

1849-14

SOUTHAMPTON COUNTY  
CHANCERY PAPERS

TYLER and Wife VS. ROCHELLE  
EY-ON-ROX et al  
11-19

Other surnames: Blow, Spark,  
Hines, Gray

Taylor & Wife

to } Papers.

Rochelles Exor &c

Tyler & wife

v. { statement.

Rockwell Ex: &c.

1843.

Jan'y 23<sup>rd</sup> Subpoas. *sp.*

March R. Subpoas. ret. Executed  
Bill filed.

May " Set for hearing as to all the  
Dfts. except Jas. Rochelle's.

June. Wm. Aspart assigned gen. ad  
Litem to infant Dft.

Aug. 3 Answer of Infant filed & Rep.  
by

Oct. Set for hearing as to infant Dft.  
" D. Continued.

1844.

May. J. Ans. of Martha B. &  
John W. Rochelle filed by  
counsel. Gen. Rep. - & decree  
for account of

Nov. J. Continued.

1845.

Nov. J. Leave given Martha B. Rochelle  
to answer her answer.

1846 Jan. R. amended Ans. filed  
& Rep.

" Mar. Set for hearing as to Dft.  
M. F. B. Rochelle.

1847 Nov. Decree &

1847 Mar. Cont.

1847 Nov. Decree &

1848 May Cont.

" Oct. 30 Report.

11. Nov. J. Rep. Recommended

1849 May Continued

" Nov. Final decree.

John Tyler & wife  
in 1/2 Channing  
Rockwell Bay 186

1843 March Rules.

To the Judge of the Superior Court of Paris and  
Chancery for the County of Southampton in  
Chancery sitting

Humbly complaining these unto the court  
your petitioner and petitioner John Tyler and Martha  
his wife formerly Martha Rockelle that or  
certain James Rockelle the father of your peti-  
tioner and late of said County died on or  
about the day of August 1835 after having  
made and duly published his last will and  
testament which was admitted to probate  
and read in the County Court of said  
County on the 21st day of September 1835 and  
Martha F. B. Rockelle executrix called Martha  
Rockelle the executrix therein named and  
qualified in the estate of the said James Ro-  
ckelle and entered into bond in a sum  
of fifty thousand dollars conditioned  
as the law directs with George Blois  
Jr. & Spark and Daniel B. Hines as her  
sureties. Attested copies of the will of  
the said James Rockelle and of the said  
executorial bond, marked A and B,  
are herewith filed and are proposed  
to be taken as part of this bill.  
By the said will it is provided that four  
several tracts of land containing in all  
seven hundred and twenty eight acres  
should be sold by the executrix and the  
proceeds applied to the payment of debts  
due by the testator in his lifetime.  
The balance of the estate after the payment  
of the debts was left to the executrix  
during her life or widowhood for the

maintenance of herself and children. requesting  
her to give to the children the best educa-  
tion his estate would afford.

The will further provides as follows to wit "And whereas my son John and my daughter Martha desired title to some slaves by the death of their half brother which are in my possession and has not been allotted to them; should they claim their independence of my estate. It is my will and desire that so much more of my estate be allotted to my son James as will make his estate equal to theirs"

The said testator left his widow the said ex-  
ecutory and the said three children John  
Matthew and Mary, and the said James,  
who is still an infant under 21 years  
of age, his heirs at law and distributees  
under the will; your attorney has since  
interviewed with your executor John Tyler  
and they are entitled to a portion of  
the testator's estate under the provisions  
of the will. The said executor pro-  
ceeded to take charge of the estate by ac-  
cording to the will ~~and~~ after administering  
in the same, and instead of selling  
the land as expressly directed to pay  
the debts against the estate he without  
authority commenced selling slaves  
and applying the proceeds in payment  
of the debts. On the 16th Nov. 1837 the  
said four slaves named Henry, Matt,  
Joel and Rose for the sum of  
\$2074. and again on the 3rd Feb. 1837 the  
said three slaves Cain, Cajor, Isaac, Patience  
and three children Sally and Watson and  
Richard for the sum of \$7073 as appears  
by an account current returned to  
me on the 19th Dec. 1837 and

ordered to be recorded. The balance due on  
raid account on the raid vote on the  
30th June 1937 was \$907.81 with interest on  
\$995.92. The fact, a copy of the raid account  
nowhere is herewith filed ~~with~~ and  
prayer to be taken as fact of this bill.  
No credit is given in raid account for  
the roles of any portion of the land directed  
to be sold by the will although nearly  
two years had elapsed from the time  
of qualification on the part of the raid  
executors; since the year 1937 no further  
account has been rendered of the ra-  
ciding transactions nor has any  
inventory and appraisement of the estate  
ever been returned so far as your  
creator and voting are advised, which  
exhibits a neglect and inattention  
on the part of the raid executors  
truly inconsistent with her duty  
to the creditors and distributees.

to the undersigned  
your order and noting have understood  
that the three tracts of land in the  
county of Southampton have been sold by  
the executors but at what price  
they are not now advised as my  
account has been returned, and they  
are unable to learn how the proceeds  
have been disposed of: they have however  
been informed that the land men-  
tioned in the will as bought of John  
Thomas containing 337 acres has been  
sold and bought by the executors  
themselves, but how the was able to buy  
land belonging to the estate they are  
unable to ascertain on the ground

that she had only a life estate under  
the will, and had no means of pay-  
ing for land out of the profits of the  
estate which were to be appropriated  
to the maintenance and education of  
the family; your mother and mother-in-  
law the said executrix has to a great  
extent neglected her duty and mis-  
managed the estate and they have made  
up very much to them from such  
course of mismanagement. They  
require that an additional account  
shall be rendered by the executrix of her  
disbursements on the estate that its  
true state may appear how she has adminis-  
tered the balance due on the said  
account current returned in 1837  
and what has been done with  
the proceeds of the land sales in op-  
erance; your mother and mother-in-law  
further waste and destruction  
of the estate by a further sale of  
slaves as they have heard much of  
the intentions of the executrix.

The half brother of his children John  
and Martha your mother-in-law from whom  
they derived title to some slaves as  
mentioned in said will was a cer-  
tain Henry M. Gray the son of the  
said executrix by a former mar-  
riage; on his death his heirs were  
the said executrix his mother and  
the said John and Martha the half  
brother and half sister, the said  
executrix the mother being entitled

5  
to one half of the slaves of which he died  
seized which half accrued to the said  
John and Martha in right of his said wife  
and the said John and Martha  
your mother-in-law being each entitled to one  
fourth thereof being brother and sister  
of the half blood. The death of the said  
Henry M. Gray occurred about eighteen  
years ago when your mother was an  
infant and before her remembrance  
they are ignorant of the number and  
names of the slaves which descended  
to his mother brother and sister.  
They believe now they and their off-  
spring amount to a considerable  
number, and that the said Henry M.  
Gray of their facts acts only with the  
said executrix who was perfectly fa-  
miliar with the whole matter  
and can answer fully as to all the  
facts connected therewith; your mother  
and mother-in-law believe that a portion  
if not all of the slaves sold by the  
said executrix were the slaves descended  
from the said Henry M. Gray and  
improperly sold to pay the debts of the  
testator. They claim their rights to one  
fourth of said slaves and their increase  
or to one fourth part of the proceeds  
of such of them as may have been  
sold, and they require that the said  
executrix shall render a fair and  
full account of the same and  
an account of the heirs since the  
death of the said Henry M. Gray.

The deed when very young owed no  
debts and no administrative expenses  
back on his estate, the said James Rockwell  
being the husband of his mother and  
in possession of the slaves. kept the  
same without a division until he  
died in 1835 and since that time  
they have either been sold or remain  
in fact in the possession of the said  
executors; your orator and oratory are  
anxious to prevent further loss and  
mismanagement of the estate and  
wish to receive and enjoy their portions  
of the slaves or the proceeds thereof  
derived from the said Henry all  
gray; but the said executors make  
various pictures upon to grant their  
reasonable requests. To the end therefore  
that relief may be had and granted  
as they are without remedy at law  
and can be relieved only in a court  
of equity your orator and oratory pray  
the court that the said Matthew Ro-  
well in be over right and as exec-  
utors of said deceased and her assigns the  
said George Blow, Mr. & York, and  
said B. B. Jones, the said John Rockwell  
and the said James Rockwell who is  
an infant by his guardians for that  
purpose to be appointed may be made  
defendants to this bill and be com-  
pelled to answer the same <sup>as</sup> fully  
and distinctly as the allegations were  
agoice repeated and they thereto  
particularly interrogated, that the

raise Martha Rockelle the executor  
be particularly required to state on  
oath the number and names of  
the slaves received from the raise since  
1806 Gray at the time of his death  
and the number and names of  
their increase, how many and  
the names of those which have been  
sold and at what prices, whether  
the sales have all been creditable and  
account book kept returned, and he  
may also now left in her pos-  
session or under her control  
quantity of the raise James Rockelle desires  
that she may be required to make before  
or commissioners of the court a full  
true and perfect inventory of the estate  
and an account of her transactions  
on the raise, that she may receive  
wages to your <sup>aid to</sup> ~~aid to~~ <sup>aid to</sup> ~~aid to~~ <sup>aid to</sup>  
full share of the slaves now in  
her possession with an account of  
all ~~sales~~ <sup>his</sup> since the death of the ~~raise~~  
~~Martha Gray~~, and an account  
of the moneys received from  
sales of those heretofore sold, and  
pay to you ~~extra~~ note and vote  
being their just portions of all his  
and money or premises and on  
failure thereof the said executors  
be required to pay the raise, and  
that she may be prohibited from selling  
the contents of said estate, and may  
it please the court to grant all  
further necessary relief and award the  
costs of suit. Geo. H.

James Rockwell

Infants

arrived

41

1843 Aug. Rules

The annuities of James Rockwell are in  
fact under 21 years by ~~Littleton~~  
~~Edwards~~ <sup>Am. Spark</sup> his guardians and letters to be  
here exhibited against him and others  
in the Superior court of Southampton by  
John Tyler and Martha his wife.

This respondent having and assuming  
to himself all advantage of exception  
to raise bills for annuities there is  
never and says that being under 21  
under 21 years of age he is in love  
permanently ignorant of his rights but  
as to his rights he begs leave to place  
himself under the protection of the  
court, and asks if there is any  
doubt to be made in this case  
that he shall be fully and in all  
respects protected, and receive the  
full benefit of all the provisions  
of his father's will so as to have  
permanently to him all his rights  
and interests in the said estate  
and having thus assumed before  
him to be disinterested with his  
costs &c in this behalf expended

Witness

Am. Spark,  
4/1

Tyler & wife

to { Ance. M. B. Rockwell

Rockwell Co. V

1844 May Term

The separate answer of Martha T B Peckelle  
in her own right and as Executrix of her decea-  
sed husband James Peckelle to a bill of  
complaint exhibited against her and others in  
this honorable court by John Tyler and Mar-  
tha his wife -

This defendant now and at all  
times hereafter saving and reserving to herself  
all manner of benefit and advantage of  
exception to the errors uncertainties and insuffi-  
ciencies in the said bill contained for answer  
thereunto, or to so much or such parts thereof  
as she is advised it is material to make  
answer unto, answering, says, it is true that  
she has as Executrix and legatee under the will  
of her deceased husband, taken charge of his estate  
both real and personal, but that she has wasted  
the same or any part thereof, she utterly denies.  
It will be seen by reference to the will of her  
testator, which is made an exhibit by the plain-  
tiffs in their bill, that after the payment of  
his debts, he bequeathed to this defendant, all the  
rest of his estate both real and personal ~~to her~~  
life or widowhood for the maintenance of herself  
and children requiring her to give them the best  
education his estate would afford - as the estate tho-  
rough had never been profitable, and was insuffi-

out even on the life time of the testator, her  
support her family in the style they were  
accustomed to live, without aid from other  
resources, it is not to be supposed that it would  
prove sufficient in her hands, when diminished in  
value and amount, and that this defendant avers that  
if she has ever departed from the strictest and most  
rigid economy in the management it has been on  
account of her children and not from any indulgence  
and gratification of her own. She was enjoined  
by the will of her father to give them the best educa-  
tion her estate would afford, and she knows it  
was never contemplated by him, that their style  
of living should be less comfortable than it had been  
under his own direction. It is true this defendant  
has been obliged to submit to <sup>many</sup> ~~some~~ privations  
since the irreparable loss she has sustained, but  
she has borne them with cheerfulness & is willing  
for the good of her <sup>beloved</sup> children to submit to still for-  
ther privations. She refers to the account of  
her executorial transactions, made up by com-  
missioner Cobb, and filed as a part of the answer  
marked A, to show how she has managed the  
estate, and how far it has come near to sell  
a considerable portion of it for the payment  
of debts. The tract of land referred to in the plaintiff's  
bill, as devised to be sold by the will of her father  
has been sold and the money applied as will be seen  
in the account referred to - all the debts of the estate

have not yet been discharged, and it will be neces-  
sary to sell other property for that purpose, but she hopes  
enough will be left to make herself and children comfort-  
able, the small and valuable tract of land in Danvers and the  
has been capable to sell for any price  
The plaintiffs by their bill seek to recover certain  
shares, which ~~they~~ <sup>the several plaintiffs</sup> claim to share, as distributees of  
her deceased infant half brother Henry M Gray.  
By the will of the father of the said ~~defendant~~ Henry  
M Gray, <sup>a copy of</sup> which is herewith filed as a part of the  
answer marked B, he gives to the said defendant the  
whole of his estate both real and personal during life  
or widow, and upon her marriage he directs his  
estate to be divided into two equal parts, one of which  
he gives to his son in fee simple, the other to the  
defendant during life and then to their son Henry  
M, who as before stated died an infant - As the  
plaintiffs show by their bill, see list of the  
property thus devised, <sup>has ever been made</sup> nor has there been any election  
upon the part of the testator James Peshille, to take  
any part of the same as husband, unless a clause in  
his will which will hereafter be referred to, should  
be considered as having that effect. This defend-  
ant claims one half of the said shares under  
the will of her first husband Henry M Gray,  
during her life, she having survived her now hus-  
band James Peshille - She also claims one moiety  
of the other half in fee as distributee of her said infant  
son Henry M Gray, as the same was <sup>not</sup> reduced into  
possession, by entering of the mortal right, of the said

James Archelle - When her son, Henry died, she  
had living two children, by the second marriage,  
the son, John 10 and the female plaintiff, James  
was born after the death of his half brother  
and is still under age -

When Henry M the infant died, there were eight  
slaves, belonging to his deceased father's estate  
and subject to the provisions of his will, to  
wit - two men Tom and Abram, between them  
between thirty and forty years of age, and both  
valuable servants, they are now infirm and of  
little value - Two young men Henry and Calvin  
about 21 years of age and very likely - two young  
women Sally and Betsey, the one a cook  
the other a housewife, one old woman Molly  
always useless and expensive, and Mason a  
small girl, also expensive - Betsey had  
three children, two dead in infancy, and a boy by  
the name of Henry, who was sold by my testator to  
Lab Ingram, who married his wife, and was about  
to move to the Western country, as far as this  
dependent on what he sold for about \$600

I have sold since I had charge of the estate  
the following slaves, if there, or their descendants  
desired from my first husband's estate as  
before narrated. To wit Calvin a man quite  
infirm for \$700, Henry the son of Betsey for  
\$667, Sally, brought and useful and expensive to the estate  
and her son Watson a small boy for \$750  
Emma Sally's daughter a likely girl about 14 years  
of age for \$900, Mortimer another son of Sally for

the monies arising from these sales have  
been appropriated to the payment of debts  
and support of the family, as my executor  
account before referred to will show -

Molly died a few years ago from infirm  
age, and she had always been a charge upon the  
estate, Betsey became deranged, soon after the  
death of my son <sup>Henry M.</sup> ~~Henry M.~~ <sup>by her son or her son's</sup> and was a constant  
charge expense and trouble until her death  
heavy bills were paid to physicians for attending  
her, and it was necessary also to employ some  
one constantly to watch over her, and this was  
also the case in regard to Sally, perhaps deemed  
to be a considerable talent in that family of negroes,  
which rendered it desirable to part with them  
in preference to them not so afflicted -  
there are now in my possession, Tom & Abram  
both advanced in years and infirm, Abram has  
been attacked with paralysis - they have not  
been worth more than their wearables and clothes  
even if as much as that <sup>for some years</sup> since  
then, all expensive except Andrew her oldest  
boy, who is just large enough to work in the  
field, Mason the mother has been delicate in  
her health and indolent in her habits, serv-  
ed but little work, and cost us much in doctor  
fees - her other children, are named Frank, Maria  
Cornelia Sophia and Fanny & Patsy are infants  
I have thus given, so far as my recollection

on either side a few canals and detached steamers  
in regard to these negroes, which I hope will  
prove satisfactory to the plaintiffs -

This defendant further answering says, that  
in her testator's will, is the following clause

"Whereas my son John and daughter Martha  
deserved to be some shares by the death  
of their half brother, as such are in my possession  
and has not been allotted to them, should they  
claim them independent of my estate it is then  
my will and desire, that no more of my estate  
be allotted to my son James as will make his estate  
equal to theirs - This defendant always believed  
that this clause in her testator's will, would <sup>prevent</sup> ~~bring~~  
a separate claim being set up by the distribution  
of the half brother Henry M. since unless the  
estate of her testator should prove insufficient or  
insufficient to make James' share equal to  
theirs, <sup>which is not and cannot be expected</sup> she cannot ~~bring~~ <sup>bring</sup> peace her own  
large as to be devised to them from such clause -  
This consideration together with the reasons  
already assigned, induced her to sell some of the  
shares, a portion of which is claimed by the  
plaintiffs in their bill - If this is right  
as the view she has taken, the amount to be  
recovered, after deducting the heavy costs and  
charges, allowing some of the shares, together with  
the expenses paid in her paying them to a depositee  
and better receipt must be very inconsiderable

the finally submits to the decision of this honorable court, her rights and interests, as well as those of all the parties concerned, & having fully answered all the material allegations in the plaintiffs bill returned, she prays to be hence dismissed with her costs in this behalf expended

Martha B Rochelle -

Scutts v. Scutts, County to wit  
Personally appeared before me a Justice  
of the peace in and for the said County, Martha  
F B Rockelle, defendant to a bill of complaint  
of Tyler and wife against her & others, and made  
oath that the facts stated in her answer came  
to, upon her own knowledge and those stated up  
on the information of others she believes to be true  
under my hand and seal, this 6<sup>th</sup> day of May anno dom  
1844  
A. Williams (Seal)

Tyla and wife  
as  
Rockwell et al:

amended answer of Martha  
F B Rockwell

1946 January Rules

Parker p. d.

A judicial circuit, circuit superior court of law and chancery for the county of Southampton, in chancery, setting

The answer by way of amendment to the answer already filed of Martha T B Rickelle, to a bill of complaint filed by John Tyler and wife against ~~her~~ and others in the circuit superior court of law and chancery for the county of Southampton.

This defendant now and at all times hereafter claiming all advantage and benefit of exception to the errors and insufficiencies in the said bill contained by way of supplement and amendment to her answer already filed, the leave of the court being first had and obtained, further answering says - that her testator James Rickelle deceased, qualified as Executor to the said ~~James~~ Henry Gray, the first husband of this defendant, (as will appear by a copy of the will of the said Gray, and certificate of probate herewith filed marked A and prayed to be taken as a part of this bill) and in that capacity took possession of the personal estate of the said Gray, consisting of slaves and perishable property - that the slaves, concerned in his possession up to the time of his decease, and after the death of ~~James~~ <sup>the</sup> Gray the younger who died an infant of tender years, without allotment or direction, and without any act of her said testator to elect and take any part of the said slaves as husband as she knows or believes, unless the sale of one of them to Col. James Fitzgerald mentioned in her former answer, shall be so considered - The ~~slave~~ so sold had a wife belonging to the said Fitzgerald, who was about to remove with his slaves to the state of Tennessee, and this defendant's testator, from motives of humanity and to prevent a separation of man and wife, consented to sell the said negro man slave as aforesaid to the said James Fitzgerald - This defendant, further states that so far as she knows or believes, her said testator kept no guard book or other account, ~~in~~

with his said children, Martha and John, nor did he  
ever qualify as guardian to either - indeed the inference  
made to this property in his will seems clearly to show  
that he left it as he found it, as Executor of the said  
James H Gray -

Under these facts and circumstances, this  
defendant, as an inmate to this honorable court  
of she is not entitled as survivor of the said ~~James H Gray~~<sup>James H. Gray</sup> her  
first husband, in her own right, to such  
portion of the said monies as she claimed under  
the will of her first husband, and as distributee of  
her infant son James Henry ~~Rockwell~~<sup>H</sup> Gray

And having fully answered prayers to be  
hence dismissed -

Martha F B Rockwell -

Southampton County to wit,

Personally appeared before me a justice  
of the peace for the said county Martha F B Rockwell  
and made oath that the facts stated in her above  
amended answer, upon her own knowledge and true  
and those stated upon the information of others, she  
believes to be true - given under my hand and  
seal this 8<sup>th</sup> day of January 1846

Wm O Nicholas *(Seal)*

Tyler & wife

to J. Mrs. W. Rockwell

Rockwell Esq

1844 May Term.

The separate answer of John W  
Reichle to a bill of complaint  
exhibits in this honorable court  
against him and shows by John  
Tyler and Martha his wife -

This defendant seeing and regarding  
to himself all benefit and advantage  
of exception to the errors, uncertainties  
and insufficiencies in the said  
bill contained for answers thereto  
or to so much and such parts thereof  
as he is advised it is material  
to make answer with expressing  
says, that he should have <sup>been</sup> perfectly  
willing to have abided by the  
provisions of his deceased father's  
will, in relation to the property of  
his deceased brother Henry  
M Gray, but as the plaintiffs seek  
to recover by their suit their proportion  
he asserts his claim as distributee -  
admitting that his brother Louis, shall  
be entitled to the provision made for  
him in his father's will -  
this defendant has no objection to  
the accounts called for by the  
plaintiffs bill, but in relation to  
the small tract of land, in town of

directed to be sold for the payment of  
the debts of his father he as executor  
for the Executor, has made frequent  
attempts to sell the same, without  
avail, and he is informed and  
believes the said tract is of little or  
no value, —

This defendant has resided  
with his mother the Executor ever  
since the death of his father, except  
when at the college of William & Mary  
in the city of Williamsburg, and has  
been acquainted with the way in which  
the estate has been managed, and he  
believes no property of the estate  
has been sold by the executor, except  
such as was rendered necessary for  
the payment of debts and the support  
of the family & he knows that great  
economy has been practiced in relation  
to the support of the latter object —

I being fully answered each allegation  
of the bill, as he is answered it is unde-  
rstood he answers prays to be thence  
dismissed with his costs &c. —

Jno W Rochelle

Southampton County to wit

Personally appeared before me a justice  
of the peace for the said county of  
Southampton and made oath that  
the facts stated in this his answer upon  
his own knowledge is true, and then  
swore for the information of others  
he believes to be true — Given under  
my hand & seal this 6<sup>th</sup> day of May  
anno domini 1844

G. W. Sturrow J.P. (Seal)

Eggs & wife

Archibald & Co.

1844

1844 May Term

I at appearing to the Rules Section  
of the court that the witnesses  
upon the other <sup>side</sup> ~~side~~ <sup>of</sup> ~~of~~ have  
been returned more than two  
months & they still feeling to appear  
& answer the plaintiff, will  
therefore as to them is taken for  
confessed -

John Tyler & Martha his wife  
vs  
Martha Rochelle Exr. of James  
Rochelle and 26

This cause came on this day to be  
heard by <sup>consent</sup> upon the bill of the plain-  
tiffs the answers of the defendants &  
and ~~exhibits~~ <sup>complications thereto</sup> filed and was argued  
by counsel, on consideration whereof  
the court doth adjudge order  
and decree that the defendant  
Martha Rochelle executrix of James  
Rochelle do do under before  
William F. Goodwin a commis-  
sioner of this court an additi-  
onal account of her transactions  
on the estate of her <sup>deceased</sup> husband, in  
which the acts filed as an  
exhibit in the <sup>bill on answer</sup> cause marked

shall be taken as prima  
facie correct <sup>by assent of the parties</sup> subject to be  
rechecked & falsified, which  
account the said commissioner  
is hereby directed to state and  
settle with any matters de-  
manded pertinent by himself or re-  
quested by the parties

That the said defendant  
do also render before said  
commissioner an account  
of the number and names  
of the slaves belonging to her  
as Gray at the time of his

Martha & 13 the Rochelle, John W. Rochelle & James by her

death and the number and  
names of their increase since  
with the names of those who  
have died also an account  
of any that may have been sold  
by her tutor or herself and  
the several values thereof when  
sold also an account of  
the hires or annual values  
of the slaves since the death  
of the said Henry or any  
which said acts the said  
court is also directed to state  
& settle with any matters  
demanded pertinent or required  
by the parties

Tyler Grose

i v. } Co. Dume

Rockelles Ex.

Aug: 31<sup>st</sup> 1844 -

Southampton Circuit Superior Court May Term 1844

John Taylor and Martha his wife  
against

Plffs

Martha B. Rochelle in her own right and as executrix of James  
Rochelle dec'd. George Blount William A Sparks Samuel B. Hines John  
Rochelle and James Rochelle

Defls

The Defendants Martha Rochelle in her own right and as executrix of James  
Rochelle and John M. Rochelle by consent of the plaintiffs by counsel and with  
the leave of the Court this day filed their answers to the plaintiffs bill to which  
answers the plaintiffs replied generally and the subpoenas awarded having been  
executed on the defendants George Blount William A Sparks and Samuel B. Hines  
and they failing to appear and answer altho two months have elapsed as well  
since the filing of the bill as of the service of the subpoena upon the said  
defendants Blount Sparks and Hines on the motion of the plaintiffs their bill is  
taken for confessed as to those defendants: and thereupon this cause coming on to  
be heard upon the bill the answers of the other defendants applications thereto and  
exhibits was argued by counsel on consideration whereof the Court doth adjudge  
order and decree that the defendant Martha Rochelle executrix of James  
Rochelle do render before William S. Goodwyn a Commissioner of this Court  
an additional account of her transactions on the estate of her said Testator on  
which the accounts filed as exhibits in the bill and answer marked C. and D.  
shall be taken prima facie correct by consent of parties subject to be <sup>our</sup> discharged  
and falsified which account the said Commissioner is hereby directed to state and  
swear with any matters deemed pertinent by himself or required by the parties  
That the said defendant do also render before the said Commissioner an account  
of the number and names of slaves belonging to Henry M. Gray at the time of his  
death and the number and names of their increase since with the names of those who  
have died also an account of any that may have been sold by her Testator or  
herself and the several values thereof when sold also an account of the hire or  
annual value of the slaves since the death of the said Henry M. Gray which  
said accounts the said Commissioner is also directed to state and swear with any  
matters deemed pertinent or required by the parties

Attesty Teste J R Edwards Clerk

Dec 20

~~This decree might  
be entered but for the  
consideration that there  
is a case in which  
the right and proper  
settlement of the plaintiff's  
wife demand a settle-  
ment in her favor  
before the husband that  
he is permitted to receive  
the property in question.~~

~~R. B. S.~~

Gylis wife

i } Dec 20

Prochillo Esq.

J. P. Ampton

Gylen & wife

Nov: Term - 1846

2

Decease

Prochelle Ex:or.

This day this cause came on again to be heard on the amended answer of Martha B. Prochelle ~~and~~ <sup>in</sup> ~~the~~ <sup>to</sup> on the papers formerly read, together with the report of Commr. Goodwyn made under an order of May Term 1844, to which no exceptions have been filed, and as argued by counsel: On consideration whereof, the Court confirming the said report and expressing no opinion as to the interest of the defendant Martha B. Prochelle in the estate left by her former husband Henry Gray, as survivor of her second husband James Prochelle, but reserving that question for future decision, doth the order adjudge and decree, <sup>by consent of parties</sup> that the defendant Martha B. Prochelle Executrix of James Prochelle decd: pay unto the plaintiff John Gylen jr. the sum of \$537.12 1/2, with but on \$430.87 1/2 post thereof from the 1<sup>st</sup> day of January 1838, on \$75.00 post thereof from the 1<sup>st</sup> day of January 1843, and on \$31.25 post thereof from the 1<sup>st</sup> day of January 1845, till paid: and that the said defendant Martha B. Prochelle pay unto the defendant John M. Prochelle the like sum of \$537.12 1/2 with but on like amounts as above stated - The Court doth further <sup>by consent of parties</sup> order that George A. M. Newsome, Benj. Devany, James D. Bryant and Henry Blow any three of whom may act, be and they are hereby appointed Commissioners of ~~the~~ <sup>for that purpose</sup> ~~that said Commissioners~~ <sup>proceed</sup> to divide the slaves belonging to the estate of Henry Gray decd: and now in the possession of the defendant Martha B. Prochelle into eight equal parts, having regard to value, and allot one part to the plaintiff John Gylen jr. and one part to the defendant John M. Prochelle, and the other six parts they deliver to the defendant Martha B. Prochelle that if said Commissioners cannot effect said divisions in kind they are hereby authorized and required, after having given reasonable notice of the time and place of sale, to sell at public auction for ready money, so many of said slaves as may be necessary for that purpose, and out of the proceeds of such sale, pay unto the plaintiff John Gylen jr. and unto the defendant John M. Prochelle each, an amount in money equal to one eighth of the value of the whole number of said slaves, having previously paid the expenses of such sale, and if any balance remain in their hands, they are hereby directed to pay the same to the defendant Martha B. Prochelle, and make report of their proceedings to Court - And the Court further orders

that as to all other matters this cause be continued until the next term

Syler + wife  
2 } Decred  
3 }  
Rockwell +

Abey —

Southampton Circuit Superior Court November Term 1846

John Tyler and Martha his wife

Plffs

vs

Martha B Rochelle in her own right and as Executrix of  
James Rochelle and George Blount Williams A Sparke

Samuel B Huns John Rochelle and James Rochelle

This day this cause came on again to be heard on the papers  
formerly read on the answer of Martha B Rochelle  
and Replication thereto together with the Report of Commissioner  
Goodwyn made under an order of May Term 1844 to which  
no exceptions have been filed and the statement made  
and was argued by counsel on consideration whereof the Court  
confirming the said Report and expressing no opinion as to the  
interest of the defendant Martha B Rochelle in the estate  
left her former husband Henry Gray as survivor of her second  
husband James Rochelle but reserving that question for future  
decision doth order adjudged and decreed by consent of parties  
that the defendant Martha B Rochelle Executrix of James  
Rochelle do out of the assets of her Testator in her hands to be adminis-  
tered pay unto the plaintiff John Tyler for the sum of five  
hundred and thirty seven dollars and twelve cents with interest  
on four hundred and thirty dollars eighty seven cents part  
thereof from the 1<sup>st</sup> day of January 1838 on twenty four dollars  
part thereof from the 1<sup>st</sup> day of January 1833 and on thirty  
one dollars and twenty four cents part thereof from the 1<sup>st</sup> day  
of January 1845 till paid and that the said defendant  
Martha B Rochelle Executrix as aforesaid in like manner out of  
the assets of her Testator pay unto the defendant John W  
Rochelle the like sum of five hundred and thirty seven  
dollars and twelve cents with interest on like amounts as  
above stated. The Court doth further order by consent of parties  
that George A W Newsome Benjamin Downing James D Bigham  
and Henry Blount any three of whom may act be and they  
are hereby appointed Commissioners for that purpose proceed  
to divide the Slaves belonging to the estate of Henry M Gray  
deceased and now in the possession of the defendant Martha B

Rockwell into eight equal parts having regard to value and allot,  
one part to the plaintiff John Sayer Jr and one part to the defendant  
John W. Rockwell and the other six parts they deliver to the defendant  
Martha W. Rockwell. That if the said Commissioners cannot effect said  
division in kind they are hereby authorized and required after giving  
reasonable notice of the time and place of sale, to sell at public auction  
for ready money so many of said slaves as may be necessary for  
that purpose and out of the proceeds of such sale pay unto the  
plaintiff John Sayer Jr and unto the defendant John W. Rockwell  
each an amount in money equal to one eighth of the value of the  
whole number of said slaves having previously paid the expenses  
of such sale and if any balance remains in their hands they are  
hereby directed to pay the same to the defendant, Martha W. Rockwell  
and make Report of their proceedings to Court, and the Court  
further orders that as to all other matters the cause be continued till  
the next Term

John S. Edwards Esq

Taylor York

to }

Rochelle Y

Dec. 1847

To be entered

R. H. Bakers

This case came on this day again to be  
heard on the papers formerly read together  
with the <sup>report</sup> of the commissioners made pursuant  
to the deed and order pronounced at the New  
Term 1845 to which no exceptions have  
been filed, and the entire body of  
opinion that the interest of the said  
Martha B. Rockwell in the slaves belonging  
to the estate of her first husband Henry  
May accrued by her under his will and  
by the death of her son Henry survived  
to her on the death of her second husband  
James Rockwell both confirm the said  
report and doth advise order and decree  
that G. & M. Stewart, Bury, Devour, James  
D. Mayant and Henry Black as any three  
of them who are hereby appointed Comrs. for  
this purpose ~~with value the slaves and new frame,~~  
James, Caroline, Poling and Tom mentioned in said report, and  
said ~~Martha B. Rockwell~~ ~~doth advise order and decree~~  
producing therefrom \$21.87, will elect and give to the said Martha  
B. Rockwell one third of the said slaves (valued by the said Comrs.  
at \$21.87) and the said sum of \$21.87 added to the said fund, to hold  
as her absolute property  
and the Comrs. doth for the adv. order and  
decree that she hold possession of the residue  
of the said slaves as tenant for life under  
the will of Henry May, her husband, the being  
the opinion of the Comrs. that on the death  
the said residue will be distributable among  
the next of kin of the said Henry May  
the share of Henry May as follows to wit one  
half in absolute property to the said Martha B.  
Rockwell estate and one fourth each to Martha  
Tyler and John W. Rockwell. and the Comrs.  
doth further advise order and decree that

That the said Martha B. Rockwell pay to  
the said John W. Rockwell the sum of  
nearly one dollar, and eighty seven cents  
the sum mentioned in the said report,  
and the said Cent. all together to equal  
their preceding and unpaid sum to be paid.

Lynx nigr

2 } Recue

Procellaria

To be entered

R. H. B.

Nov. co. 48.

4849 Nov Term

Lynne

i

Deere

Prochelle

Nov. Term 1848

This day this cause came on again to be

heard on the papers formerly read, together with the report of Com. Ross  
made pursuant to a decree entered herein at Nov. Court 1847  
between Deere & Bryant, and exceptions thereto filed, and was argued  
by counsel. On consideration whereof, the Court sustaining the exception  
doth order that said report be recommended to said Com. for re-examina-  
-tion and resettlement; who are hereby directed to report their proceedings  
to Court with any matter specially stated, claimed pertinent by them-  
-selves, or which may be required to be so stated by either of the parties

Tyler & wife

to } Copy Deed

Rochester Co. N.Y.

Portsmouth Circuit Superior Court November Term 1848.  
John Tyler and Martha his wife

Defts

against  
Martha B. Rochelle in her own right and as  
Executrix of James Rochelle decd and others 3 Defts  
This day the Court came on again to be heard on the papers  
formerly read together with the Report of Commissioners Newson  
Deering and Bryant made pursuant to a former order at November  
Court 1847 and exceptions thereto filed and was argued by counsel  
on consideration whereof the Court sustaining the exceptions doth  
order that said Report be remitted to said Commissioners  
for examination and settlement who are hereby directed  
to Report their proceedings to Court with any matters specially  
stated deemed pertinent by themselves or which may be required  
to be so stated by either of the parties

Teste E. M. Edwards C. C.

Zyland wife

2 } Deane

Rockwell & c

To be entered

R. H. Baker  
Nov. co: '49

1829 & November Term

Lynch & wife

i

Pschelle & others



Decease

Nov: term 1849

This cause, this day came on again to be heard on the papers formerly read together with the report of Commrs: Stevenson, Byont and Leroy made pursuant to the order of Nov: term 1848, to which no exception has been filed, and was argued by counsel, On consideration whereof the Court confirming said report, doth order, adjudge and decree that John M Pschelle pay unto the said Morsha B Pschelle the sum of fifteen dollars and 62/100 with interest from this day till paid; and the said John Lynch pay unto the said Morsha B Pschelle, the same amt with like interest - and that each party respectively pay his own cost incurred since the order of Nov: term 1848

Yuba wife  
i notice  
Rockelle }

Executed  
U. S. S.

John Tyler and Martha his wife, Martha B Pro-  
chelle in her own right and as Executrix of  
James Prochelle decd., George Blaw, William  
A Spink, Saml. B Dines, John Prochelle and  
James Prochelle - You are hereby notified that  
pursuant to a decree of the Circ. Sup: Court of  
Chancery for the county of Southampton, pro-  
nounced at May Term 1844. I shall on Saturday  
the 31<sup>st</sup> day of August next, at the Commr: office  
in Jerusalem, proceed to take the several  
accounts therein required, at which time and  
place you may attend

W. S. Goodenough  
Commr:

July 26<sup>th</sup> 1844 -

Tyler & wife

v. } App. in Chy.

Rockelles Ex: & ad

March  
1843 February Rules.

Executed on James  
Rockelle Wm A Spauld  
& Saml B Hines

Wm J. Scrull & J. J. J.  
Wm J. Scrull & J. J. J.

Executed on Martha  
B Rockelle & John  
W Rockelle.

Signature of  
W L Everett Sheriff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Martha F B Rochelle Executrix of James Rochelle dec<sup>d</sup>, Samuel B Hines, William A Spark, John W Rochelle and James Rochelle*

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *March* next, to answer a Bill in Chancery exhibited against *them* in the said Court by *John Tyler and Martha his wife formerly Martha Rochelle*

And unless *they* shall answer the said Bill within <sup>*two*</sup> ~~four~~ months thereafter, the Court will take the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *23<sup>d</sup>* day of *January* 1843, in the *107<sup>th</sup>* year of the Commonwealth.

*L R Edwards*

[One Copy to be delivered each Defendant.]

L. A. C.

Tyler & wife

to: 3 Sp<sup>ts</sup> in lhrs.

Rochester Ex. Feb

1843 ~~March~~ Rules.

Exe. committee

G. W. Dillard depy of  
H. C. Chambliss kn ft

THE COMMONWEALTH OF VIRGINIA,

*Superior*  
To the Sheriff of ~~Southampton~~ County, Greeting:

We command you that you summon

*George Blom*

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *March* next, to answer a Bill in Chancery exhibited against *him* <sup>by others</sup> in the said Court by *John Tyler and Martha his wife formerly*  
*Martha Rochelle*

And unless *he* shall answer the said Bill within <sup>*two*</sup> ~~ten~~ months thereafter, the Court will take the same for confessed, and decree accordingly. And this *he* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *23<sup>rd</sup>* day of *January* 184*3*, in the *67<sup>th</sup>* year of the Commonwealth.

*L R Edwards Clk*

[One Copy to be delivered each Defendant.]



THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—GREETING:

WE COMMAND YOU, That of the goods and chattels of ~~a~~ <sup>the</sup> ~~late~~ <sup>deceased</sup> ~~James~~ <sup>James</sup> ~~Rockwell~~ <sup>Rockwell</sup> ~~at the time of his death~~ <sup>at the time of his death</sup> ~~in the hands of Martha~~ <sup>in the hands of Martha</sup> ~~B Rockwell his executry to be administered~~ <sup>B Rockwell his executry to be administered</sup>

late in your bailiwick, you cause to be made the sum of <sup>five hundred & thirty seven</sup> ~~four hundred and thirty~~ dollars and <sup>two</sup> ~~two~~ cents with interest on <sup>four hundred and thirty</sup> ~~four hundred and thirty~~ dollars <sup>& thirty seven</sup> ~~& thirty~~ cents past <sup>from the 1<sup>st</sup> day of January 1838</sup> ~~from the 1<sup>st</sup> day of January 1838 <sup>the said</sup> ~~the said <sup>on County</sup> ~~on County~~ <sup>and dollars another part thereof from 1<sup>st</sup> day of January 1833</sup> ~~and dollars another part thereof from 1<sup>st</sup> day of January 1833~~ <sup>& on thirty seven dollars & thirty seven cents the other part from 1<sup>st</sup> day of January 1845</sup> ~~& on thirty seven dollars & thirty seven cents the other part from 1<sup>st</sup> day of January 1845~~ <sup>see entry which John Rockwell</sup> ~~see entry which John Rockwell~~ lately in our Circuit Superior Court of Law and Chancery for Southampton County.~~~~

has recovered against the said <sup>Martha B Rockwell</sup> ~~Martha B Rockwell~~ <sup>Executry as aforesaid</sup> ~~Executry as aforesaid~~ <sup>for debt; also</sup> ~~for debt; also~~ <sup>of the said Court</sup> ~~of the said Court~~ <sup>\_\_\_\_\_ dollars and</sup> ~~\_\_\_\_\_ dollars and~~ <sup>\_\_\_\_\_ cents.</sup> ~~\_\_\_\_\_ cents.~~ which to the said \_\_\_\_\_ in the

same Court, were adjudged for \_\_\_\_\_ costs by \_\_\_\_\_ about \_\_\_\_\_ suit in that behalf expended: whereof the said <sup>Executry</sup> ~~Executry~~ is

convict as appears to us of record. And how you shall have executed this Writ, make known at the Clerk's Office of our said Circuit Superior Court of Law and Chancery, at the Rules to be holden for the said Court, on the first Monday in <sup>March</sup> ~~March~~ next. And have then there this Writ. WITNESS, LITTLETON

R. EDWARDS, Clerk of our said Court, at the Courthouse, this <sup>26<sup>th</sup></sup> ~~26<sup>th</sup>~~ day of

<sup>January</sup> ~~January~~ 1847, in the <sup>71<sup>st</sup></sup> ~~71<sup>st</sup>~~ year of the Commonwealth.

<sup>S R Edwards</sup> ~~S R Edwards~~ &c

Taylor & Cooper  
in  
Richelle's Exc. Acc.

The subject of  
this bill of exchange  
is the purchase of the  
date of the new  
slaves for sea-  
sons.

In date 687 n.  
the same is  
dated for the first  
of the year  
6 M and 64.

Tyler & wife vs Rockwell's Executors -

J H Gray, died leaving a widow an infant child, and a will making bequests to the two - & James Rockwell <sup>Executor who</sup> ~~you~~ <sup>you</sup> styled as such, and in that character proposed himself of the personal estate belonging to Gray. Rockwell afterwards intermarried with the widow, and after the birth of two children by the second marriage he died when Henry Wm and Martha, and the infant by the first marriage died, of tender years - There is no evidence to show that Rockwell the second husband, ever proposed the claims of Gray as husband, no decision ever took place, and by his will he asserts this fact, and directs that if John and Martha, survive as distributives of their estate and half brother, the portion of James, his only remaining child, shall be made equal but of his estate - James Rockwell died leaving his widow executrix of his <sup>estate</sup> ~~life~~, and the three children above named, all of whom are of full age, except James, Martha having -

commenced with John Tyler <sup>Jun 30<sup>th</sup> 1811</sup> who had  
 constituted a suit in chancery, for a settle-  
 ment of James Ritchie's estate, and for  
 his wife's portion of her half brother's estate.  
 To whom does that portion of the slaves belong  
 to which Mrs Ritchie was entitled under the  
 will of her first husband and as executor  
 trustee of her infant child by him &c

There is no evidence in the case to show that the second husband ever started to take the clothes as husband, and the fact that undermen were sent on, goes far to show that he made no such claim.

such supposition of his being a different person from the Executor could not legally be set forth, out the Executor's consent. But the case is the same, where both characters are united in the same person. In that case an affidavit or declaration to take as devisees must be expressed or clearly implied. Wallace & wife vs. Fallisferro & wife 2 Call 336.

Blakey vs Newby, Womers & Randolph  
p. 70 - In which the court say, the case  
of Wallace & Talliaferro is conclusive  
there, that when the characters of  
executor & husband concur in the same  
person, this conclusion will follow, un-  
less there be some objection, or some fact  
indicative to take in the character of  
husband & that this principle applies

emphatically to cases where the mortgages  
husband did not attach specifically  
to all the slaves on premises, but only  
to a part of them after they should  
have been devoted or allotted —

This is the case at Bar Mrs Rachelle  
wishes & the executor Gray was entitled  
to only a part of the money & after his  
death the they have to be distributed  
between her and the children then  
born of the second marriage -

I so far as we were informed the only act of the second husband & all indication to take as husband, is the role of one of the slaves in his life time, and is not inconsistent with his character of Exeter — I too suggest to be relied upon as revealing such an intention —

We submit therefore that all  
the interest which Mrs. Rachelle de-  
rived under the will of her first  
husband or acquired by distribution  
of her son by the first marriage  
survives to her.

Tyler & wife  
to } Report

Prochelle & c

1844 Sept. 14<sup>th</sup>

Estate of James Rockelle decd.

In account with Martha B Rockelle, Executrix  
Comms. office, Aug: 31<sup>st</sup> 1844.

The Commissions have been to state that some of the parties interested were present, and no exceptions being taken to either of the accounts filed in the cause (must be so &c) which the Comms. was directed to take as prima facie correct, he can only report the balance due on last of said account 1843-Dece: 31<sup>st</sup> Balance due Executrix - - \$170.78

with Interest from this day till paid

Respectfully submitted

W. S. Goodenough

Comms.

Account of the slaves belonging to Henry M Gray at his death. Their increase, value &c: -

Comms. office Aug: 31<sup>st</sup> 1844

There were eight slaves belonging to Henry M Gray at the time of his death. to wit Tom - Abram, Cairn, Harry, Sally, Lettice, Molly and Mason

The increase of said slaves since the death of the said Gray has been as follows. Three children of Lettice, to wit Henry and two others who died in infancy. Three children of Sally, to wit Emma Watson and Harwell. Seven children of Mason to wit Andrew, Frank, Lavinia, Cornelia, Sophia, Fanny and Patsy

Those who have died since the said Gray are the two infants above mentioned, Lettice and Molly

The names and several values of those who have been sold are as follows

|                |         |       |                                |              |
|----------------|---------|-------|--------------------------------|--------------|
| Cairn          | val. at | \$900 | }                              | Sold in 1837 |
| Sally & Watson | " "     | \$750 |                                |              |
| Emma           | " "     | 900   |                                |              |
| Harwell        | " "     | 485   |                                |              |
| Henry          | " "     | 667   |                                |              |
| Harry          | " "     | 600   | - sold by J. Prochelle in 1832 |              |

The annual value of the slaves, commencing from

the year 1824, the date of Henry M Gray, estate are as follows - to wit -

|                  |              |         |                  |                  |
|------------------|--------------|---------|------------------|------------------|
| Tom - up to 1840 | val. p. year | \$25.00 | - x 19 =         | \$475.00         |
| Abram " " 1836   | "            | "       | " 25.00 - x 15 = | " 375.00         |
| Harry " " 1832   | "            | "       | " 30.00 - x 11 = | " 330.00         |
| Cairo " " 1837   | "            | "       | " 35.00 - x 16 = | " 560.00         |
|                  |              |         |                  | <u>\$1960.00</u> |

|                                     |                 |      |              |                  |
|-------------------------------------|-----------------|------|--------------|------------------|
| Sally's family - from 1827 to 1837. | Expense p. year | \$30 | - x 10 =     | \$300.00         |
| Lettice & " " 1825 to 1827 -        | "               | "    | " 60 - x 2 = | " 120.00         |
| Molly - " 1824 to 1832 -            | "               | "    | " 30 x 11 =  | " 330.00         |
| Mason's family - " 1830 to 1845 -   | "               | "    | " 30 x 15 =  | " 750.00         |
| Tom - " 1840 to 1845 -              | "               | "    | " 15 x 5 =   | " 75.00          |
| Abram - " 1836 to 1845 -            | "               | "    | " 15 x 9 =   | " 135.00         |
|                                     |                 |      |              | <u>\$1710.00</u> |

In taking the above account of the annual value of the slaves, the Commrs. thought it proper, taking every thing into consideration, to state the average annual value and expense, as is above stated, in the above act: the slaves Henry, Emma and Nataniel are omitted, because they were sold when quite young and it appeared to the Commrs. that the expense of raising them was about equal to their services. Watson was a small boy when sold and is included with Sally's family. Mason was quite a small girl at the death of Henry M Gray, was expensive at that time and continued so for several years; she was also profitable for a few years, about equal to her expense before, no account is taken of her until the year 1830, when from the increase of her family she commenced being expensive again - There was no time specified in the clause under which this act is taken, at which the hire of the slaves are to commence, or to close; the above statement commences at 1821, the date of the death of H. M Gray and terminates at the death or sale of the respective slaves - In those instances, where the slaves are still in the possession of Mrs. Prochelle, the statement closes at 1845 -

All of which is. Respectfully submitted  
W. S. Goodwyn Commrs.

Note - The commissioners neglected to state, that in taking the account of the values of the slaves sold, 10 per cent. must be deducted from the sales of Cain, Sally's daughter and Emma, for the expenses of carrying them to the courts and selling. That amt. was paid by Mrs Prochelle. The other slaves were sold in this county without any expense

W. S. Goodwyn  
Commrs.

Statement (c8)

# Am't sale of slaves - Statement - (A)

|                                     |               |                                 |
|-------------------------------------|---------------|---------------------------------|
| Levin                               | \$900-00      | } sold in 1837 by Mrs Prochelle |
| Sally & Watson                      | 750-00        |                                 |
| Emma                                | <u>900-00</u> |                                 |
|                                     | \$2550-00     |                                 |
| 10 per cent off. expenses of sale - | <u>255-00</u> |                                 |
| Nett amt -                          | \$2295-00     |                                 |
| Hortwell                            | 486-00        | } sold in 1837 by Mrs Prochelle |
| Henry                               | <u>667-00</u> |                                 |
| Am't sales in 1837                  | \$3447-00     |                                 |
| Harry -                             | <u>600-00</u> | 3 sold in 1832 by Jas Prochelle |
| whole am't sales -                  | \$4047-00     |                                 |

## Am't hires of slaves from 1821 To 1<sup>st</sup> January 1845

|                                          |                |                                             |
|------------------------------------------|----------------|---------------------------------------------|
| Am't of hires -                          | \$1960-00      | } $\frac{1}{8}$ of \$3447-00 = \$430-87 1/2 |
| " of expenses -                          | <u>1710-00</u> |                                             |
| Nett am't hires -                        | \$230-00       |                                             |
| Am't sales but down -                    | <u>4047-00</u> |                                             |
| Am't distributable -                     | \$4297-00      |                                             |
| John Tyler's portion $\frac{1}{8}$ -     |                | \$537-12 1/2                                |
| John Prochelle's portion $\frac{1}{8}$ - |                | \$537-12 1/2                                |

Slaves of Henry Gray dec'd: in possession of Mrs Prochelle. to wit -  
 Tom - ~~Abraham~~ Mason - Andrew - Frank - Lavinia - Cornelia  
 Sophia - Fanny - Patsy - (Abraham Mason has died since the  
 report was returned)

*Zylar & wife*

*i } Comm: Report-*

*Prochelle*

*1847 May 17*

Hylton & wife

5

Prochelle & c.

Circ. Sup. Court for the County of Limestone

Pursuant to the annexed order of Court, the undersigned Commissioners beg leave to report: that they proceeded to divide the stores belonging to the estate of Henry M Gray dec'd in the possession of Mrs Martha B Prochelle in the following manner to wit:-

|          |           |          |
|----------|-----------|----------|
| Andrew   | valued at | \$550.00 |
| Frank    | "         | " 400.00 |
| Fanny    | "         | " 250.00 |
| Lavinia  | "         | " 200.00 |
| Sophia   | "         | " 225.00 |
| Cornelia | "         | " 150.00 |
| Patsy    | "         | " 100.00 |

\$1875.00

And: allowed Mrs. Prochelle for keeping Tom -

100.00

Nett val: of stores

\$1775.00

John Hylton portion  $\frac{1}{4}$  = \$221.87.

J. M. Prochelle " " = " 221.87"

The Commissioners beg leave further to report that it was the desire of Mrs. Prochelle and J. W. Prochelle that the stores should not be sold, and to prevent a sale they agreed that Sophia valued at \$225: should be allotted to John Hylton for his portion, which was done. The Comm: allotted to John W Prochelle Lavinia valued at \$200- the sum of \$21.87 is to be paid to the said J. W. Prochelle by Mrs. Prochelle in order to make up his portion. The other stores above mentioned were delivered to Mrs Martha B Prochelle pursuant to the decree annexed-

all of which is respectfully submitted

J. A. W. Stevenson  
Benj Devany  
James D. Bryant

Egbert & wife  
" } Report.  
Rockwell

Commissr.

1848 October 30

Per J.

Tyler & wife  
 against  
 Rochelle & 3 chd

Pursuant to a Decree of the Circuit  
 Superior Court of Law and Chancery for Southampton County  
 pronounced at November Term 1847 to us directed by the  
 undersigned Commissioners by leave to Report that, <sup>we</sup> they  
 have proceeded to value the Slaves mentioned in said  
 Decree and also to allot to M. B. Rochelle one third  
 of the valuation of said Slaves according to said  
 Decree which valuation and allotment is as follows  
 to wit:

Frank " valued at: \$1.00

Harry " " 2.50

Caroline " " 1.50

Patty " " 1.00

~~Let~~ 11.00

Allowed Mr Rochelle for keeping them 1.00

3 \$ 15.00

~~\$ 5.00~~ 3 1/3

Nett Valuation of Slaves \$1000.00

\$21.87 to be deducted:

21.87.

3 \$ 978.13

326.04 1/3.

We have allotted to Master B. Rochelle Harry valued  
 at \$2.50.00 and Patty valued at \$1.00. making \$3.50.00  
 which is 1/3 of the third share in proportion according to  
 the above Valuation. Respectfully submitted

G. A. W. Newcom

R. D. Wany

James O. Bryant

Coms

*Lynx & wife*

i } Exceptions to  
Prochelle &c. Com: Report

Nov Term 1848

And the said John Lytle by his counsel comes and excepts to the report of Comm: Stevenson, Devony and Bryant made under an order of Nov: Term 1847 for the following reason to wit: Because the said Comm: in their report, have allowed Mr B Paschelle, the sum of one hundred dollars for keeping an expenior slave Term, having previously allowed the same in a report made by some Comm: under an order of Nov: Term 1846 -

Pridley Shoddy's atty

Lytle & wife

i

Paschelle & c

} Exception to Comm: report

1829 Oct. 19<sup>th</sup>

Tyler vs wife

against

Rockelle & ot

} chy

Pursuant to a Decree of the Circuit  
Superior Court of Law and Chancery for Southampton  
pronounced at November Term 1848: And the  
undersigned Commissioners pursuant to said decree  
have examined and resolved the said division  
as follows; to wit:

|                 |                   |
|-----------------|-------------------|
| Frank valued at | \$ 600:00         |
| Fanny " "       | 250:00            |
| Constance " "   | 150:00            |
| Daisy " "       | 100:00            |
|                 | <u>\$ 1100:00</u> |

Nett Valuation of slaves: \$ 1100:00

To be deducted — 3 } 21:87

354:37 — <sup>2</sup>/<sub>3</sub>.

21:87.

M. B. Rockelle proportion \$ 381:24 <sup>2</sup>/<sub>3</sub>

We have allotted Martha B. Rockelle Fanny  
valued at \$250: and Daisy at \$100:00 making \$350:00  
to be held by her in fee simple which is \$31:24 <sup>2</sup>/<sub>3</sub> less  
than her proportion which is to be paid to her by John Tyler  
wife & Jno W. Rockelle

Respectfully submitted  
G. A. M. Mearns  
James D. Boyant  
B. Dewany

Teste L. B. Edwards Secy

The green has been  
 taken from the  
 leaves of the  
 plant. The leaves  
 are now very  
 dry and brittle.

Rockwellton Jr.  
Tyler & Co. } Bill Jr.

Rochelle Exix 8c

Exhibit (A)

*A. C. C. C.*

under p. 7

I James Rochelle of the County of Southampton and State of Virginia do make this writing as and for my last will and Testament as follows to wit: 1- It is my will and desire that the tract of Land I purchased of William J. Scott called Buxter containing 519 acres the tract of Land I purchased of The Estate of John Thomas and containing about 337 acres both lying near the Town of Jerusalem. and a small tract of Land containing about 60 acres lying on the south side of Holloway River at or near the thick neck bridges and also a tract of Land which I own lying in the County of Anne Arundel containing 192 acres be sold by my Executrix on such terms and at such time as she may think advisable and that she execute legal deeds of conveyance for the same and apply the proceeds of such sale to the payment of my debts -

2. After the payment of my debts I lend unto my wife all the rest and residue of my estate of what nature and kind soever during her life or widowhood for the maintenance of herself and children requesting her to give them the best education my estate will afford - 3 - And whereas my son John and daughter Martha divide

title to some slaves, by the death of their half brother which were in my possession and has not been allotted to them; should they claim them independent of my estate

It is thus my will and desire that so much more of my estate be allotted to my son James as will make his estate equal to theirs. Revoking all other wills. I do appoint my wife Executrix to this my last will. Given under my hand and seal this 17th day of August 1835 -

Teste

James Rochelle (Seal)

Wm. W. Spark

Clements Rochelle

Murray <sup>his</sup> Doyle  
marks

Rochelles Ex.

To } Bond

Justices

e Hoppy

Exhibit  
B

Syler vulgo  
w.

Rochelles Ex. Y.

Know all men by these presents, That we Martha F.B. Rochelle George Blong Samuel B. Hines, William A. Spark, are held and firmly bound unto James Clayton Jephtha Darden, James D. Hapenburg & James Magel, Gentlemen Justices of the Peace for the County of Southampton, now sitting in the sum of Sixty thousand dollars, to the payment whereof well and truly to be made unto the said Justices and their Successors, we bind ourselves, and each of us, our and each of our heirs, Executors and Administrators jointly and severally, firmly by these presents. - Sealed with our seals and dated this 21<sup>st</sup> day of September 1835.

The Condition of the above obligation is such, that if the said Martha F.B. Rochelle Executrix of James Rochelle deceased, do make a true and perfect inventory of all and singular the Goods, chattels and credits of the said deceased together with an inventory of the real Estate within this Commonwealth which by the said Will may be subject to the authority of the said Executrix and which have or shall come into the hands, possession or knowledge of her the said Executrix, or into the hands or possession of any other person or persons, for her and the same so made, do exhibit to the County Court of Southampton at such time as she shall thereto be required by the said Court and the same Goods, chattels and credits and real Estate do well and truly administer according to Law, and make a just and true account of his actings and doings therein, when thereto required by the said Court, and further, do well and truly pay and deliver all the legacies contained and specified in the said Will as far as the said Goods, chattels and credits and real Estate will extend according to the value thereof, and as the Law shall charge - then this obligation to be void, or else to remain in full force.

Signed Sealed and delivered  
in open Court

Martha Rochelle Seal  
Geo. Blong Seal  
Wm. A. Spark Seal  
Saml B. Hines Seal

Attest

Jesto L. R. Edwards Ck

Account Current of

James Rochelle Estate

Exhibit

C

(Adopt)

J. O. Wright County - Va.

Smithfield

Atto: at law

John H. Allen Esq

23

Account Current

Tyler H. L.

to 7 Exhibit C.

Rochelle Ex. 7

Drummond  
Aug: 22 1833

# The Estate of James Rockwell dec'd

In account with Martha B Rockwell

| 1835 |    |                                                                      |           | Dr.  | Cr. | Int. |
|------|----|----------------------------------------------------------------------|-----------|------|-----|------|
| Sept | 22 | To price of B Hines acct                                             | for Rock. | 17   | 00  |      |
| Oct  | 5  | " " S R Strong "                                                     | " "       | 1    | 00  |      |
|      | "  | " " Nails "                                                          | " "       | 12   |     |      |
|      | "  | " " S M Rockwell expenses to Norfolk on }<br>business for the Estate |           | 7    | 75  |      |
|      | "  | " " Clothing for John M Rockwell of "                                |           | 25   | 37  |      |
|      | "  | " " Negro Clothing "                                                 |           | 7    | 18  |      |
|      | "  | " " Decemur acct "                                                   |           | 66   | 00  |      |
|      | "  | " " Hauling to and from Norfolk "                                    |           | 5    | 00  |      |
| 10   | "  | " " H M Bate acct "                                                  |           | 25   | 00  |      |
|      | "  | " " for boots and mending do for S. M. B.                            |           | 9    | 00  |      |
| 17   | "  | " " Willie Humlin for ditching "                                     |           | 4    | 00  |      |
| 15   | "  | " " Nicks Lunsford of? "                                             |           | 5    | 00  |      |
|      | "  | " " expenses on horse of Holt to N. Market for sale                  |           | 4    | 50  |      |
|      | "  | " " But for Robin                                                    |           | 2    | 50  |      |
|      | "  | " " Osburn M. Furland and Fister                                     |           | 9    | 46  |      |
| 22   | "  | " " A. Bernard                                                       |           | 11   | 34  |      |
|      | "  | " " S. W. Thomas acct "                                              |           | 5    | 00  |      |
| 26   | "  | " " S R Strong "                                                     |           | 7    | 60  |      |
| Nov. | 7  | " " S D Mufenburg "                                                  |           | 18   | 00  |      |
|      | 9  | " " S R Strong "                                                     |           | 3    | 72  |      |
|      | 16 | " " S R Strong of? in part bond                                      |           | 975  | 96  |      |
|      | "  | " " Ditto do bond of Int                                             |           | 110  | 59  |      |
| 6    | "  | " " Peggy Vick for rent land                                         |           | 15   | 00  |      |
| 13   | "  | " " S R Strong of? but bond                                          |           | 1000 | 00  |      |
| 21   | "  | " " M Roland necessities for family                                  |           | 27   | 00  |      |
|      | "  | " " Drayage and freight on Rail Road                                 |           | 1    | 30  |      |
|      | "  | " " A Cherry expenses going after estate made                        |           | 7    | 00  |      |
|      | "  | " " N Mason acct                                                     |           | 12   | 00  |      |
| 24   | "  | " " M Davis Coyer "                                                  |           | 3    | 00  |      |
|      | "  | " " Gardner for making negro shoes                                   |           | 2    | 75  |      |

|         |                                                      |            |         |  |
|---------|------------------------------------------------------|------------|---------|--|
| 1835-   | To paid W F Taylor 46 <sup>o</sup> acct              | 24 62      |         |  |
|         | Carried forward                                      | 24 33 02   |         |  |
| Novr 25 | To amount brought forward                            | 24 33 02   |         |  |
|         | " paid Freight on Rail. road                         | " 52       |         |  |
|         | " " S D Mupenburg his note                           | 65 28      |         |  |
| Decr 4  | " " J Pritlow in part of his note                    | 190 00     |         |  |
| 15      | " " Q Remara acct                                    | 63         |         |  |
|         | " " Anderson for making negro shoes                  | 1 13       |         |  |
|         | " " R Darden bond and Int                            | 74 94      |         |  |
|         | " " J B Wines for J Moore                            | 14 00      |         |  |
|         | " " J Triguant P M acct                              | 9 62       |         |  |
|         | " " Mordough and Triguant                            | 13 78      |         |  |
| 19      | " " S Polkenhorn                                     | 11 00      |         |  |
| 20      | " " E Turner bond and Int                            | 616 75     |         |  |
| 21      | " " J F Briston                                      | 15 00      |         |  |
| 23      | " " Peter Joe free negro                             | 1 00       |         |  |
|         | " " Salt Peter for the Estate                        | 25         |         |  |
|         | " " George W Thomas acct                             | 83 33      |         |  |
|         | " " Sam Brown                                        | 21 42      |         |  |
| 1835-   |                                                      | of 3551 85 |         |  |
| Sept 22 | By J B Wines bond and Int                            | " " 177 12 |         |  |
| Octr 3  | " Cash A Emmerson president P & R Rail Road          | " " 111 00 |         |  |
|         | " " 19 head cattle sold in Norfolk (note)            | " " 120 00 |         |  |
|         | " " A R Strong for brandy                            | " " 222 46 |         |  |
|         | " " Bacon Ham sold in Norfolk                        | " " 58 00  |         |  |
| Novr 16 | " " Sale negro Boy Henry                             | " " 669 00 |         |  |
|         | " " " Bartwell                                       | " " 245 00 |         |  |
|         | " " " Jacobs                                         | " " 700 00 |         |  |
|         | " " " Earl Rose                                      | " " 220 00 |         |  |
|         | " " George Booth                                     | " " 2 25   |         |  |
|         | " " A Atkinson for money collected of J B Whitehead  | " " 31 72  |         |  |
|         | " " Mary Jones in part note                          | " " 19 91  |         |  |
| Decr 7  | " " Thomas Pritlow                                   | " " 9 00   |         |  |
| 18      | " " Sheriff of Hampton in part for tickets           | " " 500 00 |         |  |
|         | " " George Polow his bond after allowing his effects | " " 310 23 |         |  |
|         | Amounts Carried forward                              | 3551 85    | 3834 70 |  |
|         | Amounts brought forward                              | 3551 85    | 3834 70 |  |

|         |                                                 |        |         |  |
|---------|-------------------------------------------------|--------|---------|--|
|         | To Commissions on Receipts                      | 191 73 | 3743 58 |  |
| 1836    | 31 By balance due the Estate                    | " "    | 91 12   |  |
| Jan'y 4 | By Cash N Cherry in part note                   | " "    | 6 50    |  |
|         | " " Amt of Claims of Auditor 48 <sup>o</sup>    | " "    | 30 00   |  |
|         | " " Sheriff in part tickets                     | " "    | 215 56  |  |
| 18      | " " Selah Ellsworth a note of Int               | " "    | 131 69  |  |
|         | " " Allowance Novr Super Court 1835             | " "    | 6 00    |  |
|         | " " December County Court                       | " "    | 10 50   |  |
|         | " " J M Lewis in part bond                      | " "    | 333 75  |  |
|         | " " L C Triguant acct                           | " "    | 2 00    |  |
|         | " " John C Turner bond of Int                   | " "    | 66 21   |  |
|         | " " Allen Wynn Mrit Tax                         | " "    | 2 25    |  |
|         | " " Davis May caught a Roper                    | " "    | 99 74   |  |
| May 12  | " " R E Parker in part bond                     | " "    | 300 00  |  |
| 21      | " " W Wendell note and Int                      | " "    | 12 75   |  |
| Apr. 8  | " " Sheriff Southampton in part tickets         | " "    | 500 00  |  |
|         | " " W Bates Cotton and Tallow                   | " "    | 673 42  |  |
| May 2   | " " Sheriff Hampton in full upon settlement     | " "    | 292 75  |  |
| 10      | " " Aug. Claiborne for writ Tax 48 <sup>o</sup> | " "    | 30 00   |  |
|         | " " Tickets to P & R Rail road Company          | " "    | 50 00   |  |
| June    | " " J M Williamson for writ Tax                 | " "    | 6 75    |  |
|         | " " W D Hodge ditto                             | " "    | 12 25   |  |
| July    | " " William Bottom for Clerk tickets            | " "    | 7 53    |  |
|         | " " A Middleton                                 | " "    | 1 00    |  |
|         | " " W R Day writ Tax                            | " "    | 11 00   |  |
| 20      | " " Thomas N Story his note of Int              | " "    | 27 41   |  |
| 28      | " " Thos M Bette note of Int                    | " "    | 10 44   |  |
|         | " " Mr. Muller for writ Tax                     | " "    | 50      |  |
| Octr 1  | " " Amount sales due this day                   | " "    | 589 57  |  |
| 24      | " " Cash Mr. Muller of Mr. Spence for writ Tax  | " "    | 4 75    |  |
| Novr. 2 | " " Mr. Shanda by Colo. Parker                  | " "    | 6 00    |  |
| Decr. 2 | " " Sergeant of Norfolk for tickets             | " "    | 6 72    |  |
|         | " " do of Petersburg                            | " "    | 25 70   |  |
|         | " " do of do                                    | " "    | 28 12   |  |
|         | " " Embell's box of Dills                       | " "    | 6 45    |  |
|         | By amount Carried forward                       | " "    | 3632 24 |  |
|         | By amount brought forward                       | " "    | 3632 24 |  |

|         |   |                                            |         |  |
|---------|---|--------------------------------------------|---------|--|
|         |   | To Commissions on \$3541. 22               | 177 06  |  |
| June 1  | " | paid O Bernard acct                        | 1 37    |  |
| 2       | " | " A Cherry                                 | 6 30    |  |
| "       | " | " Taxes and tickets                        | 77 85   |  |
| "       | " | " Medium & School books &c                 | 77 71   |  |
| 20      | " | " John M Hurley Clarke at sale             | 2 00    |  |
| 21      | " | " A Cherry acct                            | 44 62   |  |
| 30      | " | " Auditor with Tax                         | 142 37  |  |
| "       | " | " 12 <sup>th</sup> month for Oct.          | 1 00    |  |
| July    | " | " F P Butler                               | 22 52   |  |
| "       | " | " W Harrison in part bond                  | 24 00   |  |
| 25      | " | " Carr Bowers 2 mths & Int                 | 679 27  |  |
| "       | " | " Ditto acct                               | 5 00    |  |
| "       | " | " M Davis Crpyr                            | 8 75    |  |
| "       | " | " J Calvert & Mrs M. M. M. M. M.           | 35 28   |  |
| "       | " | " M E Lawrence bond &c                     | 10 12   |  |
| "       | " | " John Whitefield                          | 6 50    |  |
| Apr. 18 | " | " Carr Bowers 2 mths &c                    | 1071 32 |  |
| "       | " | " Robert Berchert acct                     | 3 00    |  |
| May 10  | " | " Robinson and Newland "                   | 10 25   |  |
| "       | " | " J R Strong & Co.                         | 3 57    |  |
| 20      | " | " Penny Buechus "                          | 40 00   |  |
| July 24 | " | " J R Strong "                             | 8 25    |  |
| Aug. 5  | " | " J M Campbell for E Ruffin                | 5 00    |  |
| 16      | " | " Hart and Dugger acct                     | 37 91   |  |
| "       | " | " D Barret & J P Buechus exphans           | 309 20  |  |
| "       | " | " Expenses of negroes to Richmond for sale | 136 75  |  |
| "       | " | " Taxes and land in Newsumond              | 62      |  |
| Nov. 24 | " | " M Davis acct                             | 2 00    |  |
| "       | " | " J D Bryant "                             | 2 04    |  |
| "       | " | " W Harrison Int on bond                   | 24 00   |  |
| "       | " | " Doctor Spark acct                        | 90 00   |  |
| "       | " | " Ditto "                                  | 7 50    |  |
| "       | " | " Bailey Bryant bond & Int                 | 346 33  |  |
|         |   | Off 3417 76 3632 24                        |         |  |
|         |   | Amounts Carried forward-                   |         |  |

|         |         |                                                                                                 |         |               |
|---------|---------|-------------------------------------------------------------------------------------------------|---------|---------------|
| 1836    | Nov. 22 | Amounts brought forward                                                                         | 3417 76 | 3632 24       |
| Dec 31  |         | Balance due the Estate                                                                          | 214 48  |               |
|         |         |                                                                                                 | 3632 24 | 3632 24       |
|         |         | By Balance brought down                                                                         | " "     | 214 48        |
| 1837    |         | " Int on the balance of 1836                                                                    | " "     | 5 46          |
| July 3  | "       | " Sales of negroes to wit Cain, Major Sam, Patience and 3 children Polly and Matron and Richard | " "     | 7083 00       |
|         |         | By Cloths tickets of A Cherry                                                                   | " "     | 24            |
|         |         | " Cash Bailey Bryant on settlement of Jm Anderson &c                                            | " "     | 198 32        |
|         |         | " " ad <sup>r</sup> Thos Anderson for bal due upon settlement of do                             | " "     | 26 25         |
| 7       | "       | " Carr Bowers for tickets                                                                       | " "     | 25 70         |
| "       | "       | " Sheriff Supers by Mrs French                                                                  | " "     | 37 76         |
| 20      | "       | " Ditto for Cloths tickets                                                                      | " "     | 60 99         |
| "       | "       | " Ditto Greenwell "                                                                             | " "     | 74 95         |
| "       | "       | " Ditto Lury by A Atkinson                                                                      | " "     | 2 35          |
| May 10  | "       | " Exon to Cherry                                                                                | " "     | 148 20        |
| "       | "       | " Sheriff Brunswick for tickets                                                                 | " "     | 8 43          |
|         |         | To Commissions on \$7672. 39                                                                    | 383 61  |               |
| "       | "       | " paid Carr Bowers 2 bonds of Int                                                               | 1603 25 |               |
| "       | "       | " Doctor Roberts acct                                                                           | 66 00   |               |
| "       | "       | " D. M. Simmons "                                                                               | 6 00    |               |
| "       | "       | " M D Atkins bond                                                                               | 30 63   |               |
| "       | "       | " M E Ballance "                                                                                | 1230 75 |               |
| "       | "       | " J B Morrell & Co to Bonds "                                                                   | 724 36  |               |
| "       | "       | " Jm M Denigro acct                                                                             | 48 00   |               |
| "       | "       | " M E Lawrence bond &c                                                                          | 33 93   |               |
| "       | "       | " Edgington Rogers purch <sup>d</sup>                                                           | 1878 64 |               |
| "       | "       | " G P Nicholson acct                                                                            | 85 25   |               |
| "       | "       | " A B Whitlow bond &c                                                                           | 267 14  |               |
| "       | "       | " Doctor Murray acct                                                                            | 7 00    |               |
| "       | "       | " Nicholson & Sparks acct in part                                                               | 500 00  |               |
|         |         | Carried forward                                                                                 | 6884 56 | 7886 87 5. 46 |
|         |         | Amounts brought forward                                                                         | 6884 56 | 7886 87 5. 46 |
| June 10 | "       | To paid R Darden bond &c                                                                        | 76 27   |               |
| "       | "       | " M Bowers acct                                                                                 | 30 12   | 6990 95       |

1837

|     |    |                                                             |     |    |    |      |
|-----|----|-------------------------------------------------------------|-----|----|----|------|
| Sum | 20 | Interest on the balance of 1836                             | 895 | 92 | 5  | 44   |
|     |    | By Interest account brought over                            | "   | "  | "  | 6.43 |
|     |    |                                                             | "   | "  | 11 | 89   |
| "   | "  | By balance due the Estate                                   | 895 | 92 | 5  | 44   |
|     |    | Interest on \$895.92 paid thereof from this date till paid. |     |    |    |      |

Sum for \$5.00 charged  
to the admr.

Respectfully Submitted  
Jas Cobb Comr.

At a Court held for the County of Loudoun the 18<sup>th</sup> day of December 1837  
This account current and Commissioner's report of Martha B Rochelle  
Executorial proceedings on the Estate of James Rochelle dec<sup>d</sup> was returned  
and ordered to lie on the Table for exceptions. And at a Court held for the  
said County the 15<sup>th</sup> day of January 1838 no exceptions having been taken  
there the same is confirmed and ordered to be recorded.

Test L R Edwards Clk

Attest  
Test L R Edwards Clk

Martha B Rochelle Extr<sup>or</sup>  
of James Rochelle dec<sup>d</sup>  
Comrs Report

Taylor & wife

to } Co. with answer of J<sup>r</sup>  
M B Rochelle

Rochelles Co. &c

(A)

The estate of James Rochelle dec<sup>d</sup>

In account with Martha B Rochelle Executrix

In the settlement of the former account, the estate was executed by the sales of sundry negroes sold and among them were four to wit, Henry, Hartwell, Cain, Sally and Watson and Emma the nett sales of which amounted to \$3124.27. It appears that these negroes were a part of certain slaves of which Henry Gray dec<sup>d</sup> died seized, who was the son of the Executrix by a former husband, and who died an infant. The testator at the time of his death had two children to wit John and Martha who were equally entitled with their mother the executrix to the said slaves. It appears no division ever took place between the mother and her children in the lifetime of the testator, and who kept them in his possession as long as he lived. The Comr is directed by the executrix to make this statement, and to expunge from the former report the said sum of \$3124.27

| 1837 |    |                                              | Dr      | Cr      | Int |
|------|----|----------------------------------------------|---------|---------|-----|
| June | 10 | By balance due the estate of last report     | "       | 907 81  |     |
|      |    | To error in sales of negroes as stated above | 3124 27 |         |     |
|      |    | By sales 80 acres land at \$3.00 per acre    | "       | 240 00  |     |
|      |    | " Cash of J. H. Barnes Comr                  | "       | 6 01    |     |
|      |    | " " Ely Thomas                               | "       | 188 21  |     |
|      |    | " " J. W. Thomas admr Jno Thomas             | "       | 155 60  |     |
|      |    | " " S. J. Douglas for writ tax               | "       | 4 75    |     |
|      |    | " " St. B. Johnson for clerks tickets        | "       | 4 17    |     |
| Nov  |    | " " J. J. Johnson Note & Int                 | "       | 19 64   |     |
|      |    | " " J. Prepon Note & Int                     | "       | 88 36   |     |
|      |    | " " for mares & colts                        | "       | 500 00  |     |
|      |    | " " Sales 519 acres land at \$1.30 per acre  | "       | 674 70  |     |
|      |    | " " ditto 337 ditto at \$2.55 per acre       | "       | 859 35  |     |
|      |    | To Comr. on \$3649.60                        | 182 48  |         |     |
|      |    |                                              |         | 3649 60 |     |
|      |    |                                              |         | 3306 75 |     |
| Decr | 31 | By amount due the estate Comr for            | \$      | 31285   |     |

1837

|        |                                                               |   |   |         |        |
|--------|---------------------------------------------------------------|---|---|---------|--------|
| Dec 31 | By amount brought forward                                     | " | " | 342 85  |        |
|        | To paid E. Thomas her pro. Judith and Polly Rochelles estates | } |   | 344 81  |        |
|        | " " St. Land bond & Int                                       |   |   | 59 95   |        |
|        | " " The Putlow in part bond                                   |   |   | 124 56  |        |
|        | " " H. J. Harrison ditto                                      |   |   | 24 00   |        |
|        | " " Clerks tickets                                            |   |   | 18 71   |        |
|        | " " E. Halcomb acct                                           |   |   | 50 00   |        |
|        | " " expences for repairing mill                               |   |   | 45 11   |        |
|        |                                                               |   |   | 667 14  |        |
|        |                                                               |   |   | 342 85  |        |
| 1838   | To balance due the Executors                                  |   |   | 324 29  |        |
|        | To paid J. Vaguehart bond & Int                               |   |   | 287 32  |        |
|        | " " ditto acct                                                |   |   | 88 33   |        |
|        | " " ditto do                                                  |   |   | 46 10   |        |
|        | " " Shff Nausenond tickets                                    |   |   | 31      |        |
|        | " " The Putlow in part bond                                   |   |   | 120 00  |        |
|        | " " R. Darden amt. due his wife on Guardian acct in full      |   |   | 157 92  |        |
|        | " " ditto his pro. due on Judith and Polly Rochelles estates  | } |   | 88 04   |        |
|        | " " A. B. Vaughan                                             |   |   | 24 00   |        |
|        | " " Doctr Spark acct                                          |   |   | 116 00  |        |
|        | " " Doctr Nicholson                                           |   |   | 31 50   |        |
|        | " " Nicholson & Spark in part acct                            |   |   | 1253 61 |        |
|        | " " Clerks tickets                                            |   |   | 98      |        |
|        | " " repairs to dwelling house                                 |   |   | 190 36  |        |
|        | " " taxes for 1836 & 1837                                     |   |   | 117 13  |        |
|        | " " Ins to Rochelle bond & Int                                |   |   | 24 78   |        |
|        | " " H. J. Harrison in part bond                               |   |   | 24 00   |        |
|        | By Cash of Shff of Greenville                                 |   |   | "       | 39 13  |
|        | " " Sergeant Peterburg                                        |   |   | "       | 41 75  |
|        | " " St. Albans note bal.                                      |   |   | "       | 14 45  |
|        | " " Ins Vaguehart bond & Int                                  |   |   | "       | 812 12 |
|        | " " R. Darden                                                 |   |   | "       | 21 83  |
|        | " " C. A. Brown in part                                       |   |   | "       | 65 00  |
|        | Car'd forward                                                 |   |   | 2890 67 | 994 28 |

Dr 61 Int

1838

|                                      |           |        |
|--------------------------------------|-----------|--------|
| amounts brought forward              | \$2890 67 | 994 28 |
| By paid Doctr Nicholson acct         | 88 00     |        |
| By Doctr Spark                       | "         | 523 88 |
| By Shff Sampson for clerks tickets   | "         | 337 84 |
| By ditto ditto old do                | "         | 157 98 |
| By Shff Isle of Wight                | "         | 8 12   |
| By do Southampton Costs &c           | "         | 4 12   |
| By nett Exon. vs Williams            | "         | 47 77  |
| By Ins Vaguehart in part for tickets | "         | 100 00 |
| To Coms. on \$2255.99                | 112 79    |        |
|                                      | 3003 46   |        |
|                                      | 2255 99   |        |

Dec 31

1839

|                                   |          |        |
|-----------------------------------|----------|--------|
| To balance due the Executors      | \$747 47 |        |
| " Interest on the balance of 1837 | 19 45    |        |
| To paid T. Putlow in part bond    | 120 00   |        |
| " " R. B. Perce admr de bond      | 123 00   |        |
| " " H. J. Harrison in part ditto  | 24 00    |        |
| " " Taxes &c                      | 20       |        |
| By amount of Judge vs Mahone      | "        | 61 22  |
| " exon. vs Drake                  | "        | 8 56   |
| " " Rochelle Curator              | "        | 5 05   |
| " Cash Ins V. Mason               | "        | 40 00  |
| " " R. E. Parker in full          | "        | 453 43 |
| To Coms. on \$568.26              | 28 41    |        |
|                                   | 1062 53  |        |
|                                   | 568 26   |        |

Dec 31

1840

|                                   |          |       |
|-----------------------------------|----------|-------|
| To balance due the Executors      | \$494 27 |       |
| " Interest on the balance of 1838 | 44 84    |       |
| To paid Clerks tickets            | 2 66     |       |
| " " H. J. Harrison in part bond   | 24 00    |       |
| " " Taxes &c                      | 24       |       |
| By Exon. in part vs W. D. Blow    | "        | 38 00 |
| By Wm B Goodwyn bond & Int        | "        | 87 39 |
| By Shff of Norfolk & T. M. Gray   | "        | 20 62 |
| To Coms. on \$146.01              | 7 30     |       |
|                                   | 573 31   |       |
|                                   | 146 01   |       |

Dec 31

|                              |          |  |
|------------------------------|----------|--|
| To balance due the Executors | \$427 30 |  |
|------------------------------|----------|--|

|       |    |                                                   | Dr      | Cr      | Sub |
|-------|----|---------------------------------------------------|---------|---------|-----|
| 1840  |    |                                                   |         |         |     |
| Decr  | 31 | To balance brought forward                        | 427 30  |         |     |
| 1841  |    | " Interest on the balance of 1839                 | 29 65   |         |     |
| July  | 21 | " paid T. Prillow bond in full                    | 2262 77 |         |     |
|       |    | " " Ad. Bailey admr for Scott ditto               | 2533 30 |         |     |
|       |    | " " A. J. Harrison ditto                          | 424 00  |         |     |
|       |    | " " Clerk's tickets                               | 2 42    |         |     |
| Decr  | 31 | To balance due the Extra                          | 5679 44 |         |     |
|       |    | " Interest on the balance of 1840                 | 25 63   |         |     |
| 1842  |    | To paid A. Joener Exon.                           | 204 39  |         |     |
|       |    | " " Taxes &c                                      | 24      |         |     |
|       |    | " " Wilson apce of Ballard Exon.                  | 805 36  |         |     |
|       |    | By sales of Negro boy Robin                       | " "     | 552 00  |     |
|       |    | To Coms. on ditto                                 | 27 60   |         |     |
|       |    |                                                   | 4742 66 |         |     |
|       |    |                                                   | 552 00  |         |     |
| Decr  | 31 | To balance due the Extra                          | 5190 66 |         |     |
|       |    | " Interest on the balance of 1841                 | 340 76  |         |     |
| 1843  |    | " paid Taxes &c                                   | 9 55    |         |     |
|       |    | " " ditto                                         | 69 73   |         |     |
|       |    | " " mutual insurance Company                      | 14 60   |         |     |
| Febry |    | By sale of Girls Betsy & Marice                   | " "     | 600 00  |     |
|       |    | " " " Amy                                         | " "     | 325 00  |     |
|       |    | " " " Secondary Slaves                            | " "     | 4170 00 |     |
|       |    | " Cash of J. W. Thomas admr for Thomas            | " "     | 570 00  |     |
|       |    | " J. B. Hines a Note & Interest                   | " "     | 1157 39 |     |
| Novr  | 4  | " Cash of J. W. Rochelle admr for Josiah Rochelle | " "     | 130 84  |     |
|       |    | " do ditto admr for Mary Rochelle                 | " "     | 285 91  |     |
|       |    | " do ditto admr for T. P. Williamson del          | " "     | 1019 35 |     |
|       |    | To paid Mrs M. Williamson judgt.                  | 2007 42 |         |     |
|       |    | " Coms. on \$8182.49                              | 409 12  |         |     |
|       |    |                                                   |         | 8182 49 |     |
|       |    |                                                   |         | 8041 84 |     |
|       |    |                                                   |         | 140 65  |     |
|       |    |                                                   |         | 311 43  |     |
| Decr  | 31 | To Interest on the balance of 1842                |         |         |     |
|       |    | To balance due the Extra                          | 170 78  |         |     |
|       |    | This date till paid                               |         |         |     |
|       |    | Coms. for \$10. Charged to                        |         |         |     |
|       |    | the Extra                                         |         |         |     |
|       |    | Respectfully Submitted                            |         |         |     |
|       |    | Jas. C. M. Comr                                   |         |         |     |

Codicile Should any of my slaves be so unfortunate as it may be thought  
proper to sell them it is my will I desire that they may be sold and the proceeds  
of such sales be considered as part of my estate

Edwin Gray Junr

Ed M. Gray.



Edwin Gray senr

At a Court held for the County of Southampton the 17 day of May 1814.

This Will was presented in Court by James Rochelle the Executor therein named  
and proved by the oaths of William J Mason and David Vallance two of the  
Witnesses thereto and ordered to be Recorded and on the Motion of said James  
Rochelle who made oath according to law certificate is granted him for obtaining a  
probate thereof in due form who gave bond & security whereupon

At a Court held for the said County the day of August 1814. the Codicile  
to this will was proved by the oath of Edwin Gray Junr one of the Witnesses thereto  
and ordered to be Recorded

At test.

Teste J. Edwards Cler

Rochelle Ex: Jc

Dexter Jnr

to { Exalt. with answer of Jc  
J. M. Rochelle.

Henry M. Gray M. L.

I Henry M. Gray of the County of Southampton being in my perfect senses do make constitute and appoint this to be my last will and testament in manner and form following

I Henry M. Gray do give and bequeath unto my beloved wife Martha H. B. Gray all my Estate both real and personal for and during the term of her Natural life or widowhood upon condition that with the same she doth support and give to my infant son a liberal Education

I then I do give and bequeath unto my wife should marry it is my will and desire that from the period of her marriage she should have and enjoy but one half of my real and personal Estate <sup>for</sup> and during her life

I then I do give and bequeath unto my infant child all my Estate real and personal after the death of my beloved wife and in case my wife should marry it is my will and desire that the other half of my Estate which will remain after the assignment of one half to her for and during her Natural life should be immediately possessed and enjoyed by my said infant child

I then It is my will and desire that no part of my Estate except my shop furniture Medicines & surgical instruments should be sold unless it shall be found necessary to do so for the purpose of paying debts

I hereby constitute and appoint my beloved wife Martha Guardian to my son so long as she remains single and in case she should marry it is then my wish that my brother Thomas Gray and my friend James Rochelle should be and act as Guardian to my said son

I hereby nominate and appoint my friend James Rochelle Executor to this my last will and testament and in case the said James Rochelle should die before my said son should attain the age of twenty one years I then nominate and appoint my brother Thomas Gray and my nephews Edwin and James Gray to act from the period of the death of the said James Rochelle as my Executors. I have given the preference to my friend James Rochelle because he is better <sup>acquainted</sup> ~~qualified~~ with my affairs and consequently would be more able to see that justice is done to my Estate, &c.

In testimony whereof I have hereunto set my hand and affixed my seal this 11<sup>th</sup> day of May 1844

Signed sealed published and declared as his last Will and testament in presence of

Henry M. Gray

Witness

W. J. Mason

William Jones

David Vallance

Maj L. R. Edwards

Journal

Richmond  
July 21<sup>st</sup> 1843

Dear Sir

I enclose herewith a bill  
in the case of Tyler & wife vs.  
Rockwell, Exr. &c. which you  
will please file at March rules.  
Appoint yourself your ad litem  
at rules — sign the enclosed  
answer and file it also  
so that the case may be in  
proper order for the answer  
of the other defendants. If  
the Exrs. should not be moved  
on Blow issue another

Yours  
J. N. B. [Signature]

Executed the within notice on Martha B. Pochee and  
H. T. Smith by delivering the same to them the 19 day  
of April 1867—

Wm J. Wright  
Deputy for Jacob Barnes  
Sheriff

Ms B Pochee

~~Martha~~ & Mrs Martha B. Rochelle & Messrs H. I. Smith & Richard A. Brumby

TAKE NOTICE, That I shall, by my Attorney, move the Judge  
of the Circuit Superior Court of Law and Chancery for Sampson County  
on the first day of May term next for a judgment and award of execution against  
you, on your joint delivery or forthcoming bond, executed to me on the first day of  
February 1847, in the penalty of one thousand seven hundred and  
thirty dollars 98/100 conditioned as the law directs; with which  
condition you and each of you have failed to comply.

Yours, &c.

John Tyler Jr

April 1. 1847

**KNOW ALL MEN BY THESE PRESENTS, That we Martha B**

*Rockelle and H. T. Smith and Richard A Crump*

are held and firmly bound unto *John Tyler Jr*

in the just and full sum of *One thousand seven hundred and thirty dollars 90/100*

to be paid to the said *John Tyler Jr*

*his* certain attorney, *his*

heirs, executors, administrators

or assigns, to which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly these presents. Sealed with our seals, and dated this

*first* day of *February*  
eight hundred and *forty seven*

in the year of our Lord one thousand

**THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas** *John Tyler Jr*

has sued out of the *Circuit Superior Court of the County of Southampton* Court

a writ of *Fieri Facias* against the Goods and Chattels of ~~the above bound~~ *James Rockelle dec'd* in the

hands of the above bound *Martha B Rockelle the executrix*, to be administered

upon a judgment obtained in the said Court, which writ, with the legal costs attending the same amounts to

the sum of *Eight hundred and sixty five dollars 40/100*

and directed to the *Sheriff*

of *Southampton County*

and whereas

*James S Mapentburg*  
of the said county of *Southampton*

Deputy for *Said James Sheriff*

by virtue of the said writ, hath taken the following

property belonging to the ~~said~~ *Estate of James Rockelle*

to satisfy the same, to wit: *Negro Anthony & girl Fanny and the said Martha B Rockelle*

~~And the said~~ *The executrix*

being desirous of keeping

the same in *her* possession until the day of sale, has tendered the above bound *H. T. Smith*

*and Richard A Crump*

as security for the forthcoming and de-

livery thereof on the day and at the place of sale. Now if the above bound *Martha B Rockelle*

*H. T. Smith*

and

*Richard A Crump*

or either of them, do and shall deliver the aforesaid property to the said *Said James Sheriff*

his Deput at the *Court House of Southampton County*

*as aforesaid* or either of *him*

on the *Third Monday* *in*

*March next*

then and there to be sold, to satisfy the said *John Tyler Jr*

*his*

execution, then the above obligation to be

void, or else to remain in full force and virtue.

Signed and delivered,  
in presence of

*Martha B Rockelle*

*H. T. Smith*

*Richd A Crump*

