

**M-530 : ARCHIBALD McDOWELL.** 150 acres. Surveyed 13 August 1765. Granted 30 October 1765. Sold to George Russell 19 January 1778.

**M-537 : MARTIN PHIFER.** 200 acres. Granted 30 October 1765. Sold to James Millican 17 January 1777. Sold 28 November 1780 to Julius Clarkson. Sold 15 May 1784 to John McCan.

**T-7 : NICHOLAS HENSON.** 100 acres. Surveyed 23 September 1768. Granted 22 December 1768. Sold 20 January 1787 to William Nettles.

**T-395 : WILLIAM ROBINS.** 50 acres. Surveyed 22 June 1771. Granted 14 November 1771. Sold 25 July 1785 to Thomas Heslip.

## Land on Broad River West of Cove Creek

by Miles Philbeck

In the Fall 2022 *Bulletin* detailed descriptions and a plat map of the land grants on the north side of Broad River along Cove Creek were presented in an article documenting the lands of George Russell and others. The purpose of the present article is to provide similar documentation of some land grants up Broad River west of Cove Creek. The earliest ones starting west from Cove Creek were granted to Nicholas Henson, William Robins, and Martin Phifer. On the previous page is an approximate drawing of their locations. In subsequent years other grants were issued in the vicinity of these three and they are described below along with their early conveyances to other persons. Much of this land eventually came into possession of members of the Whiteside family, particularly Thomas Whiteside or his son T. H. W. Whiteside.

### Martin Phifer

On 30 October 1765 Martin Phifer was granted 200 acres "on both sides of the So. fork of Main Broad River a place called the poplar bottom, including some Indian Camps and the mouth of a small creek, beginning at a cluster of red oaks No side of the river **about three miles above the forks** and runs Et 180 poles to a white oak thence So 180 poles to a red oak, thence Wt 180 poles to a stake thence to the beginning" (*Mecklenburg Co., NC Land Grant File 537, duplicate of File 1263, Description from NC Land Grant Book 17, p. 107*). The original survey warrant and survey plat are missing from the file and its duplicate. It is likely that it was surveyed on the same or nearly the same date as Archibald McDowell's tract on Cove Creek which was granted on the same date. "The forks" mentioned in the grant refers to the North Fork of Broad River (now called Cove Creek) and the South Fork of Broad River (now just Broad River or Main Broad River).

On 17 January 1777 Martin Phifer "Senr." of Mecklenburg County, NC sold this 200 acres to James Millican of Tryon County, NC for 50 pounds (*Tryon Co., NC Deed Bk. 9, p. 352, transcribed into Lincoln Co., NC Deed Bk. 2, p. 259*). The deed erroneously gives the grant date as 30 October 1760 rather than 1765. James Millican of Lincoln Co., NC sold this 200 acres to Julias Clarkson of Rutherford Co., NC for 15000 pounds on 28 November 1780 repeating the erroneous grant year. Witnesses to this deed were Jonat. Hampton, Robt. Lewis, Andr. Hampton, and Andr. Millican (*Rutherford Co., NC Original Deed Bk. A-1, no. 1, NC Archives 086.401.1, Transcribed into courthouse Deed Bk. A, p. 49*). There was a skyrocketing rate of inflation during the Revolution and that accounts for the stated value of 15000 pounds. On 15 May 1784 Julius / Julias Clarkson of Albemarle Co., VA sold this land to John Mccan for 120 pounds again repeating the erroneous grant year. Witnesses were John Dalton, Jo Taliaferro, David Dalton, and Robert Lewis (*Rutherford Original Deed Bk. C, No. 336, p. 95, transcribed into courthouse Deed*

*Bk. C*). At some time after 15 May 1784 the Martin Phifer grant passed from ownership by John McCan to ownership by John Dalton, but no deed has been found. Rather, Dalton's ownership is documented in the deeds by which he disposed of the land.

On 20 September 1805 John Dalton sold 50 acres of the Martin Phifer grant (the part on the north side of Broad River) as part of a 100 acres deed to William Searcy (*Rutherford Deed Book 24-26, p. 278*). The other half of the 100 acres was a state grant of 50 acres to John McKan. It was claimed by John "McKean" on 29 January 1785, described as "Ling on a Brench of Broad River Bing part of the old fill a Long my one Land" (*Rutherford Land Entries, NC Archives C. R. 086.404.2, No. 155*), and surveyed on 25 May 1787 by Ezekiel Enloe with chainbearers P. Morgan and Jno. Dolton (*Rutherford Land Grant File 647*).

John Dalton sold the remaining 150 acres of the Phifer grant (i.e., the part on the south side of Broad River) to John Whiteside on 27 April 1810 along with three other tracts of 50 acres each, in all 300 acres (*Rutherford Deed Book 25, p. 210*). The three 50 acres tracts are described in the deed as being granted to Thos. Haslep on 6 December 1785, as being granted to John Dalton on 4 November 1792, and as being granted to John Dalton on 16 December 1799. On 9 June 1817 John Whiteside sold this 300 acres to Thomas Whiteside for 125 pounds (*Rutherford Deed Book 29-32, p. 376*). **John Whiteside only owned this land for seven years or so.**

The first 50 acres tract, described as being granted to Thomas Haslep on 6 December 1785, was one of two grants to Thomas Haslep on that date and will be discussed later.

The second 50 acres tract was actually one-third of a grant to John Dalton. On 6 February 1785 Thoames Heslep had entered a claim for 150 acres "Ling on the South Side of his own Land and on the South Sid of John McCane land & on Nickes Creek" which was "alterid in to John Dorton Nam By order"

(*Rutherford Land Entries, NC Archives C. R. 086.404.2, No. 162*). On 10 April 1786 a survey warrant for this 150 acres for John Dorton was issued to Ezekiel Enloe who surveyed the land for John Dalton on 24 May 1787 (*Rutherford Land Grant File 632*). This tract was immediately south of the southeastern part of the Martin Phifer grant. In 1794 John Dalton sold 100 acres of this 150 acres grant on Nicks / Nickes / Nix Creek to James Care for twenty pounds. Witnesses to the deed were John McCann, Lewcy Dolton, and Anna Dolton (*Rutherford Deed Book 21, p. 248*). Comparison of Dalton's grant (*Rutherford Land Grant File 632*), actually dated 4 January 1792, not November, to the description in the deed from Dalton to Care (*Deed Book 21, p. 248*) indicates that Dalton sold a southern two-thirds of this 150 acres tract to Care, leaving the remaining 50 acres which Dalton later sold to John Whiteside as part of the 300 acres deed.

The third 50 acres tract, stated as being granted to John Dalton on 16 December 1799, was actually part of 100 acres granted to Dalton on that date (*Rutherford Land Grant File 1944*) and comprised its western part. John Dalton had previously sold the eastern part to William Kelly on 24 September 1804 (*Rutherford Original Deed Book 25, p. 18, NC Archives 086.401.19, transcribed into courthouse Deed Book 25, p. 20*). William Kelly sold his part of this grant to Thomas Whiteside on 26 September 1818 (*Rutherford Deed Book 34, p. 89*).

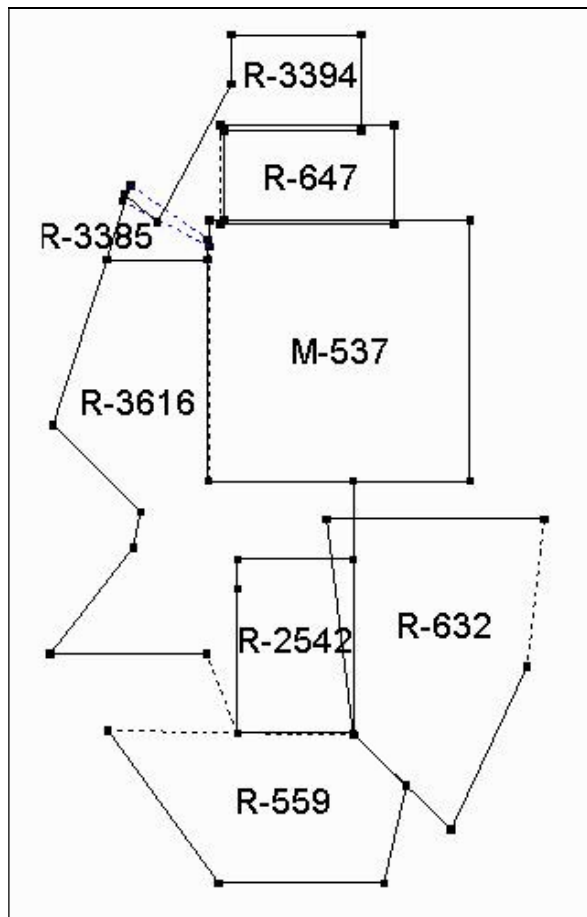
A claim for land south of the Martin Phifer grant was entered by James Kar on 24 September 1803, described as 60 acres "Adjoining his own line & the Specu[tor]n land & Extending over on the Warters of Walnut Creek & Joining Jno. McCans line" (*Rutherford Land Entries, N. C. Archives C. R. 086.404.4, No. 2594/2618*). The survey dated 6 June 1805 describes it as being on Walnut Creek and Nix's Creek and states that it joined Dalton. The chainbearers were John Dalton and Wm. Dolton (*Rutherford Land Grant File 2542*). By 1814 George Morrow was in possession of this 60 acres as well as the 100 acres which John Dalton had sold to James Care. On 23 April 1814 George Morrow sold the 160 acres to Daniel Fenison stating in the deed that it had been sold by James Ker to George Morrow (*Rutherford Deed Book 28, p. 260*). The following year on 22 September 1815 Daniel Fenison sold this 160 acres to Thomas Whiteside. George Kelly and Elisha Kelly witnessed the deed (*Rutherford Deed Book 31, p. 403*).

South of the James Kar 60 acres grant a claim for

100 acres was entered by Permenter Morgon on 28 May 1785. Described as "Lying on a Branch of Walnut Creek" the entry book notes that the survey warrant was to be in "John Whitesides Nam" (*Rutherford Land Entries, NC Archives C. R. 086.404.2, No. 219*). Even so, the land was surveyed for Permitter Morgan 24 May 1787 by Ezekiel Enloe and described as being on the ridge between Broad River and Walnut. Chainbearers were Thos. Haslip and Jno. Dolton (*Rutherford Land Grant File 559*). This land was sold on 3 November 1794 by John Mills to John McCann for 50 pounds. Witnesses were Fardenand Wadlington and John Dalton (*Rutherford Original Deed Bk. 6, p. 241, NC Archives 086.404.2, transcribed into courthouse Deed Bk. 6, p. 119*).

Land joining the west side of the Martin Phifer grant remained vacant for quite some time. On 4 January 1824 John Davenport entered a claim for 50 acres "on the North Side of Broad River Joining his own lines & both Sides of the Rockey branch" (*Rutherford Land Entries, NC Archives C. R. 086.404.5, No. 2543*). The land was surveyed on 16 March 1825 by Francis Alexander with chainbearers John Davenport and Thomas Whitesides (*Rutherford Land Grant File 3394*). This land joined the Martin Phifer grant at its northwest corner on the north side of Broad River and also joined John McCann's 50 acres grant which John Dalton sold to William Searcy. On 12 August 1824 John "Deavenport" entered a claim for ten acres "on the South Side of Main broad River Joining his own lines & Thomas Whiteside" (*Rutherford Land Entries, NC Archives C. R. 086.404.5, No. 2536*). This tract was also surveyed on 16 March 1825 by Francis Alexander with the same chainbearers (*Rutherford Land Grant File 3385*). It joined the Martin Phifer grant at its northwest corner as well but was on the south side of Broad River.

On 14 June 1830 John Devenport and Thomas Whitesides jointly entered 200 acres "on the Waters of Main Broad River Joining Thomas Whitesides John Devenport and the Speculation" (*Jacob Michal's Entry Book, No. 664, formerly at the Norris Library in Rutherfordton*). The land was surveyed 18 February 1831 by Francis Alexander as just 155 acres with chainbearers Jackson Whitesides and Wm. Mileway (*Rutherford Land Grant File 3616*). This land joined the Martin Phifer grant on its west and southwest sides. At the time of his death Thomas Whiteside was in possession of an eastern portion of this grant, and it would appear that he and Davenport may have previously divided the land between themselves.



**M-537 : MARTIN PHIFER.** 200 acres. Granted 30 October 1765. Sold to James Millican 17 January 1777. Sold 28 November 1780 to Julius Clarkson. Sold 15 May 1784 to John McCan.

**R-559 : PERMINTER MORGAN.** 100 acres. Claimed 28 May 1785. Surveyed 24 May 1787. Granted 29 November 1790. Sold 3 November 1794 by John Mills to John McCann.

**R-632 : JOHN DALTON.** 150 acres. Claimed 6 February 1785 by Thomas Heslep. Transferred to John Dorton [Dalton]. Surveyed 24 May 1787. Granted 4 January 1792.

**R-647 : JOHN McKAN.** 50 acres. Claimed 29 January 1785. Surveyed 25 May 1787. Granted 4 January 1792.

**R-2542 : JAMES KARR.** 100 acres. Claimed 24 September 1803. Surveyed 6 June 1805. Granted 2 December 1804 (sic, actually 1805).

**R-3385 : JOHN DAVENPORT,** 10 acres. Claimed 12 August 1824. Surveyed 16 March 1825. Granted 9 December 1825.

**R-3394 : JOHN DAVENPORT,** 50 acres. Claimed 4 January 1824. Surveyed 16 March 1825. Granted 9 December 1825.

**R-3616 : JOHN DAVENPORT and THOMAS WHITESIDE,** 155 acres. Claimed 14 June 1830. Surveyed 18 February 1831. Granted 7 December 1831.

### Nicholas Henson

A survey warrant was issued on 26 April 1768 for 100 acres in Mecklenburg County for Nicholas Henson, described as being "On the So fork of Broad River above McDowell's Land & below Fifer's including his own improvement he now lives on" (*Auditor General List of Land Warrants, NC Archives*). This tract includes the part of Rock Springs Road where it crosses Broad River. It was surveyed for Nicholas Henson on 23 September 1768 by Wm. Sharp and granted to Henson on 22 December 1768 (*Tryon Co., NC Land Grant File 7*). Although McDowell and Phifer (Fifer) appear to have never lived on the land granted to them, Nicholas Henson lived on his grant.

Nicholas Henson died intestate in Tryon County by October 1769 when Phillip Henson became his administrator (*NC Archives, S. S. 884*). Phillip Henson returned an inventory of the estate to the Tryon County court at its July session 1770.

On 15 December 1784 William Nettles entered a claim for 50 acres "Ling on men Broad River at the mouth of Nickes Creek on the South Sid of the Creek Joyingin Nickes Henson Land" (*Rutherford Land*

*Entries, N. C. Archives C. R. 086.404.2, No. 132*). The survey warrant for this tract was transferred by William Nettles to Henry Kelly on 10 April 1785 (*Rutherford Land Grant File 1528*). It is clear that Nickes Creek was named for Nicholas Henson.

Nicholas Henson's heirs Moses Right and Diana Right, Elizabeth Hinson, Jean Hinson, and Ann Gordan Hinson sold Nicholas Henson's 100 acres grant to William Nettles on 20 January 1787. The deed described the land as "lying between George Russels and Thomas Hesslips" and was witnessed by Thomas Heslip, Shadrick Nettle, and Ephaim Hills. The deed erroneously states that it was granted to William Hinson, not Nicholas, on 22 December 1768 (*Rutherford Original Deed Bk. K, p. 147, NC Archives 086.401.11. Transcribed in courthouse Deed Bk K, p. 263*). Moses Right had married Nicholas Henson's widow Diana.

On 18 November 1794 Shadrick Nettles, James Nettles and Cathrene Nettles sold the Nicholas Henson grant to Henry Kelly for 150 pounds, stating in the deed that it was "granted by patent to Nicoles

Hinson 22 December 1768 and after the death of sd. Hinson the land aforesaid falling to Elizabeth Hinson Jean Hinson and Anne Gorden Hinson and being conveyed to William Nettles from Moses Wright Dianah Wright Elizabeth Hinson Jean Hinson Anne Gorden Hinson by deed 20 January 1787 and the sd. deed falling to Shedrick Nettles and James Nettles by heirship at the death of the sd. William Nettles" (*Rutherford Original Deed Bk. Q, p. 126, NC Archives 086.401.16. Transcribed in courthouse Deed Bk. Q, p. 545*).

On 19 September 1796, surveyor Israel Riggs, acting on the warrant that William Nettles transferred to Henry Kelley in 1785, surveyed 50 acres on the south side of Main Broad River for Kelley with chainbearers Wm. Kelley and Jno. Kelley. The land was granted on 11 December 1797 (*Rutherford Land Grant File 1528*).

Henry Kelly entered a claim on 8 April 1812 for 100 acres "on the waters of Main broad River joining lines of George Russel & his own (*Rutherford Land Entries, NC Archives C. R. 085.404.5, No. 970*). See the plat map of the Cove Creek land grants in the Fall 2022 *Bulletin* to see that this tract was on the west side of one of George Russell Jr.'s land grants. The tract was surveyed 20 October 1813 with chainbearers Elijah Kelly and Elisha Kelly and was granted on 24 November 1813 (*Rutherford Land Grant File 2915*).

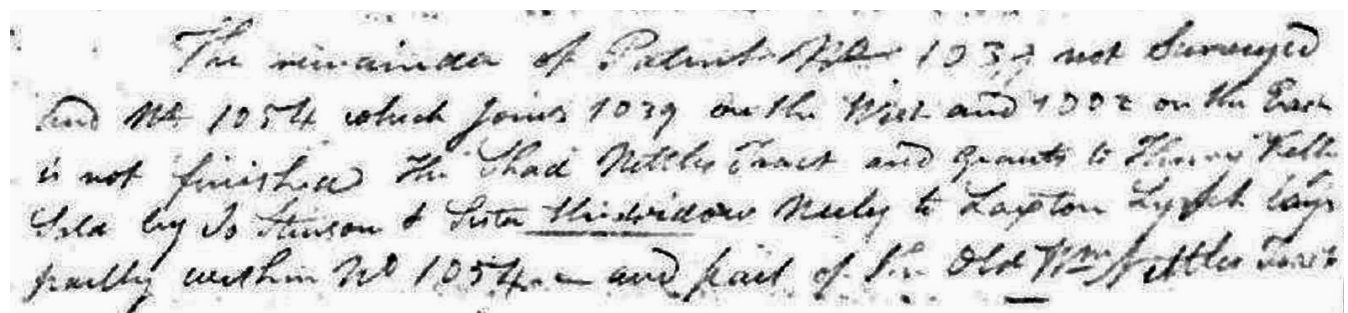
On 4 February 1819 Henry Kelly in three separate deeds sold the Nicholas Henson grant and his two grants above to Margaret Neely. Witnesses to the deeds were M. Dickey and Joseph Stinson (*Rutherford Deed Bk. 32, pp. 88, 89, 96*). Margaret Neely was the widow and second wife of Matthew Neely who had died in York Co., South Carolina where they lived. See "The Jackson Neely Family" in the Spring 2017 *Bulletin*, pp. 43-48. Margaret Neely was a sister of Joseph Stinson and they were both children of another Joseph Stinson who died about 1811 in York Co., South Carolina. On 12 December

1826 Margret Nealy sold to Joseph Stinson as 150 acres the part of the lands on the north side of Main Broad River which she had bought from Henry Kelly in 1819. Witnesses to the deed were John Searcy and Morgan Reavis (*Rutherford Deed Bk. 36, p. 70*).

When Samuel S. Gidney resurveyed the lands of the Speculation Land Company he sometimes recorded notes relative to other land owners. In one he wrote "The remainder of Patent No. 1039 not Surveyed and No. 1054 which joins 1039 on the West and 1002 on the East is not finished. **The Shad Nettles Tract and Grants to Henry Kelly Sold by Jo Stinson & Sister the widow Neely to Laxton Lynch** lays partly within No. 1054 and part of the old Wm. Nettles tract" (*Speculation Land Company Collection, Ramsey Library, UNC-Asheville, Box 8, Folder 42, Item 504, p. 80; reproduced at the bottom of this page*).

This note is important since it appears to be the sole existing documentation that Margaret Neely was Joseph Stinson's sister. The note is likewise important because it indicates that Joseph Stinson and Margaret Neely had directly sold their land to Laxton Lynch. The deeds for these sales are not recorded in the Rutherford deed books. In 1830 both Joseph Stinson and his sister Margaret Neely were living in Buncombe County, NC which probably indicates the sale took place before 1830. They appear to have lived in the part of Buncombe County which became Henderson County where Margaret Neely is listed on the 1840, 1850, and 1860 censuses.

On 31 August 1829 Laxton Lynch entered a claim for 50 acres "on the Waters of Main Broad River Joins some part of his own land" (*Jacob Michal's Entry Book, No. 532, formerly at the Norris Library in Rutherfordton*). The land was surveyed as 40 acres on 17 November 1831 by Francis Alexander with chainbearers Eddison Lynch and Ahijah Lynch and was granted on 7 December 1831 (*Rutherford Land Grant File 3606*). This land joined Henry Kelly's 50 acres grant (*Rutherford Land Grant File 1528*) on Kelly's south side.



The remainder of Patent No. 1039 not Surveyed and No. 1054 which joins 1039 on the West and 1002 on the East is not finished. The Shad Nettles Tract and Grants to Henry Kelly Sold by Jo Stinson & Sister the widow Neely to Laxton Lynch lays partly within No. 1054 and part of the old Wm. Nettles tract.

Land along Broad River was subject to flooding, and Laxton Lynch petitioned the North Carolina General Assembly for a floodgate (*N. C. General Assembly, Session Records, 1832-1833, Box 1*):

To the Honourable the General Assembly of the State of North Carolina Wheare as your petissioner Laxton Lynch has his plantation situate on both sids of Main Broad River near the head of said river whare the banks is low and the curant strong so that in the time of high water subject to be destroyed and your petissioner further states that there is a county road that runs through said land and is not much traveled only in winter season by a few wagons that go to market out of the same nighbourhood and your petissioner prays your honourable body to pas a law in his favour so that he can keep gates acros the road in the summer season to prevent the destruction of his crop and your petissioners as in duty bound will ever pray

John Devenport  
Wm K. Ledbetter  
Aaron W. Whiteside  
Claton Brown  
Stephen Coward  
Wm Hall  
William Richardson  
Thomas Whiteside  
Capt A. J. G. Millaway

When Laxton Lynch died in 1856 he was still in possession of the Nicholas Henson grant and two Henry Kelly grants as well as three other tracts. Part of Laxton's heirs ("M. H. Kilpatrick & wife Martha M. Kilpatrick, A. O. Lynch, L. J. Lynch, Daniel King & Maliina King, A. A. Lynch, Norman Lynch, Joseph King & wife Mary A. Mandy King, William Rucker Sr. & wife Levina Rucker, Edison Lynch") sold their shares in the total 459 acres belonging to Laxton Lynch to T. H. W. Whiteside (Thomas Hemphill Washington Whiteside) on 19 November 1856. The deed describes four tracts, the first one "including the farm where Elizabeth Lynch the widow of Laxton Lynch now lives" (*Rutherford Deed Bk. 48, p. 53*). The Henson and two Kelly tracts compose this first tract. Another grant to Henry Kelly farther down east and later known as the Franky place is the second tract described in the deed. Franky was Frances wife of Charles Pearson. The grant to Laxton Lynch on Nicks Creek is the third tract described in the deed, and a grant to Laxton Lynch joining the Franky place is the fourth tract described in the deed. Laxton Lynch's daughter Almira Catherine is not named in the deed since the land was being conveyed to her husband T. H. W.

Whiteside who already possessed a share due to their marriage. On 17 October 1857 Lewis J. Lynch of California, another heir of Laxton Lynch, by power of attorney to William Rucker sold his share in the 459 acres to T. H. W. Whiteside. In this deed the Henson and two Kelly grants are described as "including the farm where the Laxton Lynch Decest lived in his life time" (*Rutherford Deed Bk. 48, p. 67*). Although Lewis was included in the earlier deed as L. J. Lynch, he did not sign that deed, thus making the second deed necessary.

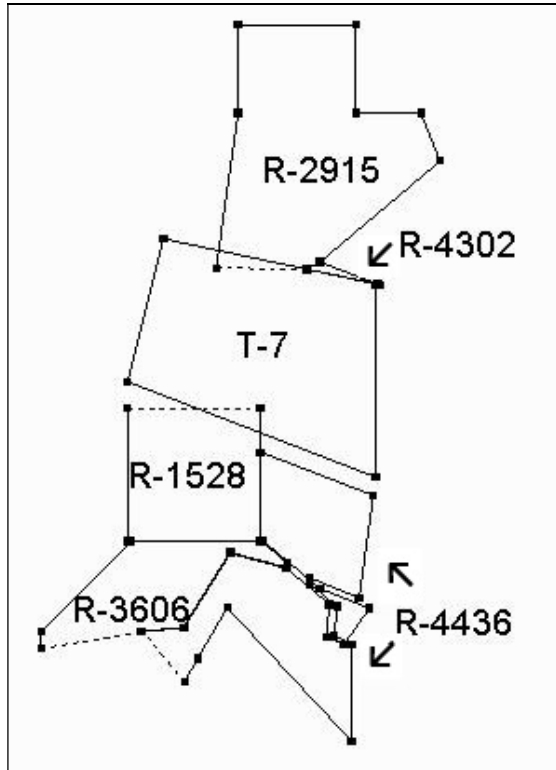
On 23 February 1857 T. H. W. Whiteside entered a claim for 50 acres "on the waters of main broad river joining Elias Lynch & the land of Laxton Lynch Decd" (*Rutherford Land Entries, NC Archives C. R. 086.404.7, no. 40*). The tract was surveyed however as only one and a half acres by Joseph U. Whiteside with chainbearers James H. Whiteside and Norman Lynch. The survey is not dated. (*Rutherford Land Grant File 4302*). This small sliver of land joined the old Nicholas Henson grant at Henson's northeast corner and also joined Henry Kelly's grant (File 2915) at Kelly's southeast corner.

Almira Catherine Lynch Whiteside, as A. C. Whiteside, entered a claim for 100 acres "on the waters of main broad river joining her own land and the speculation" on 27 February 1877 (*Rutherford Land Entries, NC Archives C. R. 086.404.7, no. 505*). The land was surveyed on 19 October 1877 as 72 acres by C. W. Watkins with chainbearers Van Whiteside and Willoughby Whiteside and was granted on 27 November 1878 (*Rutherford Land Grant File 4436*). The land joined her 40 acres (the 40 acres granted to her father Laxton Lynch in 1831 which was purchased by her husband T. H. W. Whiteside from the heirs of Laxton Lynch) on its east side. The south side of her own grant joined a large tract of the Speculation Land Company which ran southeastward on the ridge between the waters of Broad River and Green River. Willoughby Whiteside was a former slave of Thomas Whiteside purchased at the sale of Thomas's estate by Thomas's widow Jane Flack Whiteside.

Van Whiteside who carried the chain for his mother Almira Catherine's 1877 survey was Andrew Sylvanus Whiteside. On 17 February 1883 he entered a claim for 300 acres "on the waters of Main Broad River & Walnut Creek adjoining the Speculation lands Mira Whiteside and others" (*Rutherford Land Entries, NC Archives C. R. 086.404.7, no. 682*). The surveyor J. W. Davis found only 40 acres "on the waters of Main Broad River" when he surveyed the land on 26 December 1884 with chainbearers Anderson Skipper and W. Whiteside (*Rutherford Land Grant File 4474*).

Knowing that there was a small amount of land between the Henson grant and the 50 acres Henry Kelly grant, Van Whiteside as A. S. Whiteside entered a claim for that land which was surveyed 28 May 1909 as 34 acres by M. G. Crow, county surveyor, per E. C. Harris, deputy surveyor. Chainbearers were Berry Whiteside and Boyce Whiteside. The survey describes the land as being "on waters of Main Broad River joins his own and Z. T. Whiteside and others begin on a large poplar on a high ridge just east of

Kelly branch and the public road leading from the Hickory Nut Road to Rock Spring Church. The beginning corner of his H. Kelly 50 a. entry of date 1786 and in line of his N. Henson 100 a. entry" (*Rutherford Land Grant File 4563*). Berry Whiteside, born about 1855, was probably a former slave and Boyce Whiteside was Berry's son. They are listed in the household after Van Whiteside and his mother on the 1910 Rutherford County census.



**T-7 : NICHOLAS HENSON.** 100 acres. Surveyed 23 September 1768. Granted 22 December 1768. Sold 20 January 1787 to William Nettles. Sold 18 November 1794 to Henry Kelly. Sold 4 February 1819 to Margaret Stinson Neely.

**R-1528 : HENRY KELLY.** 50 acres. Claimed by William Nettles 28 September 1784 and transferred to Henry Kelly 10 April 1785. Surveyed 19 September 1796. Granted 17 December 1797. Sold 4 February 1819 to Margaret Stinson Neely.

**R-2915 : HENRY KELLY.** 100 acres. Claimed 8 April 1812. Surveyed 20 October 1813. Granted 24 November 1813. Sold 4 February 1819 to Margaret Stinson Neely.

**R-3606 : LAXTON LYNCH.** 50 acres. Claimed 31 August 1829. Surveyed 17 November 1831. Granted 7 December 1831.

**R-4302 : T. H. W. WHITESIDE.** 1 and 1/2 acres. Claimed 23 February 1857. Survey undated. Granted 24 December 1857.

**R-4436 : ALMIRA CATHERINE LYNCH WHITESIDE.** 72 acres. Claimed 27 February 1877. Surveyed 19 October 1877. Granted 27 November 1878.

### William Robins

A survey warrant was issued on 10 December 1770 for 50 acres in Mecklenburg County for William Robins, described as being "On the NE side of the So fork of Broad river nearly joining on the Lower side of Martin Pfifers Land" (*List of Land Warrants, NC Archives SS 946.3, no. 436*). The land was surveyed on 22 June 1771 by John Kirkconell with chainbearers John Carick and William Henson and was granted 14 November 1771. It was then described as being "on both sides of the So. fork of Broad River beginning at a hickory at the bent of the river near Martain Phiffers land runs So. 90 poles crossing the river to a hickory thence Et. 90 poles to a white oak thence No. 90 poles crossing the river to a hickory thence to the beginning" (*Tryon Co., NC Land Grant File 395, NC Land Grant Bk.*

*20, p. 698*).

Knowing the location of the Martin Phifer grant and having the two descriptions above makes it easy to identify **the William Robins grant as being mostly on the northeast side of the bend in Broad River east of the Phifer grant, namely 50 acres which included what was much later known as the Pumpkin Center.** Robins owned it from 22 June 1771 until 25 July 1785 when William Robin / Robins of Rutherford County sold this 50 acres to Thomas Heslip for 50 pounds. Witnesses to the deed were David Millar, Peter Johnston, and Thos. Early (*Rutherford Original Deed Bk. G., p. 69, no. 841, NC Archives 086.401.8, Transcribed in courthouse Deed Bk. G, p. 286*).

William Robbins was a pioneer, having been part of a hunting expedition into what later became Rutherford County, probably in the 1750's. His account of the trip as related by Robert Henry can be found in the *Bulletin* of Spring 2022, pp. 43-44.

On 28 September 1784 Sileay Tealor entered a claim for 100 acres "Ling on the north Sid of Mean Broad River Includng Both Sides of a Creek & **on the mouth of the Creek that Empeys into Broad River Betwin William Robines Land & Nick hensions** and up the Creek" further stipulating that "the Warint to Be in Charles Tealers nam" (*Rutherford Land Entries, N. C. Archives C. R. 086.404.2, no. 98*).

Sileay Tealor is in fact Celia Taylor who in July 1782 "in behalf of Arthur Taylor dec'd came into court & prays a tryal on the estate of said Aurther" (*Rutherford Court of Pleas and Quarter Sessions, July 1782*). In October 1782 it was "Ordered by the court that Celia Taylor be & is hereby forfeited of all the estate of Arthur Taylor deceased who died in the service of his country except such part of his estate as the said Arthur Taylor conveyed in his lifetime" (*Rutherford Court of Pleas and Quarter Sessions, October 1782*). In January 1783 it was "Ordered that letters of administration issue to Celia Taylor & Thomas Haslep on the estate of Arthur Taylor deceased. The(y) gave bond with James Miller & Andrew Hampton securities in the sum of three hundred pounds specia." (*Rutherford Court of Pleas and Quarter Sessions, January 1783*). In April 1783 "Celia Taylor & Thomas Haslep administrators on the estate of Arthur Taylor deceased on oath the court granted an order of sale." (*Rutherford Court of Pleas and Quarter Sessions, April 1783*). In July 1783 "Thomas Haslep & Celia Taylor adminstrators on the estate of Arthur Taylor deceased returns an amount of sale." (*Rutherford Court of Pleas and Quarter Sessions, July 1783*).

On 20 January 1785 a warrant was issued to survey the land in Sileay Tealor's entry. The land was surveyed by Timothy Riggs on 28 January 1785 with chainbearers Thomas Heslip and John Williams. The survey mentions chestnuts in the lines of Nicholas Hinson and William Robins. The land was granted to Charles Taylor on 16 December 1785 (*Rutherford Land Grant File 146*). Charles Tylar (sic) sold his 100 acres grant to Thomas Heslep on 9 July 1791. Witnesses to the deed were John Dolton, Gtt. Smethers, and Esther Morgan (*Rutherford Original Deed Bk. K, p. 82, NC Archives 086.401.11, Transcribed in courthouse Deed Bk. K, p. 219*).

On 5 November 1784 Thoames Heselip entered a claim for 50 acres "Ling on the South fork of Broad

River Joying William Robins Land Includng John Davies Cabing" (*Rutherford Land Entries, NC Archives 086.404.2, no. 113*). The land was surveyed 28 January 1785 by Timothy Riggs with chainbearers Shadrach Nettles and Charles Taylor and with description "on both sides of Main Broad River begining at a hicorie on the north bank of the river corner of William Robinses land thence East along Robinses line ninety poles to a stake Robinses other corner thence South seventy poles to a stake in Robinses line thence East six poles to a stake in Charles Taylors line thence North along said line one hundred and fifty poles to a stake thence West ninety six poles to a stake thence South eighty poles to the begining." The land was granted 16 December 1785 (*Rutherford Land Grant File 149*).

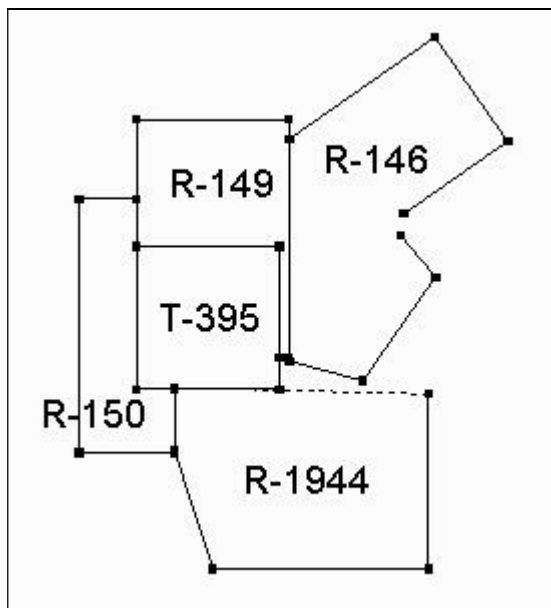
On 10 November 1784 Thoames Heselip entered a second claim for 50 acres "Ling on the South fork of Broad River Joyingen William Robines Land on a Small Brench of the Sam" (*Rutherford Land Entries, NC Archives 086.4042, no. 114*). The land was stated to have been surveyed on 29 January 1784, but certainly 1785, by Timothy Riggs with chainbearers Shadrach Nettles and Charles Taylor and with description "on both sides of Main Broad River begining at a white hicorie on the north bank of the river in William Robinses line thence West 24 poles to a stak Robinses corner thence North along Robinses line by his corner 120 poles to a small white oak by a branch in a deep hallow thence West 36 poles to a large white oak thence South 160 poles crossing the river to a red oak thence East 60 poles to a chestnut thence crossing the river to the begining." The land was granted 16 December 1785 (*Rutherford Land Grant File 150*). This tract appears to be the first of the 50 acres tracts which John Dalton sold to John Whiteside in 1810.

As previously mentioned, John Dalton came into possession of one of Thomas Haslep's 50 acres grants. Excluding that one, Thomas Haslep had acquired 200 acres by 1791 (the William Robins grant, the other of his own two 50 acres grants, and the Charles Taylor grant). On 11 January 1799 in two separate deeds Thomas Haslep sold 200 acres of his land. He sold to William Cally / Calley 50 acres "being part of the land sd. Heslip claimed on the south side of the river" (*Rutherford Deed Bk. 13, p. 266*). William Cally in other records is William Kelly. Thomas Haslep sold to John McCan 150 acres "**being all the land the sd. Heslip claimed on the north side of the river**" (*Rutherford Deed Bk. 22, p. 247*). On 1 October 1804 John McCann sold the 150 acres to William Kelly and in the deed mentions "the beginning corner of Celia Taylors old tract" (*Rutherford Original Deed Bk. 25, p. 21, NC Archives 086.401.19, Transcribed in courthouse*



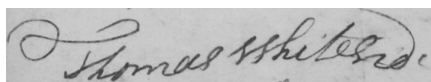
Deed Bk. 25, p. 22). On 26 September 1818 William Kelly sold to Thomas Whiteside 250 acres which was described as being part of three tracts of land. The deed was witnessed by Marthew Devenport. (*Rutherford Deed Bk. 34, p. 89*). Fifty acres of the 250 acres had been purchased by Kelly from John Dalton in 1804, the other 200 acres as just discussed from Thomas Haslep and from John McCann.

On 6 July 1823 Joseph Stinson sold to Thomas Whiteside one acre on Seley's branch of Broad River joining William Kelly. (*Rutherford Deed Bk. 34, p. 264*). How Joseph Stinson acquired that acre is not known, since he did not purchase land from his sister Margaret Neely until 1826. Seley's branch was no doubt named for Celia Taylor, widow of Arthur Taylor.



**T-395 : WILLIAM ROBINS.** 50 acres. Surveyed 22 June 1771. Granted 14 November 1771. Sold 25 July 1785 to Thomas Heslip.  
**R-146 : CHARLES TAYLOR.** 100 acres. Claimed by Celia Taylor 28 September 1784. Surveyed 28 January 1785. Granted 16 December 1785. Sold 9 July 1791 to Thomas Heslip.  
**R-149 : THOMAS HASLEP.** 50 acres. Claimed 5 November 1784. Surveyed 28 January 1785. Granted 16 December 1785.  
**R-150 : THOMAS HASLEP.** 50 acres. Claimed 10 November 1784. Surveyed 29 January 1785. Granted 16 December 1785.  
**R-1944 : JOHN DALTON.** 100 acres. Claimed 15 May 1798. Surveyed 20 November 1799. Granted 16 December 1799. East part sold 24 September 1804 to William Kelly. West part sold 27 April 1810 to John Whiteside.

### The Division of Thomas Whiteside's Land after His Death

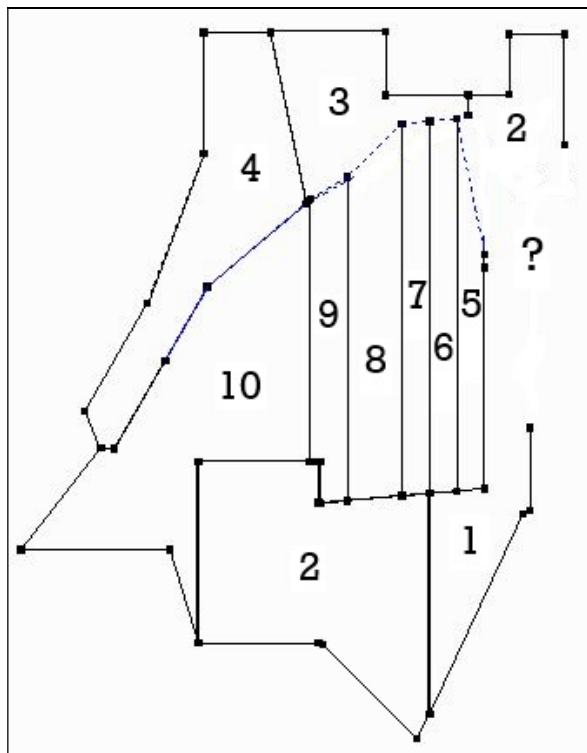


Above is the signature of this Thomas Whiteside from Laxton Lynch's 1832-1833 petition to the NC General Assembly. By studying the land grants and deeds presented in the preceding sections on land in the vicinity of Martin Phifer and William Robins, it becomes clear that Thomas Whiteside eventually acquired and consolidated most of that land. Thomas Whiteside was a son of John Whiteside and Eleanor Kelly and the grandson of Mary Underwood Whiteside Russell and her first husband **William** Whiteside. Thomas's tombstone in Bills Creek Baptist cemetery reads "IN memory of / THOMAS WHITESIDE. / was born Feb, 22<sup>d</sup> in the / year of our Lord 1790. / and died Jan. 15<sup>th</sup> 1840." Thomas married as his first wife Rachel Hemphill (26 March 1790 – 3 April 1833) and as his second wife Jane Flack who survived him. At the February 1840 Rutherford County Court of Pleas and Quarter Sessions "The court appointed Aron W. Whitesides and Thos. W.

Whitesides administrators of the estate of Thomas Whitesides deceased who gave bond with Robert G. Twitty and Felix Logan for security. Order of sale granted." (*Rutherford Estates Book A, p. 518*). This Aaron W. Whiteside was a brother of Thomas Whiteside. The other administrator was T. H. W. Whiteside, Thomas's son. An inventory of the personal estate was made on 2 February 1840 and returned by the administrators. Land was not included in the inventory. (*Rutherford Estates Book A, pp. 504-506*). The considerable personal estate of Thomas Whiteside was sold on 23 March 1840 and listed along with the purchasers in the sale bill (*Rutherford Estates Book B, pp. 4-13*). A second small sale was made commencing on 21 May 1841 (*Rutherford Estates Book B, pp. 121-122*). In February 1842 the court appointed John Gilkey, Wm. Richardson, and D. B. Freeman a committee to settle with the administrators of Thos. Whitesides

(Rutherford Estates Book B, p. 173).

The real estate of Thomas Whiteside was divided into lots which were assigned to his heirs. At the Spring 1841 Court of Pleas and Quarter Sessions John Koone was "appointed to correct a survey made by Francis Alexander in allotting of the lands to Eleanor Whiteside & Aaron W. Whiteside orphans and heirs of Thos Whiteside deceased." At the July 1841 Rutherford Court of Pleas and Quarter Sessions the plats and certificates returned by the surveyors and commissioners appointed to divide the real estate were confirmed and ordered to be recorded. Ten lots (all dated 10 March 1840 before the order to correct) and a dower tract are listed: Lot 1, Elianor Whitesides, 110 acres; Lot 2, Aaron W. Whitesides, 155 acres; Lot 3, Marcus L. Whitesides, 50 acres; Lot 4, Thomas H. W. Whitesides, 64 acres; Lot 5, Andrew J. Whitesides, 34 acres; Lot 6, William L. D. Whitesides, 34 acres; Lot 7, James H. Whitesides, 34 acres; Lot 8, John Coxy in right of his wife Mary Jane, 67 acres; Lot 9, J. C. Whitesides, 38 acres; Lot 10, Jackson G. J. Whitesides, 200 acres.



Division of land of Thomas Whiteside among his children by lot number. Lots 1 and 2 do not properly close, hence the "?". The widow Jane Flack Whiteside's portion is on the east side of these ten lots.

The disparity in value among the lots was equalized by payments from each lot holder to another, and the

net value of each child's part including these payments was 271 dollars. Thomas's widow Jane was allowed 330 acres. In total, 1,116 acres were divided among the heirs. (Rutherford Court of Pleas and Quarter Sessions, Minutes, July 1841). This is considerably more than the sum of all the acreage that Thomas is known to have purchased. Some of the excess may be land bought from the Speculation Land Company and never recorded. The lot descriptions of Thomas Whiteside's land were recorded in Deed Book 44, pp. 220-225, but the plats were not redrawn into the deed book and, like most early Rutherford County loose estate papers, the actual plats have not survived as public records. Despite the need for correction of the lots of Aaron W. and Eleanor Whiteside the lines of those lots as recorded do not properly close. This suggests that the corrections ordered by the court may not be reflected in the deeds that were recorded.

The deed to Thomas's widow Jane states that "she the said Jane widow & Relick of Said Thomas Deceased **shall receive & remain in possession of the Mansion House & all the out Houses adjoining round the same** - The Garden &c. - The Land allotted to said Jane containing three hundred and thirty acres the Land lines **Joining to Laxton Lynch** the upper lines Joining the Lands of her two Children's Lots No. 1 & 2. Beginning at a walnut on the edge of the hickory nut gap Road Runing thence S 7 E 50 pole to a Red oak on the East Bank of the River thence S. 5 W. 28 pole crossing the River to a Big B. oak and thence Round & as the above Plat represents." (Rutherford Deed Bk. 48, p. 220). Unfortunately, since the plat was not redrawn into the deed book, the eastern lines of the 330 acres are not in this record but they reached as far east as the lands of Laxton Lynch which were the original grants to Nicholas Henson and Henry Kelly. Jane Flack Whiteside and her two children Eleanor and Aaron W. Whiteside in total received 595 acres of the 1,116 acres. Her two children's lots adjoined hers on the western (i.e., upper or up-river) side of her land. The "mansion house" of which Jane was to "remain" in possession had been the home of Thomas Whiteside and is almost certainly the log structure which formed the core of the house known as the Pumpkin Center in recent times. If, as has been claimed, the log structure dates to Revolutionary times, it would have been there when William Robins owned the land from 1771 to 1785.

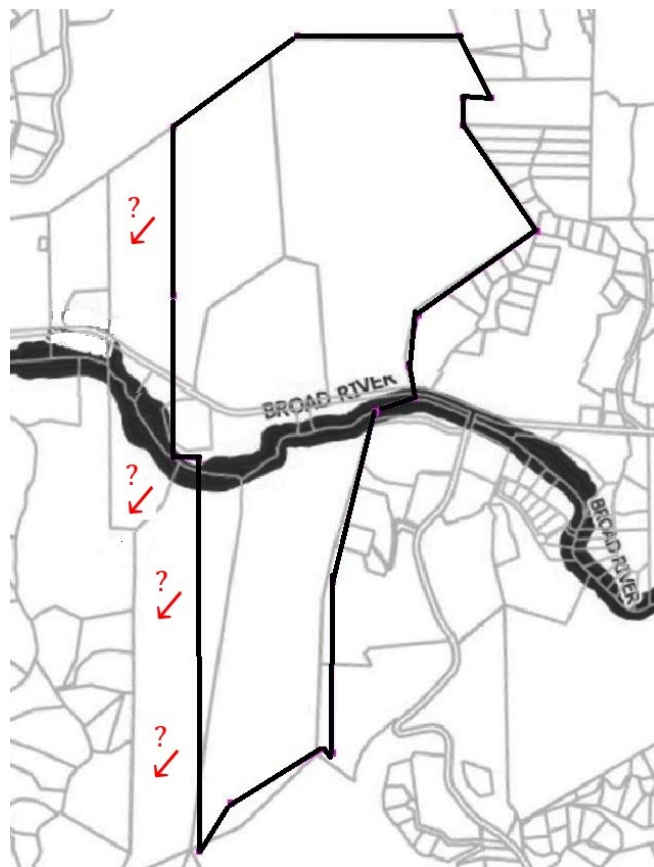
On 8 August 1859 A. W. Whiteside sold to his half-brother J. H. Whiteside all of the land he inherited from Thomas Whiteside as well as his interest in the dower of his mother Jane Whiteside (Rutherford Deed Bk. 48, p. 135). On 24 August 1859 Eleanor Whiteside Elliott and her husband J. W. Harris Elliott sold to her

half-brother James H. Whiteside all of the land she inherited from Thomas Whiteside as well as her interest in the dower of her mother Jane Whiteside (*Rutherford Deed Bk. 48, p. 138*). Jane Flack Whiteside was living in Rutherford County in 1860, 1870, and 1880 with her daughter Eleanor and son-in-law J. W. Harris Elliott.

James Hardy Whiteside (10 June 1818 – 7 April 1861) married first in 1840 to Jane Lynch and second in 1846 to Minerva Edgerton. After the death of James H. Whiteside his widow Minerva married Henry Portrum. None of the children of James H. Whiteside survived him. On 10 October 1861 the dower of Minerva Whiteside in the land of her late husband J. H. Whiteside was laid off by commissioners appointed for that purpose at the July 1861 Court of Pleas and Quarter Sessions. Described as being one-third of 300 acres in a petition of Minerva Whiteside, the deed further describes the land (i.e., the 300 acres) as **beginning at a hickory North side of the hickory nut gap road near the bend of the River above the mansion house where the widow now lives running with the meanders of the River South 100 poles** then still with the River S. 83 E. 16 poles to the mouth of a small branch on the South side of the River then South 242 poles to the outside line then with said line N. 65 E. [ ] to a p. o. the old corner then with said line N. 60 E. 66 poles to a stake, then S 70 E 6 poles to a b. o. then [N] 106 poles to a stump then N. 14 E. 108 poles to the River then down the River as it meanders N. 70 E. 26 poles to a stake on the North bank of the River then N. 10 W. 20 poles to a stake, then N. 10 E. 32 poles to a pine then N 55 E 90 poles to a pine then N. 35 W. 27 (sic) poles to a b. o. then N 17 poles to a sourwood then E. 17 poles to a p. o. then [N] 27 W 43 poles to a w. o. then West 100 poles to a hickory then S 53 1/2 W. 95 poles to a crooked w. o. then South 104 poles to the beginning. (*Rutherford Deed Bk. 48, p. 380*). **This deed finally provides the metes and bounds of the dower land of Jane Flack Whiteside which were omitted in the recorded description of the dower land after Thomas Whiteside's death.** Many of its boundaries are still property lines in the area today, and importantly, one of the lines is part of the west line of the old Nicholas Henson grant (see illustration at right). It also reveals that the old Charles Taylor grant overlaps the younger northmost Henry Kelly grant which is easily located on the current Rutherford County GIS map by using Kelly's eastern boundaries.

On 16 January 1885 Henry and wife Minerva Portrum sold to Z. T. Whiteside for 1200 dollars her dower as described in the 1861 deed (*Rutherford Deed Bk. 57, p. 342*). On 26 December 1885 A. S.

Whiteside and G. W. Whiteside and Amanda Whiteside made a quit claim deed to Z. T. Whiteside for this land (*Rutherford Deed Bk. 59, p. 460*). This quit claim was likely due to the Z. T. Whiteside purchase overlapping part of the land of their father T. H. W. Whiteside which he had purchased from the heirs of Laxton Lynch. A. S. "Van" Whiteside, G. W. Whiteside, and Z. T. Whiteside were the children of James Hardy Whiteside's brother Thomas Hemphill Washington Whiteside and Almira Catherine Lynch. Amanda was Amanda Williams, wife of George W. Whiteside. Z. T. Whiteside was Rev. Zachary Taylor Whiteside (12 December 1846 – 11 June 1915) who married Harriet Susan Morgan (12 February 1853 – 27 December 1907). Their son James Washington Whiteside (27 August 1884 – 9 February 1956) married Hattie Ledbetter (9 January 1887 – 25 August 1965), and among their children was a son Zachary Taylor Whiteside (31 July 1922 – 8 October 2005) who lived at and was proprietor of the Pumpkin Center.



**The Jane Flack Whiteside Tract**  
including the once Pumpkin Center in the river's bend  
(approximate overlay on current owners' lands)  
(Old lines of the Nicholas Henson and Charles Taylor grants are partially intact.)