the first justices of York county, court being frequently held at his place. A patent of John Utie, "son and heir of Capt. John Utie, dec'd," shows that he died in 1639, or before it. There are several joint deeds of John Utie, Jr. (whose wife was Mary), and Robert Booth (clerk of York county) for land in "Utimaria," on King's Creek neck. In 1658 Richard and Mary Anne Bennett, of Nansemond county, made a deed for land in Essex county. (Hotten's Immigrants; Hening's Statutes; Norfolk, Essex and York counties' Records.)

John Utie, Jr., disappears from the Virginia records about 1645, and soon after the names of Nathaniel Utie, who became Councilor, and George Utie, his brother, appear in Maryland, to which they may have emigrated, as did hundreds of the party of Claiborne and Bennett. It appears, too, that a daughter of George Utie was called Mary Anne Utie.

Professor Christopher Johnston has made a very full search in the Maryland records, and his work is given below, with the following commentary by him:

"You will observe that Richard Bennett assigns (20 Oct. 1658,) to Nath^l Utie 350 acres in Town Neck, Ann Arundel Co.—This land was composed of a number of grants—head-rights as you call them in Virginia—to persons who had settled there during the Puritan immigration, and which had been acquired by Bennett. The connection of Bennett & Utie here seems to bear out the theory of the former's marriage with Mary Ann Utie; as does also the deed from Nath^l & Mary Utie (16 April, 1663) to Rich^d Bennett Jr.

"I cannot exactly place Bernard Utie, although he must have been a relative. He was certainly living in Baltimore county as early as 1668, and died in April 1675. His "cousins" Jean, John, and *Nathaniel* Overton were proba-

bly his niece and nephews, and his "brother" Thomas Overton may have been his half-brother or may have married his sister. Note especially the name *Nathaniel* Overton, who may have been named for Col. Nathaniel Utie. It seems pretty clear that Bernard must have been either brother or nephew of Col. Nathaniel and George Utie, but evidence is wanting to establish the relationship more precisely, and without evidence conjectures are useless."

MARYLAND LAND OFFICE—ANNAPOLIS.

Warrant to resurvey 350 acres, in Town Neck, Anne Arundel Co., assigned by *Richard Bennett Esq.* to *Nathaniel Utie*—20 Oct^r, 1658. Lib. Q. fol. 385.

Grant of "*Utiesly*," 300 acres, on Sassafra River, to *Nathaniel Utie*—15 Jan^r, 1658-9. Lib. Q. fol. 299.

Grant of "*Oakington*," 800 acres, to *Col. Nathaniel Utie*—15 Feb^r, 1659. Lib. 4, fol. 453.

Grant of "*Spesutia Island*," 2300 acres, to *Col. Nathaniel Utie*—9 Aug^t, 1661. Lib. 4, fol. 576.

Marriage Settlement—*Coll. Nathaniel Utie* of the Province of Maryland to *John Carter Esq.*¹ of the County of Lancaster in Virginia—Said *Nathaniel Utie* being about to marry *Elizabeth*, daughter of said *John Carter*, settles on her one third of all his property real and personal secured on his manor of *Spesutia*, 18 Jan^r, 1667. Recorded 20 April, 1669. Lib. C. D. fol. 3-4.

Patent for "*Utye's Rumley*," 300 acres, to *George Utie*, brother and assignee of *Nathaniel Utie*—4 Jan^r, 1658-'9. Lib. Q. fol. 235.

Mary Utie, relict of *Lawrence Ward*, surrenders certain land patents 10 Sept^r, 1663. Lib. B. B. fol. 131.

LAND RECORDS—BALTIMORE COUNTY.

Nathaniel Utie & Elizabeth his wife to *Edward Bedwell*—500 acres, part of "*Oakington*"—6 April, 1668.

Lib. I. R. no. P. P. fol. 68.

Nathaniel & Mary Utie of *Spesutia*, Baltimore County, to *Richard Bennett Jr.* of said County—tract called "*Green Oake*" on *Sassafra* River, on the Eastern Shore—16 April, 1663—wit^t *George Utie*, *Jon Browne*. Lib. I. R. no. P. P. fol. 63.

Nathaniel Utie of Baltimore Co. Gent, to *Rutten Garrett* of said County planter 300 acres, part of "*Oakington*"—2 March, 1672.

Lib. T. R. no. R. A. fol. 73.

¹The will of John Carter, dated January 3d, 1669, and proved in Lancaster court, Va., *January* 9, 1722, devises his lands to his dau. Elizabeth Utie, if his sons should die without heirs.—*Editor*.

The Hon. Col. *Nathaniel Utie & Elizabeth* his wife of Spesutia, Baltimore Co., to Edw. Beedle of said county, planter—190 acres, part of Carter's Rest (a tract of 400 acres patented to Col. *Edw^d Carter*, 4 March, 1661)—29 May 1675.

Lib. T. R. no. R. A. fol. 268.

The Hon. Col. *Nathaniel Utie & Elizabeth*, his wife, of Spesutia in Baltimore Co., Md., to Robert Jones of said County planter, 90 acres part of Carter's Rest—29 May, 1675.

Lib. T. R. no. R. A. fol. 273.

The Hon. Col. *Nathaniel Utie* of Spesutia of the county of Baltimore, in the Province of Maryland Esquire, and *Elizabeth* his wife to Rutten Garrett—180 acres part of Carter's Rest—29 May, 1675.

Lib. I. R. no. P. P. fol. 2.

ST. GEORGE'S PARISH RECORDS, BALTIMORE (NOW HARFORD) COUNTY.

John Hall & Martha Gouldsmith married 18 July, 1693.

Susanna daughter of George Utie, born 24 Sept^r, 1695.

Mary Utie buried at "The Level", 30 April, 1697.

BALTIMORE COUNTY LAND RECORDS.

Hendrick Hendrikson of Baltimore Co. & *Juniper* his wife to *Wm Howard*, *Bernard Utie* a witness 3 Aug^t, 1668.

Lib. I. R. no. P. P. fol. 69.

John Muscord and Matthew Knivington of Baltimore Co. planters, to *Barnard Utie* of same Co. "Beaver Neck" 300 acres. 2 Aug^t, 1673.

Lib. I. R. no. R. A. fol. 126.

John Hall and *Martha* his wife, and *Mary Utie* ("which said *Martha* and *Mary* were Daughters and Coheirs of *Edwod Bedell* late of this County Deceased") to Thomas Browne of said County—500 acres, part of Oakington, conveyed by *Nathl Utie* and *Elizabeth* his wife to the aforesaid *Edwod Bedell* 6 April, 1668. 30 Dec^r, 1696.

Lib. I. S. no. I. K. fol. 80.

Know all men by these p'sents That I *John Hall* who Inter-married with *Martha Gquidsmith* one of the daughters and adm^r of *Edward Beedle* late of this County of Baltimore deced doe by these presents absolutely acquitt and discharge *Mary Utie* the other coheir and admin^r of the aforesaid *Edward Beedle* from all the p'sonal estate of the aforesaid Beedle's not already received by us the said John Hall and my wife Martha (Tobacco debts excepted) &c., &c., &c. 30 Dec^r, 1696-'7.

Lib. I. S. no. I. K. fol. 245.

REGISTER OF WILLS OFFICE—ANNAPOLIS.

18 Jan^r, 1675-'6—*Elizabeth Uty* of Baltimore County took out letters of administration on the estate of her husband *Col. Nathl Utye*, late of said County dec'd. Test. Proc. Lib. 7. fol. 206.

Bernard Utie of Baltimore Co. will dated 3 April, 1675—proved 4 May, 1675—Cousin *Jean Overton*—Cousin *John Overton*—friend *Henry Haslewood*—Cousin NATHANIEL *Overton*—Loving brother *Thomas Overton*, exec^r—witnesses Edw^d Jackson, Rich^d Goodwine —Wills. Lib. 2. fol. 54.

20 April, 1677—Came *Thos Overton* of Baltimore County executor of the last will & Testament of *Bernard Utie*, his brother, late of the same County deceased, & exhibited his acc^t &c &c.

Test. Proc^{es} Lib. 9. fol. 66.

Mary Utie of Baltimore County—will dated 29 April, 1697—proved 4 May, 1697—daughter *Susanna Utie* (under 16)—sister *Martha Hall*—brother *John Hall*—mother *Susanna Richardson*—dear friend *Daniel Palmer*—

Caveat—(fol. 257)—*Susanna Utie* is an infant 1½ years old—*Mary Utie* was widow of *George Utie* who died intestate—

Wills. Lib. 7. fol. 256-257.

17 Jan^r, 1695—Administration Bond of *George Utie's* Estate late of Baltimore County deceased—*Mary Utie* his wife admin^r.

Test. Proc^{es} Lib. 16. fol. 120.

BALTIMORE COUNTY LAND RECORDS.

30 Dec^r, 1696. *John Hall* and *Martha* his wife (one of the daughters and coheirs of *Edwd Beedle* late of Baltimore Co. dec'd) to *Mary Utie* relict of *George Utie* late of this County dec'd. Sister and Coheir with *Martha Beedle* daughter of *Edward Beedle*, as aforesaid—130 acres, part of "Carter's Rest," sold by *Col Nathl Utie* to *Edwd Beedle*, 29 May, 1670.

Lib. I. S. no. I. K. fol. 241.

George Uty of Baltimore Co. Gent. & *Mary* his wife to *George Wells* of the County aforesaid Gent. 300 acres, half of a tract, called "Planter's Delight," formerly laid out for *John Hawkins* and *Thomas Goldsmith* on the West side of Chesapeake Bay, which became the property of *George Uty* by descent,—in exchange for a tract of 400 acres called "Benjamin's Choice." 7 Aug^t, 1694.

Daniel Palmer attorney for *Mary Utie*.

Lib. R. M. no. H. S. fol. 407.

George Wells of Baltimore County Gent. and *Blanche* his wife to above parties—400 acres “Benjamin’s Choice,” in exchange for 300 acres, half of “Planter’s Delight.”—7 Aug^t, 1694.

Lib. R. M. no. H. S. fol. 409.

2 Jan^y, 1685. Petition of *George Uty* by *Mark Richardson* of Baltimore county his guardian. Recites that *Nathaniel Utie* late of Baltimore co. dec^d., uncle of the petitioner, left one child *John Utie* lately deceased. The widow and administratrix of *Nathaniel Utie* has married *Capt. Henry Johnson*.

Testam^y Proc^{es} Lib. 13. fol. 273.

REGISTER OF WILLS OFFICE—BALTIMORE COUNTY.

George Utie of Baltimore County, will dated 11 Sep^r 1674—proved 24 Oct., 1678—wife *Susanna*—three children, *George* (under 14), *Mary Ann* and *Bethya* (both under 16)—brother *Mr. Nathaniel Utye*—Loving friend *Capt Thos. Long*. Lib. 1. fol. 59.

George Gouldsmith of Baltimore County—will dated 13 March 1691-’2, proved 28 April, 1692—daughter *Mary*—“child my wife now goeth with”—wife *Martha Gouldsmith*—brother-in-law *Edwod Beedle*—witnesses *James Phillips*, *Edw^d Beedle*, *Edw^d Boothby*.

Lib. 1. fol. 73.

Mark Richardson of Baltimore County—will dated 8 Jan^y, 1701, proved 27 Feb^y, 1704-’5—To wife *Susanna Richardson* whole estate real and personal during her life, and after her death to daughter-in-law *Bethya Phillips*—wife *Susanna Richardson* and son-in-law *James Phillips* executors.

Lib. 1. fol. 46.

Joanna Gouldsmith of Baltimore County—will dated 4 Oct^r, 1684—proved 9 May, 1687—daughter *Blanche Wells* wife of *Mr. George Wells*—daughter *Susanna Richardson* “now wife to *Mr. Marke Richardson*”—deceased husband *Samuel Gouldsmith*—daughter *Susanna Richardson* exec^r and residuary legatee.

Lib. 1. fol. 53.

