1826-011 SOUTHAMPTON COUNTY CHANCERY PAPERS TAYLOR et al VS. GIBSON et ux et al 9/1826

other SURNAMES: Chandler, Drake, Mason, Ballard, Woodcock, Jeffries, Goodall, Bilbo, King, BROWN, Kello, Wilkinson, Jeffreys, Kellow

Taylor et al:
vs
Bill, Anr. &c
Gibson et al:

Dec. 1835 Int. Decree

any kind of whatsoever may serve

To the worshipful the County Court of Southampton
sitting in Chy.

Humbly complaining shew to your
worships your orators & oratrices Jesse Taylor, Henderson
Chandler & Esther his wife formerly Taylor - Elizabeth
Drake formerly Taylor & now widow of Jesse Drake dec.
- Elizabeth Mason formerly Ballard & now widow
of Jamey Mason dec. Benj.a Ballard - Rufus
Ballard & Lucy his wife, Silas Woodcock &
Rebecca his wife formerly Ballard - Osborn Jeffries
junr. - Wm Goodall & Helen his wife formerly
Jeffries - Sarah Bilso an infant by the s.d Jesse
Taylor her next friend - Elizabeth King formerly
Jeffries now relict of John King dec.d That
a certain Jesse Parsons departed this life in
the year 1770 having duly published his last
will & testament of which an authenticated
copy is hereto annexed as a part of this Bill.
That it will be remarked by your worships
that the said testator among other things devised
a number of Slaves (with their increase now
amounting to nearly thirty) to his executors
to be held in trust for his daughter Elizabeth
Pilsley Taylor during her natural life with remain-
der to be divided among her children or their
legal representatives at her death. That
Pinckney Taylor the then husband of the d.t Elizabeth
subsequently dying the intermarried with a certain
Nelly Adkins she survived & that she has
lately lately departed this life leaving three infants
as aforesaid & in the mean time the whole of the
executors of the original testator who were thus constitu-
-ted the trustees have died since which period no
other persons have in any manner been appointed

in their places or have thereto appointed the said trust. that the present children or their representatives of the said Elizabeth Ridley the legatee are your complainants and James M. Gibson & Lucy his wife formerly Taylor & Amelia Wilkinson who are prayed to be made defendants hereto & whose various rights & relationships will be explained to your orators by an enumeration of their respective genealogies & marriages. That the said Elizabeth Ridley had issue five children Lucy Charles, Rebecca, Sally & Jesse Taylor — That Lucy married Jesse Wilkinson & died leaving two children the said Lucy who married the s.d Gibson & the said Amelia Wilkinson — That Charles Taylor died leaving two children your complts Ester Chandler & Elizabeth Drake, the former having married Henderson Chandler & the latter Jesse Drake who has since departed this life — That Rebecca Taylor married Walter Ballard & died leaving four children your complts Elizabeth Ballard — Benjamin Ballard — Lucy Ballard wife of Rufus Ballard & Rebecca married to Wm. Woodcock — That Sally Taylor married Osborne Jeffries & died leaving four children Martha who married & died leaving one child Helen who married your complt Goodall — Patty who married & died leaving one child your complt Sarah & your complt Elizabeth who married John King whom she has survived — & That Jesse Taylor hay died leaving only one child your complt Jesse Taylor — That your orators Horatio & Jesse Taylor are desirous of having the said Slaves devised as aforesaid & them according to their respective rights but that this cannot be effected but by the interposition of a Court of equity. To the end therefore that the s.d defts may be compelled to answer the premises — that your worships be pleased to direct a division of the s.d Slaves on such principles as may be adjudged correct & further to grant them general relief in the premises as to may it please &c

Brockenbrough P.Q.

The joint Answer of James M. Gibson & Lucy his wife late of Amelia Wilkinson an infant by the s.d Gibson as her guardian specially appointed to defend her in this behalf to the foregoing Bill of complaint.

These respondents having to themselves &c for answer to the said Bill say that they admit the facts therein stated to be true & that they have no objection to the decree prayed for. And having answered they pray to be hence dismissed &c.

Brockenbrough P.Q.

Taylor & others
by &c Jr Chy.
Gibson & Others

This cause this day came on to be heard by consent of parties on the Bill Answer & exhibit filed, & the court on mature consideration doth adjudge order & decree that James Rochelle, James D. Maspenburg, Henry Gurley, James Bishop & Wm Lawrence or any three of them do divide the Slaves devised by Jesse Dunn dec.d formerly of this County to his executors in trust for his daughter Elizabeth Ridley Taylor

for her life, remainder to her children or their representatives & of which the said Elizabeth Ridley Taylor (also called Elizabeth Ridley and also called Kello) died possessed into five equal shares to correspondent respectively with the five original descendents of the said Elizabeth Ridley — that they then allot one such entire share to Jesse Taylor he being the only issue of Jesse Taylor the elder, one of the said five children of the d. Elizabeth Ridley & in whose right he claims — That they then subdivide one other share being that to which Lucy Taylor if alive would have been entitled into two equal parts & allot one to James Mc Gibson & Lucy his wife in right of his said wife & the other to Amelia Wilkinson. — That they then subdivide one other share being that to which Rebecca Taylor if alive would have been entitled into four equal parts & allot one to Elizabeth Marsh relict of James Marsh dec.d — one to Benjamin Ballard — one to Aspes Ballard & Lucy his wife in right of his said wife & the remaining part to Jno. H. Woodcock & Rebecca his wife in right of his said wife — That they then subdivide one other share being that to which Charles Taylor if alive would have been entitled into two equal parts & allot one to Henderson Chandler & Esther his wife in right of his said wife & the other to Elizabeth Drake relict of John Drake dec.d — That they then subdivide the remaining fifth part (being that to which Sally Taylor would if alive have been entitled) into four equal parts & allot one to Thomas Jeffries — one to Wm. Goodall & Helen his wife in right of his said wife — one to Sarah Pilbo in right of her d.d mother Betty Pilbo & the remaining part to Elizabeth King relict of Geo. King dec.d And the Commissioners having carried this decree into effect are directed to report their proceedings in the premises to this Court in order to a final decree.

Taylor
& Amendola
Gilman

Jany 1876 Decree amended

Taylor &c
vs
Gibson &c

For reasons appearing to the Court it is ordered that the interlocutory decree heretofore rendered in this cause be amended and that the commissioners heretofore appointed, in addition to the powers enumerated in that decree, proceed to ascertain such amounts & such terms as to them shall seem most expedient & most conducive to the general interest of the parties concerned the tract of land also sold by the said Complainants Nelson make a deed conveying the legal title to the purchasers & divide the proceeds of the sales among the same persons & in the same proportions as has been heretofore indicated in relation to the negroes — And that they report their proceedings in the premises in order to a final decree.

William Lawrence

Taylor & others
vs
Gibson & others } Chy.

September 1826 Rep.t Ret.d and
Final Decree by consent.

By Virtue of a decree of the county court of Southampton we the undersigned Commissioners proceeded to divide the slaves devised by Jesse Brown dec'd to his Executors in Trust for his daughter Elizabeth Ridley Taylor for her life remainder over to her Children or their representatives. The Commissioners found themselves much embarrassed in the discharge of their duty finding it impossible to do justice to the parties and literally execute the decree, it appearing by bonds conditioned for the return of the property or the payment of five hundred dollars and by the voluntary confession of one of the parties that Elizabeth Ridley Kellow (formerly Taylor) delivered up in her life time three of the above mentioned slaves to three of her children, one (a negro man) to her daughter Rebecca and one (a negro man) to her daughter Sally taking their respective husbands bonds conditioned as above stated, there was likewise a negro man delivered to her daughter Lucy for which no bond was taken but the parties interested one of them personally and the other by attorney acknowledged before the Commissioners the receipt of said slave and upon the same conditions. Neither of the slaves being returned. The commissioners rather than force the parties to their remedy on the bonds have thought proper in the first place to assign to Jesse Taylor the only issue of Jesse Taylor the Elder negro man Jibe valued at $500 and another man slave Bradley of same value jointly to Henderson Chandler and Elizabeth Drake, to make them Equal to the three children who had rec'd a slave each. The remaining slaves were divided in the five following lots.

Names of the slaves	Valuation	by whom drawn.	Names of Slaves	Valuation	by whom drawn
Lot No. 1. Moses	$200	Elizabeth Drake & Henderson Chandler	No. 2 Martia	$300	Drawn by the heirs of Rebecca Taylor
Minerva	200		Sophia	65	
Burton	100		Peter	100	
Matilda	300		Phebe	300	
Lydia	50		Cornelius	250	
Felix	175			$1015	
	$1025				
This lot will pay to No. 3 $23. No. 4 $23. and No. 5. 6 dollars	52		This lot will pay to No. 5	42	
	$973			$973	

Names of Slaves	valuation	by whome drawn
Lot No. 3 Jack	$200	
Cassandra	200	
Venus	225	
Castilio	325	Drawn by the heirs of Lucy Taylor
	$950	
This lot will receive of No. 1	23	
	$973	
Lot No. 4 Mentor	$400	
Andrew	125	
Zelphia	300	
Sarah	125	Drawn by the heirs of Sally Taylor
	950	
This lot will receive of No. 1 $23	23	
	$973	
Lot No. 5. Caroline	300	
London	125	
Louisa	300	Drawn by Jesse Taylor
Telemacus	200	
	$925	
This lot will receive of No. 2 $42.50 of No. 1 $6	48	
	973	

After making the first division the Commissioners proceeded to make the subdivisions excepting the lot which would have belonged to Lucy Taylor if alive, the parties wishing to receive that in its joint capacity. —

Original Lot No. 1 including man Brutus was subdivided between Elizabeth Drake and Henderson Chandler but in this subdivision Brutus is Estimated at $400 it being more in proportion with the valuation of the other slaves

First Lot Mathilda $300 Moses $200 Felix $175 and Lydia $50 Making $725 — This lot drawn by H. Chandler will pay to the second lot — 12.50 — $712.50

2nd Lot. Brutus $400 Burton $100 Minerva $200 making — $700 — $712.50

drawn by Elizabeth Drake who will receive of the first lot — 12.50 — $712.50

Original Lot No. 2 drawn by the heirs of Rebecca Taylor was subdivided as follows and averaged $253.75 Pr. Share

No. 1 in the subdivision — Phebe valued at $300 drawn by E. Mason

This lot will pay to No. 3. $3.75 & to No. 4. $42.50 — 46.25 — $253.75

No. 2. Martia valued at — $300 Drawn by Benjamin Ballard

This lot will pay to No. 4 — 46.25 — $253.75

No. 3 Cornelius valued at — $250 Drawn by Reuben Ballard

This lot will receive of No. 1 — 3.75 — $253.75

No. 4 Peter and Sophia valued at — $165 Drawn by Dr. Woodcock

This lot will receive of No. 1 $42.50. & of No. 2 $46.25. — 88.75 — $253.75

Original Lot No. 4 drawn by the heirs of Sally Taylor subdivided in 4 Lots

No. 1 Mentor Valued at — $400 Drawn by Isaiah Bilbo

This lot will pay to No. 2. $112.50 and to No. 4 — 50.00 — 162.50 — $237.50

No. 2 Andrew valued at — $125.00 Drawn by Elborn Jeffries

This lot will receive of No. 1 — 112.50 — $237.50

No. 3 Zelphia — valued at — $300 — 62.50 — Drawn by [illegible]

This lot will pay No. 4 — $237.50

No. 4 Sarah valued at — $125

This lot will receive of No. 1. $50 and of No. 3. $62.50 — 112.50 — $237.50

By an amendment to the original decree entered up at the January term it is made the duty of the commissioners to make sale of the tract of land held by Elizabeth Mellows in her life Time and dispose of the proceeds to the same persons and in the same proportion as the

Slaves were divided but they have deemed it inexpedient to do any thing with the land until they had reported to the court the present situation of the property and await the further instructions of the court. —

It appears that two of the parties interested in the sale being very anxious to close the business and finding the land had been omitted in the decree determined individually to make sale of the same which they accordingly did not of their individual part only but of the entire body and did actually receive the whole of the purchase money intending to pay over to the other parties their proportion which the commissioners expect they have done giving the purchaser as a temporary security their deed for the land and positive assurance that at the next court Commissioners would be clothed with authority to convey the legal title. — Under this state of facts the Commissioners determined to suspend all proceedings under the amended decree unless further instructed by the court. —

J. D. Mayenbury

Jn Bibb

Ballard
To
Vello

Boun

Waller Lockton

Ballard's

on refunding
Bond

Know all Men by these presents that I Walter C. Ballard of Halifax County & State of N. Caro. am held & firmly bound unto Eliza. R. Kellow in the full & just sum of one Hundred & sixty Pounds Current Money of Virginia to which payment well and truly to be made I bind myself my Heirs Ex. & Admrs with my seal & Dated this 9th Day of March 1798

The Condition of the above obligation is such that whereas the said Eliza. R. Kellow hath lent to the said W.C. Ballard one Negro Boy named London now if the said W.C. Ballard or his Heirs Ex. & Admrs do return the said Negro London to the s.d Eliza. R. Kellow when Demanded by the said Eliza R Kellow then the above obligation to be void & of none effect otherwise to remain in full force & virtue the day above written

W.C. Ballard Seal

Test

Jas. Drake

Office of Board
of
Police

Jeffers
to
B & L

proposing

Know all men by these presents that I Osborn Jeffreys Sen. of the County of Person & State of North Carolina am held and firmly bound unto Elizabeth Ridley Kellow of the County of Southampton & State of Virginia & Samuel Dickins of the said County of Person in the full sum of Five Hundred dollars for the payment of which I bind myself my heirs Executors & administrators by these presents to the said Elizabeth Ridley Kelly & Samuel Dickins their heirs, Executors, administrators or assigns In witness whereof I hereunto set my hand & affix my seal the 21st August 1820

The condition of the above obligation is such that whereas the above bounden Osborn Jeffreys has in his possession a negro man named Andrew which said negro man the above named Samuel Dickins holds in Trust for the sole use and benefit of the before mentioned Elizabeth Ridley Kelley by virtue of the power vested in him (the said Samuel) by the last will and Testament of Jesse Brown duly proven and recorded in Southampton County Court; Now if the said Osborn Jeffreys shall and will deliver the said negro man Andrew to the said Elizabeth Ridley Kellow or said Samuel Dickins when ever they or either of them may think proper to demand him and pay the further sum of twenty five Cents annually as hire during the time he may keep in possession the said negro man then the above obligation to be void otherwise to remain in full force and virtue

Signed Sealed and delivered
in presence of

Osborn Jeffreys Sen. (Seal)

Parthenia Dickins

Mary Browne Dickins