

# The Two Downs Families of Daviess County, KY

By Bobbie H. O'Brien (1934-1982)



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## THE TWO DOWNS FAMILIES OF DAVIESS COUNTY

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When Michael J. Edgeworth presented two completely different sets of heirs for THOMAS DOWNS in KENTUCKY FAMILY RECORDS, Volume II, pages 78 and 79, he had hold of something which at that time he did not understand. Mrs. Cox has told me just recently that he had determined that there were two different Thomas Downs as fathers of the two sets of children, When Irene Peveler of Lubbock, Texas, wrote me last Spring and asked my assistance in proving her descent from the Rev, Thomas Downs, I found Mr. Edgeworth's information. The more I read it, the more perplexed I became, but I could no longer ask Mr. Edgeworth about his lists of children as he had passed away before I started working on the case. As my work progressed, I found other lists of children for Rev. Downs, some with as many as 12 children.

Because of these erroneous lists that are being passed from one generation to another, I would like to present here my findings on the DOWNS families. Mrs. Cox said that Mr. Edgeworth had labeled them the Buck Creek Downs and the Knob Lick Creek Downs, but since the head of one was a minister while the other was apparently a farmer labels are not really necessary. The Buck Creek Downs was headed by the Rev. Thomas Downs; the Knob Lick Creek by the other Thomas Downs. Using MJE's label of Buck Creek Downs, we will start with that family.

I would like to back up one generation and begin with the father of Rev, Thomas Downs. It is not known when he brought his family to Kentucky, but we know it was after 1773 when Thomas was born in Pennsylvania and 1782 when his brother William was born at Hartford, Kentucky. OHIO COUNTY IN THE OLDEN DAYS by Harrison D. Taylor and A HISTORY OF OHIO COUNTY KENTUCKY by McDowell A Fogle tells the story of the demise of the elder DOWNS by the hands of the Indians of the area. Neither author names him.

Proof that his name was WILLIAM DOWNS follows:

(1) WILLIAM DOWNS on a list of tithables for the year 1785 taken by Joseph BARNETT "on the southern waters of Rolling and Beach Forks westwardly of the waters of Hardin's Creek" - p. 10 THE NELSON COUNTY PIONEER - Summer 1977 Issue

(2) "Administration of the estate of Will DOWNS granted to Evan WILLIAMS with Morris BRADY and Joseph ROSS security for 500 pounds. Robert BAIRD, John ATHERTON, Henry KEITH, and Robert MOSELY, or any three, to appraise personal estate." Nelson County Court Minutes 3 July 1788 - P. 33 THE NELSON COUNTY PIONEER - Fall 1977

(3) Inventory and Appraisal of effects of William DOWNS deceased - Total 71/18/0. Taken 4 Dec 1788 by Robert BAIRD, Robert MOSLEY, Henry KEITH. Reported 13 Mar 1792 - p. 27 THE NELSON COUNTY PIONEER - Fall 1978

Nothing is known of other children, but I believe that there were as there were other DOWNS men on the tax lists of Nelson County and later in Grayson and Breckenridge Counties. I have not explored these possibilities at this time.

Although the Rev. William DOWNS was the younger of the two brothers, I will give him first place since there is less material, on him.

WILLIAM DOWNS, Baptist minister, married in December 1799 Rachsel ASHBY (Muhlenberg Co Marriage Records). Proof of his wife and children is found in Ohio County Circuit Court Case 1247(E). The suit was filed 6 Sept 1858 with Rev. William DOWNS Plaintiff and his sons, William C. and Thomas A., Defendants. In it appears this statement "He says his daughter is not able to support herself and that he is now 76 years old and so prostrated by the infirmities of old age that he is not able to labor, or support himself – yet the defendants have driven him and his daughter from their home and refused to speak to him and scowl upon him if he should happen to pass along in their presence and are teaching their children to loath and despise him,"

The suit was brought because he (William) had deeded land and personal property to his sons with the provision that they take care of their mother and him as long as they lived, as well as the care of their single sister. "This indenture made and entered into this first day of January eighteen hundred and thirty-four between William DOWNS and his two sons, William C. DOWNS and Thomas A. DOWNS." It mentions 202 acres of land in Ohio County as well as a lot in Hodgenville, Hardin County, and all their household goods. The wording includes the phrases "my wife, Rachel" and "my daughter Nancy." It also gives the names of the sons' wives – P. LANE and Penelope KING. In the statements for the suit, he mentions that his wife Rachel died September 1855.

On 2 Nov 1858 a request was signed by William DOWNS to drop the suit as it had been settled between him and his sons. He was living with son William C. in Ohio County in 1860.

His children:

(1) William C. DOWNS b. ca 1807; m. 2 Jan 1836 (Ohio County Marriage Records) Penelope KING. Both are buried on their farm in "the Bend" north of Hartford; graves marked with field boulders. (Lineage Lines by – Harry D. TINSLEY)

(2) Thomas Ashby DOWNS b. 9 Apr 1809; d. 6 July 1869; m. 19 June 1838 (Ohio County MR) Palmyra N. Ray b. 18 Mar 1814; d. 15 Oct 1876; both i/West Providence Cemetery (Dates and family of 6 children given in "The Family Tree" Agnes ASHBY)

(3) Nancy DOWNS b. ca 1811; no record found of her after 6 Sept 1858

THOMAS DOWNS, Baptist minister, is not the Thomas DOWNS living with David DOWNS and family in Daviess County in 1850. The date of the census was 17 August 1850, 6 months and 9 days after the Rev. Thomas DOWNS d. 8 Feb. 1850. This date is inscribed on his tombstone which stands on "a little plot of ground located about 500 yards southwest of the present crossroads at Nuchols, KY on Hi-way 75." (A HISTORY OF DAVIESS-MCLEAN ASSOCIATION, Wendell H. Rone) Found in the Estate Papers, File 282, Ohio County was a bill from Dr. WORTHINGTON for visits and medicine beginning on 28 Jan 1850 – "old account, Box pills, and Cream of tartar," He did not visit Rev. DOWNS on January 29, but beginning January 30 he went each day thereafter through and including February 7.

Interesting items among the estate papers includes (1) Holy Bible (Family) valued at 50c; (2) Bill from A.R. ROWAN to Revnd T. DOWNS, 20 July 1847 for \$12 for medicine and visits; (3) Account at Livermore with Henry J. BELT for Rev. Thomas DOWNS ..., 6 Aug 1849 ..., 1 Rough and Ready Hst \$1.50; and (4) one note which read "Received of A.B. BAIRD, Administrator of Thomas - DOWNS, deceased, \$5.00 which I am to pay to John HENRY it being the amount Thomas DOWNS signed to repair Greenbrier meetinghouse which was proven by oath of Henry HOWARD 5 Sept 1850 Terry THORP." Also included was the "Green Brier Note" which was a page of names who had subscribed certain amounts to pay for the "finishing of the meeting house," It was dated 27 Oct 1849 and appeared to be a copy and not the one that Thomas DOWNS had actually signed. (His signature appears on various marriage records in both Daviess and Ohio Counties and on the Title Bond found in Ohio County Circuit Court Case 1079 (E).

All information I have seen says that Rev. DOWNS m. 1798 Rebecca SAULSBERRY but NO ONE says where or gives any proof. I have found no marriage record to date for them. I found a marriage record for one Thomas DOWNS to Rebecca OSBORNE, d/o Samuel, on 22 Feb 1797, Nelson Co. A Thomas DOWNS appears on the tax lists of Nelson County in 1797, 1799 (1798 list not in existence) but not in 1800.

"Our" Thomas DOWNS appears on Muhlenberg County Tax List in 1800, the same year that he was elected clerk of the old Hazel Creek Church in that county, (Wendell H. RONE) The 1809 and 1813 Tax List, Muhlenberg County, lists him with 200 acres in Ohio County on Rough Creek in name of Morris BRADY as well as 200 acres on Hazel Creek in name of John HUTSON. The 1816 list of Daviess County lists him with only 200 acres on Rough Creek. The 1818 list says he is enrolled in Priest's Militia Co. In 1824 he was listed: Thomas DOWNS, preacher.

His will is recorded in Ohio County Book C, page 97:

"In the name of God Amen. I Thomas DOWNS of the county of Ohio and state of Kentucky calling to mind the uncertainties of life and the certainty of death do make constitute and ordain this as my last will and testament. In premise my will and desire is that my body be buried in a decent and Christian like manner and as to what worldly goods and estate it hath pleased God to

bless me with after the funeral expenses and all my just debts are paid I desire my property to be distributed in the following manner (I desire John M. TANNER to administer) I have a tract of 200 acres of land being in Ohio County on the waters of Rough Creek purchased of William ABLE joining or being part of a tract of 2000 acres belonging to Morris BRADY. This land I bequeath to my 2 granddaughters the children of my oldest daughter Nancy ASHBY Viz Malinda and Amanda ASHBY to them and their heirs forever. I will that all my household and kitchen furniture and everything that is in possession of John M. TANNER that I took there when I broke up housekeeping be his and his heirs. I will that my tract of land being in Daviess County be sold at my death and the proceeds be equally divided between all my children Viz Nancy ASHBY, William DOWNS, Sarah TANNER, Malinda WILLIAMS, Eliza TANNER, Rebecca WILLIAMS, In witness whereof I hereunto set my hand this first day of January 1847."

s/Thomas DOWNS. Wit: J. R. ALLEN, Lucinda ALLEN

Will proved in July term of court 1850 and recorded. Proven on oath of witness J.R. ALLEN. John M. TANNER waived right by will and "refused to administer,"

Further proof of his heirs is given in Ohio County Kentucky Circuit Court Case 1079 (E). The best detailed list followed these words: "Thomas DOWNS died leaving the following heirs"

Eliza (m. John B. TANNER);

Sally (m. John M. TANNER) now deceased with heirs: Samuel, Nancy who m. Felix OWEN, Elvira and Elizabeth, the last two being infants;

Nancy (m., Peter ASHBY);

Malinda (m. Stephen R. WILLIAMS);

Rebecca (m. David A. WILLIAMS) now deceased with heirs; Richard E., Thomas, Evan, Alfred, Larkin, Levi, Sally, Artelia, Mary Eliza, the last 7 being infants;

William DOWNS now deceased with heirs: Isaac W. DOWNS, Fatura DOWNS m. William TANNER, Sally m. Mr. SMITH, Thomas J., William, Evan, Willia A., Jeremiah D., Cornelius, Bradford now deceased with 2 heirs whose names were nor given,

This document was dated 20 Sept 1853.

The children of Rev, Thomas DOWNS:

(1) Nancy DOWNS b. ca 1799; m. 3 Dec 1838 in Daviess Co. as 2w/o Peter ASHBY. Ohio Co. 1850/Nancy d. before 1860

(2) William DOWNS b. ca 1802; m. 4 Oct 1821 Daviess Co. Willie Ann KING. He reportedly met his death in 1848 by the act of hanging whether by his own act or not is not known. Documentation of his children is found in Ohio Co KY Circuit Court Case 1043 (E) H. STEVENS, Administrator vs William DOWNS Heirs and others. Summons issued 7 September 1849 for Milla A. DOWNS and her children; Higgerson BELT, Henry BELT, C.N. WORTHINGTON, John ROWAN, James S. JONES, William H. BROWN, R.L. MORTON, and A.R. ROWAN, Summons executed on: Milly A. DOWNS and Isaac W., Bradford, Fetura E., Sary M., William, Thomas J., Rebeccah, Eliza, Even, Milly A., Jeremiah and Cornelius H. DOWNS, as well as on the others mentioned above. (Eliza, Rebecca and Bradford apparently were deceased by 20 Sept 1853.)

(3) Sarah DOWNS b. ca 1807; m. 22 Nov 1830 Daviess Co. to John M. TANNER

(4) Mahinsa DOWNS b. ca 1812 m, 29 July 1835 Davis as Co. to Stephen R. WILLIAMS

(5) Eliza DOWNS m. 29 Sept 1832 John B. TANNER, Daviess Co.

(6) Rebecca DOWNS m. 10 Feb 1829 in Daviess Co. to David A. WILLIAMS, She died 5 Sept 1852 and is buried in the Williams Family Plot (Reuben TINSLEY farm) near Ohio-McLean County line. ("Lineage Lines" by Harry D. Tinsley)

## THE OTHER THOMAS DOWNS

The "Knob Lick Creek Downs" was headed by Thomas DOWNS whose father was Jeremiah DOWNS. Proof is found in Daviess County, Kentucky, Deed Book H, page 5.

"Whereas I Thomas DOWNS of the county of Daviess and State of Kentucky am entitled to a portion of the estate of Jeremiah DOWNS my deceased father late of the county of Fayette in the state of Pennsylvania and it being inconvenient for me to attend in person thereto be it therefore known that I hereby nominate constitute and appoint my son David DOWNS of the said county of Daviess my true and lawful attorney in fact for me and in my name to demand of the Executor of my said deceased father, or in the event he died intestate, of his administrator and receipt for all sums of money or property to which I may be entitled as one of his heirs, hereby vesting my said attorney with full power and authority to do and perform every act in the premises which I could do re I personally present herewith ratifying and confirming whatsoever my said attorney may lawfully do. In testimony whereof I have hereunto set my hand and seal this 5th day of December 1823."

s/Thomas DOWNS

According to information furnished by his fifth great-granddaughter and my client, Irene Peveler, 6801 19th St. #51, Lubbock, TX 79407, Jeremiah DOWNS served in the American Revolution from Westmoreland County Pennsylvania, from which Fayette County was formed in 1783. Estate Settlement filed in Fayette County in 1816 and recorded in October 1829 names widow Elizabeth and all children including names of daughters' husbands. Copies of settlement are available from the Clerk of Orphan's Court, Uniontown, Pa 15401.

Further information on Jeremiah was obtained from GENEALOGICAL AND PERSONAL HISTORY OF THE UPPER MONONGAHELA VALLEY, WEST VIRGINIA, Bernard Butcher, 1978, Volume II, page 968.

"This DOWNS family were originally residents of England, the first of the number coming to America being Jeremiah DOWNS, who upon coming to this country located in Fayette County, Pennsylvania, where several generations are descended from him. Jeremiah DOWNS, the English immigrant, settled in Redstone township, Fayette County, Pennsylvania, about the close of the eighteenth century. He was one of the early settlers and a prosperous farmer. In the family that he reared was a son, Jonathan." This text proceeded to trace Jonathan's family through the oldest son of each generation. It was interesting to note that Jonathan DOWNS had sons named David and Jonathan as did his brother Thomas who came to Kentucky.

THOMAS DOWNS, son of Jeremiah, was born circa 1779 in Pennsylvania. His birthplace was given as Virginia in the printed copy of the 1850 census of Daviess County, Kentucky. (WCK/FRA) Because I was so sure that this had to be incorrect, I went to the microfilm and found that it was difficult to determine at a glance just what it was. I took a magnifying glass to read it and checked other birthplaces for samples of the handwriting. In comparing it to Ann BETHEL 54/55 who was born in Virginia and to Robinson McINTIRE 75/78 who was born in Pennsylvania, I found that Thomas DOWNS' birthplace was Pennsylvania. The insertion of (Minister) beside his name was also in error.

The first proven record I have of Thomas DOWNS, son of Jeremiah, is his appearance on the Muhlenberg County, Kentucky, Tax List, 17 July 1806 – Thomas DOWNS – 200 acres on Pond River in name of Thomas DOWNS. He remained on there until 1817. In 1818 he appeared on the Daviess County tax list with two horses valued at \$100. He was enrolled in Brumfield's Militia Co.

31 March 1828 he sold the property in Muhlenberg County, Deed Book 60 page 498 "Thomas DOWNS and Elizabeth of Daviess County to Elizabeth LOVELACE, Daniel LOVELACE, and Mary LOVELACE, Heirs of John LOVELACE, deceased, and Elizabeth JORDAN of Muhlenberg County ..... the said Thomas DOWNS and Elizabeth, his wife ..... for \$300.....a tract of 200 acres on the waters of Pond River ..... bound as follows Beginning at Benjamin WORTHINGTON's corner a triple poplar.....

9 July 1831 he bought property in Daviess County, Deed Book C, page 308 – Thomas DOWNS bought from Adam JORDAN and Polly his wife, for \$200, a tract on Knob Lick Creek, a branch of Panther Creek "beginning at two maples and elm corner to George COUCHMAN.....John MADRIL's line ..... 198 acres."

Thomas DOWNS and Solomon BRAND were security, for David DOWNS, Administrator for Tilman V. BETHEL, deceased; Bond \$4,00; Appraisers were William FAITH, Jr., Charles TRAVIS, Luke WALTRIP, William MUSGROVE. Daviess Co Ky Order Bk D, p.352 – 14 Nov 1842 (WCK/FRA)

David DOWNS qualified as Administrator 10 Nov 1851 for Thomas DOWNS deceased, securities: Jesse B. MOSELEY, William FAITH. (WCK/FRA)

Daviess County Circuit Court Box 327 – We" the undersigned heirs of Thomas DOWNS dec'd agree and consent that the land descended to us from Thomas DOWNS our late father may he sold and we do hereby relinquish our right of Dower and inheritance given under our hand this the first day of March 1854." s/Anna BETHEL, Elizabeth WALTRIP, Jane DAVIS, Martha LYNN, Joanna MOSELEY. On one of the papers it mentioned that our "Father left 8 children." Another paper named three sons: David, Jonathan, Thomas Jr.

Daviess Co Ky Deed Book N, p. 145 – 21 Mar 1856 – Commissioner William B. WALL appointed to sell and convey land to B.B. BLINCOE and Gabriel BRYAN a tract containing 198 acres – petition in equity filed 8 Sept 1853 Daviess Circuit Court, Land offered at courthouse door on 29 May 1854. Highest bid: \$1320. Description: "Beginning at 2 maples and elm corner to

George COUCHMAN ..... being the same land conveyed by A. JORDAN and wife to Thomas DOWNS on the 9th of July 1831 by and named in Deed Book C, page 308, of the Daviess County Court Clerk's office, containing one hundred ninety eight acres."

The Muhlenberg County 1810 Census gives Thomas DOWNS' household: Males: 1 age 10-16, 1 age 16-26, 1 age 26-45; Females: 5 under 10, 1 age 10-16, 1 age 16-26, 1 age 26-45.

In 1820 Daviess County: Males: 2 under 10, 1 age 16-18\*, 1 age 16-26, 1 age 26-45 (Thomas would have been 41); Females: 1 under 10, 1 age 10-16, 2 age 16-26, 1 age 26-45.

\*I could not be sure if "1" or a smudge; however, it should be noted here that even if it were a "1" in this column, there were still only three "sons." (Reference: "The 1820 census differs little from the preceding two, i.e. 1800 and 1810, except that an additional column is added, this being one showing males from 16-18. This was primarily for military purposes. It must be remembered that those in this bracket were also shown in the bracket "16-26," so care must be taken not to mistake the total number in the family," IS THAT LINEAGE RIGHT? NSDAR)

Since this census shows the three sons and since the 1830 census shows a female child under 10, this would account for the eight children of Thomas DOWNS, This leads me to believe that the older two girls and one boy in the 1810 census are not daughters and son but possibly sisters and brother of Thomas and/or Elizabeth. Perhaps this is where John DOWNS fits in; he married Polly BASSETT 30 Dec 1818 in Daviess County.

Be that as it may – we have 8 proven children of Thomas and Elizabeth DOWNS:

1. Anna DOWNS b.ca 1800, VA m. 31 Jan 1,922 "according to the rules of the church to which I belong" by Rev. William BARNETT, Daviess Co Book A, p. 24 to WILLIAM BEHEL who d. before 1850. Marriage record gives her name as "Patsy" which is usually considered a nickname for Martha.

2. David DOWNS b. 1802, VA; d. before 17 Apr 1858; his wife d, before 1850. No marriage record has been found for him. His heirs named in Deed Book O, p. 267, Daviess Co:

- a. Margaret DOWNS m. 18 May 1847 Creed MEADE, Daviess Co Bk A, p. 176
- b. Elizabeth DOWNS m. 29 Oct 1851 Matthias COLE, Daviess Co Bk A. p. 233
- c. Melvina DOWNS m. 25 Apr 1854 Samuel D. SHEPHARD, Daviess Co Bk B, p. 225
- d. Martha DOWNS m., 13 Oct 1857 Miron P. MERCHANT, Daviess Co Bk D, p. 115
- e. William T. DOWNS
- f. Emeline DOWNS

3. Martha DOWNS b. 1803, VA; m. John LYNN; living Daviess Co 1850; no marriage record found

4. Jonathan DOWNS b. ca 18120 Muhlenberg Co KY; d. before 10 Nov 1851 (David DOWNS qualified as Administrator, Daviess Co - WCK/FRA) m. 1 Dec 1845 Nancy DAVIS, Breckinridge Co (COOK). Heirs named in Circuit Court Case Jonathan DOWNS Heirs vs His Heirs, File Box #327:

a. John Henry DOWNS  
b James Edward DOWNS

5. Elizabeth DOWNS b. ca 1812, Muhlenberg Co KY; d. Apr 1869; m. 1 Nov 1827 Daviess Co Bk A JOHN WALTRIP, s/o Joseph WALTRIP and Henrietta PRIOR. (This is ancestor of my client Irene Peveler.)

6. Thomas DOWNS, Jr, b. ca 1816, Muhlenberg Co KY; shoemaker by profession, d. May 1859 of consumption in Breckinridge Co (Mortality Schedule); m/1 on 20 Oct 1842 (Daviess Co Bk A, p. 129) Mary R. TUCKER; m/2 before 1850 Elizabeth MOORE; living Breckinridge Co 1850. These are ancestors of WCK/FRA member #654 Sue G. Acton.

7. Jane DOWNS b. 4 July 1818, Daviess Co KY; d. 9 Oct 1887; m. 23 May 1843 Daviess Co (Book A, p. 137) William L (Billy) DAVIS b. 28 Mar 1806; d. 17 Apr 1873. These are ancestors of WCK/FRA member #299, Carrola S. RUGGLES.

8. Joanna DOWNS b, 14 Feb 1821, Daviess Co; d, 10 June 1893; i/Mt. Pleasant Cumberland Presbyterian Church Cemetery (WCK/FRA) m.. 19 Dec 1837, Daviess Co (Book A, p. 83) Jesse B. MOSELEY b. ca 1811, s/o John MOSELEY and Jane TARLTON.

[illegible]



## Addenda by Jerry Long

### Daviess County, KY 1830 Federal Census, p.207A:

	age	age
David Downs	1 male 20-30	2 females under 5 1 female 20-30

### Daviess County, KY 1840 Federal Census, p.35B:

	age	age
David Downs	1 male under 5 1 male 30-40	1 female under 5 2 females 5-10 1 female 10-15 1 female 30-40

### Daviess County, KY 1850 Federal Census, p.426A; household #95-97:

	age	occupation	real estate value	born
Downs, David	48	farmer	\$800	PA
“ Elizabeth	20			KY
“ Malvina	17			KY
“ Martha	15			KY
“ William	11			KY
“ Emiline	9			KY

### Daviess County, KY Deed Book O, pp.267-268:

Deed, recorded 17 April 1858 names six children of David Downs, deceased: Margaret, wife of Creed Meade; Elizabeth, wife of Mathias Cole; Melvina, wife of Samuel D. Shepherd; Martha, wife of Miron P. Merchant; William T. Downs; and Emeline Downs.

### David Downs (c1802-1858)

David Downs son of Thomas Downs (c1779-1851) and grandson of Jeremiah Downs (c1750-1816), was born ca 1802 Pennsylvania. He is believed to have married Elizabeth Harper in Warren County, Ohio on 17 April 1828. David Downs died in 1858 – Luke Waltrip was appointed administrator of David Downs, deceased, in Daviess County, KY on 5 April 1858.

William Thomas Downs, son of David Downs, was born 10 January 1837 Daviess County, KY. He is listed in the 1850 & 1870 censuses of Daviess County, KY and 1880 census of McLean County, KY. He married Susan E. Caltharp / Calthorp in McLean County, KY on 10 March 1875 (McLean County, KY Marriage Register A, p.37). William T. Downs died on 28 December 1896 and was buried in the Bethlehem Cemetery in Marshall County, KY.