

# Christopher Chaney, Texas Patriot

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## Introduction

The following material is the first installment in a forthcoming series of articles concerning the many descendants of Christopher Chaney in Texas. Each article will focus on the family of one particular individual, his or her spouse, and their children. For this the first installment, the focus is on the family of the earliest proven ancestor, Christopher Chaney. Future articles will focus upon each of his children, as more research is completed. Hopefully, the following will provide some new and interesting family history to some unknown cousins. Of course, it is hoped that descendants or other interested researchers will step forward with new information. The author invites comments, corrections, as well as suggestions for further research from all readers.

## Origin of the Chaney Family in Southwestern Virginia

In 1810, the Court of Russell County, Virginia ordered James Francis, John Chaney, Hezekiah Chaney, and Abel Chaney, all poor children, bound out as apprentices.<sup>1</sup> Unfortunately, no further mention of the four children has been found in the county records. One can only assume that the three young Chaney boys were brothers, all under the age of majority. Perhaps they were orphans with no means of support. During that period in Virginia, the county courts commonly apprenticed young orphans, rather than provide for them directly from public funds.

The three may well have been the younger brothers of Greenberry Chaney, who appears on the 1809 and 1810 tax lists.<sup>2</sup> Both years Greenberry paid the tax for himself and one horse. The three lads were not his orphaned sons, as Greenberry Chaney subsequently appears on the tax lists for the years 1811, 1812, and 1813. He probably was the same Greenbury Chany who appears on the Wythe County, Virginia personal property tax list of 1796.<sup>3</sup> On the list of Captain Samuel Crockett recorded on March 29th, Greenbury Chany appears with one male over 16 and one horse. Hezekiah Chany appears on the same list with one male over 16, five blacks over 16, twenty horses, and one stud horse recorded April 1st. This is the first appearance of Greenbury Chaney found in any Virginia record. If he had been living in Wythe County prior to that time, then he reached 21 years of age that year. However, if he was a recent immigrant into Wythe County, then he may have been older than 21. In either event, he was born circa 1775 or earlier.

From the similarity of the names, it is likely that Greenberry Chaney and the three young Chaney boys were related to the Hezekiah Chaney, who settled circa 1782 in that portion of Montgomery County that became Wythe County in 1789. Hezekiah Chaney, James White, and John White witnessed a series of

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<sup>1</sup> Court Order Books, Russell County, Virginia, Book 4, Page 135. Russell County Courthouse, Lebanon, Virginia. (Hereinafter cited as Russell Orders).

<sup>2</sup> Personal Property Tax Lists, Russell County, Virginia, 1787-1850. All Virginia tax records at Virginia State Library and Archives, Richmond, Virginia.

<sup>3</sup> Personal Property Tax Lists, Wythe County, Virginia, 1793-1850.

three deeds, all dated in September of 1782, in which John Reagh conveyed several tracts of land along Cripple Creek.<sup>4</sup> Hezekiah Chaney appears in the extant Wythe County tax lists continuously until his death there in 1813. His will, signed on March 12, 1812 and admitted for probate on July 13, 1813, names his sons Hezekiah, Archibald, Abel, and the two youngest Hosea and Hiram.<sup>5</sup>

Hezekiah was the son of Richard Chaney who died intestate in Anne Arundel County, Maryland. Son Abel Chaney, as administrator, filed the distribution of the estate.<sup>6</sup> The sureties were Charles Johnson and Thomas Chaney. The distribution indicates that tenths were given to Thomas Rowles (husband of Sarah Chaney), Hezekiah Chaney, William Marsh (husband of Mary Chaney), Nathaniel Hancock (husband of Sophia Chaney), Michael Dunn (husband of Elizabeth Chaney), Abel Chaney, James Holmes (husband of Delilah Chaney), Thomas Chaney, Greenberry Gray (husband of Susannah Chaney), and Dennis Robinson (husband of Ann Chaney) on May 16, 1793. Greenberry Chaney and Hezekiah Chaney sued Michael Dunn in Wythe County, Virginia over a civil matter in 1798.<sup>7</sup> While the suit dragged on for two years, the object of it was not recorded. It is reasonable to conclude that Greenberry and the three Chaney lads were sons of either Thomas or Abel Chaney and grandsons of Richard Chaney of Anne Arundel County. But, which of the two was the father of the three young apprentices, John, Hezekiah, and Abel, is not known. Perhaps their father, either Thomas Chaney or Abel Chaney, came to Virginia in the 1790's and died soon thereafter without leaving any trace.

On December 11, 1818, Christianna Trout, of Russell County and heir of Philip Trout deceased, sold her interest in the 150-acre tract on Little Cedar Creek to her brother Christopher Chaney of Washington County for \$52.50.<sup>8</sup> The land was part of a 200-acre tract located about three miles south of the courthouse that Philip Trout had purchased on September 2, 1806.<sup>9</sup> From the evidence available, it is known that Christiana Trout and Christopher Chaney were siblings. The three apprentices appear to have been their younger brothers and Greenberry Chaney their older brother. All six probably were children of either Thomas or Abel Chaney. Perhaps, some were children of Thomas Chaney and some were children of Abel Chaney. The possible combinations and permutations seem endless!

## **The Early Years in Russell County**

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<sup>4</sup> Land Records, Montgomery County, Virginia, Deed Book A, Pages 288, 289, and 291. Montgomery County Courthouse, Christiansburg, Virginia.

<sup>5</sup> Probate Records, Wythe County, Virginia, Will Book 2, Page 88. Wythe County Courthouse, Wytheville, Virginia.

<sup>6</sup> Distribution of Personal Estates, Register of Wills, Anne Arundel County, Maryland, 1788-1838, Liber JG No.1, Folio 40. Maryland State Archives, Annapolis, Maryland.

<sup>7</sup> Minutes of the County Court, Wythe County, Virginia, September 13, 1798. Virginia State Library and Archives, Richmond, Virginia.

<sup>8</sup> Land Records, Russell County, Virginia, Deed Book 6, Page 153. Russell County Courthouse, Lebanon, Virginia. (Hereinafter cited as Russell Deeds).

<sup>9</sup> Russell Deeds, Book 4, Page 15.

**1. Christopher Chaney** was born circa 1794, probably in Wythe County, Virginia. The first record of him that has been found is his appearance on the 1817 personal property tax list of Russell County.<sup>10</sup> He paid the poll tax for himself, but no other personal property. Thus, assuming that he had recently turned twenty-one years old, he probably was born in 1795 or possibly 1794. In September of 1817, when the Russell County Court appointed Christopher Chaney as guardian for Christanah, Barbary, Catherine, Jacob, and Daniel infant orphans of Philip Trout, deceased.<sup>11</sup> By this date, young Christopher had married and started his family. Until more records come to light, nothing can be known for sure about his earlier life. Because he could sign his name, we know that he received at least some schooling however rudimentary. Based solely upon the births of his children, it is presumed that Christopher married circa 1815 probably in Russell County. Because the first Russell County marriage record book is now lost, no record of his marriage has been found. Later hints indicate that he may have earned his living as a farm laborer, miller, or blacksmith.

Christopher Chaney purchased a 102-acre tract of land on Little Cedar Creek in Russell County from John Bates in 1819.<sup>12</sup> The purchase probably was made purely as an investment. Soon thereafter, he moved his family south over the mountain into Washington County, in time for the 1820 Census.<sup>13</sup> In his household were:

**Males**

One, under 10 years  
One, between 16 and 26

**Females**

One, under 10 years  
One, between 16 and 26

Naturally, it is presumed that the two older persons are Christopher and his wife Rebecca. The young male is presumed to be their oldest son, Francis, and the young female their oldest daughter, Mahala. Early that same year, Christopher and his wife, Rebeccah, then living in Washington County, sold their two tracts of land in Russell County for \$325 to David Hanson.<sup>14</sup> The first was the 102-acre tract that he had purchased from John Bates and the second was a 25-acre tract that was his sister's interest in her husband's property. Even after moving his family to Washington County, he continued to work in Russell County. The county court there paid him \$2, in June 1823, for putting irons on John Elliott, a prisoner committed for murder in 1817.<sup>15</sup> Was he a blacksmith by trade?

On October 18, 1820, Landman Short and his wife, Nancy, sold a 76-acre tract on Smith's Creek in Washington County to Christopher Chaney for \$200.<sup>16</sup> Just one year later, Christopher and his wife,

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<sup>10</sup> Personal Property Tax Lists, Russell County, Virginia, 1787-1850.

<sup>11</sup> Russell Orders, Book 5, Page 437.

<sup>12</sup> Russell Deeds, Book 6, Page 242.

<sup>13</sup> 1820 Census, Washington County, Virginia, Page 202. All Virginia census records at Virginia State Library and Archives, Richmond, Virginia.

<sup>14</sup> Russell Deeds, Book 6, Page 301.

<sup>15</sup> Russell Orders, Book 7, Page 83.

<sup>16</sup> Land Records, Washington County, Virginia, Deed Book 7, Page 272. Washington County

Rebecca, sold that land to Henry Pippin for \$200.<sup>17</sup> Thus, Christopher made no profit on the sale. Had his fortunes turned sour? Was he forced to sell in order to raise capital? It is not known how he used the property. Did he live on it, farm it, or lease it to others? The 1821 Tax List shows that Christopher paid the taxes on this property.<sup>18</sup>

Then, on March 29, 1825, Michael Fleenor and his wife, Sally, sold a 232-acre tract of land to Christopher Chaney for \$200.<sup>19</sup> The tract was located on both sides of the North Fork of the Holston River at the mouth of Davis Creek. Apparently, Christopher was unsuccessful in farming his property or in establishing a milling enterprise on Scott Creek. As a result, he and John White became indebted to Alexander Findlay and John D. Mitchell in the amount of \$1,206.72. Could this John White, who was Christopher's business partner, be the same John White who witnessed the deeds with Hezekiah Chaney in Montgomery County in 1782? In order to provide security for that debt, Christopher conditionally sold three tracts of land to Jacob Lynch.<sup>20</sup> The terms of the deed provided that the sale was null and void if the debt were satisfied. The first tract he had purchased from Michael Fleenor in 1825. The second tract on the North Fork of the Holston River he had purchased from Daniel Ragan. And, the third tract of 300 acres on the North Fork he had purchased from Elijah Gillinwaters, Jr.

However, it seems peculiar that no record can be found of any purchase from Elijah Gillinwaters. It also seems peculiar that the sale of the 33 acres on the North Fork of the Holston River from Daniel Ragan and wife, Catherine, of Sullivan County, Tennessee did not take place until May 23, 1831.<sup>21</sup> Christopher paid the taxes on his 232-acre tract purchased from Michael Fleenor each year from 1826 through 1834. He did not pay the taxes on the other two tracts until 1835. Thus, he seems not to have owned the two properties until after he sold them! Perhaps he was leasing the lands or otherwise owned the right to purchase them and did not exercise his option until later. Alternatively, perhaps the county clerk erred when recording the deeds. The tax records indicate that both of the tracts had been transferred to Christopher Chaney from D. Ragan. In 1830, Christopher was still living in Washington County.<sup>22</sup> In his household were:

| <b>Males</b>           | <b>Females</b>         |
|------------------------|------------------------|
|                        | Two, under 5 years     |
|                        | Two, between 5 and 10  |
| One, between 10 and 15 | Two, between 10 and 15 |
| One, between 20 and 30 | One, between 20 and 30 |

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Courthouse, Abingdon, Virginia. (Hereinafter cited as Washington Deeds).

<sup>17</sup> Washington Deeds, Book 7, Page 412.

<sup>18</sup> Land Tax Books, Washington County, Virginia.

<sup>19</sup> Washington Deeds, Book 8, Page 438.

<sup>20</sup> Washington Deeds, Book 9, Page 529.

<sup>21</sup> Washington Deeds, Book 11, Page 361.

<sup>22</sup> 1830 Census, Washington County, Virginia, Page 237.

In addition, Christopher owned two slaves. The census record places his date of birth between 1790 and 1800. The previous census record of 1820 narrows the range to between 1794 and 1800. His first appearance on the 1817 tax rolls indicates a probable birth year of 1794 or 1795. By escaping the court ordered apprenticeship, he must have been at least 16 years of age in 1810. Thus, 1794 remains the best estimate for his date of birth. It is presumed that the seven children were their own. The only male child is their son Francis. The oldest two daughters are Mahala and Evaliza. The two middle females are Jane and an unknown daughter. The youngest two females are Elizabeth and Martha.

Christopher satisfied most of his debt obligations, but remained indebted to Alexander Findlay and John D. Mitchell in the amount of \$270.37. He was willing to secure his remaining debt by selling lands to David Cambell for \$300 on July 27, 1834.<sup>23</sup> The deed specified that the sale would be null and void if the debt were satisfied. The sale included his 150-acre tract purchased from Michael Fleenor and "*such lands sold by James White to said Chaney on same side of River, except five acres sold to Abram Mongle.*"

Christopher's fortunes improved sufficiently for him to pay his debts and prevent the sale of his lands, but not enough for him to remain in southwestern Virginia. Whether his milling business was struggling, the lure of new cheap lands in the west was overpowering, or he answered the patriotic call for volunteers to defend democratic principles and free his fellow Americans from Mexican tyranny, Christopher chose to leave Appalachia and move his family to Texas. On August 24, 1835, he sold a 10-acre part of the old Michael Fleenor tract to Abram Mongle for \$50.<sup>24</sup> Just two days later, for \$600, he sold to Abram Nordyke, Abram Mongle, Elijah Mongle, and John Dickerson his remaining lands on the south side of the North Fork of the Holston River, including his mills near the mouth of Scott Creek.<sup>25</sup> His wife, Rebecca, relinquished her dower rights by signing her mark. And on August 31, 1835, Christopher and Rebecca sold to Abram Linder for \$400 a 193-acre tract on the North Fork known as *The Boatyard Place*.<sup>26</sup>

Christopher paid taxes on only three tracts of land for the years 1834 and 1835. The first was the 232-acre tract at the mouth of Davis Creek purchased from Michael Fleenor. The second was the 140-acre tract on the West Fork of the Holston River on both sides of Little Moccasin Gap purchased from Daniel Ragan. And the third was the 33<sup>3</sup>/<sub>4</sub>-acre tract on the West Fork purchased from Daniel Ragan. Precisely when Christopher disposed of the last of his real estate is not known as no deeds were recorded.

## Arrival in Texas

Soon after disposing of his real estate, Christopher Chaney moved his family westward across the frontier into Texas, then in the process of wresting its independence from Mexico. It seems most likely that he was among the large number of American volunteers who arrived too soon to participate in the climatic Battle of San Jacinto in April 1836. Certainly, he arrived in Texas no later than July 1836, when he joined the Texas Army. It is presumed that he brought his family with him to Sabine County, Texas and then joined the Army. Of course, it is possible but seems less likely that his family arrived in Sabine

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<sup>23</sup> Washington Deeds, Book 11, Page 484.

<sup>24</sup> Washington Deeds, Book 12, Page 189.

<sup>25</sup> Washington Deeds, Book 12, Page 187.

<sup>26</sup> Washington Deeds, Book 12, Page 196.

County while Christopher was in the Army or soon after his death. His heirs obtained the following bounty certificate based on his military service.<sup>27</sup>

No. 390 STATE OF TEXAS 320 Acres  
KNOW ALL MEN TO WHOM THESE PRESENTS SHALL COME  
That Christopher Chaney having served faithfully and honorably the Army of the Republic of Texas, for the term of three Months, from the Eighth day of July 1836 until the Eighth day of October 1836 and having died in the Service. The heirs of said C. Chaney is entitled to three hundred and twenty Acres Bounty Land, for which this is his CERTIFICATE.  
And the said Heirs of Christopher Chaney are entitled to hold said Land; or to sell, alienate, convey and donate the same; and to exercise the rights of ownership over it.  
In Testimony whereof, I have hereunto set my hand, at Austin this 25th day of Feby 1848.  
C. S. Mann  
Act. Adjutant General

Military bounty grants were issued for service in the army of the Republic of Texas. For every three months of service, one certificate to locate 320 acres was issued. Most of the original muster rolls for the Texas Army, particularly those from the Revolutionary Period, either fell to pieces from overuse or burned in the conflagration that destroyed the Adjutant General's Office in 1855. Because the actual fighting ended at San Jacinto in April, it is presumed that Christopher died from disease or other accident. No other records have survived concerning his military service in the Texas Army.

As a result of a severe fire at the Sabine County Courthouse, all of the early records were lost. Thus, records no longer exist to document the probate of Christopher Chaney's estate and the marriages of his children. However, some citizens voluntarily recorded their old deeds again after a new Courthouse was erected. One such recorded document mentions one deed from Rebecca Latham and F. S. Chaney to R. T. Gibson and another deed from W. C. Duffield to Rebecca Chaney.<sup>28</sup> The subject land was part of the original Perfirmo Land Grant, but no dates are given concerning the original owners. Another such document mentions a 127-acre tract near Naomi Mackey's land, originally granted to F. S. Chaney by the Sabine County Land Board, and later sold to A. W. Naylor.<sup>29</sup> Again, dates are provided for neither the original grant nor the subsequent sale.

While the lack of early deeds and other records makes research especially difficult in early Sabine County, both residency and property ownership may be reconstructed from the extant tax rolls. The widow appears on the tax rolls as Rebecca China, or Chiney, for the years 1837, 1838, and 1839.<sup>30</sup> In 1837, she paid \$3.32 in taxes for one slave, six cattle, and two horses, together valued at \$665. However,

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<sup>27</sup> Texas Land Grant Records, Bounty Certificate No. 390, File No. Robertson-B-1020. Archives and Records Division, Texas General Land Office, Austin, Texas. (Hereinafter cited as Texas Land Grants.)

<sup>28</sup> Land Records, Sabine County, Texas, Deed Book A, Page 52. Sabine County Courthouse, Hemphill, Texas. (Hereinafter cited as Sabine Deeds).

<sup>29</sup> Sabine Deeds, Book B, Page 463.

<sup>30</sup> Real and Personal Property Tax Rolls, Sabine County, Texas, 1837-1910. All Texas real and personal property tax rolls at Archives Division, Texas State Library, Austin, Texas.

in 1838, she was assessed just \$2.65 for one slave and one clock, both valued at \$530. She must have sold her livestock or otherwise hidden it from the tax assessor. In 1839, she was assessed \$2.67 on the same property. The slave was valued at \$500 and the clock at \$35. Rebecca did not pay taxes after 1839. Then twenty-one years old, her son Frank S. Chaney, is first listed in the tax rolls of 1840 and pays the taxes for the same slave and clock.

It is presumed that Rebecca moved to Montgomery County with her son in 1845. That portion of Montgomery County was split off to form the new Grimes County in 1846. She was enumerated there as the head of household in the 1850 Census.<sup>31</sup> Curiously, her age was not recorded. Perhaps she refused to state her age. More likely, the enumerator simply neglected to record it. Living with the widow were her son Francis, her daughter-in-law Kezziah, her son Hiram, and, her youngest daughter Ellen.

At the time of the 1860 Census, Rebecca Chaney was living in the household of her son-in-law Prew Stuckey in Grimes County.<sup>32</sup> She reported that she was 60 years old and had been born in Virginia. Therefore, she was born circa 1800 in Virginia, probably Russell County. Her maiden name as well as the names of her parents remain unknown. Rebecca died sometime after the census was taken in 1860, probably in Grimes County, as that is the last record of her that has been found. She probably was buried in the old Chaney-Davis family cemetery near Iola, in Grimes County. If a tombstone was ever erected at her grave sight, none remains today.

The children of Christopher and Rebecca Chaney:

2. i. Mahala, born May 11, 1817 in Russell County, Virginia.
3. ii. Francis S., born circa 1818 in Washington County, Virginia.
4. iii. Evaliza, born October 1, 1820 in Washington County, Virginia.
5. iv. unknown daughter, born circa 1822 in Washington County, Virginia.
6. v. Jane N., born circa 1824 in Washington County, Virginia.
7. vi. Elizabeth White, born April 8, 1829 in Washington County, Virginia.
8. vii. Martha Ann, born circa 1830 in Washington County, Virginia.
9. viii. Hiram Cowden, born December 1832 in Washington County, Virginia.
10. ix. Ellen W., born July 15, 1834, in Washington County, Virginia.

The middle names of two of their children provide tenuous links to Hezekiah Chaney of Wythe County,

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<sup>31</sup> 1850 Census, Population Schedules, Grimes County, Texas, Page 771. All Texas census records at Archives Division, Texas State Library, Austin, Texas.

<sup>32</sup> 1860 Census, Population Schedules, Grimes County, Texas, Page 110.

Virginia. Elizabeth White Chaney may have been named for either James or John White who witnessed deeds with Hezekiah in 1782. Perhaps Rebecca was a White. Also, two of Hezekiah daughters married men named Cowden. Perhaps Rebecca also was a Cowden. Some family researchers have posited that Rebecca's maiden name was Hobbs, based upon oral tradition or other speculation. However, the fact remains that no record of any kind has come to light indicating Rebecca's maiden name.

The fact that as many as five years passed between the birth of Jane in 1824 and Elizabeth in 1829 seems to indicate that Rebecca, as Christopher's second wife, may have been the mother of only the younger children. The earliest known reference to Rebecca is in the deed of sale to David Hanson on April 29, 1820. However, the only known children of Christopher Chaney are those that grew to adulthood. While only eight children are known to have survived him, it is clear from the available census records that there were more children in his household than those eight. According to the available census records, some six daughters were born before 1830, yet only five are known to have survived into adulthood. Thus, it is presumed that Rebecca married Christopher circa 1816 probably in Russell County and that she was the mother of all of his children. At least the available evidence does not contradict that presumption.

## Settling the Land Claims

In addition to military bounty grants, headright grants were given to the heads of families and single men who settled in the newly established Republic of Texas. First class grants were issued to those who arrived in Texas prior to March 2, 1836. Heads of families received one league (4,428.4 acres) and one labor (177.1 acres) and single men received one third of a league (1,476.1 acres). Second class grants were issued to those who arrived in the Republic after March 2, 1836, but prior to October 1, 1837. Heads of families received 1,280 acres and single men received 640 acres.

The heirs of Christopher Chaney clearly were entitled to two separate land grants from the Republic of Texas. First, they were entitled to a military bounty grant for 320 acres of land based upon his military service. Second, they were entitled to a second class headright for 1,280 acres of land because he had arrived in Texas after March 2, 1836. On March 7, 1842, Rebecca Chaney, administratrix of the estate of Christopher Chaney, obtained a headright certificate for 1,280 acres of land.<sup>33</sup> The heirs later exercised their headright by locating two surveys of land in Bee County.

However, the heirs also obtained a first class headright grant. On May 30, 1854, the surviving heirs of Christopher Chaney obtained a headright certificate for one league and one labor of land in accordance with an act passed on February 8, 1854.<sup>34</sup> The question is "On what basis were the heirs entitled to both a first class grant and a second class grant?" Perhaps Christopher arrived in Texas prior to March 2, 1836. If that were true, then he would have been entitled to a first class headright grant. But, then who was entitled to the second class grant? Certainly not Christopher. Perhaps Rebecca and the rest of the family arrived in Texas sometime after March 2nd but prior to October 1, 1837. Perhaps they arrived after Christopher's death. If true, then Rebecca as the head of a household would have been entitled to the second class headright. Of course, the foregoing is speculative as insufficient hard evidence has been found to answer that question definitively. The real possibility exists that the family was entitled only to the military bounty grant and the second class grant. They may have obtained the first class grant

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<sup>33</sup> Texas Land Grants, File No. San Patricio-2-146½.

<sup>34</sup> Texas Land Grants, File No. Robertson-1-478½; Milam-1-1424.



fraudulently.

The heirs exercised their first class headright by locating one tract of 3,129.36 acres of land in Johnson County and another tract of 1,476 acres of land in Mills County. On January 1, 1848, Rebecca Chaney, the widow and relict of Christopher Chaney, on behalf of the heirs entered into an agreement with W. R. Bowen, which stated in part that she

*"...the holder and owner of a certificate No. 20 issued by the Board of Land Commissioners of Grimes County, for one League and Labor of Land granted the 12th day of October A. D. 1847 - First Class - not being able either to pay the necessary expense or to undergo the fatigue and trouble necessary to procure a Patent for said land by selecting, locating, and paying all expences incident thereto, hereby releases, relinquishes, and assigns to the said William R. Bowen, his heirs and assigns forever, One third League of Land which the said Bowen is hereby authorized and empowered to select, locate, and survey."*

In return, William Bowen obligated himself to

*"...select, locate, and clear out of the offices and procure for her the said Chaney a Patent from the Government for the Two-thirds of a League and One Labor of Land, and saving her the said Chaney entirely expenseless."*

Her son F. S. Chaney, as agent signed the agreement for Rebecca Chaney, and W. R. Bowen.<sup>35</sup> On February 12, 1858, the heirs of Christopher Chaney formally conveyed the tract containing one third of a league of land to John H. Bowen, assignee of William Bowen deceased late of McLennan County.<sup>36</sup> The deed names the heirs as

*"Rebecca Chaney, widow and relict of said Christopher Chaney deceased, F. S. Chaney, Hiram Chaney, Daniel Stuckey, Mahala Stuckey, wife of said Daniel Stuckey (and formerly Mahala Chaney) Prue Stuckey and Ellen Stuckey, formerly Ellen Chaney, all residents of Grimes County, John Mackey and Jane Mackey, formerly a resident of Grimes County, Texas, now a resident of Caldwell County, Texas, both heirs in law of C. Chaney deceased, John W. Cawble, E. Cawble, wife of said John W. Cawble and formerly E. Chaney, at that time a resident of Grimes County, Texas, but now citizens of Hill County, Texas, Thos Humphries and Elizabeth Humphries, wife of said Thos. Humphries, and formerly Elizabeth Chaney, at that time residing in Grimes County, Texas and now citizens of Johnson County, Texas, William W. Hill and Martha Hill, wife of said Wm Hill, and formerly Martha Chaney, at that time residing in Grimes County, Texas and now citizens of Freestone County."*

On August 31, 1855, a petition was filed in the Hill County District Court on behalf of William F. Henderson of Navarro County against William R. Bowen of Grimes County and the heirs of Christopher Chaney, deceased.<sup>37</sup> The plaintiff alleged that he was the legal owner of three tracts of land now in Johnson County, but formerly in and under the jurisdiction of Hill County. William Henderson further

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<sup>35</sup> Land Records, Hamilton County, Texas, Deed Book F, Page 237. Hamilton County Courthouse, Hamilton, Texas. (Hereinafter cited as Hamilton Deeds.)

<sup>36</sup> Hamilton Deeds, Book F, Page 238.

<sup>37</sup> District Court Records, Hill County, Texas. Hill County Courthouse, Hillsboro, Texas.

alleged that the three tracts had been located and surveyed, and recorded in the Robertson Land District on September 23, 1853, on September 24, 1853, and on March 17, 1853, respectively. He further alleged that the heirs of Christopher Chaney had subsequently obtained a patent for the same land. Therefore, he requested that the court void the Chaney patent and order that a patent be issued to him for the land.

The defendants answered the plaintiff's petition by explaining that they had properly secured the title to their lands by virtue of Certificate No. 20 issued by the Land Commissioners of Grimes County on October 12, 1847. They countered the plaintiff by asserting that they had perfected their title to the land in 1848, but that all evidence of their title had been destroyed when the Grimes County Courthouse burned, whereupon they had petitioned the State Legislature for relief. On February 13, 1854, the Legislature passed an act empowering the General Land Office to issue a certificate for one league and labor of land as a duplicate of Certificate No. 20.<sup>38</sup> The General Land Office did so on October 25, 1854 and the defendants recorded that certificate at the Johnson County Courthouse on April 17, 1856.<sup>39</sup> Thus, the defendants asked the court to find in their favor. The suit dragged on, with both parties accusing the other of fraud, pretense, and worse. On January 10, 1857, the Court decided to end the controversy with a compromise. Costs were to be split between the parties. Finally, on March 9, 1858, the Court ordered that, because the land in controversy was located in Johnson County, the venue of the case be changed to Johnson County.

The venue was changed to the District Court of Johnson County where the court ordered that the compromise be recorded.<sup>40</sup> It was agreed to divide the land in controversy and compromise on the following terms:

*"The Defendant agrees to convey to the Plaintiff the 1280 acres of land covered & surveyed by Plaintiff with the Sam. Herring Certificate and also two hundred and eighty four acres...And the Plaintiff agrees to lift his location on said Chaney survey and to convey to the heirs of said Chaney land certificate to 1564½ acres and it is agreed that each party pay half the costs expended this 10th day of January A. D. 1857."*

The heirs of Christopher Chaney hired two men to resurvey and divide their land in Johnson County.<sup>41</sup>

*Articles of agreement between the heirs of Christopher Chaney Dec<sup>d</sup>. We the said heirs agree to adopt the partition of all the land in Johnson County Texas made by James E. Patton & John Chitwood & Each heir agrees to accept the number his name is attached to in the distribution and that this agreement is to be the report of the said Commissioners & made a part of the report & distribution & the same to be filed and recorded in the county clerk's office of Johnson county & the same to operate as a Deed to Each heir to his portion of the said land in said Commissioner's report. The following heirs are represented by F. S. Chaney: Ellen W. Stuckey, Martha A. Hill,*

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<sup>38</sup> Special Laws of the State of Texas, passed by the Fifth Legislature, Convened November 7, 1853, Chapter LXXXIV, Page 137. Archives Division, Texas State Library, Austin, Texas.

<sup>39</sup> Land Records, Johnson County, Texas, Deed Book B, Page 228. Johnson County Courthouse, Cleburne, Texas. (Hereinafter cited as Johnson Deeds.)

<sup>40</sup> Johnson Deeds, Book A, Page 117.

<sup>41</sup> Johnson Deeds, Book F, Page 526.

*Mahala Stuckey, Hiram C. Chaney.*

*This March 20th A. D. 1868.*

Lot 1 in timber containing 155 acres and Lot 1 in prairie containing 95 acres were drawn for Elizabeth Humphries. Lot 2 in timber containing 65 acres and Lot 2 in prairie containing 177 acres were drawn for Mahala Stuckey. Lot 3 in timber containing 75½ acres and Lot 3 in prairie containing 177 acres were drawn for H. C. Chaney. Lot 4 containing 232 acres was drawn for Martha A. Hill. Lot 5 containing 208 acres was drawn for F. S. Chaney. Lot 6 containing 208 acres was drawn for Ellen W. Stuckey. Lot 7 containing 173½ acres was drawn for J. W. Cauble. In conformance with the terms of the court order, Frank S. Chaney and Thomas Humphries and wife Elizabeth of Johnson County, Eveliza Cauble of Hill County, Martha A. Hill and Ellen W. Stuckey of Blanco County, and H. C. Chaney and Daniel Stuckey and wife Mahala of Grimes County, the only living heirs of C. C. Chaney, deceased, sold the rights to a land certificate to E. M. and O. S. Heath for \$100 on June 15, 1869.<sup>42</sup>

Bounty Warrant No. 390 was issued by the acting Adjutant General of the State of Texas to Christopher Chaney on the 25th day of February 1848 for 320 acres of land. On the reverse side of the original certificate the following handwritten notations appear.

*State of Texas  
Grimes County*

*This is to certify that two hundred fifty eight acres of Land Was  
located and surveyed by Virtue of this Certificate on the 20th of July 1848 this 3rd of August 1848*

*J. G. W. Rinue  
D. S. G. C.*

*Filed with me the within certificate on the 1st day of Sept 1858 on a certain piece of land situated  
in Grimes County State of Texas on NW corner of Mrs. Anderson League around George  
Morrison's Survey.  
W. L. Franklin C. S. G. C.*

However, the patent for that tract in Grimes County was not perfected. Instead another tract of land was located in Johnson County on the waters of Village Creek about seven miles northeast from the town of Buchanan and surveyed on June 25, 1868.<sup>43</sup> The heirs filed the patent for the land on January 22, 1870.<sup>44</sup>

On May 7, 1867, Martha Hill and Ellen W. Stuckey of Blanco County appointed F. S. Chaney their attorney to attend to the partition of their interests in the lands in Johnson County granted to the heirs of their deceased father and to sell their interests in a certificate for 320 acres of land.<sup>45</sup> On May 24, 1867, H. C. Chaney and Daniel and Mahala Stuckey of Grimes County also appointed F. S. Chaney their attorney as well.<sup>46</sup>

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<sup>42</sup> Johnson Deeds, Book F, Page 538.

<sup>43</sup> Texas Land Grant Records, Field Survey Notes, File No. Robertson-B-1020.

<sup>44</sup> Johnson Deeds, Book G, Page 30.

<sup>45</sup> Johnson Deeds, Book F, Page 148.

<sup>46</sup> Johnson Deeds, Book F, Page 146.

On July 2, 1874, Martha A. Hill and Ellen Stuckey of Lampasas County, Hiram Chaney of Grimes County, Elizabeth Humphreys of Johnson County, Evelizer Stuckey of Grimes County, the surviving children of Christopher Chaney of Sabine County deceased and W. S. Bledsoe executor of Franklin Chaney deceased son of Christopher Chaney appointed Barnes Parker of Travis County their attorney to recover the headright certificate issued to their father by the Land Commissioners of Sabine County for 1,280 acres, to locate the said tract, survey it, return the field notes, and have the patent issued.<sup>47</sup> Elizabeth's husband, Thomas Humphreys, signed the power of attorney. Certificate No. 44 was issued in Sabine County on March 7, 1842, to Rebecca Chaney, administratrix of the estate of Christopher Chaney.<sup>48</sup> The land was surveyed in Bee County in two parts; one part of 640 acres on December 16, 1874 and the other part of 640 acres on December 17, 1874. Patents were issued for both surveys on October 28, 1876.<sup>49</sup>

On April 21, 1880, E. W. Crozier of Hamilton County appointed Ellen Cheatham of Lampasas County her attorney to sell her interest in the C. Chaney survey located 10 miles southwest from Beeville.<sup>50</sup> On May 26, 1880 Hiram C. Chaney of Grimes County appointed Mrs. Ellen W. Cheatham his attorney to sell his interest in his father's estate.<sup>51</sup> On October 14, 1880, Mrs. M. A. Edwards of Blanco County appointed Mrs. Ellen Cheatham her attorney to sell her interest in the Christopher Chaney survey in Bee County.<sup>52</sup> On July 5, 1881, the State of Texas issued a tax deed to John C. Beasley for \$9.30 for taxes due upon 640 acres patented on October 28, 1878 to the heirs of Christopher Chaney by Certificate No. 44, Abstract 352, Patent 86.<sup>53</sup> On July 28, 1881, Ellen W. Cheatham of Lampasas County for herself and as attorney sold for \$310.85 their 4/7ths interest in the unlocated 640-acre balance of the 1280-acre grant by Headright Certificate No. 44 issued to Rebecca Chaney, administratrix of Christopher Chaney deceased, to Mrs. L. C. Roundtree.<sup>54</sup> The property was located on the waters of the Aransas River 9 miles southwest of Beeville. On April 24, 1880 Daniel Stuckey and wife Evaliza of Johnson County appointed James P. Cauble of Burnet County their attorney to sell their interest in the C. C. Chaney tract in Bee County.<sup>55</sup> James Cauble as attorney, on August 3, 1881, sold to Lizzie Roundtree an interest in the 640-acre C. C. Chaney tract for \$77.72.<sup>56</sup> Finally, on August 8, 1881, John C. Beasley sold to L. C. Roundtree for \$9.70

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<sup>47</sup> Land Records, Bee County, Texas, Deed Book C, Page 260. Bee County Courthouse, Beeville, Texas. (Hereinafter cited as Bee Deeds.)

<sup>48</sup> Land Grant Records, File No. San Patricio-2-146½.

<sup>49</sup> Land Patent Records, Volume 9, Patents 85 and 86.

<sup>50</sup> Bee Deeds, Book H, Page 208.

<sup>51</sup> Bee Deeds, Book H, Page 210.

<sup>52</sup> Bee Deeds, Book H, Page 209.

<sup>53</sup> Bee Deeds, Book H, Page 226.

<sup>54</sup> Bee Deeds, Book H, Page 211.

<sup>55</sup> Bee Deeds, Book H, Page 224.

<sup>56</sup> Bee Deeds, Book H, Page 225.

his interest in the 640 acres surveyed for Rebecca Chaney.<sup>57</sup>

The foregoing transactions, all of which took place long after the death of Christopher Chaney, provide significant genealogical information about his children. First, the deeds and powers of attorney confirm both the number and names of his children who lived to adulthood. Second, the transactions confirm that the widow Rebecca Chaney died before March 20, 1868, when her heirs hire an attorney. It is interesting to note that Rebecca, as administratrix of her husband's estate, neither executed nor sold the headright certificate. Rather, she kept the valuable instrument throughout her life. It remained for her heirs to execute the certificate forty years after it was issued originally. Third, the transactions provide the married names of the surviving daughters. Fourth, the transactions pinpoint the residence of each of the heirs. Fifth, the latter deeds are the only surviving reference to C. C. Chaney. Was he actually named after Christopher Columbus?

## Conclusion

The foregoing article presents all of the public and private records that the author has found concerning Christopher Chaney. The author is indebted to the staff of many public and private institutions for their patience, cooperation, and assistance. Special mention is due the helpful staff at the Virginia State Library and Archives, Virginia County Courthouses of Russell, Wythe, and Washington, Texas State Archives, Texas General Land Office, Texas County Courthouses of Bee, Grimes, Hamilton, Hill, Johnson, and Sabine, and the very kind ladies at the Clayton Library in Houston. Special thanks go to Julia Cauble Smith, a friend, cousin, and talented genealogist, who read the draft and provided valuable advice. The publication of additional material is anticipated. At present, individual articles on the children are planned and underway.

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<sup>57</sup> Bee Deeds, Book H, Page 226.