

*The Middleton Ancestry
of General George Rust:
(Westmoreland County, Virginia)*

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*The pencil alterations
were made in the copy
(small sheet) sent to
Mr. H. B. Post with letter
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5 great grand-father. Robert Middleton was a resident of Lancaster County, which forms the southern end of the Northern Neck, as early as 1655. Lancaster lies south of Northumberland County, and Northumberland south of Westmoreland. It is probable that Robert Middleton, with wife Mary, who disposed of various property in Lancaster about 1660, was identical with Robert Middleton, with wife Mary, whom we find not long afterwards as a considerable land owner in Westmoreland County. Robert Middleton and Thomas Willys had a patent, Sept. 15, 1658, from Samuel Mathews, Governor of Virginia, for 600 acres in Lancaster County, due them for the transportation into the colony of twelve persons. Robert Middleton also had a patent from Governor Mathews, Jan. 16, 1658-59, for 250 acres in the same county, near the tract granted to him and Willys, this patent due for the transportation into Virginia of five persons by William Newsam, who had assigned his certificate to Middleton. ^{from Middleton} [The latter deeded all his right in the 600-acre tract to Mr. Thomas Willys, Sept. 12, 1660, and soon after, Dec. 26, 1660, when described as Robert Middleton, planter, he deeded the 250 acres to Thomas Kid. To both of these deeds Robert Middleton signs his own name, and in both his wife, Mary, consents to the sales, signing her name, as women commonly did in those days, by her mark. We see in these patents a familiar way of accumulating a landed estate in colonial Virginia, the paying the transportation of immigrants into Virginia, in return for which investment 50 acres was granted by the king (or the governor, his representative) for each person so transported. Such patents for land not yet taken up by anybody, were given in the early days in all parts of Virginia, but later on the Northern Neck, falling into the possession of a proprietor or proprietors, the grants there were made by the proprietary.]

Robert Middleton had a patent, May 17, 1662, for 300 acres in Westmoreland County, and on Sept. 26, 1665, Sir William Berkeley, Governor, issued to him another patent, covering the said 300 acres and 400 more, the latter due him for the transportation of eight persons, the whole 700 acres lying on a branch of the Yeocomico River. [(I don't exactly understand why, after a patent was once granted, a subsequent patent should be issued covering the same and an additional amount of land, although perhaps it was because the tracts as being adjacent to one another were to be referred to in the records thereafter as under a single grant.)] Again on May 21, 1666, Governor Berkeley issued a patent to Robert Middleton for 1120 acres in Westmoreland County at the head of the main branch of the Yeocomico River, 700 acres thereof having been formerly granted him, as above, and 420 acres, the residue, being due him for the transportation of nine persons. When Robert Middleton acquired his next and last grant of unappropriated lands the land in the counties of the Northern Neck had passed from the king to the proprietary, and the grants therein were made by the proprietary, through an agent in Virginia. On Aug. 10, 1691, Philip Ludwell, agent of the proprietary, granted to Robert Middleton of Westmoreland County a tract of 1664 acres and 78 poles "in the fforest. . . on ye North side of Rapahanock River & Betweene Yoacomaco & Nomony Rivers," 1120 acres of which had been previously granted by patent of May 21, 1666, as above, and 544 acres, the residue, since taken up as waste or proprietor's land as by survey dated April 6, 1682. Among adjacent property owners were George Lamkin (whose wife, Hannah, so I have been told, was a sister to the first William Rust) and Francis Clay, whose widow married an

ancestor of yours, Captain John Rogers, and after Rogers' death Henry Rosse, gent., whom I have mentioned in connection with the early Rusts, some of Clay's land passing from Rosse to his sister, Mrs. Thistlethwait of London, who sold it to your two ancestors, Samuel Rust and John Clement.

I have given the above (perhaps tedious) account to show how estates were often acquired in the colony, and particularly how your first Middleton ancestor laid the foundations of a good estate, his family for a century and a half after him maintaining excellent standing among the gentry of the county. (The Rusts of the second and third generation, Samuel and his sons, had grants of land from the proprietors of the Northern Neck, at much later dates, 1716 and afterwards, but it does not appear that William Rust, the immigrant, had lands by patent from the king or from the proprietary of the Northern Neck, evidently acquiring such property as he had by deed from patentees or other holders of land.)

The total amount of land which Robert Middleton received, by patent, from the king or proprietary, in Westmoreland County was 1664 acres, a very good estate. What other land he may have received in the ordinary way by deed from private individuals I do not know. At any rate such was his holding of land by patent in 1691, six years before his death.

I do not know the maiden name of Robert Middleton's wife, Mary, but it seems probable that either she or he was related to Nathaniel Garland, or to Garland's wife. Robert Middleton and Mary, his wife, gave John and Nathaniel Garland, sons of Nathaniel Garland, each a mare, and in his will, probably not long afterwards, Robert Middleton leaves to John and Nathaniel Garland a crown to buy gloves, and to Daniel and Jeremiah Garland each 500 pounds of tobacco, the four boys being sons of Nathaniel Garland and the only legatees named by Robert Middleton besides his sons and grandchildren. It is likely that Mary Middleton, the wife, died prior to the making of the will, as she is not named therein.

The will of Mr. Robert Middleton, dated Feb. 1, 1696/97, was proved May 26, 1697. To his son John (probably the elder of the two sons) he left 50 acres, while the rest of his lands were to go to his sons John and Benedict (your ancestor) jointly. Robert Middleton seems to have desired to follow the English custom of entailing his property. He stipulates that the eldest heir male is to have his plantation of Tarrherne with 364 acres, and that neither the sons (John and Benedict) nor their heirs shall at any time sell or mortgage any of the lands devised by the will save to each other. To his grandchildren, John, Robert, Thomas and Elizabeth Middleton, children of his son John, the testator leaves 500 pounds of tobacco each, these four evidently the only grandchildren as yet, for other children of John Middleton are mentioned at a later date. Your ancestor Benedict was probably not married at the time of his father's will. Robert Middleton, the testator, leaves the residue of his estate to his two sons, John and Benedict, and stipulates that the negroes upon his plantation and Alimbeck be not divided, but one son was to have them all, paying the other for the half value. The two sons were named as executors. The witnesses were Nathaniel Garland, Lancelott Jordon and Edward Singer, the latter one of several men transported into the colony by the son Benedict Middleton (as mentioned later on).

The sons of Robert Middleton (d. 1697) were:

1. John Middleton, who survived his father only nine years, his will, dated March 14, 1705/06, and proved Sept. 25, 1706. He names his wife, Elizabeth, four sons, John, Robert, Thomas and Benjamin, and three daughters, Elizabeth, Mary and Alice. He seems not to have shared his father's ideas

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[It is my hope and for you Middleton
are settled before 1700 and before the
will of your ancestor Robert Middleton (1723).
many in your family might have been
settled in your family in your family
about 1700 and before the will of your ancestor
Robert Middleton (1723).]

about holding property for his heirs male, for he directs that his lands be divided equally between his four sons, while the personal estate is to go in equal proportions to his wife and the seven children. However, his lands were not divided in the lifetime of his sons, and there was a law-suit about seventy-five years after his death, at the time of the Revolution, when English customs were no longer in favor in the colonies, and the land divided among the descendants entitled to the shares of the four sons, then all long since dead. Elizabeth Middleton, widow of John, died early in 1733, leaving a will. It is not my purpose to follow out this line of Middletons but to limit my account to the line of your direct ancestry, through Benedict Middleton. I will say, however, that John Middleton, the eldest (apparently) of the four sons of John (d. 1706), married Eleanor Rogers, whose sister, your ancestress, Elizabeth Rogers, was the wife of Benedict Middleton, an instance of an uncle and nephew marrying sisters. And further, that Thomas Middleton, a grandson of John (d. 1706), married Frances Garland, daughter of William Garland of Richmond County, and after Middleton's death, she (Frances) became the second wife of your ancestor Matthew Rust. Mr. Samuel Rust and Mr. Vincent Cox, both direct ancestors of yours, were named among the appraisers of the estate of John Middleton, in 1706.*

2. Benedict Middleton, doubtless the younger of the two sons of great Robert Middleton, married probably subsequent to his father's death, Elizabeth Rogers, daughter of Richard Rogers, gentleman, of St. Stephens Parish in the adjoining county of Northumberland, where the Rogers family were of high standing. (An account of the Rogers family follows this record of the Middletons.)

In the Westmoreland Court, at the beginning of the year 1705/06, "Mr. Benedict Middleton came into Court and upon the holy Evangelists did swear that hee had good right according to Law to claime Lands for the importacon of the severall persons herunder menconed into this Colony (to witt) Edward Singer Lawrence Poor John Carvell Edward Cuff George Mathews And is Ordered Certificate according to Law." Here [again] we see Benedict Middleton profiting his lands by the same method as his father before him. [The procedure in such cases was that the person paying the passage into the colony of new settlers, whether from England or some one of the other colonies, often as nearby as Maryland, presented his evidence of the fact before the county court, who upon such proof issued to him a certificate which he forwarded to the capital at Williamsburg. If the claim was allowed there, a patent was issued for the amount of land called for.] (in the above case, 250 acres). [The holder of such certificate often sold it to another person, in whose name, of course, the patent would be issued. (I told you in a former report how George Eskridge purchased many such certificates and thereby acquired a large estate in lands.)] Benedict Middleton apparently sold the above certificate, for I find no grant to him for the 250 acres. The persons imported were often indentured servants. The application might be made for the certificate several years after bringing the persons into the colony. For example, among the five men imported, as above, was Edward Singer, who appears as a witness to the will of Benedict Middleton's father, in 1697, nine years before the certificate was issued. George Mathews, another of the five persons named, had come over when merely a child, as was not uncommon, for in 1702 George Mathews, servant to Mr. Benedict Middleton, was adjudged by the court to be thirteen years old and was ordered to serve (his time of indenture) according to law. Such boys either ran away to go to the colonies for adventure, or were permitted to go by their parents, and, indeed, as you have read, some were kidnapped on the streets of London or other British port and turned over to shipmasters to be sold into servitude in the colonies for a period of years. (I am giving such items as the above as they fall incidentally in the history of your ancestors, in order to show

Summ
p. 1.

throw sidelights on the customs of the times in which they lived.)

Benedict Middleton was appointed, July 30, 1719, surveyor of the highways for that precinct of Cople Parish where Daniel McCarty, Esq., lately served, and it was ordered "that he cause the Roads & bridges within the said precinct to be repaired and amended according to Law." (You observe that the position of surveyor of highways was not considered to be beneath the dignity even of an esquire, of whom each county boasted only a very few.) The court record, Sept. 30, 1719, states that: "Benedict Middleton is Continued Surveyour of the highways for that p^{re}inct he lately Served in. Ordered that he cause all the Publick Roads in the precinct to be cleared and the woods bushes & Roots to be well grubbed up at least thirty foot broad and to make Bridges in all necessary places where the same are wanting at least tenn foot broad & Levell and passable. And further that the s^d Middleton with the Assistance of Jerem^s Rust the next Adjacent Survey^r Do Likewise cause the Road leading from the head of Nominy comonly Called the Coach Road Down the Country as farr as the extent of this County and that Road leading from the s^d Coach Road to the White Marsh to be cleared as above directed pursueant to the Laws in that Case made & provided Also that they keep all the s^d Roads from time to time in good repair." (I have previously mentioned the duties of surveyor of the highways, in my account of the Rusts, but this item about Benedict Middleton states them more fully.)

So in record (but left off the entry in Rust's account.)

In March, 1721/22, the land of Richard Rogers, Benedict Middleton's father-in-law (who had died in 1697), was divided among his three daughters and co-heirs (see account of Rogers family), 100 acres in Northumberland County and 168 acres in Richmond County falling to the share of Benedict and Elizabeth (Rogers) Middleton. The sons of Benedict and Elizabeth Middleton were about grown at this time. On May 13, 1723, Benedict Middleton and Elizabeth, his wife, for love, affection, etc., made a deed of gift of the above 100 acres in St. Stephens Parish, Northumberland County, to Robert, described as son of the said Benedict and Elizabeth (which statement fixes the fact that Robert Middleton, who was the maternal grandfather of Elizabeth Rust, wife of Captain George Rust of Loudoun, was descended from the Rogers family). The tract is described as having been patented in 1662 to Captain John Rogers, from whom it passed to his son, Richard Rogers, gent., and then to the latter's daughter, Elizabeth Middleton. From this deed Benedict Middleton excepted two acres for the term of his own life, but apparently this was not a burial plot, for the two acres were to be in any part of the tract that he saw fit. Benedict Middleton made a deed of gift, Aug. 29, 1727, to his son Benedict, for land in Westmoreland County, Elizabeth, his wife, relinquishing her dower right in the same (Nov. 26, 1727). And, on Nov. 21, 1728, he made such deed of gift for 150 acres in Westmoreland to his (youngest) son, William. Elizabeth, his wife, had probably died since November, 1727, for she is not mentioned in the deed (1728), nor in his will, Dec., 1729.

On July 26, 1727, "Benedick Middleton Came before this (Westmoreland) Court and Took the oaths to the Crown as by Law appointed, in order for his being admitted a Vestry Man in the Parish of Cople & Subscribed the Test." In March, 1729, Benedict Middleton and Patrick Spence are referred to in the records as the churchwardens of Cople Parish. (There is no record, other than fragmentary, showing the names of the vestry and wardens of Cople Parish.)

Benedict Middleton's will, signed Dec. 31, 1729, was proved March 25 1730. He leaves to his (eldest) son Robert 100 acres he purchased of William Landman, the 50 acres "whereon I now live" and a negro; to his (younger) sons, Benedict and William, and his three daughters, Mary, Elizabeth and Jane, all single, each one or more negroes and personals.

The daughters, Elizabeth and Jane were each to have a gold ring, for which the testator had sent. The will was written by Jeremiah Garland, the same who had received a bequest under the will of testator's father (1697). The small acreage indicated by this will (i.e., 150 acres left to the eldest son) is accounted for by the fact that Benedict Middleton had already made deeds of gift to his three sons, as above. Like his father, Benedict Middleton had the idea of entailing some of his property, for the will of his son Robert, many years later, refers to the 150 acres entailed upon him by his father.

The children of Benedict and Elizabeth (Rogers) Middleton (the sons probably in order of birth, and the daughters, afterwards in same order) were:

1. Robert Middleton (grandfather to the wife of Capt. George Rust of Loudoun). See below.
2. Benedict Middleton, who received, as already stated, land in Westmoreland County, by deed of gift from his father, 1727. In 1755 he was a vestryman, and in 1762 a churchwarden of Cople Parish. In 1764 he was surveyor of the roads. He held the title of Captain in the militia of Westmoreland County, as possibly did also his son Benedict. A commission of Benedict Middleton (father or son) as Captain of a Company of Foot was presented in the court, March 27, 1764. His wife was Hannah, daughter of William Lane, of Westmoreland County, and sister of Col. Joseph Lane, whose family, I believe, were long prominent in Loudoun County. It was probably Benedict Middleton's widow Hannah who at a later date (1791) is referred to in the records as old Madam Middleton, the term Madam a mark of social distinction and accorded to but very few women of those days. Fithian, the tutor of Councillor Carter's children at Nominy Hall, tells in his diary of riding out one day in 1774 with one of the Carter boys, and stopping to call upon the Lanes, where young Mr. Lane "introduced to me Mr. Middleton an old facetious but profane Gentleman." This was Captain Benedict Middleton, whom Fithian again refers to as "Captain Middleton" whom I take to be exceedingly Profane in his Language." (This must indeed have been an extreme case, for many a man of Westmoreland of the highest standing personally and the best family was haled before the court and fined for excessive use of profanity, as the records show. There was, however, frequent effort to discourage the practice and in such cases the court showed itself no respecter of persons.) Benedict Middleton was a member of the Revolutionary Committee of Westmoreland County, in January, 1775. The will of Benedict Middleton, gentleman dated May 29, 1782, and proved Sept. 27, 1785, left a considerable estate to his wife Hannah, five daughters, and the son of a deceased daughter, Benedict Lemkin (whose father, Matthew Lemkin, was a son of Anne Rust, daughter of Matthew Rust). He appears to have had a son, Benedict Middleton, Jr., living in 1775 (possibly also a Captain), who died sometime during the Revolutionary War, although I have come upon no account of his service, if indeed he was in the war.
3. William Middleton, who received, as before stated, 150 acres in Cople Parish, by deed of gift from his father, 1728. Administration on his estate was granted his brother, Robert Middleton, April 26, 1757. He seems to have left neither wife nor children, as the will (1773) of his brother, who in such case would be his heir-at-law, disposes of "the Lands which fell to me by the death of my brother William Middleton."
4. Mary Middleton, named in her father's will, 1729. (I know nothing further about her, although she was probably living in 1749.)

5. Elizabeth Middleton, who married, before 1749, Daniel Tebbs, member of a family of high standing in Westmoreland County. In May, 1749, Daniel Tebbs and wife Elizabeth brought suit against her brother (your ancestor) Robert Middleton, administrator of the estate of their father, Benedict Middleton, under whose will Elizabeth was to receive a bed and furniture, a gold ring, and a sixth part of the residuary estate. Tebbs and wife charged that Robert Middleton had not delivered "the whole furniture of the said Bed. . . but hath detained from her the said Elizabeth the Bed Rug Bed cord and Hide amounting in all to the value of Twenty Six Shillings and six pence nor hath he the said Deft. delivered to her the said Elizabeth the aforesaid Gold ring of the Value of fifteen shillings" nor her sixth part of the residuum, which they claimed was £ 12-6-3. In June, 1750, the court awarded them £ 5-13-9½, whence it would appear that their claim had been somewhat exaggerated. It was perhaps this Daniel Tebbs who in 1760 made his will (in his own handwriting, the family seeming from the first to have been engaged in the law), the will, naming wife Elizabeth and four minor children, being proved in 1762.

6. Jane Middleton, who married John Crabb, member of a family of good standing in the county, related to many of the gentry of the Northern Neck and of Maryland. His will, made in 1775, proved April 27, 1779, does not name his wife, Jane, but she applied for her thirds of the estate, by letter of 1780, signing with her own signature. They had seven children living at the date of the will:

Elizabeth Rogers Crabb, [called Elizabeth Rogers] Middleton [in the will. (She was) probably the wife of Robert Middleton, the step-son of Matthew Rust, and descended from that John Middleton who died in 1706.)

John Crabb, who married Elizabeth Rust, daughter of Samuel Rust and granddaughter of Jeremiah Rust (1).

Mary (Crabb) [called Mary] Bennett [in the will], probably the wife of Daniel Bennett.

Benedict Crabb.

Jane Middleton (Crabb) [called Jane Middleton] Rust [in the will].

I believe her to have been the wife of Benedict Rust, the youngest son of Matthew Rust and half-brother of your ancestor, George Rust of Westmoreland County.

Lettice Crabb.

William Middleton Crabb.

[The above illustrate the frequent intermarriages of Rusts with the Middleton descendants.]

3 great grand-father. ROBERT MIDDLETON, eldest son of Benedict Middleton (d. 1730), as above, received by deed of gift from his parents, in 1723, the 100 acres in St. Stephens Parish, Northumberland County, which had belonged to his grandfather Rogers. In 1730 he was made administrator, with the will annexed, of his father, Benedict Middleton, the will having named no executor. Under the will 150 acres were left to him and to the issue of his body "and so to fall from heir to heir for Ever," which 150 acres Robert himself in his own will (1773) refers to as the "Land which was Intail'd upon me by my father," and bargains then with his eldest son, who would have the legal right to it, to break the entail and transfer the tract to his second son, whom he seems especially to have favored (as see later on).

See also p. 13.

On May 25, 1736, on motion of Matthew Rust to be discharged as surveyor of the highways and nominating Robert Middleton to serve in his stead, the court appointed Middleton "Surveyor of the high ways Leading from Flints mill to the cross road by Maj: Lees and from John Williams's to the out Side

* It seems that the 168 acres in Richmond County that descended to Elizabeth (Rogers) Middleton from her father passed to her son Robert, as well as her Northumberland acres.

of our county towards Richmond Court house and the Road to the mill late M^r Jer: Rusts and the Roaling road, to the said Matthew Rusts all which Roads and highways he the said Rob^t Middleton is from time to time to See Kept in good Repare and according to Law." In the court records, 1748, there is mention of Mr. Robert Middleton's Church Road.

The Journals of the House of Burgesses of Virginia (1742-1749, p. 393) give the following sidelight on your ancestor, Robert Middleton:

May 6,
1749.

M^r Ludwell, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration the Petition of the Inhabitants of the Parish of Cople, and County of Westmoreland, to them referred, and had examined a Witness as to the Matter of the said Petition, and heard as well the Petitioners for, as M^r Richard Lee against, the said Petition; whereupon it appeared to the Committee, That on the Day of the last Election of Burgesses to serve in this present General Assembly for the County of Westmoreland, the said Richard Lee applied to one Robert Middleton, a Free-holder of the said County, at the Court-house, before he had been polled, and offered to him, that if he would give his Vote at the said Election for M^r George Lee, a Member of this House, the Hon. Thomas Lee, Esq; a Member of the Vestry of the said Parish, would resign his Place in the said Vestry, and the said Robert Middleton might succeed him: To which the said Robert Middleton answered, That if he could not come in at the fore Door, he would not come in at the back Door: But that it does not appear to this Committee, that the sitting Member (Mr. George Lee), or any other Person, desired the said Richard Lee to apply to the said Robert Middleton and ask him to vote for the sitting Member, or was privy to it: Upon which the Committee had come to a Resolution, which they had directed him to report to the House; and he read the same in his Place, and then delivered the Report in at the Table, where it was again read, and agreed to by the House, as follows:

Resolved, That the said Richard Lee, in offering the said Robert Middleton, that if he would give his Vote at the Election of Burgesses to serve in this present General Assembly for the County of Westmoreland, for M^r George Lee, the sitting Member, the Hon. Thomas Lee, Esq; would resign his Place in the Vestry of the said Parish, and the said Robert Middleton might succeed him, is guilty of a Breach of the Privileges of this House.

Ordered, That the said Richard Lee be taken into Custody of the Serjeant at Arms.

On the ~~same~~ day: A Petition of Richard Lee, in Custody of the Serjeant at Arms, was presented to the House, and read; setting forth, That he is under the deepest Concern for having been guilty of a Breach of the Privileges of this House; that his Offence was the Effect of his Ignorance; and that for the future, he would be careful to avoid every Thing of the like Sort; and praying to be discharged.

Ordered, That he be discharged out of Custody, paying Fees.

Robert Middleton did indeed become a member of the vestry of Cople Parish, coming in "at the fore Door," for one of the few extant lists of the vestry of the parish (given in Bishop Meade's Old Churches and Families of Virginia) shows that in 1755, six years after the above episode, Robert Middleton was one of the vestrymen of Cople Parish.

Robert Middleton's wife was named Mary, but I have not come upon the maiden name of this grandmother of Elizabeth Rust (wife of Captain George Rust). Robert Middleton and wife Mary made a deed of gift, Jan. 27, 1755, to their son Benedict Middleton of 185 acres in Cople Parish. To this

deed George Rust, who married Robert Middleton's daughter, was a witness, as well as to various other Middleton documents from this time on, and I suppose that his marriage had taken place, or was about to take place, then (1755).

In 1757 Robert Middleton was made administrator of the estate of his brother, William Middleton, whose lands as heir-at-law he then inherited. (William had received 150 acres in Cople Parish by deed of gift from his father in 1728, and he appears to have added to his holdings by purchase.) Besides inheriting land from his father and brother, Robert Middleton was/considerable purchaser of lands himself, and became a large landholder and the owner of a good many negroes for the time.

In those days it was a function of the Processioners to inspect the boundaries of lands in the parish to see that they were maintained properly. This was especially important when trees, stumps, etc., were the only markers named in the early patents and deeds. Disputes were, of course, frequent, as these markers might fall or otherwise disappear at any time. On March 25, 1760, George Lee, gent., one of the Churchwardens of Cople Parish, presented a Processioners' return under the hands of William Moore and Samuel Harrison, which stated that they had processioned "the Land between Robert Middleton, Benedick Middleton & Jeremiah Middleton, and was stoped by the said Jeremiah Middleton; Whereupon Pursuant to the act of Assembly in that Case" the court ordered that the surveyor of the county with a jury of the vicinage no ways concerned by affinity, consanguinity or interest, should be summoned and go upon the lands in controversy May 7, next, and survey them, "having regard to all pattents and Evidences." The lands were evidently lands left by Robert Middleton (1697), the Robert of 1760 and Benedict (brothers) being his grandsons, and Jeremiah a great-grandson.

Robert Middleton died between Nov. 4 and Nov. 30, 1773, the dates of the signing and probate of his will. Two of his children had predeceased him, Benedict and the wife of George Rust. Robert Middleton's wife, Mary, was also probably then dead, as she is not named in the will. It would appear that the second of his three surviving sons, to wit, John, was his favorite, for he leaves to him not only several tracts of land and 15 negroes, but makes the devise of lands to his eldest son, Robert, conditional on Robert's making "a good and lawful Right to the Intailed Lands whereon I now live to my son John Middleton," failing to do which all the lands devised to Robert were to go to John, except, of course, the entailed land (150 acres) which was Robert's by law. To the eldest son, Robert, he also leaves 5 negroes. To the youngest son, William, testator leaves two tracts of land and 8 negroes. The only other bequests are £ 50 to his granddaughter, Mary Rust, and £ 50 and a negro man, young Philemon, to his granddaughter, Elizabeth Rust. The residuary estate was to be divided equally among the three sons and the two granddaughters, Mary and Elizabeth Rust. The testator's lands were located in the three counties of Westmoreland, Northumberland and Richmond. Twenty-nine negroes are disposed of by the will. The estate was one of considerable size, indicating that Robert Middleton was a man of wealth. The two younger sons, John and William, were named as executors. They gave bond, Nov. 30, 1773, with Richard Lee, Esq., and George Steptoe, Doctor of Physick, as securities, in the sum of £ 4000. On the same day order was issued by the court for taking the inventory of the estate of Robert Middleton, Gentleman, deceased.

The children of Robert Middleton were:

omit
Numbers
1 to 4 were
the uncles
of Elizabeth
Rust of
Loudoun.

with right
dates.

1. Robert Middleton, Junior, as he was commonly called, who did not long survive his father. Order for taking the inventory of the estate of Mr. Robert Middleton, Jr., was given March 29, 1774. The inventory, returned April 25, 1775, foots up to a little over £ 246 and includes the five negroes left him by his father. It is probable that he left no issue and that his property fell to his next younger brother, John Middleton.
2. Benedict Middleton, who received by deed of gift from his parents, Robert and Mary Middleton, in 1755, a tract of 185 acres in Cople Parish. He died two years before his father, leaving a will, Sept., 1770, proved in March, 1771, in which he describes himself as the son of Robert Middleton. He gives to his brother John all his land, John to pay £ 40. to brother Robert. The residue of his estate was to go to his brother Robert and his cousins (i.e., nieces) Mary Rust and Elizabeth Rust. (The word cousin in those days usually meant niece or nephew.) John Middleton, his brother and executor, gave bond with George Rust as security.
3. John Middleton, who appears to have been his father's favorite (as to inherit more of his property than either of the other two sons) seems also to have died not long after, and probably without issue. He may have been the John Middleton, order for taking the inventory of whose estate was given Sept. 26, 1775. (The will of the youngest brother, William, who inherited from the father land in Northumberland County only, disposes of land also in Westmoreland and land and a water grist mill in Richmond County, such properties having been given to John Middleton by the will of his father, 1773.)
4. William Middleton, who received under his father's will two tracts of land in Northumberland County, one of which is described as "that Tract or parcel of Land which I recover'd of Saint Stephens Parish." He also received eight negroes. It is probable that he came into possession of all the lands of his three brothers, as heir-at-law to John, who, in turn, was heir-at-law to Robert [and had also Benedict's land by will]. William Middleton added to these lands two tracts in Northumberland County by purchase from [a] George Eskridge (presumably one of the grandsons of Col. George Eskridge), one of the tracts called "the manor Plantation." William Middleton was a Captain, doubtless in the Westmoreland militia. He married Mary Cox, daughter of Fleet Cox, a man of means and prominent in Westmoreland for many years, and a relative of Winifred Cox, the first wife of Matthew Rust. Captain William Middleton's will, signed June 26, 1790, and proved Jan. 25, 1791, leaves lands to each of his six children, three sons (all minors) and three daughters. His executors, Fleet Cox, Jr., and Vincent Jackson, with their securities, gave bond in the sum of £ 3000. The six children, the only first cousins of Elizabeth Rust of Loudoun on the mother's side, were: Robert, William, John, Elizabeth Middleton, Mary Fleet Middleton and Hannah Middleton. The widow, Mary Middleton, also survived. The Middletons, unlike the Rusts, had no great number of men of the name. Captain William Middleton's (three) sons were the only male representatives of Benedict (d. 1730), son of the first Robert, and I do not know whether these [three] cousins of Elizabeth Rust survived and left issue. However, as I have stated of the Rusts, the Middleton name was almost extinct in Westmoreland County by 1810, when the federal census shows only one Middleton, to wit, Jeremiah

[Middleton], who descended from John (d. 1706), brother of the above Benedict. Elizabeth Rust's cousins of the Middleton family may, like the Rusts, have migrated to pioneer regions.

2 great
grand-
mother.

5. — Middleton (given name unknown, but possibly Mary or Molly, for the will of Sarah Jeffries of Northumberland County, 1767, just about the time of Elizabeth Rust's birth, mentions Molly Rust and my friend George Rust, the latter executor, and it would seem not unlikely that Molly was the wife of George Rust, in which case she would have been Molly or Mary Middleton). She married, probably about 1755, as his first wife, George Rust, (son of Matthew and Winifred (Cox) Rust. From that date on George Rust's name appears continually in matters concerning the family of Robert Middleton, Sr. It is not unlikely that Miss Middleton received a dower on her marriage, from her father, a wealthy man. She probably died prior to Sept., 1770, when her daughters are mentioned in the will of their uncle, Benedict Middleton. Her father, Robert Middleton, Sr., signed his will Nov. 4, 1773, and four days prior to that day, Oct. 31, 1773, George Rust makes a deed of gift of five negroes, Kate, Sarah, William Sharper, Hannah and George, to his daughter, Elizabeth Rust, and this deed was proved on the same day, Nov. 30, that Middleton's will was proved, which might indicate that the negroes, or some of them, were dower property of Elizabeth Rust's mother, and the grandfather, preparatory to making his will, wished such negroes to be put in the possession of his granddaughter. (The name Sharper among these negroes appears as early as 1728 among Middleton negroes.) The children of George Rust and (Mary ?) Middleton, his wife, were:

great
grandmother

1. Mary Rust, named in the will of her uncle, Benedict Middleton, 1770, and [the will of] her grandfather, Robert Middleton, 1773, who left her £ 50. (It is possible, of course, that Mary was the child of another daughter of Robert Middleton, who may have married some other Rust than George Rust, a circumstance or two pointing to such possibility, but in the absence of proof I assume that Mary and Elizabeth were sisters.)
2. Elizabeth Rust, who was born about 1767 (tombstone). She was named in the will of her uncle, Benedict Middleton, Sept., 1770, as one of his residuary legatees. She was again named in the will of her grandfather, Robert Middleton, [Nov.,] 1773, who left her £ 50 and a negro, young Philemon, and made her (with Mary Rust and their three uncles) one of his five residuary legatees. She received by deed of gift from her father, at this time, five negroes, as above stated. Elizabeth Rust married (1) James Dunbar, and (2) in 1786, when nineteen years of age, Captain George Rust of Loudoun County. She died Jan. 14, 1844. Captain George and Elizabeth (Rust) Rust had a large family, the eldest child being:

GENERAL GEORGE RUST, b. Jan. 4, 1788, d. Sept. 18, 1857.

I know that your family traditions ascribe to Elizabeth Rust, the mother of Gen. George Rust, much force of character and a marked individuality, which she seems to have transmitted to her son. This account of her maternal ancestry, which is of somewhat different type from the Rust line, will, I hope, prove to be of interest to you.

grandfather.

From the Rust
family
H. B. Rust

NOTE ON THE ROGERS FAMILY
(Northumberland County, Va.)
(ancestors of the Middletons)

6th
great
grand-
father.

John Rogers had a patent from Richard Bennett, Governor, Sept. 13, 1654, for 50 acres in Northumberland County, due for the transportation of one person into the colony, and on the same day another for 250 acres in the same county for the transportation of five persons. A patent covering the above two patents (300 acres) was granted Captain John Rogers by Edward Digges, Governor, in Nov., 1656, in which it is stated that the five persons, as above, were transported by James Cloughton, who assigned the certificate to Rogers. Again this latter patent was renewed in Rogers' name and granted by Sir William Berkeley, Nov. 29, 1662. [These items would seem to indicate that the colonists must have had considerable trouble in establishing their rights to the land.] In August, 1657, Samuel Mathews, Governor, granted a patent to Captain John Rogers for 200 acres in Northumberland County, adjoining his other property, the said acres being due him for the transportation of four persons. Sir William Berkeley, Governor, granted Captain John Rogers, Jan. 9, 1662 (1663), a patent for 450 acres, covering the patent for 250 acres of 1654, and that for 200 acres, granted in 1657, the purpose of this patent appearing to be to join the two said tracts into one. It is seen from the above that the amount of land Captain John Rogers received by patent from the king (through the governor) was 500 acres. Captain [John] Rogers' lands bordered upon Cloughtons Creek and the Glebe lands.

Captain Rogers was one of the leading men of Northumberland County for many years. His military title at a time when troubles not only political but with the Indians were serious, would indicate that he was a man of position and responsibility in the community. I do not know whether he was an immigrant himself, nor, if so, a Cavalier. He was termed gentleman from the first I find mention of his name, and from at least as early as 1655 to 1678, a period of twenty-three years, he was one of the Justices of the Northumberland Court. Who his first wife was I do not know. Your descent would be from her. He married, lastly, about 1668, Anne, widow of Francis Clay, gent. (who died about 1666), whose lands in Westmoreland County I have mentioned in connection with the Rusts; Anne had been formerly the wife of John Temple, gent. (who died about 1658). The will of Captain John Rogers was proved July 21, 1680, but the volume in which it was recorded was destroyed in a fire in 1710. His widow, Anne, married a fourth husband, Henry Rosse, gent., who came into some of Clay's lands in Westmoreland and these, falling later to his sister, Mrs. Thistlethwaite, part passed by deed to Samuel Rust and John Clement, partly by will to John Rust and John Clement, as already stated (p. -).

Captain John Rogers had several children, among them:

5th
great
grand-
father.

Richard Rogers, gent., probably born after 1654, at which date his father made a deed to his children, Katherine, Elizabeth and John. Richard Rogers inherited the 300 acres in Northumberland County renewed by patent to his father, Captain John Rogers, by Governor Berkeley in 1662. He also purchased of Zachariah Nichols in 1697 a tract of 504 acres in Richmond County, his holdings, as falling to his children, being these two tracts, 804 acres. Like his father he was a man of standing in Northumberland County, serving as a Justice of the court from at least 1684 to 1696. In March, 1692/93, he was returned as elected to the House of Burgesses from Northumberland County, but was found to be not duly elected.

*partly from
Va. Mag.
+ Tyler's
Quarterly*

Richard Rogers, gent., married Jane Presley, daughter of Peter Presley of Northumberland County, of which he was High Sheriff, a Justice of the court for many years, [and] serving as member [from Northumberland in] the House of Burgesses, 1677, 1684 and 1691-1692. No family was more prominent in public affairs in the county during the first century than the Presleys (see chart). Jane Presley was born June 29, 1664 (St. Stephens Parish register). (It is possible that she was a second wife of Richard Rogers, but without going into my reasons for thinking so, it is my opinion that she was the mother of Elizabeth Rogers, your ancestress.)

*from Va. Mag.
or Tyler's*

The will of Mr. Richard Rogers was proved Aug. 13, 1697, but the volume in which it was recorded was destroyed in the fire of 1710. Mrs. Jane Rogers, his widow, and Mr. Thomas Banks were the executors. Jane (Presley) Rogers married (2) Captain Christopher Neale, by whom also she had children (Peter, Edward and Presley Neale). Although the will of Richard Rogers is lost, the names of his children appear in other records. All but three of them died young and without issue. On May 20, 1703, administration was granted Christopher Neale and Jane, his wife, on the estates of Richard, John and Hannah Rogers, "the said Janes Children," all deceased. There was also a son William, born 1679/80, of whom I know nothing further. The three children who survived and inherited Richard Rogers' lands were:

4th
great
grand-
mother.

1. Elizabeth Rogers, who married, probably about 1700, Benedict Middleton of Westmoreland County, by whom she was the mother of Robert (your ancestor), Benedict, William, Mary, Elizabeth and Jane Middleton. On March 21, 1721/22, Benedict Middleton and wife Elizabeth, Robert Clark and wife Jane, and John Middleton and wife Eleanor, the three wives being the daughters and co-heirs of Richard Rogers, gent., late of Northumberland County, deceased, agreed upon a division of the said Rogers' land, 300 acres in Northumberland County and 504 acres in Richmond County, by which 268 acres fell to each of the daughters and their husbands, each having a third of the Northumberland and a third of the Richmond County tract. (Record Book 1718-1726, p. 234, Northumberland County) Elizabeth (Rogers) Middleton died probably in 1728 *(see under Middleton family)*.
2. Jane Rogers, born April 12, 1686 (St. Stephens Parish register, only a transcript of which exists, and evidently incomplete). She married Robert Clark, by whom she had a family. An order for taking the inventory of Robert Clark's estate was given May 14, 1744, and there was a division of the estate of Mr. Robert Clark at the plantation of Mrs. Jane Clark in Northumberland County, March 23, 1747. Jane Clark of St. Stephens Parish made a deed of gift, March 31, 1744, to her oldest son, Robert Clark, of the 100 acres where she lived, she to retain her living on the same during her life. This was probably the land she inherited from her father, Richard Rogers. Robert Clark (the son) made a deposition in March, 1746/47, when about forty years of age, hence was born about 1707.
3. Eleanor Rogers, who married (1) John Middleton, nephew of the above Benedict Middleton. Order was given, Sept. 28, 1726, for taking the inventory of the estate of John Middleton of Westmoreland County, Eleanor, the widow, his administratrix. She married (2) before Sept. 3, 1729, Allen Harvey of St. Stephens Parish, Northumberland County, for on that date Harvey and wife made a deed of gift to Jeremiah Middleton, son of the said Eleanor (called Eliza in the deed), for the 168 acres in North Farnham Parish, Richmond

*my assumption
(probably correct)*

*no data for
inventory*

*Administration
presumably
as she was to
return
inventory*

County, which had descended to ^{her} the said Eleanor as one of the daughters and co-heirs of Richard Rogers. The land is described as adjoining the land of Mr. Robert Middleton, whence it is evident [that Benedict and Elizabeth (Rogers) Middleton had given to their son (your ancestor) Robert Middleton, not only the 100 acres which she inherited in Northumberland County, but the 168 acres in Richmond County as well.] The two witnesses to this deed of the Harveys to Jeremiah Middleton were Benedict Middleton and Benedict Middleton, Jr., the former the brother-in-law of Eleanor (Rogers) Harvey. By her first marriage to John Middleton, Eleanor had several children, one of them being, I believe, the Thomas Middleton whose widow [married] Matthew Rust.

became the second wife of your ancestor

That the latter (your ancestor) had come into possession not only of the 100 acres in Northumberland County that had fallen to his mother, Elizabeth Rogers (see p.), but of her 168 acres in Richmond County as well.

For other ancestors through the Rogers family (Presley, Thompson, Bish) see chart.

