

The Hyres of Tillman

By Kenneth M. Taylor

On the farm of Ozle Smith and his wife, Vonda, on Tillman Lane, a there is an old family cemetery in which are buried a few of the early settlers of Upshur County, W. Va. Reference is made to some members of the Hyre family. The story of the Hyres of Tillman Lane is really a part of the history of the Hyres of Central West Virginia, a brief sketch of which follow.

Lienert (Leonhard, Leonard) Heyer ancestor of the West Virginia Hyres (Hyer, Hire, etc.) was born in Benken, Switzerland in 1696.¹ He married Clara Lutzler who was born in Switzerland in 1705, a daughter of Rudolph Lutzler.

In 1737, the above Heyer family, which then included several children, and a neighbor family by the name of Rueger (Rieger, Reger) emigrated to Philadelphia and settled in present Berks County, Pa.

About 1750, the Hyres and Regers moved to Augusta County, Virginia,² on the South Branch of the Potomac to an area which is now near Petersburg in Grant County, W.Va. This area was also, at one time, a part of Hampshire County and later a part of Hardy County, before becoming Grant County in 1866.

Immigrant Leonard had two sons, Leonard (II) and Rudolph, and several daughters, who lived to maturity.³ The children of Leonard II consisted of seven sons and a daughter.⁴ Two sons, John and Jacob, were early settlers in present Upshur County,⁵ while a third son, Leonard III, (d. 1829), spent the latter part of his life in present Braxton County,⁶ formed largely from Lewis in 1836, and was the progenitor of most of the Braxton County Hyers, through his son, Christian, born in present Grant County between 1785 and 1791.

It is known that Jacob Hyre was in the Buckhannon area in 1782⁷ and it is generally assumed that John came to this area about the same time. But if this is so, John's family must have remained in Hampshire County until after 1784, as the 1782 and the 1784 enumerations of that county list John as the head of a household of five in 1782 and of six in 1784 (from the reconstructed 1790 Census of Virginia). At any rate, the old Baptist church records show that the first Baptist congregation of present Upshur County was organized in 1786 with both John and Jacob Hyre as charter members.⁸ Upshur County historian, W. B. Cutright, speaks of John as an early settler of Brushy Fork, and Hardesty, in his Encyclopedia,⁹ states that the two Hyres were early settlers of Upshur County,

with Jacob on Finks Run and John on Brushy Fork. However, both John and Jacob maintained contact with the South Branch (present Petersburg area) for a number of years as John and his wife, Patience, sold property there in 1791, and Jacob and his wife, Elizabeth, in 1789.¹⁰

John did not own the land on which he lived on Brushy Fork, and possible reasons for this will now be discussed. When the early settlers first came to the Buckhannon area it was mostly wilderness, with much of the land still unclaimed. In such cases, it was the common practice for a settler to make a clearing and perhaps build a cabin and claim the surrounding land by cutting his name on trees around the area claimed. This was known as a "tomahawk right".¹¹ In some instances, such rights were upheld, but in others, the settler later found that the land on which he had settled and made improvements had been granted by the State of Virginia to another, usually an absentee owner of a large tract. In 1803, John Hoyer (Hoy) obtained his patent, the land was called "Hickory Cabin Run," indicating that someone had already settled there. Records in Lewis County show that the Hoyer land was adjacent to a larger tract of 59,329 acres patented by John B. Armistead¹² and the Hoyer land may have originally been a part of this larger tract.

When John Hyer died on March 28, 1829, he indicated in his will¹³ that the land on which he lived had been leased, for his and his wife's natural lives, from John Hoyer (Hoyer). Therefore, it is the writer's belief that John Hyer originally settled on Hickory Cabin Run, now known as Tillman Lane, but later found that he could not obtain title to this land and, therefore, leased it. In his will, John left the farm to his wife, Patience, for her natural life, with the option of disposing of it, that is leasing it, or using it herself as she wished. The land would, of course, revert to John Hoyer at her death. Further evidence that John Hyer did actually live on Tillman Lane (Hickory Cabin Run) is the statement by Upshur County historian, W. B. Cutright that John Hyer (Hyer, Hire) settled on Brushy Fork on what is now known as the Noah Hyer (Hyer) farm.¹⁴ Information on the Noah Hyer farm and John Hyer's relation to it follows.

On November 30, 1830, John Hoyer agreed to sell 369 1/4 acres of land on Hickory Cabin Run to Noah Hyer,¹⁵ (son of John, probably his youngest child), accepting notes to be paid over a number of years. It was July 21, 1840, before Noah was able to make arrangements to complete payments and obtain a deed for the land.

The tract purchased by Noah must have included the burial site of John, located on the land on Tillman Lane, now owned by Ozle Smith and his wife, Vonda,

since Noah and his first wife are also buried here. According to the deed, its upper-most limit was the ridge separating the waters flowing to Bill's Run, a tributary of Fink's Run, from that flowing to Hickory Cabin Run, a branch of Brushy Fork Run.

On October 19, 1840, Noah sold 162 acres of the above tract to David D. Casto,¹⁶ who had married a Frances Abbott in 1832.¹⁷ On comparing the deed of Hoye to Noah with that of Noah to Casto, it appears that the land sold to Casto was at the head of Hickory Cabin Run. Further evidence of this follows. In October, 1979, Mr. and Mrs. William Smith of the Adrian Road, near Buckhannon, and the writer inspected the site of an old family cemetery on the land now owned by Clifford Summers at the head of the lane. The cemetery is well up the hill, towards the ridge. Several graves were evident from sunken plots in the ground, but all markers had disappeared except a fragment of one, with the inscription, "Ann infant daughter of David D. And Frances Casto."

The Hyre burial site, previously referred to, lies on a raised spot, possibly 200 yards back of the present home of Mr. And Mrs. Ozle Smith and near the edge of a wooded area. It was visited in October, 1979, by Clyde A. Linger of Buckhannon, Kenneth M. and Baneeta M. Taylor, of San Diego, and Mr. and Mrs. William Smith of the Adrian Road near Buckhannon. The old cemetery was unfenced and the few grave markers found were lying flat on the ground. The area is customarily mowed over by Mr. Smith, owner of the land. Four markers were found having legible inscription, as follows:

1. "J H Dec March 28 1829 age 75" This marker is of fieldstone was partially covered with sod. The "J H" obviously refers to John Hyre whose will was dated March 18, 1829, and probated May, 1829. (This will was witnessed by David D. Casto, Elias Simond and Jacob Lorentz). "Dec" obviously is an abbreviation for "Deceased".
2. "Noah Hyre died May 23, 1882 82nd year." This marker appears to be of polished marble and is still in good condition.
3. "Catherine wife of Noah Hyre died May 13, 1866 in her 63rd year." This marker is also of polished marble and in good condition.
4. "CH Dec May 17 1866 age 64 yrs." This was a small fieldstone marker, partially covered with sod. The only explanation for this marker which occurred to the group was that it may have been the original marker for Noah's wife, Catherine Kesling and that it was replaced later by the marble marker, although there is a slight discrepancy in the dates.

Examination of the area indicates that there are probably some additional graves here, markers for which may have been destroyed or may still be on the site,

covered with sod. It seems likely that John's wife, Patience, was also buried here since she was given possession of the land until her death, and John Hoye was able to sell it to Noah on November 30, 1830, thus indicating that she probably died after the date of her husband's will, March 18, 1829, and before November 30, 1830.

John is believed to have had a large family since in 1784 he was already the head of a household of six (as shown above) which normally would have included four children and it is known that one child was born about sixteen years later (1800). However, only the following have been definitely identified by the writer:

1. Leonard, born in Hampshire County about 1777, d. 1828, m. Catherine Loudin.¹⁸ Lived in present Upshur County. Three children lived to maturity. These were all sons.
2. Elizabeth, born ---, m. Andrew Westfall, November 11, 1809,¹⁹ lived in present Upshur County on Mud Lick Run of Fink's Run. Have no information on her children.
3. Clare, b.---, married John Allman, September 7, 1811.²⁰ Place of residence not known to the writer. Have no information on children.
4. Peter, b. 1795, d. 1852, m. Elizabeth Pritt, Nov., 1818.²¹ Resided on Bull Run near Abbott, Upshur County. Thirteen children, eight boys and five girls, lived to maturity.
5. Noah,²² b. about 1800, d. May 13, 1882,²³ m. (1) December 9, 1822, Catharine Kesling,²⁴ m. (2) March 17, 1867, Ann Catharine Fultz.²⁵
6. A probable sixth child, not documented, was John Hyre, Jr., b.--, m. -- lived and owned property on Mud Lick Run of Fink's Run. Five children lived to maturity.²⁶

Some of the children of John Hyre, Sr., were born in the Petersburg area (presently Grant County, but certainly some were born on Tillman Lane (Hickory Cabin Run), including at least Peter and Noah.

Since Noah, son of John, lived on Tillman Lane, some discussion of his family seems appropriate. All of Noah's children were born to the marriage with his first wife, Catharine Kesling. As taken from a deed, dated December 18, 1866,²⁷ they were as follows (not named in order of age):

1. Noah Sudwick, m. Martha Hinkle, 1860.²⁸
2. Martin, m. Matilda Hardman.²⁹
3. Marshall, m. Melissa A. Simms, 1851.³⁰

4. Elizabeth, m.----West.
5. Mahala, m. Marcellus Hardman, 1854.³¹
6. Polly m. (Lemuel) Brake.
7. Rebecca, m. - Reger.

In the above mentioned deed, dated 1866, Noah transferred one-half of his farm, then consisting of 165 acres, to each of two of his sons, Noah Sudwick and Martin, with the stipulation that he, Noah Senior, retain possession of the farm until his death, at which time Noah S. and Martin pay a certain sum to the children of Polly Brake, Betsy West, Marshall Hyre, Rebecca Reger and Mahala Hardman, the last five named being the other children of Noah Sr. The deed indexes for Hyres of Lewis County indicate that Martin and his wife, Matilda, lived in Lewis County and that Martin had died by 1879, thus before the death of his father. Presumably, Martin's heirs inherited one half of Noah's farm, but this has not yet been investigated. Mrs. Guy W. Green, who until recently was a resident of Buckhannon, W. Va., but now resides in Lemon Grove, California states in her history of Brushy Fork that Noah Sudwick Hyre lived on Tillman Lane. Perhaps he was the last of the Hyres to live there, but the disposal of his property is, also, yet to be investigated. Noah Sudwick, who was the youngest child of Noah, Sr., died in 1893, and his wife, Martha Hinkle, in 1914. They are buried in the Reger Chapel Cemetery. (Catharine Fultz, second wife of Noah Sr., died in 1913 and is also buried in this cemetery.)

The children of Noah Sudwick were:³²

1. Sarah Etta b. November 26, 1860, m. Perry Smith.
2. William, b. March 26, 1862 m. Mary Lee Krise.
3. H. M. (Hugh) b. August 24, 1880

This article was written by Kenneth A4t. Taylor, 5858 Ferber Street, San Diego, CA, 92122, in November 1979. The writer was the son of Scott E. Taylor and Mattie Hyre, d/o Jimison Hyre who lived on Spruce Fork of Stone Coal and the gr-gr-gr-grandson of John Hyre, Sr. Kenneth passed away in 1984.

a. Tillman Lane is in Upshur County, WV. It is a gravel road about three-fourths mile in length and enters the west side of the Brash Fork Road (State Route 7) about three miles from U.S. Route 33.

1. All information given in this and the following paragraph on the Hyres is from Albert Bernhardt Faust, Lists of Swiss Emigrants in the Eighteenth Century to the American Colonies. Vol. 2, pages 110-112.

2. Lewis Bunker Rohrbaugh, Rohrback Genealogy. p. 334.
3. Will of Leonhard Hire (Leonard I), miscellaneous court records of Hampshire County, Genealogical Society Film (25570) part I.
4. Will of Leonard Hire (Leonard II), Hardy County Will Book 1, page 2.
5. Hardesty's Historical and Genealogical Encyclopedia Illustrated. Vol. 2, pages 119 & 132. Pub. 1883. Reprinted, Jim Comstock, Richwood, W. Va.
6. Lewis Co. Deed Book A, pages 490 and 501, and Lewis Co. Deed Book D, page 262. (Do not confuse with Leonard, son of John).
7. Jacob Hyre's Revolutionary War Pension records, National Archives, Washington, D. C.
8. Private correspondence with Fredrick Nose, Pastor (1978), the First Baptist Church, Buckhannon, W. Va.
9. See reference 5.
10. Hardy County Deed Book 2, pages 15 and 287.
11. Dorothy Davis, John George Jackson, p. 5, including her reference to Joseph Dodderidge, Notes on the Settlement and Indian Wars, p. 81, McClain Printing Company, Parsons, West Virginia, 1976.
12. Lewis County Deed Book P, page 242.
13. Lewis County Will Book I, page 231.
14. W. B. Cutright History of Upshur County. W Va. p. 485.
15. Lewis County Deed Book G 2, page 936.
16. Lewis County Deed Book G 2, page 957.
17. Lewis County Marriage Book 1, p. 69
18. W. B. Cutright, History of Upshur County. p. 485, states that Leonard, son of John, married Catharine Loudin. Leonard, in his will (Lewis Co. Will Book 1, p. 221) says that he is the son of John and names his wife, Catharine, and three sons, John, William and Jacob, and "Catharine Lowdan, daughter of William" The last was probably a young granddaughter, named in honor of her grandmother, as William was only 27 years of age at that time, too young to have a married daughter.

There is some confusion about the maiden name of Leonard's wife. No record of their marriage could be found. However, there is a record of the marriage of a "Henry" Heir and Catherine Loudin in Harrison County in 1798 (Marriage Book 1, p. 41). The name of Henry Hier (Hyre, Hyer, etc.) does not appear in any of the early census records of Harrison or Lewis Counties. Information found in the Tetrick Library in Clarksburg, W. Va., suggests that Henry Hyre and Leonard Hyre are the same person. In two places he is referred to as "Henry (Leonard) Hyre." When all evidence is considered, it is the writer's opinion that Leonard, son of John, married a Catharine Loudin.

19. E. H MORRIS Marriage Records of Harrison County 1784-1850. John Hyre

is named as the father of Elizabeth.

20. Harrison County Marriage Bonds, Book2, p. 283. Bonds signed by John Hier.
21. John names Peter as his son in his will (see ref. 13). Information on Peter's marriage and family is from his family Bible. No formal record of this marriage was found in Harrison, Randolph or Lewis counties, nor in Pendleton nor Bath counties, Virginia, from which Highland County was formed in 1847. The latter county was the area in which Elizabeth Pritt was born, according to her death record in Upshur County (Death records p.32, line 32). Peter is buried in Slab Camp Cemetery
22. Noah names his parents in the record of his second marriage, Upshur County record book designated "Year 1853," p. 19.
23. Birth and death from grave marker
24. Lewis County marriage records, Book 1, p. 17.
25. See reference 22
26. Lewis County Deed Book H, p. 91. Note: this deed dated September 30, 1840, pertains to the settlement of the estate of John Hyre, Jr., on Mud Lick Run of Finks Run. It involves land purchased from the Jacksons and names the children of John Hyre, Jr., as heirs.
27. Upshur County Deed Book G, p. 92.
28. Upshur County marriage records, Book Year 1853, p.9.
29. Lewis County Deed Book 4, p. 207, and Lewis County death records, Book 1, p. 143.
30. W. B. Cutright, History of Upshur County.
31. Upshur County marriage records, Book Year 1853, p. I.
32. From the Hyre Family folder in the Tetrick Library, Clarksburg, W. Va.

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