

284. NICHOLAS FAULCONER

Born c1660 Old Rappahannock County, Virginia

Died 1743 Essex County, Virginia

Married (1) ----- Newton

Born

Died before 15 Oct 1712

Child:

David Faulconer

b. before 15 Oct 1712

d.

m. Mary Byrom

Married (2) 285. Sibylla -----

Born

Died after 18 Oct 1743

Children (order of birth unknown):

Nicholas Faulconer Jr

b. c1720 Essex County, Virginia

d. 1789 Essex County, Virginia

m. Frances Moseley

Thomas Faulconer

b. before 1723

d.

m.

Samuel Faulconer

b. before 1723

d. after 03 Jul 1798

m. Mary -----

142. John Faulconer

b. probably c1722 Essex County, Virginia

d. 179- Fayette County, Kentucky (Virginia?)

m. 143. Joyce Craig c1747

James Faulconer

b.

d.

m.

Sarah Faulconer

b. before 1725

d.

m. (Erasmus Withers?) Allen

Mary Faulconer

b.
d.
m.

Martha Faulconer

b.
d.
m.

Frances Faulconer

b.
d.
m.

Elizabeth Faulconer

b.
d.
m.

Ann Faulconer

b.
d.
m.

Nicholas Faulconer was a son of David and Judith Faulconer of Old Rappahannock County, Virginia, which became Essex County. His first wife, by whom he had a son David, was a daughter of Henry Newton of Essex County. The maiden name of his second wife Sibylla has not been determined.ⁱ

Nicholas Faulconer is identified as the son of David Faulconer in an Essex County deed dated 09 February 1693, in which Nicholas Faulconer (Faulkner) of Essex County, Virginia, conveyed to Thomas Winslow for 1900 pounds of tobacco, plus 5 shillings, the 50-acre plantation on which his late father David Faulconer (Faulkner) of Old Rappahannock County had lived and which, at the time of the deed, was occupied by Judith, the widow of David Faulconer, and her new husband Roger Perry:ⁱⁱ

This Indenture made the ninth day of February ... 1693 and in the fifth year of the Reign of our Sovereign Lord and Lady William and Mary by the Grace of God of England Scotland France and Ireland King and Queen Defender of the Faith &c Between Nicholas Faulkner of the County of Essex of the one part and Thomas Winslow of the same County of the other part Witnesseth that ... Nicholas faulkner for ... nineteen hundred pounds of tobacco and casks and five Shillings Sterling... Hath ... Sold ... unto ... Thomas Winslow ... all that plantation and Land Containing by Estimation fifty Acres ... whereon David Faulkner (father to ... Nicholas Faulkner) late of the County of Rappa. lived & whereof he dyed Seized

adjoining to the Land whereon James Merriott now liveth & now in the tenure & Occupation of Roger Perry as marrying Judith his widdow & Relict of ... David Faulkner ... which Said Plantation & Land was conveyed by the above James Lerrriott to ... David Faulkner as may appear by Conveyance recorded amongst the Records of Rappa. County bearing date the tenth day of July 1667 and descended to ... Nicholas Faulkner as Son and heire apparent of ... David Faulkner ... In Witness whereof ... Nicholas Faulkner hath ... set his hand & Seale

...

Signed Sealed & delivered
in the presence of us
Edwin Thacker
Jno Everitt

Nicholas Faulkner (Seal)

At a Court held for Essex County Feby the 10th ... 1693 ... Nicholas Faulkner appeared and acknowledged the within ... to be his ... Act and Deed ... Essex County succeeded Old Rappahannock County in 1692. Old Rappahannock, which was established in 1656 from the upper part of Lancaster County, became extinct in 1692 and its records are filed in Essex County.

Nicholas Faulconer paid tax on 100 acres in Essex County in 1704.ⁱⁱⁱ On 08 May 1712 he was appointed Constable for a year in the place of Thomas Jewell. In October 1713 Nicholas Faulconer witnessed the will of John Garnett. Nicholas Faulconer witnessed deeds of lease and release between James Boughan and William Willson in Essex County on 20 September 1715 and the inventory of the estate of Edward Coffey on 04 December 1716.^{iv}

Nicholas Faulconer apparently married a daughter of Henry Newton of Essex County, by whom he had a son David before 15 October 1712 when Newton included his grandson David Faulconer as a legatee in his will:^v

Will of Henry Newton of St. Anns Parish, Essex County, Virginia, dated 15 October 1712. Probated 12 February 1713/14.

To my son Thomas Newton, 195 acres; the line beginning at a school house, running along the church road and upon the top of the brink of the hills at my son Henrys. He failing in heirs, this land to my grandson, the son of Henry Newton ... and if the said Henry Newton shall die without heirs, to the grandson David Falconer. To my wife Elizabeth, the plantation, 150 acres whereon I now live, as long as she keeps a widow. If she marry, to my son Henry Newton, he failing in heirs, then to David Falconer. To son Henry Newton 3 cows. To daughter Martha 3 ewes. Balance of Estate to Wife Elizabeth Newton, to son Thomas and daughter Martha Newton; to be equally divided. Wife to be executor.

Witnesses:

Henry Newton

Richard Wilton
Andrew Michall

The fact that Henry Newton did not name the mother of his grandson David Faulconer

in the will suggests that she was dead. The exclusion of David's father as an heir indicates that Newton wanted his estate to follow his blood line.

David Faulconer described himself as the eldest son and heir at law of Nicholas Faulconer in a 1743 Essex County deed:^{vi}

This Indenture made the twentieth day of March ... one thousand seven hundred and forty three between David Faulkner of the parish of Southfarnham in the County of Essex planter eldest son and heir at law of Nicholas Faulkner late of the parish of St Ann in the County of Essex decd of the one part and Nicholas Faulkner of the parish of Saint Ann and County of Essex ... of the other part Witnesseth that ...David Faulkner for ... ten pounds current money of Virginia ... hath ... sold ...unto ... Nicholas Faulkner ... the reversion and inheritance of all that ...plantation and land scituate ... in the parish of St Ann in the County of Essex... being one hundred acres ... whereof ... Nicholas Faulkner decd died possessed and is now in the actual possession of Sibbilla Faulkner by virtue of the last will and testament of ... Nicholas Faulkner decd as may appear by the said last will and testament remaining of record among the records of Essex County ... and all the estate right title interest claim and demand ... of David Faulkner of in and to the said ... plantation a and land ... unto ... Nicholas Faulkner, his heirs and assigns for ever ... In Witness whereof ... David Faulkner ... has sett his hand and seal the day and year first above written

Signed Sealed and delivered David Faulkner (Seal)
in the presence of us
Benja Fisher
Thos Faulconer
Samuell Faulconer
Thomas Munday

Memorandum ... at a Court held for Essex County at Tappahannock on the 20th day of March ... 1743 David Faulkner acknowledged ... Indenture to Nicholas Faulkner ...

At a Court held for Essex County at Tappa on the 10 day of April ... 1745 Since the within deed was acknowledged by ... David Faulconer the same was lately signed by Mary Faulconer his wife who now appeared in Court and ... acknowledged ... same to be her act and deed ...1745

Test

Test Joseph Magee	her	John Lee C Cur
Thomas Faulconer	Mary M Faulconer	
James Thomas	mark	

This quit claim deed indicates that, as the eldest son, David Faulconer had legal right to his father's land under the law of primogeniture and wanted to release it to his younger brother, probably to fulfill the wishes of his father as stated in his will. Dated 23 November 1741, the will of Nicholas Faulconer, Sr. was proved on 20 September

1743:^{vii}

In the Name of God Amen I Nicholas Faulconer of the County of Essex and Parish of St Anne planter being Sick and weak in body but of perfect Sence and Memmory thanks be to almighty God for the same Do make this my last Will in Manner Following (Vizt) and first my Will is that all my Just Debts be paid and the Remaindr of my Estate I Give and bequeath in Manner following Item I lend all my Estate to my Well Beloved Wife During her Naturall lif and after her Death my Willis that my Son Nicholas Faulconer have the Land whereon I now Live Item I give my Negro Man Tone after the Death of my beloved wife Sebalah Faulconer to my Son Thos. Faulconer Item I give to my two Sons Samuell and James Faulconer after the Death of my Wife Each of them a feather bed with such Furniture as shall then belong to them Item all the Rest and Residue of my Estate after the Death of my wif shall be Equaly Devided among the Rest of my Children heare after Mentioned David Mary Martha John Frances Eliza Samuel Ann and James Faulconer and my Daughter Sarah Allen but in case lther of these my Children Should hapen to Die my Will is that their parts be Equally Devided among the Rest of my Children and I do appoint my well beloved Wife Sebalah Faulconer and my Son Nicholas Faulconer Executors of this my last Will and Testament in Witness whereof I have set my hand and fixt my Seal this 23rd Day of November 1741

Sind Sealed and
published in presants of
Antho Garnett

Nicho Faulconer (Seal)

At a Court held for Essex County at Tappa on the 20th day of September ... 1743 This last Will and Testament of Nicholas Faulconer deced was presented in Court by the Exors ... who made Oath thereto and was ... proved by the Oath of Anthony Garnett the Witness ... and Thomas Munday being also sworn declared ... he was at the house of the ... Testator at which time he heard the ... Testator acknowledge a writing to be his Last Will & Testament and that he verily believes this to be the same as now sworn to by ... Anthony Garnett and ... Thomas Munday ... Declares that he Can neither write nor Read and Further says not ...

Know all men by these presents that we Sibbilla Faulkner Nicholas Faulkner jr Thos Munday & George Strange are held and firmly bound ... in the sum of three hundred pounds Sterling ... Witness our hands and Seals this 20th day of Sept ... 1743.

The Condition of this Obligation is Such that if the above bound Sibbilla Faulkner & Nicholas Faulkner Jr Executor of the Last Will and Testament of Nicho Faulkner deced do make or Cause to be made a true and Perfect Inventory

Sibilla F Faulkner
Nicho Faulkner
Thos X Munday

George Strang

An inventory valued at 91 pounds, 18 shillings and 11 pence, including two slaves appraised at 30 pounds, 10 shillings, was returned to court on 18 October 1743. It was appraised by Cornelius Sale, William Taylor and William Rennolds and signed by Nicholas (Nicho) Faulconer and Sibylla (Sibballah X) Faulconer.^{viii}

Although Nicholas Faulconer has been found in few public records, the ones that have been found to pertain to him establish that his father was David Faulconer, that he was married twice, first to a daughter of Henry Newton, by whom he had a son David, and second to Sibylla, whose maiden name is unknown and who probably was the mother of his other children, as named in his will. It has been estimated that Nicholas Faulconer, Sr. was born about 1660.^{ix}

The meager yield of information from records shows that son David Faulconer was listed on the True and Exact Poll of the Election of Burgesses in Essex County on 20 November 1741,^x and that he was dead by 20 November 1751 when Waters Dunn and William Dunn were appointed as administrators of his estate.^{xi}

Dying in 1751, David may have been born as early as 1700, which suggests that his father Nicholas was born by 1680 and perhaps as early as 1660. Since David Faulconer, father of Nicholas, appears in records from 1658, when he was a landholder, to 1693, when he was dead, he probably was born by 1635, perhaps as early as 1625. His son Nicholas probably would have been born about 1650-1680.

Mary, the wife of David Faulconer, appears to have been Mary Byrom, daughter of Peter Byrom and Mary Nightingale. On 09 February 1705/6 Mary Byrom, wife of Peter Byrom, formerly Mary Nightingale, was executrix of John Nightingale. Peter Byrom died before 16 February 1719 when his will was proved, leaving his estate to his wife Mary, son John and daughters Frances, Sarah, Elinor, Elizabeth and Mary. His executors were wife Mary and William Greenhill. After the death of Peter Byrom, his widow Mary married Garrett Fitzsimmons and the two of them shared the administration of Peter Byrom's estate in 1724, with William Greenhill as security. Mary Nightingale Byrom Fitzsimmons (Phitsimmons), left land to her daughters Mary Faulconer (Faulkner) and Frances Meadors, when she died in 1756. David Faulconer and Mary Byrom were the parents of Nicholas Faulconer who married Martha Greenhill and lived in Cumberland County, Virginia. In 1777 Martha Greenhill Faulconer released her right of dower to 100 acres of land that formerly belonged to Mary Byrom. Martha Greenhill who married Nicholas Faulconer was a sister of Ambrose Greenhill, who made a bequest to her in his Essex County will which was dated 12 April 1790:^{xii}

I lend to my sister Martha Faulconer my woman named Charlotte and a boy named Dixon; at her decease, I give said Charlotte and boy Dixon to her son Nicholas and to his heirs.

Nicholas Faulconer of Cumberland County died there and his will was proved on 24

September 1804. It contained bequests to his children, Nicholas, Vincent, Molly, Susanna and Jemima (Jemmina).^{xiii}

Frances Moseley who married Nicholas Faulconer, Jr. was a daughter of William Moseley of Essex County. Nicholas and Frances were involved in litigation over the estate of her father in 1749, 1750 and 1775. Nicholas Faulconer, Jr. died before 21 September 1789 when his son Nicholas Faulconer III was appointed to oversee the estate of Frances Faulconer, widow of Nicholas Faulconer, deceased. Nicholas Faulconer III (identified as Jr.) was named as trustee to provide for the maintenance and support of Frances, who was adjudged insane and incapable of taking care of her estate.^{xiv}

Joyce Craig who married John Faulconer was a daughter of Taliaferro Craig and Mary Hawkins.^{xv}

The husband of Sarah Faulconer Allen probably was Erasmus Withers Allen of St. Anns Parish, Essex County, who bought land in Spotsylvania County, Virginia, on 04 August 1741 from William Marsh. On 01 May 1750 Erasmus Withers Allen of St. Georges Parish in Spotsylvania County, and his wife Sarah, who relinquished her dower right, sold 300 acres in Spotsylvania County to James Waggoner for 30 pounds currency. Nathaniel Allen and Thomas Allen were witnesses. On 28 April 1750 Erasmus Withers Allen and John Faulconer witnessed a deed together, from William Marsh to Obediah Howerton, which was proved on 01 May 1750. On 01 May 1759 Erasmus Withers Allen and his wife Sarah of St. Georges Parish, Spotsylvania County, sold land there to Edward Coleman. Sometime before 08 March 1775 Erasmus Withers Allen and his wife Sarah moved to North Carolina where they were residing, when they deeded Spotsylvania County land to Richard Lowry on that date.^{xvi}

Thomas Faulconer, son of Nicholas, may have been he who was identified as a chairmaker of King and Queen County, Virginia, about 1776.^{xvii}

HENRY NEWTON

Born

Died between 15 Oct 1712 and 12 Feb 1713/4 Essex County, Virginia

Married Elizabeth -----

Born

Died after 15 Oct 1712

Children (order of birth unknown):

Henry Newton Jr

b.

d.

m.

Thomas Newton

b.

d.

m.

Martha Newton

b.

d.

m.

(daughter) Newton

b.

d. before 15 Oct 1712

m. Nicholas Faulconer

Henry Newton was taxed for land in Essex County in 1704:^{xviii}

Henry Newton	175a	Essex County
Henry Newton	100a	Essex County
Nicholas Newton	100a	Essex County

NOTES

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- i. *Thomas Faulconer and His Descendants*, James G. Faulconer, Gateway Press, Baltimore, 1984.
 - ii. Essex County, Virginia, Deed Book 1692-1695, pages 249-252.
 - iii. *The Quit Rents of Virginia 1704*, Annie Laurie Wright Smith, Richmond, 1957, reprinted Genealogical Publishing Company, Baltimore, 1977.
 - iv. Supra note 1, Essex County, Virginia, Order Book 4, page 466, Deed Book 8, page 225, and Deed Book 1714-1716, pages 413 and 689.
 - v. *ibid*, Essex County, Virginia, Deed and Will Book 14, page 218.
 - vi. Essex County, Virginia, Deeds, &c 1742-1745, pages 119-121.
 - vii. Virginia State Library, Essex County Wills 7, 1743-1747, Reel 43, pages 39-41.
 - viii. Photocopy, *The Virginia Genealogist*, Essex County Wills, 1743-1747, pages 142-143, publication data missing.
 - ix. Supra note 1.
 - x. Supra note 1, Essex County, Virginia, Deed Book 1728-1742, page 310.
 - xi. Supra note 1.
 - xii. Addendum, supra note 1, data of Frank Dreisbach, Essex County, Virginia, Deed Book 12, page 178, Will Book 3, pages 131-133, Order Book 6, pages 39, Will Book 10, page 95, and Will Book 15, page 188.
 - xiii. *ibid*, Cumberland County, Virginia, Will Book 6, page 141.
 - xiv. *ibid*, Essex County, Virginia, Order Book 15, 1748-1749, page 307, Will Book 8, 1749-1750, pages 252-253, Order Book 16, 1749-1751, pages 138, 192 and 263, Order Book 21, 1754-1757, page 115, and Order Book 32, 1788-1790, pages 220-221.
 - xv. Hawkins-Craig data of compiler.
 - xvi. *Virginia County Records*, Volume I, Spotsylvania County, 1721-1800, William Armstrong Crozier, New York, 1905, reprinted Genealogical Publishing Company, Baltimore, 1978, Deed Books C, D, E and J.
 - xvii. Supra note 1.
 - xviii. Supra note 3.