

**Aspen Hill, 18<sup>th</sup> century log; 1831 log?; 1846 brick  
Clay Hill, 1835  
Resource History  
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**1795** – Robert Rutherford sold a tract of probably over 800 acres to John Peyton (ref. to FC DB 21/97 or 21/170 – not a clear reference; in JC DB 15/39).

**1798** – John Payton [sic] was assessed for two houses in the country, both occupied by tenants and both valued at \$131.25. One tenant was John Davis and the other was Thomas Cage.

Peyton apparently lived in Winchester and owned land in several nearby counties (see below).

It is a good bet that one of these houses is the log building attached to *Aspen Hill*. The diamond notch, according to Paula, is not common and generally considered “early” (she wouldn’t commit to a date).

**1802** – John Peyton was assessed for 895 acres in Jefferson County. The following year (1803) his acreage rose to 1,545 acres.

**1805** – The widow and heirs of John Peyton (d. 1804) of Winchester, Virginia, petitioned the General Assembly for permission to sell some of the real estate to pay a debt owed to John Morrow of Shepherdstown. The debt was “secured by a mortgage of some very valuable lands in the county of Jefferson.” This was granted in 1806. Peyton owned land in Winchester, Frederick County, Berkeley County, and Jefferson County.

From 1806 through 1814, the Jefferson Co. land tax showed the Peyton heirs with 1,545 acres so it appears they were able to pay the mortgage owed to Morrow and keep the land in Jefferson County that was apparently occupied by tenants.

**1815** – Land tax record showed the division of 875 acres of the Peyton land (it is not known where the rest of the acreage went) with the notation “Altered by partition”:

Susanna Peyton (Fred. Co.)	....500 ac....	Flowing Springs
Elizabeth Peyton	“ ....125 ac....	same land
Frances Peyton	“ ....125 ac....	same land
Louisa Peyton	“ ....125 ac....	Flowing Springs

None of the Peytons were listed on the 1815 house tax, likely because the tenant houses on the property did not meet the minimum \$500 value.

**1820** – The land tax listed “Margaret Peyton” (later corrected to Susanna) with her dower tract of 506 acres called Flowing Spring with \$350 in building value. Daughter Louisa still had her 125 acres with no building value. The others were likely sold to unknown persons. By 1827, Louisa had sold her parcel as well.

**1828** – John Hurst recorded two deeds in order to purchase Susanna Peyton’s 507-acre dower tract:

He purchased Susanna’s dower interest for \$732 (JC DB 15/39). The deed referred to a plat attached to a Chancery suit in Superior Court in Winchester.

He purchased four undivided interests (1/2 of the total) in the dower tract from William and Louisa M. (Peyton) Clark of Winchester (JC DB 15/40). William Clark had purchased the interests of the other heirs (Elizabeth, Frances and John – both deceased) at a public sale.

**1831** – The land tax showed that John Hurst had begun to subdivide the Peyton tract (Flowing Spring) but retained ownership. He listed 444 acres of Flowing Spring with \$350 in building value and 63 acres with no building value (507 ac. total). He also listed 127 acres of Flowing Spring (no building value) “transferred from William Hurst” (son or brother), likely one of the Peyton heir’s tracts.

The subdivision was likely done in preparation for the construction of a new house for his son James G. Hurst, noted on the 1832 tax as “\$445 added for new Log dwelling House of James G. Hurst.” The total building value on the 444-acre parcel was then \$795.

We believe this new log house is now the southwest section of *Aspen Hill*, built in close proximity to the then very old log dwelling to be used as an out-kitchen. The NR photograph shows the southwest section of the main house with the exterior chimney, siding (said to be over brick but we believe is over the log), and a smaller window that is set slightly lower than the windows in the rear (north) wing. The description notes that the southwest room is not on the same level as the rest of the house, and that the brick bonding on the front (south) wall was random. Paula thinks the random bonding may indicate that the bricks on this wall are veneer over the log (at least on the southwest side) and that the random headers are the anchors into the chinking (rather than using iron spikes).

**1836** – The land tax showed John Hurst with the 127-acre and 63-acre Flowing Spring tracts combined as one tract of 190 acres with no building value. The 444-acre tract was again improved (probably in 1835) with “\$2,223 added for new buildings.”

We believe this addition of new buildings represents the construction of *Clay Hill* and its out buildings, constructed for John’s son William Hurst.

In 1841, the 444-acre tract had a \$2,500 building value and the 190-acre tract was listed with \$800 in building value (either the boundaries changed or Hurst just finally separated out the buildings for the assessor).

Then in 1844, John Hurst transferred 321 acres of the Peyton tract (*Aspen Hill*) to his son James G. Hurst, “upon which...James G. Hurst now resides,” adjoining Mrs. Gunnell and the division line with William Hurst (JC DB 27/219).

This sale appears on the 1845 tax in which James G. Hurst was assessed for 321 acres with buildings valued at \$800, “transferred from John Hurst by deed.”

Although it appears from the 1844 James G. Hurst deed that William Hurst was in possession of *Clay Hill* by that time, there was no deed of transfer and it remained on John Hurst’s tax list until his death in 1850.

**1847** – James G. Hurst appears to have improved his house (*Aspen Hill*) in 1846 by adding two large brick sections to the 1831 log structure and covering that log section with brick veneer. The old log kitchen remained in place. The assessor noted “\$643 added for new house,” which is how the brick house would have appeared, with a total building value set at \$1,500.

**1852** – After John Hurst’s death in 1850 his estate was partitioned by the court in 1851 (JC DB 39/313).

Division of John Hurst real estate (see annotated 1852 map):

**William Hurst** – Lot 1, 321 acres “on which he presently resides” (*Clay Hill*), adjoining Gunnell and G.D. Moore; Lot 7, 21 acres of woodland.

**James G. Hurst** – Lot 2, 321 acres “on which he presently resides (*Aspen Hill*), adjoining Mrs. Gunnell; Lot 8 21 acres of woodland.

Mrs. Catharine G. Daniel – Lot 3, 286 acres (*La Grange*) adjoining Briscoe, Washington, Wiltshire, and Gunnell; Lot 5, 75 acres (part of *Hurston*).

James V. Moore – Lot 4, 218 acres (*Snow Hill*) on Leetown Road adjoining Coyle and McKinney [sic]; Lot 6, 139 acres (sold to Catharine Daniel in 1854).

Graveyard reserved on Lots 4 (*Snow Hill*) and 5 (part of *Hurston*).

**1869** – James G. Hurst died and his will divided his estate “equally among my heirs” (Recorders WB/132). This of course led to a Chancery suit in 1871 *Mary V. Thomson vs. Catharine A. Hurst* – in which the *Aspen Hill* farm (107 ½ acres) was awarded to James G. Hurst (Jr.?) and another suit in 1878 between John Strother Moore, executor for Catharine A. Hurst estate, and the heirs of James G. Hurst (Jr.?). In the second suit the 107-acre *Aspen Hill* was sold to Helen A. (Hurst) Byington (see 1883 map) for \$8,062.50 (JC DB G/371).

**1870** – William Hurst’s *Clay Hill* was partitioned between the heirs of William Hurst. Apparently William and Mary Hurst were the owners of and living at Hazelfield at the time of his death. In the settlement, son James A. Hurst got Hazelfield, Ruth A. Hurst got 150 acres of *Clay Hill* and 60 acres of Round Oak, Jeanine (Hurst) Wallace got 200 acres of Round Oak, and Catharine M. (Hurst) Mix got 170 acres with the buildings of *Clay Hill* (JC DB 5/310).

An 1871 arbitration settlement between Mrs. Mary Hurst, widow & executrix of the estate, and the heirs, itemized the rent paid by Oscar Mix (husband of

Catharine) in 1862 and 63 for *Clay Hill*, and also that 2,022 bushels of wheat were harvested from *Clay Hill* during that year. (JC DB 7/130)

The 1870 census showed Oscar G. Mix, a farmer but did not yet own property, his wife "Kate" and their five children (the oldest was 22). Also in the household was a white domestic servant, Polly Frith and her son, and three young black children: Lucinda Johnson (blind, age 11), Robert Lindley (age 7), and Peyton Brown (age 13). Jeri Johnson and John Goens (?) were black adult farm laborers.

*Clay Hill* was owned by J. Irvin Seachrist by 1883 (see attached map) but no deed from Mix to Seachrist was located and it may have passed through family lines. As recently as 2003, the "Clay Hill tract" remained at its 170-acre size (from 1870). (JC DB 972/711)