

1810-013

SOUTHAMPTON COUNTY
CHANCERY PAPERS

THOMAS et al vs. MELEMORE et ux 8/1810

other surnames: Reese, Thorpe

Thomas } Pile
y . } 2 Harrow
McLinnon &

Sept 1809 Inly decree

Aug 1810 Reple. not ~~and~~
decree final

Commonproun

David Newman

Allen Jones

James Morris

David Smith

To the worshipping court of Southampton County in
chancery sitting, humbly complaining these unto
your worship your orator and oratrix David Thomas, and
Polly Thomas orphan of Nathaniel Thomas ^{decd} an infant
by the said David Thomas her guardian, That about
the year 1775 a certain Joseph Reese the grandfather of your
orator and great grandfather of your oratrix made his
will in writing which has been duly recorded in this
court, where in he bequeathed to his daughter Mary Thomas
the mother of your orator certain slaves therein mentioned
and their increase for and during the life of the said
Mary Thomas. That the testator directs that the said ^{and increase} slaves
at the death of his said daughter should be equally
divided between the children which she should have
at the time of her death, as will more fully appear
from the said will reference being had thereto, and
copy whereof is hereto annexed and brought to be
as part of this bill, That the said Mary Thomas after the
death of her first husband intermarried with a certain
Neddy Thomas and has since departed this life leaving
the said negroes and their increase now amounting to
28 in number, That the children of the said Mary Thomas
who were the objects of the testator's bounty were your orator
David Nathaniel Thomas now ^{decd} the father of your oratrix
and Elizabeth now the wife of Joel McLenore, your
orators are anxious that a division of the said slaves should
be made according to the directions of the said Testator, But
now so it is may it please your worship, the said Joel McLenore
and Elizabeth his wife notwithstanding their perfect
knowledge of the premises abrogate & refuse to permit
the slaves to take place unless ordered by a decree
of your court under consideration whereof and for as much

complainants are remedied in the premises unless by the
direction of this court your orator and orators pray
the said Joel McLeone and Eliza both his wife
may be made defendants to this bill and may make
full and true answer thereto, and that your worship
will decree a division of the said Slaves according to the
claim of said and for that purpose appoint commissioners
to carry the decree into effect, and grant to your
complainants such other and further relief in the
premises as may be consistent with equity
May it please you

Very Rev.

The answer of Joel McLeone and Eliza both his wife
to the bill of complaint exhibited against them by David
and Polly Thomas by the said David, her guardian
They respondents suing and recovering
to themselves all benefit of exception to the errors &c
in the bill contained for answer thereto say that
that they admit the truth of the allegations of the bill
and have no objection to the decree therein prayed
for - claiming found & they pray to be taxed de-
mised. &c -

Joel McLeone for himself
and Eliza both his wife

Camptown November Court 1809.

David Thomas and Polly Thomas orphan
of Nathaniel Thomas deceased an infant
by the said David Thomas her guardian.

Compl'ts

} Ex Chancery

Joel M. Lemore and Elizabeth his wife Defts

The bill and answer in this cause were this day filed
and by consent of the parties It is Decreed & Ordered
that David Newsum, Allen Jones, James Harris and
Wheland Smith or any three of them make equal
division of the Slaves ^{being 18 in number} of which Mary Thompson formerly ^{Thomas} ~~handred~~
seized and possessed equally between the complainants
and the deft in right of his said wife Elizabeth
and make

Thomas }
no } Decree
McLemore }

Aug. 1870. ut c
& Decree final

Stamilton County, November Court - 1809.

David Thomas and Polly Thomas orphans
of Nathaniel Thomas deceased an infant
by the said David Thomas her guardian

Complts

ag^t

Isabel McLenore & Elizabeth his wife

Defts

} In Chancery

The bill and answer in this cause were this day filed and
by consent of the parties It is Decreed and Ordered that
David Newman, Allen Jones, James Harris & Elizabeth
Smith or any three of them make division of the
18 Slaves in the bill mentioned of which Mary
Thorp formerly Mary Thomas did seized & possessed
equally between the Complainers and the deft-
in right of his said wife Elizabeth and make
report thereof to the Court in order to a final
Decree.

At copy

Deals

H. Minton D.C.

By Virtue of a decree and order in Chancery made by the
County Court of Southampton bearing date November
Court 1809 wherein David Thomas and Polly Thomas
Orphan of Nathan Thomas dec'd an Infant, by the
said David Thomas her Guardian Compt.

Agd

Isaac McEmore and Elizabeth his Wife Deft^s

We the Subscribers appointed under said decree
have divided the Slaves in the said decree
express'd amongst the Complainants and the defen-
dants in Manner and form following To wit
To Isaac McEmore and Elizabeth his Wife the following
Slaves, Arthur, Hogg, Winney, and her child
Vilet, Jane and Prewy said Isaac McEmore
to pay to David Thomas for himself twenty
dollars and for Polly Thomas his Ward Three
dollars and Thirty four Cents -

To David Thomas the following Slaves, James
George, Isactoth and her child Mary, Silvia and
Darcas and to receive from Isaac McEmore &
Wife Twenty dollars. -

To Polly Thomas Orphan as aforesaid the following
Slaves Sam, Gedion, Grace, Mason, Charlot and
Maggie and to receive from Isaac McEmore &
Wife Three dollars and Thirty four Cents

Certified under our Hands this 14th day July
One Thousand eight hundred & ten

J. P. Harris

Allen Jones

David Newsum

Copy of
Receiv
Will
for Inc. Receiv

At a Court held for the County of Aston: the 12th day of February
1779. This will was presented in Court by Edward Reefe one
of the executors. ~~He~~ ^{He} moved thereunto & proved by the
oaths of J^{rs} J^{es} J^{es} Moses J^{es} & J^{es} J^{es} the witnesses
Thereunto & ordered to be Recorded. Upon the motion of
the said Exor^t who made oath according to Law &
Cert^f. was granted him for obtaining a probat thereof
in due form giving security whereupon &c

Copy

Jam Kello &

In the name of God, amen, I Joseph Reese of the
County of Southampton & Parish of Saint Luke, having my
perfect sense & of a just disposing mind thanks be to almighty
by God for same do make this my last will & Testament
in manner & form following (to wit) Imprimis after my
funeral expences are defrayed & just Debts paid, Dispose of
my worldly goods (both real & personal) which it hath pleased
God of his mercy and goodness to bestow on me in the follow-
ing manner (Viz:) Item I give to my son John Reese my
Gun commonly known by the name of Old Guy
Item I give my wearing Cloths to my loving wife Mary Reese
to be disposed of according to her ^{discretion} ~~discretion~~ Item I lend
and give the use of all The remainder part of my estate
(in what ever manner it may be found) to my said Wife Mary
Reese during her natural life Item after s^d wifes
decease I give & bequeath to my son Edward Reese the
Land or plantation wherein I now live containing 153
Acres be the same more or less to him the said Edward Reese
& to his heirs forever Likewise my money seals and its
appurtenances also I give unto my said son Edward Reese

my Negro man named Boy, and provided my said son
Edward Reese shall pay or cause to be paid unto my son John
Reese the sum of fifty pounds Lawfull Money of Virginia
within twelve months after the day my said wife shall
make her exit then on the said Terms I give & bequeath to
my said son Edward Reese my Negro man named Toby Item
Provided my said son Edward Reese do or shall neglect or
refuse to pay to my son John Reese £50. Lawfull money
of Virginia within twelve months after my aforesaid wife
makes her exit then I give and bequeath to my said son John
Reese my Negro man called Toby to him the said John & to his
heirs Item I give to my Grandson Joseph Reese (son of
my son Edward Reese) my Negro ~~man~~ Girl named Beck Item
I lend or give the use of my negroes, Moz, Arthur, & Grace, &
their future Increase unto my Daughter Mary Thomas during
her Natural life, & if at the death of my said Daughter
she does any Lawfull Issue then living my desire is ~~to be~~
for the said Moz, Arthur, Grace, & their future Increase

To be equally divided between such Lawfull Issue, but if
no such Lawfull Issue shall be at my said Daughters death,
Then I desire the said three negroes, May, Arthur & Grace, and
their future Increase shall be sold & equally divided betwixt
my sons John Reese & Edward Reese, Item my Will I desire
is that if my said Daughter Mary Thomas departs this life
and leaves any lawfull Issue living, that my executor
take into his or their possession what I have left or given
in the above mentioned Clause or bequest untill each of them,
shall arrive to Lawfull Age, putting out the same or making
use of it to the best advantage for the said Issue, Item
I give to my son Edward Reese my Chest of Drawers,
and I desire my estate may not be appraised, Item
my will I desire is that after my said Wifes decease
all the remainder of my estate which I have not bequeathed
shall be sold, & the money arising from the sale thereof to
be equally divided betwixt my children, Joseph Reese
^{In: Reese} Edward Reese & Mary Thomas if she is living at my
wifes death, But if my said Daughter Mary
should be dead at the time of her mothers death

Then I desire her equal part to be equally divided between
all the Children that she shall have living, at the
Time of her death, But if she the said Mary should depart
this life before her mother & without Lawfull Issue
Then I desire the same to be equally divided between my
said sons Joseph Reese, In: Reese, & Edward Reese
Item I do Constitute & Appoint my loving wife Mary
Reese and my son Edward Reese my whole & sole executor
of this my last Will & Testament In Witness whereof
I have hereunto set my hand & affixed my seal this
11th day of November 1775.

Signed Sealed Published &
Declared by the said Joseph
Reese in presence of

his
Joseph R Reese (Seal)
mark

In: Evey
Moses Thorne
Robert Evey
Joshua Nicholson

11th, the words twelve between the
15th & 16th & 18th & 19th lines interlin'd before
Signed &c.