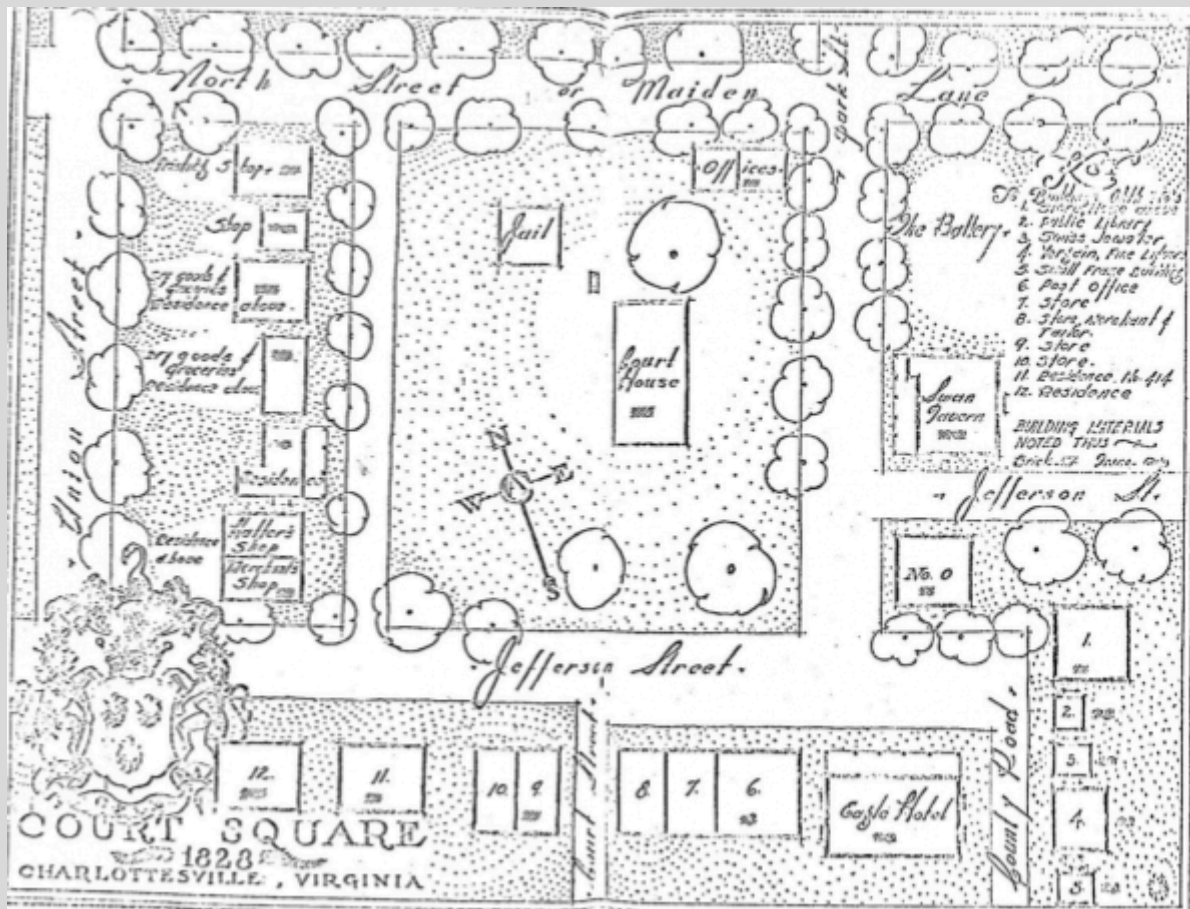


ENSLAVEMENT BY THE BOOK

*An Index to the Albemarle County Chancery Court Cases
with mentions of Enslaved People, 1831-1865*



Map of Charlottesville's [Court Square](#) in 1828 taken from the nomination form for the [Albemarle and Charlottesville County Courthouse Historic District](#).

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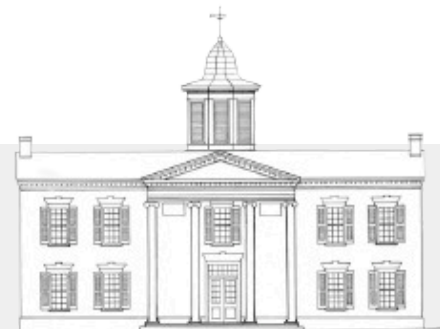
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INTRODUCTION

PROJECT OVERVIEW

This project investigates the significance of Charlottesville's court square as an antebellum site of enslavement. It aims to understand the legacy of enslavement and the production of public memory in Charlottesville by revealing the role of court square in the commodification of humans.

Our work emerged when the City of Charlottesville considered how to memorialize the institution and practice of Slavery effectively and ethically to repair its legacy. The project, led by Dr. Jalane Schmidt, director of the Memory Project at the University of Virginia's Karsh Institute of Democracy, took shape in close collaboration with community stakeholders, including groups and individuals representing [descendants of enslaved peoples](#). While the historical record acknowledges the practice of human trafficking at the court square site, an archival research team endeavored to recover some of the individual lives and stories "traded" in and around this site. The estate battles populating the pages of the Albemarle County chancery books offer generative insight into the institution of the court and the site of Court Square in sustaining the institution of slavery across generations. American Chattel Slavery often relied upon the dehumanization of enslaved Black people. Disavowing this tendency and turning a critical lens to the records of this Court offers a historical methodology for salvaging the stories of the souls trafficked at court square.



PROJECT TIMELINE

2016 Charlottesville High School student and racial justice activist Zyahna Bryant launches petition to remove a Confederate monument

The Charlottesville City Council appointed a 9-member Blue Ribbon Commission on Race, Memorials, and Public Spaces (BRC).

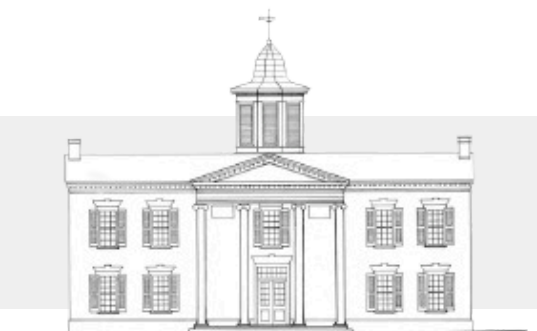
At the end of six months of public hearings and discussion sessions, the BRC presented its 300-page final report to the Charlottesville City Council which concurred with community members' repeated calls for memorializing a reputed slave auction block site at the Number 0 building in Court Square.

2019 City Council approves the memorialization suggestion and sends it to the city's historic resource committee (HRC) for further review

2020 HRC begins meeting w/ descendants of enslaved people. COVID-19 pauses formal gatherings but community members, local historians, and UVA affiliated faculty continue to push for an inclusive history of this site.

2021 UVA graduate students with The Memory Project consult with local historians then begin research at the Albemarle County Courthouse consulting the Chancery Court records which recorded the sales of enslaved people caught in legal disputes

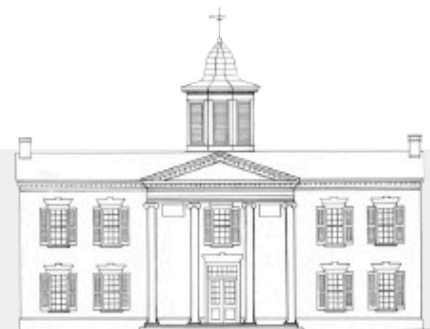
2024 The Memory Project research team concluded their work and submitted a final report to the City of Charlottesville Historic Resource Committee



KEY CONTEXT

The Chancery Court cases in this index span from the 1830s to the 1860s, a politically and legally volatile time in the state of Virginia and the United States as a whole. As you read through these cases, here is some context on how the landscape of slavery and freedom was being shaped.

- 1806** [Virginia General Assembly updates legislation](#) prohibiting the import of enslaved people and requiring any freed people to leave the state after 12 months.
- 1831-1833** In the wake of [Nat Turner's Rebellion](#), [Virginia legislators encouraged](#) the state's free Black population [to emigrate to Liberia](#).
- 1832** [Virginia General Assembly updates extensive legislation](#) further controlling the actions and movement of both enslaved and free Black Virginians.
- 1850** The Compromise of 1850 included [the Fugitive Slave Act](#), which mandates that escaped enslaved people be returned to their owners even if found in free states, increasing dangers for both free and enslaved Black people in Virginia
- 1860** [Virginia General Assembly updates legislation](#) regarding the purchase/sale of enslaved people, the rights for freedpeople, the hiring of enslaved people, and the conditions for emancipation.



NAVIGATING THIS INDEX

This index is organized chronologically beginning with the cases mentioning enslaved people in book #1 which begins in the 1830s and proceeding through book #6 which ends in the 1860s. The case summaries make up the bulk of this document.

Navigating the Case Summaries:

Each case is accompanied by a color code which indicates, at a glance, the extent of information about enslaved people found in that particular case.



Least information: The case mentions an enslaved person, though not by name.



Some information: The case mentions an enslaved person by name, may include age or other details



Most information: The case mentions an enslaved person/ people, usually by name and with other details, and that they were sold at the courthouse.

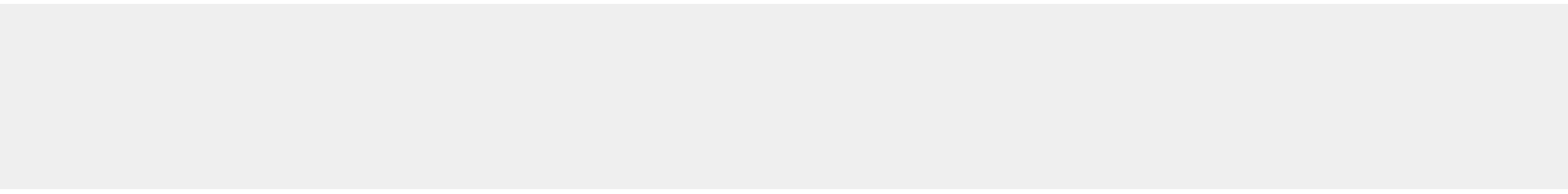
When the case mentions the name of an enslaved person, their name is **bolded and underlined**.

Key terms which are defined in the glossary are in the color blue.

Navigating the Appendices:

In addition to the case summaries, there are several appendices:

- Saying Their Names provides all of the names of enslaved people mentioned throughout the cases. The names appear in the order in which are found in the cases.
- Narratives contains narrative examples which researchers can use to further explore/as a model to build on.
- Additional Archives lists several archival source bases that complement the Chancery Court records.

- Bibliography lists secondary literature that helps provide context for this research.
 - Glossary provides definitions for 19th century terms and legal language that may be unfamiliar to the modern reader.
- 

BOOK #1

1831-1841



Case: James Tompkins v. Alexander Garrett

Date: October 21, 1831

Page(s): 15

Details: Garrett returned to the court after having sold the enslaved people to seek guidance on the way in which to go about selling the land.

Related Case(s): (Tuesday, May 22, 1832) - page 27



Case: George Crank (or Crauk?) v. William Garland

Date: Monday, May 21, 1832

Page(s): 24

Details: Regarding the sale of an enslaved woman, **Nancy**, 22-26 years ([unsound or unsoundness](#))

Related Case(s): n/a



Case: George Crank (or Crauk?) v. John M. Perry

Date: Thursday, October 17, 1833

Page(s): 67

Details: Negro man, **Randal** ([unsound or unsoundness](#))

Related Case(s): n/a



Case: Nathaniel Burnley v. William Douglass (John Douglass)

Date: Wednesday, May 14, 1834

Page(s): 83-84

Related Case(s): n/a

Details: -slave, **Warwick** "...having published notice of the time and place of sale for four weeks successively, in the newspaper printed in the Town of Charlottesville, and by advertising the same at the door of the court-house of Albemarle County, on some court day. At least ten days before such sale, shall sell at the court-house aforesaid, the slave **Warwick** and the tract of land aforesaid, or so much thereof as will be sufficient to satisfy this decree: and the said is directed to pay to the said [defendant](#), out of the proceeds of sale, his aforesaid debt & interest; and the surplus, if any to the parties entitled thereto, after deducting there from the expenses attending the said sale: and the said commissioner is further directed to convey the land and slave aforesaid, to the respective purchasers thereof, and to make a report of his proceedings to the court."



Case: Hannah Proctor v. John P. Sampson etc

Date: Thursday, May 15, 1834

Page(s): 90, 116

Related Case(s): n/a

Details: “And doth therefore [adjudge, order and decree](#) that the [injunction](#) heretofore awarded the plaintiff, be dissolved, and that the [sheriff](#) of Abemarle be and he is hereby directed to take possession of the slave **Betty** in the bill mentioned, and to proceed to advertise and sell said slave according to law and pay the proceeds of such sale to the parties respectively entitled thereto; and make a report of his proceedings to the court.”



Case: Willis Smith v. Alice Smith etc.

Date: Friday, May 16, 1834

Page(s): 94-95

Related Case(s): n/a

Details: “On consideration whereof and it being admitted that Lettice Smith widow of William Smith, is dead, the court doth [adjudge, order and decree](#), that the deeds of the twelfth day of July 1817, and of the seventeenth day of July 1822, from William Smith deceased to Alice Smith, be set aside and [annulled](#); and that the said Alice Smith do deliver the said slaves and their increase and other personal property to Nelson Barksdale, Garland Garth, and Seth Burnley, any two of whom may act, who are hereby appointed commissioners for that purpose, and whose duty it shall be to distribute said slaves among the heirs and legal representatives of the said William Smith, according to the provisions of the act of the generally assemble directing the distribution of [intestates'](#) estates, allotting to the plaintiff Willis Smith, one share; to the [defendant](#) Alice Smith one share; and to the [defendants](#) John Wills, William Owens and Caroline his wife, and John Sudderth in right of his wife Mary (who hath departed this life since the institution of this suit) one share; and the court doth further [adjudge, order and decree](#) that if the [defendant](#) Alice Smith to fail or refuse to deliver said slaves, it shall be the duty of the said commissioners to take possession of them, wherever they may be found, and make distribution as aforesaid and make report thereof to this court: And the court doth [adjudge, order and decree](#), that one of the

commissioners of this court do take an account of the annual value of the hires of said slaves, from the death of the said William Smith until the present time, and make report thereof to the court, with any matters specially stated deemed pertinent by himself, or which may be required by the parties to be so stated.”



Case: John J. Bowcocke and Thomas Miller v.. Lyman Burnham [executor](#) of Elizabeth Clarkson deceased.

Date: Saturday, May 17, 1834

Page(s): 102

Related Case(s): n/a

Details: “On consideration whereof, the court doth [adjudge, order and decree](#) that the injunction heretofore awarded the plaintiffs, be dissolved; and that they transfer and deliver to the said [defendant](#), all the slaves, goods, [chattels](#), money or effects in their hands belonging to the estate of the said Elizabeth Clarkson, deceased; and that the [defendant](#) do pay unto the plaintiffs, their costs by them about their suit in this behalf expended.”



Case: William Tompkins and Anne his wife late Anne Hudson v. Thomas W. Gilmer administrator of Christopher Hudson, dec, etc.

Date: Monday, May 18, 1835

Page(s): 126, 136-137

Related Case(s): n/a

Details: “Upon motion of Gabriel Harper, trustee for Anne Tompkins for leave to invest a potion of the trust fund in the purchase of a negro man slave named “**Ned**” the property of George Nicholson provided he can be procured for a sum not exceeding \$300.00. The court on consideration of the content of the estate (?) Anna and of her husband, and of the examination of a witness in open court, doth [adjudge and order](#) that said Harper Trustee as aforesaid have leave to appropriate from the Trust fund a sum not exceeding \$300 to the purchase of said slave for the use and benefit of the said Anna, which said slave when purchased to contribute a part of the Trust Est.- And the said Trustee is required to report to this court touching the premises. And it being suggested by Alexander Garret Comr: and receiver appointed by aforesaid order of this court that he has

difficulty in ascertaining the amount of [encumbrances](#) charged on the sum decreed in favour of the husband Tompkins, the Court doth order that he doth advertise for sixty days in the Charlottesville advocate calling upon encumbrances of said slaves to make their respective claim + that until expiration of sixty days he proceed to pay off all encumbrances (issued?) by the records of the County and superior County of Albemarle, disclosed by the parties on def any claimant in consequence of such notice and that thereafter repay to said Tompkins the residue of the sum decreed him as aforesaid.- And the Court doth further order that commissioner Dyer (or in case of his inability to act. Alexander Garrett) state and settle an account showing the residue due the female plaintiff in consequence of compromise said to have taken place as to the share hereafter claimed by Thomas Anderson's representatives, and that she reports in whose hands that balance now is."



Case: Mary Chiles by Thomas Draffin her next friend v. Washington Chiles, Elijah Wheat, and Isham Chisolm

Date: Thursday, October 15, 1835

Page(s): 126, 136-137

Related Case(s): n/a

Details: -"The court, unable to [adjudge](#) the case at the time, released the [Defendants](#) on bond of 1000.00, "Conditioned to have the slaves, **Charlotte** and **Margarett**, furthering to abide the order and decree of the court and to account for the reasonable hires and profits thereof if so required by any order or decree of the court hereafter to be made in this cause, then the Sheriff shall take possession of said slaves and hire them out at public auction, from year to year until the further order of the court, taking from the hires bond and security for the hires with the usual covenants for their attendant returns and clothing."

-Court then holds [Defendants](#) in bond for \$1500.00 again payable by the "hires + profits of said slaves"



Case: Sarah Harris v. Edward H. Moon

Date: Wednesday, May 14, 1834; May 20, 1836

Page(s): 86, 109, 168, 178, 194-196, 222, 298, 336, 362, 380

Related Case(s): n/a

Details: - Sarah Harris as the plaintiff sought her dower, amounting to 1/3rd of the Viewmont Plantation and its wealth in land and enslaved people, and her claim was supported by the court, granting her the right to the land and enslaved people for “during her natural life.

-On May 20, 1836, the court ordered Francis B. Dyer to “state and report to the court an account of the [rents + profits](#) of the lands and slaves of which the late John Harris died seized + possessed + of the perishable estate of the said John Harris from the period of his death which would remain after payment of the said descendants’ debts.”

Dyer recorded the names of the following people enslaved on the Viewmont Plantation, assigning/estimating their respective prices.

Enslaved People on Viewmont Estate:

Ma(s)(f)ia aged 45 years, \$150

Randall 49yo \$350

Peyton 27yo \$500

John 24yo \$530

Charity 15yo \$300

Beverly 13yo \$250

Betsy 9yo \$175

Robin 65yo \$150

Thomas 7yo \$150

Mary 5yo \$100

Isaac 37yo \$300

Fleming 22yo \$530

Bob 20yo \$530

James 16yo \$400

John Bowles(r) 19yo \$500

Reuben 59yo \$50

Philip 28yo \$530

Caleb	24yo	\$530	
Eliza	34yo	\$275	
Washington	7yo	\$100	
(S)(D)ucky	6yo	\$80	
Isabella	4yo	\$60	
Kasey	28yo	\$350	
Renee	10yo	\$200	
Mary	8yo	\$175	
Rachel	6yo	\$150	
Jacob	5yo	\$150	
Sam	4yo	\$75	
Sarah	25yo	\$300	
Nicey	10yo	\$150	
Jane	8yo	\$150	
Robert	5yo	\$150	
Susan	4yo	\$100	
Parmelia	24yo	\$330	
Wilson	5yo	\$100	
Nancy	7yo	\$150	
Easter	44yo	\$200	
Clara	19yo	\$300	
Georgianna	9yo	\$150	
Joanna	8yo	\$150	
Elisha	39yo	\$250	(subject to fits)
Hanna	34yo	\$350	(and young child)
William	12yo	\$300	
Chauncey	9yo	\$200	
Joseph	5yo	\$100	
Michael	7yo	\$150	
Jacob	39yo	\$300	
Judy	34yo	\$350	
Agg	54yo	\$250	(and Old Billy)
Jacob	54yo	\$350	(B.S.)
Lucinda	14yo	\$150	(diseased)

Mary	12yo	\$150	
William	19yo	\$550	
Infant	1mo	\$50	(Infant of Hannah)
Nancy	2mo	\$75	(child of Eliza)
Sam	No Age/Value Reported		
Robert	1mo	\$60	
(N/M)elly Ann	18mo	\$75	
Infant	1mo	\$50	(child of Kizzy)

Enslaved People on Snowden Estate

Jacob	22yo	\$450	
Peyton	50yo	\$300	
Ned	30yo	\$400	(diseased)
Lindsay	30yo	\$530	
Joe	28yo	\$530	
Dick	12yo	\$200	
Jessica	50yo	\$150	
Sally	7yo	\$100	
Mary	22yo	\$300	
Martin	14yo	\$300	



Case: Lindsay Thomas etc. vs. John Thomas and Fleming, who are children and heirs of Joseph Thomas and Prudence Thomas (Widow)

Date: Tuesday, October 18, 1836

Page(s): 183-184

Related Case(s): n/a

Details: -Joseph Thomas is deceased. The court decides in this case to “divide the slaves and money belonging to the estate of the said Joseph Thomas among the parties according to their respective rights first allotting to the widow one third part thereof in right of her dower, and make report thereof to this court at the next term.”



Case: Francis Richardson (widow of Richard Richardson) vs. Richard Durrett, executor of Richard Richardson

Date: Wednesday, October 19th, 1836

Page(s): 186

Related Case(s): n/a

Details: Brief mention of unnamed enslaved persons as part of the Richardson estate



Case: Eli Tutwiler, etc. v. John T. Holman, etc

Date: Thursday, May 18th, 1837

Page(s): 228-230

Related Case(s): n/a

Details: Brief mention of “negro man slave Emanuel”



Case: James Jopling v. Reuben Patterson

Date: Friday May 19th, 1837

Page(s): 223, 231-232, 284, 293, 301, 327-328, 337, 348, 396, 413, 434-436, 450, 457-459, 479-480

Related Case(s): n/a

Details: Mention of sale and division of enslaved people by James Jopling; Enslaved woman named Phebe and “her increase” ordered to be advertised in Charlottesville and Richmond newspapers (Richmond Whig and Richmond Enquirer) and sold by commissioners of the Court; The previous will in this case was reversed and annulled, leading the court to decree that the wealth of Jopling (dec.) be evenly distributed among his children. Phebe and the other enslaved people had already been sold by Reuben Patterson, and so the court ordered that vouchers be taken of the price of the enslaved as well as any money they made through hires during this period; Following enslaved people sold in Mississippi: John, James, Peggy, Nancy (Peggy’s daughter), Amey, Spencer, Jerry, Henry, and Betsy



Case: Jeremiah Dollins v. James Sobbin

Date: Thursday, October 12th, 1837

Page(s): 241-242

Related Case(s): n/a

Details: Commissioners ordered by the court to divide the wealth, including eight enslaved people, among the heirs of Thomas Smith.

-Names of enslaved people:

Milly, Maria and her four children, Anderson, David (along with heirs from that year)



Case: Dawson v. Dawson

Date: Saturday, October 14th, 1837

Page(s): 247-251, 299, 410, 417, 456

Related Case(s): n/a

Details: -Martin Dawson, upon his death, [conditionally emancipated](#) his enslaved workers. They were granted a year in which they had to decide whether to remain enslaved in Virginia or to move somewhere where “slavery is not tolerated” such as Liberia.

- Court orders that enslaved women and men be hired out to “humane masters”

- The fourteen enslaved people mentioned in Martin Dawson’s will chose emancipation which was granted by the court. They were to be removed to “Northwestern states or territories of the United States, wherein slavery is not tolerated,” such as Ohio, Michigan, Indiana, Illinois, Wisconsin, or Iowa. Their cost of removal is deducted from \$200 allotted to each of the enslaved in the will of Dawson.

Names of Enslaved People:

- **Lewis**

- **Joseph**

- **Edmund**

- **William**

- **Wilson**

- **George**

- **Thomas**

- **Peter**

- Rebecca
- Hannah
- Dinah
- Priscilla
- Jane
- Cary Ann



Case: Danielle v. Danielle

Date: Saturday, October 19th, 1837

Page(s): 267, 311, 313, 368, 391

Related Case(s): n/a

Details: -John Danielle is held liable for the payment of debts to the court, and as a result, the court took possession of Danielle's enslaved women and men, selling them at the courthouse to the highest bidder after advertising said sale in front of the Courthouse and in local newspapers.

Names of enslaved people:

- Lucinda and her increase
- Alice
- Hannah (child of Alice)
- Clara
- Margaret
- Mary
- Harriet
- Jim
- Edy
- Nancy
- Dolly
- Eve



Case: Isaac Harden v. Benjamin Harden

Date: Monday, May 21st, 1838

Page(s): 206, 296, 349, 400, 466, 488-491

Related Case(s): n/a

Details: Unnamed enslaved people [bequeathed](#) to the mother of the deceased Harden.



Case: John Pollock v. William Moon

Date: Saturday, October 13th, 1838

Page(s): 279, 321-322, 397-399, 411, 424, 471-472

Related Case(s): n/a

Details: Unnamed enslaved people owned by William Moon Sr. were “divided” up and/or sold by the court in order to divide Moon’s wealth up into ten equal shares which were then distributed to his survivors.



Case: Peter Porter v. Reuben Patterson [administrator of Jepe Jopling (dec.)]

Date: Tuesday, October 16th, 1838

Page(s): 284, 305, 334, 405, 408, 457

Related Case(s): n/a

Details: -The court ordered commissioners, N. W. Forethall (sp.) and Francis B. Dyer, “after giving three weeks previous notice by advertisement published in one or more newspapers printed in the City of Richmond and town of Charlottesville, do expose (sp.) to sale by public auction upon the premises, the tract of land with the mills thereon in the bill mentioned, also the lot in the bill mentioned adjoining thereto in the town of Warren designated in the plan of said town as lot No. 1 and the two slaves in the bill mentioned named **James** & **Betsey** upon the terms following to wit, - the said slaves upon a credit of twelve months...”
The commissioners were ordered to make a report to the court about how they executed the decree.

The court approved the report of the commissioners and ratified and confirmed the sale of the mills, real estate, lot, and enslaved people - the commissioners were also authorized to collect any bonds due.

[Defendant](#) Reuben Patterson was reimbursed “for debts paid for the estate, out of the proceeds of certain slaves, which slaves it has been since ascertained did not belong to the said estate, but to the children of Thomas Jopling (dec.)...”



Case: Elizabeth Roberts v. John Gilmore and Joseph Harlen

Date: Wednesday, October 17, 1838

Page(s): 338-339

Related Case(s): n/a

Details: -The court affirmed that John Gilmore was indebted to Roberts for \$150 and ordered that the woman Dolly, enslaved by Gilmore, be publicly auctioned to pay off said debts. Auction was to be advertised in newspapers for two weeks.

“And in further appearing to the Court that the [defendant](#) Harlen has in his possession a negro woman slave by the name of **Dolly** belonging to the absent [defendant](#) John E. Gilmore which is liable for the payment of the several debts aforesaid- therefore the Court doth further [adjudge order and decree](#) that Frances B. Dyer, who is hereby appointed Commissioner do sell the said slave **Dolly** at public auction for ready money having previously fixed the time and place of sale and given notice thereof in one of the newspapers printed in the town of Charlottesville for two weeks successively...”



Case: Samuel Fuqua and Joseph Fuqua v. Charles E. Rice and James R. Watson

Date: Monday, May 13th, 1839

Page(s): 351-352

Related Case(s): n/a

Details: Herman Thomas died intestate and the Court decided what to do with the enslaved population not explicitly mentioned in his will, the “increase” of an enslaved woman named **Inda** and an enslaved man named **Isaac**.



Case: Joel Yancey v. Joseph Coffman and James Kensling

Date: Tuesday, May 14th, 1839

Page(s): 353-354

Related Case(s): n/a

Details: Court ordered an estate, including tracts of land and enslaved people, to be advertised at the Courthouse and in the local newspapers in order to be auctioned off on the following court day. No names of enslaved people are mentioned.



Case: W. Shepherd v. Frances Perkins

Date: Friday, October 11, 1839

Page(s): 372, 432

Related Case(s): n/a

Details: -Court appointed Robert Whitehead as a Commissioner to sell at public auction an enslaved woman named Milly and her children on behalf of M. Perkins. Milly and her children were to be advertised in Charlottesville and the Nelson County Court Door, and after being sold, a report was to be rendered unto the court.

-“On consideration whereof the Court approving said report doth confirm the same- and it appearing to the satisfaction of the Court that the said Whitehead has paid over to the Plaintiff the full proportion of said purchase money to which his intestate estate is willed, in that deducting costs or commission, and that the defendant Rittenhouse who became the purchaser of said slaves was entitled to the balance.”



Case: William Appleberry, Trustee for Martha Brown, v. John Pilson, executor of Robert Brown, dec

Date: Thursday, October 15, 1840

Page(s): 430

Related Case(s): n/a

Details: Court ordered Pilson sell two people enslaved by the late Robert Brown by public auction in order to pay the Plaintiff.

BOOK #2

1842-1849



Case: William Donoho and Armsttead M Mosby v. James Oldham

Date: 1842-1844

Page(s): 20

Related Case(s): n/a

Details: “On Consideration whereof the Court doth [adjudge order and decree](#) that Thomas Wood be and is hereby appointed Commissioner whose duty it shall be after having given at least three weeks notice of the time and place of sale, to expose to sale at public auction to the highest bidder, upon a credit of nine months as to the personally, and one year as to the [real property](#), all the property conveyed by Donoho to Gilmer for the security of the debt due from the said Donoho to the said Oldham to wit, a house and lot in Scotssville, negro man **John**, negro woman **Nancy and child** and negro boy **Alexander** taking bonds with personal security from the purchaser or purchasers to secure the purchase money...”

-Man named **John**, Woman named **Nancy and her child**, and a Man named **Alexander** all sold at public auction at courthouse



Case: Higginbotham v. Colton

Date: 1842-1844

Page(s): 27

Related Case(s): n/a

Details: -Court ordered to sell “the negro slaves **James, Marcella** and **Eugene** under their respective executors until the further order for this court.”



Case: Sarah Harris v. John Moon

Date: 1842-1844

Page(s): 38-40

Related Case(s): Sarah Harris v. Edward H. Moon

Details: -“That as to the two slaves given him by the 19th clause of the will, the Court is of opinion, that they do not lapse into the r—(?), but that the lapse ensures to the benefit of the [devisees](#) whose places were charged with them. That the 2nd, 3rd,+ 7th [devisees](#) were charged with *the 8 slaves given to Mr. Henry’ children, six have been contributed and they*

are discharged as to two by the death of Thomas Barley as aforesaid. That se same devisees are chargeable with the two slaves given to Judeth Tumer, and they must be decreed to pay her the value of two such slaves as described in the will, with interest from the time they should have been placed in her possession...”

- “The Court doth therefore [adjudge, order and decree](#) that John H. Coleman, Benjamin H. Magruder, and Edward H. Moon, who are hereby appointed Commissioners for the purpose, after advertising the time and place of sale for thirty days in the Virginia Advocate do proceed at Viewmont, the reticence of the Plaintiff to sell to the highest bidder on a credit of 12 months of as a fair price can be had, the slaves **Jacob, Peyton, Ned, Sudsay, Joe, Joshua, Sally** and **Martin...**”

-**Jacob, Peyton, Ned Sudsay, Joshua, Sally** and **Martin** of the Viewmont Estate



Case: Reuben v. Patterson

Date: May 22, 1845

Page(s): 157

Related Case(s): Sarah Harris v. Edward H. Moon

Details: Two unnamed enslaved people purchased by Peter Porter from Jesse Jopling



Case: Durham v. Borden

Date: May 22, 1845

Page(s): 159

Related Case(s): n/a

Details: Plaintiff Durham sold “**Aggy and her three children.**”



Case: Willis Day v. Rice G. Barksdale (sp.)

Date: May 27, 1845

Page(s): 170

Related Case(s): n/a

Details: Court order mentions unnamed enslaved people in a bill—not in relation to a sale of enslaved persons or property.



Case: William Stockton v. William Farrish

Date: July 14, 1842

Page(s): 183-189

Related Case(s): n/a

Details: “On consideration whereof it seeming to the satisfaction of the Court from the proofs and exhibits in the cause, that the interest of the [infant](#), John N C + Catherine Stockton in order to save the slaves of their fathers estate, and to provide the means of payment of the debt which shall be ascertained to be due to the [Defendant](#) William P. Farrish in his own right as administrator aforesaid under the order for an account hereinafter made, manifestly requires the sale of the tract of land in the bill mentioned, called “the Retreat” as well as the [perishable property](#) thereupon.”



Case: Eliza A Duke v. Ann Bonnycastle and George Carr

Date: Oct. 10, 1845

Page(s): 190

Related Case(s): n/a

Details: Court ordered the sale of “a negro (girl) slave named **Betsy**” to satisfy an [injunction](#) on behalf of the Plaintiff Eliza Duke.



Case: David M. Durham v. William Borden

Date: Oct. 20, 1845

Page(s): 190

Related Case(s): n/a

Details: A group of enslaved people were ordered to be “delivered” to a new enslaver, Nancy Borden. If Borden did not offer bond for the enslaved people by a certain date, the court would turn over the slaves to the Sheriff of Fluvanna County “who is hereby directed to hire out said slaves for the best price he can obtain, taking bond and approved security for the payment of said hire and for the *Return of said Negroes*- at the end of the year or season as the court shall so direct- the hire abating proportionally and the proceeds of such hire, the said Sheriff is directed to collect and to bring to the Court, subject to its further order on the premises.”



Case: Sarah M. Danielle vs. Elizabeth Johnson

Date: October 23, 1845

Page(s): 199-200

Related Case(s): n/a

Details: Sarah M. Danielle was entitled to receive to her separate use one third of the enslaved people in the Bill mentioned, to be divided up by the court, and the court appointed a Commissioner to take charge of the “hires and profits” of said enslaved people.



Case: John Bow v. Richard Gamble

Date: October 23, 1845

Page(s): 202

Related Case(s): n/a

Details: The court ordered the hiring out of people enslaved by the [testator](#) “other than the slaves **Susan** + her two children **Lewis**+ **Lucy**” and ordered a report made of the hires said enslaved people to the court.



Case: Benjamin Danielle v. Wm. H. Carter

Date: May 29, 1846

Page(s): 256

Related Case(s): n/a

Details: “And if appearing to the Court that the proceeds of the real estate sold to John Crank and that sold to George River, will in all probability pay and satisfy all debts claimed in these suits against the whole faced, and leave the slaves for aught that now appears, for the benefit of M. Carter and her children the residuary beneficiaries in the deed of Wm. H. Carter in the proceedings mentioned.”

“The sheriff is directed to restore the slaves to Carter + wife, the services and use of whom for the benefit of M. Carter and her children until the further order of the Court: upon this consideration however that the said Carter and wife nor either of them shall not use, hire or permit the said slaves or their increase or any of them to be used, hired or carried out of the limits of the counties of Albemarle or Nelson, and at all times have them ready to be delivered up to any future order or decree of the land.”



Case: Ann M. Bonnycastle v. John C. Bonnycastle

Date: October 23, 1846

Page(s): 277

Related Case(s): n/a

Details: Court ordered the sale of slaves claiming it benefited both the plaintiff and [infant defendants](#) (the children of Charles Bonnycastle and Ann M. Bonnycastle).

“And doth [adjudge, order, and decree](#) that Eugene Davis + William J Robertson be appointed Commissioners, either of whom may act whose duty it shall be to expose to sale to the highest bidder at public auction the said slaves, requiring to be paid in cash a sufficient sum to repay the costs of this suit up to that time, and the expenses of sale...”

-states that slaves could be sold “separately or in families, as may seem most conducive to the interest of the parties, having due regard, however, to the dictates of formality”



Case: Thomas C. Borven v. Charles M. Harden

Date: October 26, 1846

Page(s): 281-282

Related Case(s): n/a

Details: The court ordered the sale of “the slave **Joe**” by Thomas C. Borven as Commissioner of the Court.



Case: William Stockton v. William Farnish

Date: October 27, 1846

Page(s): 286-289

Related Case(s): William Stockton v. William Farnish, July 14, 1842

Details: This case is about an estate known as “The Brook” and another known as “The Retreat”. The enslaved people of the estates were ordered divided up along with other property evenly among the three [infant defendants](#).

“And the said commissioners shall at the same time, divide the slaves in the Bill mentioned and the increase thereof, since the commencement of this suit, between the said Cooke and wife, and the said infants John N C + Catherine Stockton allowing to the former, one third of said slaves, as their absolute property and to the latter, the remaining two thirds as their absolute property.”



Case: Shepherd Eads v. Jordey Key

Date: October 27, 1846

Page(s): 291

Related Case(s): n/a

Details: The Court ordered the sale of both the estate and the enslaved people of the recently deceased Benjamin Norvell because the hires of the enslaved would not produce sufficient funds. Therefore the court ordered the sale of both the land and enslaved at public auction in Charlottesville.



Case: John P. Gillam v. Gabriel Harper

Date: October 27, 1846

Page(s): 292-294

Related Case(s): n/a

Details: Enslaved people in this case are placed into a trust intended for Pleasant Gillum and John Gillum.

“And doth [adjudge, order and decree](#) that as to the land revised by the said Elizabeth Ann Gillum, and as to the money of the slaves **Sousa and her children** allotted the estate of Elizabeth Ann Gillum, dec., and the perishable property, [bequeathed](#) by her, for the support of the [Defendants](#) Pleasant John Gillum the said trustee, hereby appointed, shall take the same unto her possession, of some of the money, of the said slaves, and of the said perishable property, as the Deft Harper, about as aforesaid shall surrender to him, and the rents, issues, and profits of said land, slaves, and perishable property, the said trustee shall apply towards the support and maintenance of the [Defendant](#) Pleasant Gillum, the said [Defendant](#) John P. Gillum, neither claiming or being entitled to any participation therein: for the reasons heretofore mentioned.”



Case: John Bow v. Richard Gamble

Date: October 27, 1846


Page(s): 295-297

Related Case(s): n/a

Details: “This day this cause came to be further heard upon the papers formerly read and was argued by counsel on consideration whereof, the court being of opinion that the 3rd clause of John Bow’s will confers on **Susan** + her two children **Lewis** + **Lucy**, but [conditional emancipation](#),

liberating them upon their electing to go to Liberia, and in the event of their so declining, the will gives them all testator lands, with the perishable property to aid them in their removal + settlement in Liberia, that of a part only elect so to remove and settle they will be willed to a reasonable proportion of the proceeds of the land and personal property; should they all or any part refuse so to remove, then those so refusing are slaves and together with the devise and bequest to them will be purchasable among the Testator's heirs at law..."

"It being the opinion of the Court, that the bequest of said slaves to Gamble, Walker, William+ James Duke, confer no rights upon said Defts was not awarded for their benefit, but was a mere device, to confer on the slaves an intermediate status between freedom + slavery, by placing them in a condition of nominal slavery, and subliminal freedom in contravention of the policy of law, in relation to that part of our population"

 **Case:** John Michie v. Theodore A. Michie

Date: October 29, 1846

Page(s): 300

Related Case(s): n/a

Details: "On consideration whereof the prayer of said Bill seeming to the Court reasonable, and no exception appearing thereto it is by the Court [adjudged, ordered and decreed](#), that *Theodore A Michie be appointed Commissioner to sell the said negroes* in the Bill mentioned who after giving due notice of the time and place, as required by law in case of sales by the Sheriff under execution of ??? shall proceed to sell the same at the Court-House of Albemarle County on some Court day taking bond with good security of the purchases, and upon credit of nine months from the day of sale, and the said commissioner is directed to make upon to this Court how he has executed this order in order to a final decree."

 **Case:** Luther M. George v. John S. Sampson

Date: December 19, 1846

Page(s): 339-341

Related Case(s): n/a

Details: "On the subject of hires, the original and subpoena report are correct as far as they go: but the Court is of the opinion that the Plaintiff is entitled to have an account of the hires of the said slave subsequent to

the year 1842, and the personal value of said slave, if he be still in possession of Sampson's deed, or if disposed of by him, his value at the time of sale- and to be credited by one half of said hires and value."

Case: David W. Durham v. William Borden

Date: May 24, 1847

Page(s): 356-357

Related Case(s): Durham v. Borden, 1845

Details: "On Consideration whereof, no exception appearing to said report, the Court doth [ratify and conjoin](#) the same, and as to the surpluses among from the sale of the slaves in the said report mentioned, to wit, the sum of \$302, remaining after the payment of the claim, principal, interest, costs of the Sheriff of Augusta- doth [adjudge, order and decree](#) that the said Bonet G Payne Sheriff and Comm. of the said John Slater pay the same to the Plf Daird W. Durham, who is hereby appointed the Receiver in this suit..."

Case: Ann D. Chick v. Sulleton W. Chick

Date: May 26, 1847

Page(s): 363-364

Related Case(s): n/a

Details: "On motion of the Plaintiff Ann D. Chick, by her next friend John J Wrigfield, and on consideration of the bill and affidavit filed by her, an injunction is awarded her to restrain the Def. Suleeton W. Chick, husband of the Plaintiff from removing, or causing or permitting to be removed beyond the jurisdiction of the courts of this commonwealth, or from selling, incumbering or otherwise disposing of the slaves in the bill mentioned- to wit Maria, Susan, Jefferson, Ben, Matt and Julia, until the further order of the court; and that unless the said [Defendant](#) Sulleton W. Chick, or being served with the subpoena of injunction which shall issue in pursuance of this order, shall within twenty days thereafter, execute and file with the clerk of this court, a bond with sufficient security, in the penalty of \$7000 payable to the said John J. Wrigfield next friend of the Plf and conditioned to have the slaves **Maria, Susan, Jefferson, Mat** and **Julia** (being all the slaves before mentioned, with the exception of **Ben**) forthcoming to abide the future order or decree of the court, or to abide and perform the future order or decree of the court in the premises- then

the said John J Wrigfield upon executing and filing with the clerk, his bond with sufficient security payable to the said [Defendant](#) Sulleton W. which in the penalty of \$2000 and conditioned to have said slaves forthcoming to abide the future order or decree of the court in the premises as authorized to take possession of said slaves and hire them out until further order. And in the event that neither the said Sulleton W. Chick nor the said John J. Wrigfield shall, the first within the twenty days above mentioned and the latter within five days after the expiration thereof, execute and file the bond aforesaid, it shall be the duty of the Sheriff of Albemarle, and he is hereby ordered and required to take into his possession the said slaves **Maria, Susan, Jefferson, Mat** and **Julia** and hire them subject to the future order of the court.”



Case: Willis Day v. Rice G. Barksdale

Date: Oct. 27, 1847

Page(s): 393

Related Case(s): Willis Day v. Barskdale, 1845

Details: “The Court therefore by the consent of parties doth [adjudge order and decree](#) that NM Southall, JM Saunders, who are hereby appointed commissioners for that purpose, having first advertised the time and place of sale for thirty days in one or more of the newspapers printed in the Town of Charlottesville, and in such other manner as they may deem advisable, do expose to sale to the highest bidder, at Public Auction, at the CourtHouse of Albemarle County, upon a credit of six months, the said slaves in said Bill mentioned, taking bonds therefore, such approved security for the payment of the purchase money and make report thereof to the Court. And the Court doth further [adjudge order and decree](#) that the Plaintiff, at the expiration of the time for which said slaves are now hired out, do deliver the same to the commissioners aforesaid for the purpose aforementioned.”



Case: Robert Novell v. Bonnet G. Payne,

Date: Oct. 29, 1847

Page(s): 397

Related Case(s): Willis Day v. Barskdale, 1845

Details: “And it appearing to the court that before another term of this court will be held, that the bonds of the purchasers of the slaves made

under the [decretal order](#) of the 27th of October 1846 will fall due, the court doth order and direct that the purchasers at the said sale do deposit in the savings bank of Charlottesville to the credit of this suit, the amount of their several purchases, and upon filing with the clerk of the court, certificates of such deposits, that they have leave to withdraw from the papers of the cause, their respective bonds, leaving with the clerk attested copies thereof. “

BOOK #3

1850-1853



Case: Matthew Eubank v. James Eubank

Date: Tuesday, May 28, 1850

Page(s): 109, 159, 194, 286, 369

Related Case(s):

Details: “And the court doth further [adjudge, order, and decree](#) that Matthew Eubank be and is hereby appointed a commissioner, whose duty it shall be to sell the tract of land of 200 acres in the bill mentioned, *upon the premises, and the slaves belonging to the estate of George Eubank dec., at the Courthouse of Albemarle County on some court day*,- the land to be sold at any time, but possession to be decided according to the terms of the contract upon which it is rented for the present year; the slaves to be sold as soon as they can be recalled from those to whom they are now hired.- But neither sale shall be made, until the Commissioner shall have advertised the time of place thereof in some newspaper printed in Charlottesville and another in Scottsville for four weeks.- The land shall be sold on a credit of six months for one third of the purchase money, and for the balance on a credit of one and two years - the purchaser bond with personal security, and the title to be returned as further security for the deferred payments.- *The slaves to be sold on a credit for six months the purchasers giving negotiable notes payable at the James Bank and well endorsed as security for the payment of the purchase money.* And the said commissioner shall make refund to the court of his proceedings under this decree. Or if he shall make the sales hereinbefore directed on either of them, before the accounts herein ordered shall have been stated and refunded, the commissioner appointed to sell, shall return his refund to the master commissioner who shall make such use thereof as will facilitate the adjustment of the rights of the parties, and the distribution of the entire estate of George Eubank, decd.”



Case: Nicholas S. Drumheller, Dan B . Drumheller, James W. Drumheller in his own right and as guardian of Sarah M. Phelps v. Ross I. Drumheller, James C. Moore, John C. Said, John A Drumheller

Date: Tuesday, October 22nd, 1850

Page(s): 131, 175-76, 290

Related Case(s):

Details: (131) “Was cause this day came on further to be heard upon the papers formerly read, the report of sale of the slaves made by Commissioners Alexander Fitzpatrick and Thomas P. Fitzpatrick in presence of the decided order of the October term last (1849) without an exception and was conquered (?) by Counsel: On consideration whereof the Court doth judge, order and decree that the said sale be confined (?) and that the said Alexander and Thomas P. Fitzpatrick be, and they are hereby appointed Commissioners to withdraw from the papers of the cause the sale bonds (leaving xxxx copies) and collect the same and deposit the net (?) proceeds, after deducting costs, changes and Commissions, in the Charlottesville Savings institution to the credit of this suit so that it may be ready for distribution at the next term, and in the meantime been interest - And the Court doth order that when the said Commissioners shall have made sale of the land decreed to be sold by the said interlocking (sp?) order of the October term 1849 supposed them to lie in the County of Fluvanna but since ascertained to be in the County of Albemarle upon the terms therein specified, they are authorized of practicable (sp?) to cash the bounds for the purchase money, discounting legal interest to make them due and deposit the proceeds in the Savings Bank in order that the proceeds of both really and personally (?) may be in xxx and ready for distribution at the next term. But before the said Alexander and Thomas P. Fitzpatrick shall be authorized to act under this decree; they shall execute and file with the clerk bond with sufficient security and the penalty of \$3500 payable to the Commonwealth of VA. and considered in all things well and ready to execute and perform the duties deferred upon them by this decree. And the said Commissioners are decided to make refund of the sale of the land and of the Collection and, disposition of the proceeds of sale of both land and personally. ”

(175-176) “Was cause this day came on to be further heard upon the papers formerly read, and the report of the sale of the land made by Commissioners Alexander and Thomas P. Fitzpatrick and persistence of the decided order of the October term 1849 and the Oct. term 1850 without an exception and was argued by counsel:

On consideration whereof the court approving, doth [ratify and confirm](#) the said sale and doth order that the said Comms. of sale do withdraw the bonds for the purchase money and collect the same and disperse the proceeds in the Charlottesville Savings bank to the credit of this suit and upon payment of the purchase money said Comms. of sale are hereby appointed Comms. to convey the legal title to the purchase by judges deed of bargain and sale with special warranty at the proper costs and chargers of the purchaser.

And in order to a distribution of the net proceeds of sale of the land and slaves amongst the parties entitled at the next term of the court this cause is referred to Master Comms. Drewry (?) Wood to take an account of the xx proceeds of the slaves (written above: sale) of said land and slaves reoccurring for distribution in the Savings bank, wielding without thereon occurred (sp), or in the xxx of purchasers unaffected after deciding therefrom all the costs of said both - Plaintiffs and [Defendants](#) and all the expenses, costs or charges of sale, and distribute the same amongst the parties entitled according to their respective rights, xxx to Alexander Brown the share of John A Drumheller and to Land + Moore the share of Ross J. Drumheller: - which account said Commissioner will examine, solve (?), settle and report with any matters specifically stated deemed persistent (?) by himself or required by the parties to be so slated.- And the court having xxx considered the question caused under the will of Jacob Drumlieller between Ross J. Drumheller and Sarah M Phelps infant daughter of Sarah J Drumheller xx the house and lot devised by said will to Sarah J. and Ross J. Drumheller is of opinion and doth decide that as Sarah J Drumheller died before her mother, whose death by the will was fixed as the period of division that Ross J Drumheller became entitled to and took the whole by survivorship. And this cause as to all other questions caused between the parties in the cause is confined (?) until the next term.”



Case: Thomas H. Brown sheriff of Albemarle County, Sam Dyer (deceased) and John Dyer (deceased) v. Ann Robertson et al.

Date: October 22, 1850

Page(s): 133- 134

Related Case(s):

Details:

“And doth therefore [adjudge, order and decree](#) that the Plaintiff, out of the fund now in his hands causing from the decree in the case of Howell vs. Howell (dc), do after paying thereout the costs of administration, and all proper charges and expenses including the cost of this suit and the note of \$15:50 dated 10 July 1841 and given to N. H. Southall by Robert Dyer as a fee for a suit for the division of the slaves of the estate to the present holder of said note_ pay to the [Defendant](#) William H. Dyer the sum of \$302:38 with legal interest thereon from the 6th day of April 1842 xx paid -: to the [Defendant](#) Ann Robertson the sum of \$302:38 with like interest, to the [Defendant](#) Sally Dyer the sum of \$302:38 with like interest, and that the reclaim in his own hands...”



Case: John P. Gillum v. Gabriel A Harper

Date:

Page(s): 140

Related Case(s):

Details:

“On consideration whereof the court approving doth satisfy and confirm the said report_ And the court approving of so much of the said report as suggests the expediency of a sale of the 50 acre had mostly in timber in the preference to a *sale of the young negroes* who are increasing in value - doth [adjudge, order and decree](#) that the trustee do proceed to sell the same on such part thereof as may remain after reserving such part thereof, or the timber thereof as may be deemed xxx for the support of the home had after due advertisement, and upon such terms as he shall deem most expedient and make refund of his sale to the Court. - And the Court not being sufficiently advised of the reasonableness of the offer made by the son to bound his father the xxx his house and the negroes old and young _ and to rent the home tract _ but deeming is altogether expedient that such an arrangement should be made, if it can be, upon reasonable terms _ doth advise and authorize the trustee to enter into such contract with the son upon such terms as shall be certified by John S. Coke James McBowen, and Dr. John B. Garrell to be fair and reasonable - And if the son shall refund to submit the question of Confiscation and rent to such xxxx, then the trustee must rent the home tract out by way of xxx xxx to the highest bidder, and make the best contract he can with his son on any other fit person for the board of the xxxx, the keeping of his house

and the board and clothing of the slaves.- And he will make report of his proceedings under this decree, that is to say, of his sale of the land, of his contract for the support of the xxxx his house and slaves and for the renting of the home tract and of his receipts and disbursements since the date of his last report to the next term with any matters specifically stated deemed preferred by himself or required by any party to be so stated.”



Case: James Beck and Rebecca his wife v. Jonathan Gellasfry

Date: October 24, 1850

Page(s): 143 - 144

Related Case(s):

Details: Page 143: “On consideration whereof the Court processing no objection to the sale of the land in the Ball and proceedings mentioned, doth [adjudge, order and decree](#) that James M Saunders, who is hereby appointed Commissioner for that purpose ... And the court doth further [adjudge, order and decree](#) that this cause be referred to one of the Commissioners of this Court, who, upon the coming in of said report of sale, shall take an account of all the advancements real and personal made by the said Cornelius Breedlove deceased to his descendants or to such of them in their xxx, as may be then willing to bring said advancements into the partition or distribution of his estate...”



Case: Abram Sheffield Jr. and – Payne administrators of Thomas Bradon

Date: October 25, 1850

Page(s): 148 - 151

Related Case(s):

Details:

Page 149: “Residents of the Commonwealth + that decrees against them will probably prove once: xxx, xxx, they are required to pay said sum of \$14:14 xxx xxx there on xxx out of their respective slaves, in the estate of the said Benjamin Moore + it appearing to the Court from the decree of the 25 May 1848, that 5 of said here to toil: Elizabeth Sales (?), Sammie C Moore, John J Moore, Moses Moore + Martha Patterson have decrees in their favor against the xxx have of the said Benjamin Moore...”

Page. 150: “The Court is further of opinion that Benjamin M xxx is entitled by value of the purchase from Samuel J Roberts to the interest of his

mother Elizabeth Saves (?) in the real and personal Estate of her father the late Benjamin Moore...”



Case: John J. Hammer and Shephard Eady (d) v. James J. Clarke

Date: May 19, 1851

Page(s): 165 - 167

Related Case(s):

Details:

Page 166: “As the will of the xxx leaves it discretionary with his personal representations to sell or divide his slaves, and the xxx with the will amassed believing a sale to be the most convenient if not the only practicable mode of making a division, and that in fact, it will be advantageous to all the parties:- the Court doth [adjudge, order and decree](#) that the said John J. Hammer be, and is hereby appointed a Commissioner, who shall proceed as soon as convenient to sell the slaves belonging to the estate of the xxx at public auction in the town of Charlottesville on a credit of ninety days, the purchases to give negotiable notes well endorsed payable at the Bank in Charlottesville: the said sale to be advantaged for at least four weeks in some newspaper published in that place:- the sale to be made in line to allow of a decree for distribution of the proceeds at the next term of the Court, and with that view the said Comm. shall make report thereof, and also of the sale of the real estate ahead, sold, to the Comm. to whom the settlement of accounts will hereafter be referred....

“And the Court doth further adjuge, order and decree that it be referred to one of the Commissioners of this Court to settle an account of the administration of the Plaintiffs or either of them on the estate of their xxx subsequently to the transactions embraced in the report of the Comm. Randolph ahead referred to; in which settlement shall be established the proceeds of the sale of the slaves and also of the land - regard being had to the time when the several establishments of the latter fall due; and all proper changes being deducted from both funds. And the said Comm. is further directed to take an account of all debts outstanding against the Estate, and to make statements shewing (sp?) the net amount of which xxx will be entitled and of the whole Estate real and personal.”



Case: Thomas Brown (late sheriff of Albemarle County) v. Benjamin Franklin

Date: Thursday 22 May 1851

Page(s): 172 - 174

Related Case(s):

Details:

Page 173 - "This cause this day came on to the finally heard upon the papers formerly read, the report of Master Commissioner S. George Tucker, made in presence of the xx order of the 18th day of October 1850 with an exception thereto by the Plaintiffs Counsel: *for the allowance of the item of \$31:80 for negro clothing* - and was xxx by Counsel: On consideration whereof the Court xxxx said exception doth approve, ratify and confirm the report of the Comissioner, which disallows the item of \$6:50 for shoes for want of a voucher to sustain it, and disallows the excess of Commission beyond 50 (?) and allows the item of \$31:80 xxx and exhibits a balance of \$289:50 principal and interest as of the 1st day of Jan 1851..."



Case: Drumheller v. Drumheller

Date: Friday 23 May 1851

Page(s): 175

Related Case(s):

Details:

Page 175 - Follow up on Drumheller case from before, court is approving the sale of the land - "And in order to a distribution of the full proceeds of sale of the land and slaves amongst the parties entitled at the next term of the court this cause is referred to Master Comm. Drewy Wood to take an account of the net (sp) proceeds of the slaves sale of said land and slaves reoccurring for distribution in the Savings Bank, including without thereon accrued, or in the hands of purchasers uncollected after deducting therefrom all the Costs of Suits both - Plaintiffs and [Defendants](#) and all the expenses costs on changes of sale, and distribute the same amongst the parties entitled according to their respective rights..."



Case: Gillium v. Gillium, Gabriel Haufier

Date: May 26, 185

Page(s): 181

Related Case(s):

Details:

Page. 181 - "On consideration whereof the Court doth refer this cause to one of the Commissioners of the Court to consider, (scratched out) enquire into and report upon the papers now in the cause and upon such testimony as may be conducted before him, whether, having due regard to the rights and interests of the life tenant and the remainder in the land and slaves, it be more expedient to sell forthwith, or as soon as predictable both land and slaves and provide for the support of the life tenant out of the interest of the purchase money properly invested, or to provide for his support in the manner contemplated by the decree of the last term after the sale of the 50 acre tract - if the report in favor of sale and out and support out of the interest, he will report the probable amount of the net proceeds of sale will remain after discharging existing xxx to be invested, and the amount that should be paid annually for the comfortable support and maintenances of the ?? land life tenant._if the report in favor of the plan of support contemplated by the decree of the last term after the sale of the 50 acre tract, he will refund upon what terms the son should support the father as contemplated by the decree of the last term bonding himself and chargeable slaves and house, if one deems necessary, and what rent and hire he should allow for land + slaves,_and if the son should refuse the terms deemed reasonable of the Comm. then whether the remaining alternative be predicable of renting out the land and hiring out the slaves to a stranger and providing comfortable support and maintenance for him upon the terms ascertained by the Comm. and offered to, and refused by the son._upon all which subjects of enquiry the said Comm. will report to next term with any matters specifically stated deemed pertinent by himself or required by the parties to be started._He will also take, state, settle and report the account of the trustee John Wood from the date of the last settlement up to the line of closing his account."



Case: Thomas Nia and Elizabeth, his wife v. Norris

Date: May 26, 1851

Page(s): 182

Related Case(s):

Details:

Page 182 - "The liability of Thomas R Dunn + Jame Wood and of their securities as Receivers of the County Court of Albemarle in the above land case.- 4th The liability of Thomas R Dunn and of his securities as Commissioners of the County Court of Albemarle *to sell the negroes* of Thomas C. Norris dec..."



Case: Egbert R. Mason v. Margaret C. Henderson

Date: May 28th, 1851

Page(s): 192

Related Case(s):

Details:

P. 192 - "On consideration whereof the Court being satisfied from the proofs in the cause independently of any admissions in the answers, that the interest of the Plaintiffs wand wall (?) be promoted by the sale of his property real and personal in the bill mentioned and that the rights of no other person will be violated thereby: And at approving that Mrs. Henderson who is also interested in said property being desirous that her interest therein shall be sold- it is [adjudged ordered and decreed](#) that Alexander Rives and E. R. Nelson (sp) be and they are hereby appointed Commissioners, whose duty it shall be to sell the property in the bill mentioned, real and personal. The land to be sold publicly or privately as they shall deem best, and in one or more tracts, or in their opinion will best promote the interest of the parties concerned: Cash shall be required as to so much of the purchase money as will defray the expenses of the sale, and as to the balance on a credit of one, two, three and four years in equal establishments - the purchases giving bond with good personal security for at least the first and second installments, and the title to be refrained as further security (^ for the whole purchase money) all of which shall bear interest from the date of sale and be paid annually..."

P. 192 - "The personal property shall be sold at public auction on a credit of six months for all sums over \$20, the purchaser giving bond and approved security, bearing interest from the date, but the interest to be remitted, if the xxx be paid on or before the day when due: And in case of payments in advance, interest may be discounted, _for purchases amounting to less than \$20, cash shall be required._ the public sale of the personally (And also of the land, of the same or any part thereof be sold publicly) shall be made as such time or times, place or places and after

such notice as to the Comms. shall deem best. And upon the coming in of the report of the Comms. And confirmation of the sales made by them, the Court will take the necessary action and make the necessary order having for its object the collection of the proceeds of sale or purchase money, and will require of the Commissioners the bond and security required by law in a sufficient penalty condensed for the Collection, apprehension, accounting for and investment of said proceeds according to the decree or order of the Court...”

Page 193 - “the land on the personally...”



Case: Eubank v. Eubank

Date: May 28, 1851

Page(s): 194 - 195

Related Case(s):

Details:

See above, Eubank case follow up, sales in Charlottesville.

Page 194 - 195 - “This cause came on to be further heard upon the papers formerly read, the report of sale of the land and slaves made by Commiss. Alexander Rives and James C. Southhall substituted by the agreement of the 19th June 1850 marked 3 in the room and slead (?) of Matthew Eubank who was appointed by the decree of May term 1850 to which report there is no exception, upon the report and supplemental report of Master Comm. S. George Tucker made in pursuance of the deferral (?) order of the May term 1850 with exceptions therefore be, James Eubank by his Counsel from 1 to 11 inclusive, and by Robes esor (sp?) from 1 to 6 inclusive, and upon the petitions and exhibits of N M Southhall and Raglands escor (?) aparting heirs upon the share of James Eubank in the proceeds of sale of the land and slaves in the proceedings mentioned as was acquired by Counsel: On consideration whereof the Court approving doth ratify and confirm the sale of the land and slaves made by Commissioners Rives Southwall in all things and doth order that said Commissioners do collect so much of the purchase money of said land and slaves on sales due before the next term, especially the negotiable notes for the slaves made payable at the Farmers Bank, but without any change for additional or further Commissioner for so doing, and out of the proceeds refrain for there own Commissioners and other calls of sale \$202:88 and deposible the residence in the Citizens Savings Bank of

Charlottesville to the credit of this said (reforming and felony with the papers a xxx of xxx thereof) in order that the same may be bringing interest invested of recurring unproductive in the Farmers Bank who's the negotiable notes are made payable.- And the Court without at this time papering upon the report of Comm Tucker, or expressing one, opinion upon the exception thereto..."



Case: William Jeffries v. Jeffries

Date: October 16, 1851

Page(s): 200 - 201, also later on 437

Related Case(s):

Details:

Page 201 - "... the Commissioners of this Court to take the following accounts, viz: 1st. An account of the administration of David M. Jeffries upon the death of James Jeffries son. dec. 2nd. An account of the proceeds of the slaves belonging to the estate of the said James Jeffries son, which were sold by the said David M. Jeffries about the 17th Dec 1850."



Case: Sarah W. Danielle v. Austin M. Affihing (?)

Date: October 18, 1851

Page(s): 204

Related Case(s):

Details:

Page 204 - "On consideration whereof and, without deciding any other question in the cause at this time, the Court doth [adjudge, order and decree](#) that the said Defendant Affihing (sp?) do render before one of the Commissioners of this Court, an account of all monies, property real or personal that had come into his hands as trustee for the Plaintiff Mrs. Sarah W. Danielle, and the interest, newts, hires and profits thereof, together with an account of his administration thereof in fulfillment and execution of the trust..."



Case: Henry H. Gentry (?) v. Joel Maupin

Date: October 20th, 185

Page(s): 211

Related Case(s):

Details:

Page 211 - "On consideration whereof the Court, without incurring now to express any opinion as to the rights of the Deff. Garrett White, in the land and slaves mentioned in the bill but being of the opinion that said land and slaves ought to be sold with a view to the equal division thereof, doth therefore [adjudge, order and decree](#) that Peter Gibson, who is hereby appointed commissioner for that purpose, having first advertised the time, place, and terms of sale for thirty days at least, in one or more of the newspapers published in the town of Charlottesville, and in such other measures as he may deem expedient, do expose to sale, upon the premises, at public auction, to the highest bidder, on a credit of six, twelve, and eighteen months with interest from the day of sale, the land in the Bill mentioned, being the same allotted to Sarah Gentry dec. as her driver (?) in the lands of her husband, Christopher Gentry dec., and that for the purchase money, he take bonds with approved personal security reclaiming (?) the title to the land as additional security. And the Court doth further [adjudge, order and decree](#) that the same Commissioner, upon like notice, and at such time and place as he may think best, do also expose to sale at public auction to the highest bidder, on a credit of six months, with interest from date the slaves mentioned in said bill, being the same that were appointed to the said Sarah Gentry, dec. as her share of the slaves belonging to the estate of the said Christopher Gentry, dec., and that for the payment of the purchase money thereof, he take bonds, with like interest security. And the said Commissioner will make report of his proceedings herein to this Court and reclaim with said report the bonds so as aforesaid decided to be taken."



Case: Nancy Carr v. Bernard Carr

Date: October 21, 1851

Page(s): 220 - 221, 244

Related Case(s):

Details:

Page 221 - Drury Wood appointed commissioner to sell tracts of land (privately and publicly)... "And for the purpose of security, property fidelity and accountability on the part of the Commissioner appointed by this decree as well as the appropriation and payment of the amount of cash authorized to be collected under this decree before the return and

confirmation of the report of sales can be made.- it is ordered that this decree be suspended in its operation until said Commissioner shall file with the Clerk a bond with sufficient security in the penalty of \$300 payable to the Commonwealth of Virginia, and considered well and truly to execute this decree and to account for and pay over such sums of money as may be by him received by virtue of this decree. It is further [adjudged, ordered and decreed](#) that Chapenan (s?) W. Maupon, John Jones, Dabrey M. Jaman, Rice G. Maupin, and William Graces, any three of whom shall full power to act, be appointed Commissioners whose duty it shall be to assign and to allot to Nancy Carr the widow of Bernard Carr deceased, one third in value of the real estate of which Bernard Carr deceased died sized and properied (sp?), out of that portion of his estate described in the bill as tract No 1., and on which the mansion house is situated, which is to be embraced in the partition assigned (sp?) as dower (?), Also to allot and assign to said Nancy Carr widow of Bernard Carr deceased, one third in value of the slaves belonging to the states of Bernard Carr decd; the real estate and the slaves to be held and enjoyed by said Nancy Carr during the term of her natural life only._ Also to divide by partition the remainder of the slaves of said state and the residue of the tract of land, known and described in the bill as tract No 1 among the heirs and distributes of said estate according to their respective rights.”



Case: Ambrose Hall v. Joseph Hall et al.

Date: October 22 1851

Page(s): 229 - 231

Related Case(s):

Details:

Page 230: “On consideration whereof, the Court, perceiving no good objection to the sale of the lands and slaves maintained in the bill for the purposes of division amongst the next of kin, doth [adjudge, order and decree](#) that James M. Saunders, who is hereby appointed Commissioner to make such sale, having published notice of the time and place thereof for thirty days, in one or more of the newspapers printed in the town of Charlottesville and in such other manner as the may deem proper, shall express to sale upon the premises, at public auction, to the highest bidder on a credit of one and two years, the said bonds lands being the same whereon Molly Hale dec., late of Albemarle County resided, at the time of

her death_a portion of which she held in her own right, and the resident (?) as tenant for life, with remainder to Nicholas Hall deceased._... And, on life notice, and at such time and place as he may think best, the same commissioner shall also expose (?) to sale at public auction, to the highest bidder, on a Credit of twelve months, the slaves belonging to the estate of the said Molly Hall deceased, and for the payment of the purchase money, shall take bonds with like security, and the said Commissioner shall make report of his proceedings under this decree to this Court, and reform (sp?) with said report the bonds decided to be taken as aforesaid.”

“But so much of the frequency (?) decree as decided the sale of the lands and slaves, is to be suspended until the said James N. Saunders shall have executed his bond before the Clerk of this Court, with good security, in the penalty of \$10.000 (or \$10,000?) Considered for the faithful discharge of the duties herein required, and for the Collection and appreciations of the monies xx from said sale, if by any subsequent decree in this Cause he shall be decided to make said Collection and appreciation.”



Case: Nancy Carr v. John M. Carr et al.

Date: May 18th, 1852

Page(s): 244

Related Case(s):

Details:

Page 244: “This cause coming on to be heard upon the papers formerly read and the report of Drury (?) Wood a Commissioner appointed by a former decree of this court to make sale of certain property in said decree specified; also the report of John Jones, D. M. Jannan and Rice Maupon three of the Commissioners appointed by a former decree of this Court to allot and assign the xxx of the late Bernard Carr her division of the land and slaves of said Bernard Carr dec. among the heirs and distributes of said Bernard Carr dec; On Consideration whereof and it appearing to the Court that the sale of land reported by said Commissions of sale, were made at a fair and reasonable price_it is [adjudged, ordered and decreed](#) that said report of sales be adopted and the sales be confirmed by this Court; and the said Commissioners is authorized and decided to withdraw from the papers in this cause the bonds by him reported and to proceed to collect the same as fact as they shall become due and to appropriate the same in the due course of administration towards the payments of the

debts of the estate of the said Bernard Carr deceased, after all the proceeds of the personal property of said Bernard Carr dec. not yet otherwise administered on distributed, shall be first xxx, and to distribute the balance, if any among the widow and heirs of said Bernard Carr dec., according to their respective rights and said Commissioner is also authorized, when the said purchases shall desire to pay the purchase money due by his wards before the said bonds shall become due....”



Case: Henry Gentry v. Joel Maupin

Date: May 1, 1852

Page(s): 258

Related Case(s):

Details:

Page 258 - “This cause came on to be further heard upon the papers formerly read and the report of sale of the land and slaves made by Peter Gibson under the decided order of the 20th October 1851 to which there is no exception and was angered by Counsel_On consideration whereof the Court doth ratify and confirm said Report, and being of the opinion that the Defs. Garrett White had no interest in the proceeds of the sale of the land, but that he is entitled to the share of his dec. wife in the proceeds of the sale of the slaves to be held by him Juris_Marile (sp?) subject to the pay-ment of her debts - doth [adjudge, order and decree](#) that the said Peter Gibson do withdraw the bonds filed with said Report and proceed to collect them when and as they become xx (?) and payable and that out of the personal funds when collected he pay the Costs of this civil and the expenses collecting [several words are crossed out] the sale + then distribute the residue of said personal fund equally between the seven distributors...”

Page 259 - “The Court doth further [adjudge, order and decree](#) that the said Peter Gibson before withdrawing the bonds later by him for the proceeds of the sale of the land + slaves and returned with his report, shall enter into bond before the clerk of this Court payable to the Comm. of Virginia in the penalty of \$8000 xxx xx and back, in all things to execute + perform This decree, by collecting and paying over and distributing the purchase money of the land and slaves aforementioned as herein decreed _And the said Peter Gibson in further directed to report his proceedings to this Court.”



Case: W. W. Mclean v. Stephen D. Hopkins

Date: (May 20, 1852)

Page(s): 263 - 264

Related Case(s):

Details:

Page 263 - "On consideration whereof the Court without at this time expressing any opinion upon the questions in controversy, revised by the pleadings or answering upon the construction of the Will of W. W. McClean dec. but for the purpose of preparing the Cause for the decision thereof upon a future + xx hearing of the Cause doth [adjudge, order and decree](#) that the Defendant Stephen D. Hopkins as husband and as xx of his deceased wife, do render before out of the Master Commissioners of the Court an xxx of his administration upon the Estate of her Testator, her first husband W. W. McClun dec, and an account of the real + property of the land purchased by her in pursuance of the Will and of the hires of the slaves from the date of the date of the closing of the executorial (sp?) account up to her death so as to when the value of the two thirds of said real, property and lives among the period, after making a proper deduction or all allowance for permanent improvements, on the lands and for the support + maintenance of decreation of the Plt. (sp?)"



Case: Jane Rankin v. Matthew Rankin

Date: (May 20, 1852)

Page(s): 266 - 267

Related Case(s):

Details:

Page 267 - "On consideration whereof and there being no exception to said report the Court doth approve and confirm the xxx and it appearing therefrom that a portion of the proceeds of the sales mentioned in said approve had been received by the said Comm. who also state in open Court that they have received other portion thereof since the date of their report, leave is given to the Commiss. so deposit the same in the Charlottesville Savings Bank and in like xxx to xxx there any other portion of said fined which they may receive before the new term of the Court _ certificates of said deposits to be filed with the papers in the cause and it being suggested that the Defendants H H Bell and Margaret C his wife will probably xxx to waive their xxx interest in the fund which is the

subject of this suit, and to ask that the said Margaret's right to a life Estate in one third of the proceeds of the land and slaves mentioned in the proceedings may be commuted for their fee simple valued: Broader (?) to enable the Court to and upon such an appreciation should it hereafter be made it so referred to one of the Commissioners of the Court to ascertain the net amount of the proceeds of said land and slaves, and the fee simple value of Mrs. Belle life Estate therein and to make report thereof for the next term of the Court."



Case: Nancy Burton v. John S. Moon

Date: (October 21, 1852)

Page(s): 279 - 280

Related Case(s):

Details:

Page 280: "On consideration whereof the court doth [adjudge, order and decree](#) that John Johnson (the trustee in the bill mentioned) be appointed a commissioner, who shall sell the property real and personal mentioned in the deed of tract executed by the said debts to John Johnson on the 16th day of June 1848 at public auction to the highest bidder_ the personal property for ready money and the real property upon a credit of twelve month, with interest from date of sale, taking bond with good security and retaining the legal title as additional security _but such sale shall not be made until notice thereof shall have been published for six weeks in some newspaper published in the town of Charlottesville and at the Courthouse door of the said county of Albemarle and some two on more places in the neighborhood of the place of sale: and out of the Cash received from the sale of the personal property, the said Commissioner shall first pay the costs and expenses of said sale, and shall pay the residue over to the Plaintiff on account of the debts due from the said Debts to her.

"And the Court doth further decree the said Commissioner to report his proceedings together with the bonds taken for the purchase money of the land, to this Court."



Case: John J. Wood v. Nulalum B. Jannan (sp?)

Date: October 23, 1852

Page(s): 291 - 293

Related Case(s):**Details:**

“On consideration whereof the Court doth [adjudge, order and decree](#) that this cause be referred to one of the Commissioners of this Court, with directions to take, state and settle an account of the executionship (?) of James Jannan dec, on the estate of Sarah Harrison deceased, in taking which the said Commissioner is not to go behind the date of settlement made by Commissioner Maupin, Jones and McCulloch but shall consider that an binding and conclusive on the parties as an administrator account up to that time and as embracing therein the money for which the land and slaves of said Sarah Harrison were sold which said account the said Nicholas B. Janan widow of James Jannan deceased is decided to render.”



Case: David R. Goodman and George M. Jerrell v. Suey Jerrell

Date: October 26, 1852

Page(s): 306

Related Case(s):**Details:**

Maupin - no mention except on 318 of “property real and personal”



Case: Merriweather L. Anderson v. William (?) Moore

Date: (October 29, 1852)

Page(s): 322

Related Case(s):**Details:**

Page 323 - “On consideration whereof the court is of opinion that the last will and testament of Reuben Lewis descendants conferred upon his personal representative no power to sell within the land and slaves of that part of his estate which he gave to his widow for life with reminder to such descendants of his mother as his said widow should appoint to take the same.”

“But in conferring the appointing power upon Mr. Lewis the testator gave his great latitude in exercising the same and she had made the appointment declaring at the same time that the appointees one to take, not in property but substantially, that they shall take that they shall take in money owning from the sale of the property and it would seem that they must take accordingly in not at all. Therefore no far as Mr. Moore +

the descendants of Mrs. Anderson, all concerned in the property appointed for them to take, the Court is of opinion (though not wholly free from doubt) that the said Merewether L. Anderson who was both executor of the last will and testament of Mr. Lewis and xxx xxx non with the will answer of Reuben Lewis Dec had power to sell the name and that the sale to that so that extent right to be, and in hereby sanctioned and confirmed by the Court.”

Case: Marcus Durrell v. Mary Harrison

Date: February 9, 1853

Page(s): 331

Related Case(s):

Details:

Page 331 - “The order entered in this cause by Judge Thompson on the no day of November 1852 on motion of the Plaintiff is amended in this respect, that is to say, It is ordered that the sheriff of Albemarle County, who hath taken possession of the slave referred to in the bill or any part thereof under the said order of the 24th of November 1852, do furtherith (?) here out the slaves upon the best terms that can be had either at public auction to the highest bidder or by private contract until the end of the present year taking of the persons who may hire the same, land with good security for the payment of the hires, and with the usual covenants as to the proper treatment of the slaves and for furnishing them with the usual summer and within clothing, hats, blankets + shoes, and for returning the same at the end of the year unless prevented from doing so by the act of God or other good cause not within the xxx (?) of the person hiring the same.”

Case: Nathaniel Burnley (?) v. Brightberry B. Garth

Date: May 19, 1853

Page(s): 343

Related Case(s):

Details:

Page 343: “This cause came on again to be further heard this 19th day of May 1853, on the papers formerly read, the report of Commissioner R. J. N. Duke made in pursuance of the decree rendered in this cause on the 19th day of February 1853 to which report these is no exception, and was

angered by Counsel: On consideration whereof the Court doth rectify, approve and confirm said report; and it being the opinion of the Court that, for the purposes of satisfying the debts of the several trust creditors of the defendant Robinson, it is impediment to direct a sale of the properly conveyed by him in te deeds of trust for the benefit of the defendant Sarah, the plaintiff and the defendant Farth, the Court doth therefore adjust, order and decree that Thomas Wood be, and is hereby appointed a commission, whose duty it shall be to expose to sale at public auction to the highest bidder, at the residence of the said Robinson, except the negro woman **Mildred**, all the properly conveyed by the said Robinson in the three several deeds of trust bearing date respectively on the 6th day of March 1832, the 12th day of February 1846 and the 9th day of February 1856; or so much of said properly as is still in existence, after having given at least one month's notice of the time terms and place of slae, by advertisement in one or more of the newspapers published in the town of Charlottesville, at the front door of the Courthouse of Albemarle County and such other notice in the neighborhood as he may deem expedient, the negro woman **Mildred** is to be sold for ready money, and as to so much of the puchase money for the residue (?) of the properly as may be necessary to defray the expenses of slae said Comissioner shall require the cash to be paid by those whose purchases amount to the smallest sums, and as to the residue thereof, he shall give a credit of six months, talking from the purchasers or purchase bonds with approved personal security, bearing infant from the say of sale._ the negro woman **Mildred** is to be sold at the Courthouse of Albemarle County on some Court day. But before said Commissioner shall proceed to act under this decree, he shall execute before the clerk of this Court and file among the papers of this cause bond with good security payable to the Commonwealth of Virginia in the penalty of twelve hundred dollars, condensed for the faithful discharge of the xxx herein xx upon him: Out of the money reviewed for the sale of **Mildred**, the said Commissioner is to pay Samuel Sarah saw the sum of \$287:04 cents with interest thereon at the rule of six per xx per announce from the 18th March 1853 until paid, in full of the debt reported to be due to him per statement A at the foot of the Commissioner's report herein before referred to, and after deducting from the residue of the said purchase money the Commissioner's

compensation for selling **Molly**, pay the residue thereof over to Nathaniel Burnley in part satisfaction of his claim per statement B at the foot of said report. And the said Comm. is directed to make report of his proceedings herein, shewing how he has appointed the cash received for the sale of the property, and the vouchers of payment.”



Case: Henry E. Head v. Suey J. Head

Date: May 19, 1853

Page(s): 344 - 345

Related Case(s):

Details:

Page 344: “C. doth [adjudge, order and decree](#) that Henry E Head, Alexander Rives and Egbert Watson be, and are hereby appointed Commissions, who, or any two of whom are authorized and required to sell at public sale to the highest bidder, the tract of land in the bill mentioned, and the following slaves also therein named **Nig Tom, Mary** and her child named **Carter, Ned** and **Henry**: The slaves to be sold on six month credit with interest from the sale; and the land which may be sold in one or two parcels as the acting Commissions may deem best, on a credit of one, two and three years, (with interest from day of sale to be paid annually) except as to such part of the purchase money as may be necessary to defray the expenses of sale, and costs of suit up to the time of sale, as to which amount the purchasers shall pay cash, bonds with approved personal security shall be required, and the title to the land shall be withheld until the whole purchase money therefor is paid. But the sale shall not take place until the time and place thereof, which are to be fixed by the commissioner shall have been advertised for at least six weeks in some one or more newspapers published in the City of Richmond, and some one or more published in the town of Charlottesville, as the commissioners may select, who at the front door of the Courthouse of Albemarle County, and some two or more publications in the neighborhood of the land, nor until the acting commissioners shall have given a commissioner’s bond according to law, in the penalty of \$6.000 conditioned to account for all the money which may come to their hands on account of the sale of the slaves; and the purchasers of the slaves may, if they think proper, pay to the acting commissioners the amount of their purchasers of the slaves in ready money instead of giving bond for the

same; And said comms. are ordered by the Court to deposit the same in the Savings Bank at Charlottesville to the credit of this cause. The commissioners are directed to make report of their proceedings herein and file with the same the bonds taken by them, and certificate of deposits of any money they may deposit in said bank, and the vouchers of payments made by them out of the cash received for payment of costs and expenses of executing this decree.”



Case: William Estes v. John Estes

Date: May 19, 1853

Page(s): 345 - 346

Related Case(s):

Details:

Page 345 - “On consideration whereof the Court doth order judge and decree that James M Saunders, who is hereby appointed commissioner for the purpose, having published notice of the time and place of sale for four weeks successfully in one of the newspaper printed in the town of Charlottesville and by advertising the same at the door of the door of the Courthouse of Albemarle County on some Court day, and at some public place near the late residence of John Estes declared, shall proceed to sell to the highest bidder at public auction for ready money, the slaves in the bill and proceedings mentioned, belonging to the estate of the said John Estes deceased, or such of them as one worth anything; and such as are worth nothing he shall depose of to the lower bidder, and out of the money arising thereon, he shall pay the costs of this suit and the expenses attending the execution of this decree, and deposit the residue in the Charlottesville Savings Bank to the credit of this cause and take from the proper officer of said Bank, a certificate of said deposit (?). But before making said sale the said James M. Saunders shall execute a bond in the clerk’s office of this Court, with good security in the penal sum of \$4000 payable to the Commonwealth of Virginia, and conditioned for the faithful discharge of the duties herein required for him.”



Case: Richard M. Durrell v. Stephen D. Hopkins

Date: May 19, 1853

Page(s): 346 - 347

Related Case(s):

Details:

Page 346 - "On consideration whereof the Court is of the opinion that the remainder in the slaves left to W. Namey Nurnell for life by her husband James Durrell was, during the life time of Mrs. Durrell a mere chose in action, not capable of being reduced into possession, until after her death: and of course as to the share of Elizabeth who married William (?) McCling in 1831 (and he died in 1853) - the said William (?) McCling acquired no sort of interest in it, which he could lawfully dispose of either by deed or will, and of course, no interest which could pass to his child or other distribute at his death._ W. Mccling xxx with Stephen D. Hopkins in 1839 and died in 1851, leaving besides William W Mccling, the issue of her first marriage, three children the xx of her second marriage, her husband and Mrs. Durnell the life tenant of the slaves, surviving her. At the time of her death she was entitled to the one fulfill part of the slave aforesaid, after the death of her mother, and the same xx to her legal representative, and after payment of debts and expenses of administration he is entitled to reclaim the surplus. It does not appear from the pleadings, when John Darnell died, except that it was in the life time of her mother._ His interest in the slaves was though a chose in action, _a vested interest in remainder, and passed on his death to his widow Mary J. Durnell as his admin. To be disposed of by her in a due course of administration: that is to say, she must first pay the expenses of administration and the debt of her husband of the surplus of any she will be entitled to the use for life of one half, and the other half, as well as her share after her death, must be divided as follows... The court doth therefore [adjudge, order and decree](#) that William Smith, W. H. Janier, Robert S. Jackson, George A Farrow and Nicholas M. Page be and are hereby appointed Commissioners who or any three of whom, being first sworn, shall proceed to divide the slaves in the Bill mentioned as the remaining driver slaves of Wm. Nancy Durrell and the increase thereof into five tracts as nearly equal in value as may be, and allot one of each party to Stephen D. Hopkins, one to Mrs. Hsichall, one to James Durrell, one to Richard M. Durell and the remaining one to Mary J. Durrell admid. Of John Durrell decd._the inequalities, if any, in the value of said slaves to be obviated (?) by charing or crediting the parties, as may be necessary with the xxx sums of (?) money."



Case: Merewether S Anderson v. Richard Anderson

Date: May 19, 1853

Page(s): 347 - 348

Related Case(s):

Details:

Page 247 - "This case came on to be heard for a final degree this 19th day of May 1853 upon the papers formerly read, and the report of the special commiss. Thomas J. Randolph, Thomas Macon and Charles J Merewether dated 23rd. December 1843 stating the division made by them of the slaves + stocks of David ANderson decd under the decree of Oct 1853, to which report no exception has been taken, and was argued by counsel; upon consideration whereof, the Court approving the said report and the acts of the commissioners therein stated_doth [adjudge, order and decree](#) that the same xxx and be confirmed, and that the several parties, or lawful claimants under them hold absolutely the properly so allotted to them respectively _ and that the Pell as admin. Of David Anderson pay the costs of this suit out of any debts of his xx in his hands."



Case: Lehules Everett v. Jackson M. Everett

Date: May 30, 1853

Page(s): 370

Related Case(s):

Details:

Page 370: "This day this cause came in to be further heard on the papers formerly read, and the petition of Lehaules D. Everett, Exec of Charles Everett dec. filed in Saturday last - and was argued by Counsel: Whereupon the Court doth [adjudge, order and decree](#) that one of the Commissioners of this Court do take an account of all debts due the Testor Char. Everett by bonds in or otherwise, from private individuals appointed by Testator's will to the support arrival and settlement of his slaves thereby emancipated, together with interest on all such debts, showing the balance thereof remaining in the Executors hands after deducting all such expenses of administration as may be properly changeable thereupon; which account the said Comm. will state, settle, and report to this Court with any matter especially stated, deemed pertinent by himself or required by any of the parties."

“The said Commiss. is also directed to report to the Court the names, ages and sexes of *all the negroes who are entitled to be free* under the will of the testor, distinguishing the different furnishes from each other, and showing the percentage of the infants, respectively, who are the offering of any of the negroes so entitled to be free, and showing also the condition of each of the said [crossed out] negroes as to good health or bodily infirmity from old age or otherwise + whether of sound mind or otherwise.”



Case: John Bow + others v. Caroline M. Brow

Date: May 31, 1853

Page(s): 373 - 374

Related Case(s):

Details:

Page 373 “... doth [adjudge, order and decree](#) that so much of the decree of October term 1846 made in this cause as gives a construction to the fourth clause of the will of”

Page 374 “John Bow dec. be + the name is hereby [ratified + affirmed](#). But that said decree so far as it relates to the construction of the third clause of said will is to be revised + modified_ And the Court being of opinion that under the third clause of said will, in the event of the referral of Susan and her children or either of them, to go to Llberia the bequest over of said slaves or of such so refusing to Richard Gambell, Merewether L. Malker, James Duke + William J. Duke is good and valid, and *gave to them an ab-solute + unconditional estate in such negroes, free + exempt from any privilege or their future increase, of electing to go to Liberia*, as intended to be secured to them by said will, a provision which the learnt negroes as null + void because too remote and infinite, being also of opinion that the devise in favour of **Susan + her children** will in the event of all or either of them giving to Liberia, belong to such as may elect to go, to the conclusion of such as may refuse, and that the Testator cannot be regarded as dying intestate as to that part, or as to any partition of that part unless they shall all elect not to go to Liberia, doth [adjudge, order, and decree](#) that so much of said decree as relates to the 3rd clause of the will, and to all matters + questions within the 2nd and 3rd clause, be reversed + [annulled](#), and in as much as the election to go to Llberia heretofore made under the decree of October 1846 by **Susan + Lucy**, and reported by said Commisinters learn + others, was made by them under a

misconception of their rights, the Court doth [adjudge, order and decree](#) that Franklin Minor, Hugh Minor + William W. Minor, any two or more of whom may act, who are hereby appointed Commissioners for that purposes, so examine the slaves **Susan + Lucy** privily and part from all persons interested in influencing their election, xxx their election to accept or reject the emancipation offered them in the will of John Bow dec. upon the terms therein prescribed. In discharging which duty the Commin. will explain to them fully the true xxx + xxx thereof, and said Commin. One directed to make apart of their election to the next term of this Court. And the Court doth order that the said defendants Gambill + Walker appoint a time + place for making such election, and give notice thereof to said Commissioners and cause the said negroes to be then + there present_ It is further ordered that said negroes to be then + there present_ It is further ordered that said Gambill + Walker furtherwith hire out said slaves **Susan + Lucy** for six months and remain such hiring from time to time will the further order of the Court. And the Court having satisfied from the affirmwith (?) of xxx Lain + Bailey fulfill in the cause that the said **Lewis** having elected under the decree in this cause of October term 1846 to go to Liberia, has actually emancipated to that colony, thereby entitling himself to freedom, or to claim an interest in the property mentioned in the 3rd clause of said will either in whole, if his mother + sister **Lucy** shall elect not to go, or in part if they or either of them elect to go to Liberia _ It is therefore further [adjudged, ordered and decreed](#) that Richard Gambill + M. Y. Walker, who are hereby appointed Commissioner for that purpose after having advertised the time and place of sale for at least

“6 weeks successively in some newspaper published in Charlottesville, and also having posted said advertisement at some conspicuous place at Story Point in Albemarle County and at the front door of the Court House of the said county shall proceed to sell at public auction to the highest bidder the lands of said John Bow’s Estate mentioned in the 3rd clause of his Will _ on the following terms viz, one fourth of the purchase money to be paid in hand, one fourth in six months, and the balance in twelve months from the day of sale - taking bonds with approved security for the deferred payments and returning the title of the land for further security _ that out of the said one fourth pain down said Commissioner pay all the

costs incident to the sale, and despite the residue to the Credit of this cause in the Charlottesville Savings Bank_ and that said Commissioner report their proceedings to this Court together with the bonds taken for the deferred payments, and a certificate of deposits of the land payment in said Savings Bank_ And said Commissioners are authorized, if they deem it expedient, to have a survey made of said lands participating to a sale, but are to make no warranty or quantity or title. It is further ordered that the Exeors. Of John Bow render an account before a Commissioner of this Court shewing particularly the amount in hand *which will belong to the emancipated negroes* and that they as soon as purchasable collect and deposits all their hires in the said Charlottesville Savings Bank.”

“And on the coming in of the several reports hereby directed this court will hereafter make such further order and decrees in the cause as may be found necessary to carry out the principles here established.”



Case: Martin A Dunn v. Elizabeth Bruer

Date: May 31, 1853

Page(s): 376 - 377

Related Case(s):

Details: Page 377 - “the Court doth [adjudge, order and decree](#), that John G. Bauevek who is hereby appointed a Commissioner for the purpose having published notice of the time and place of sale for four weeks successfully in one of the newspapers printed in the term of Charlottesville, and by advertising the same at the door of the Court house of Albemarle County on some Court day and at some public place near the residence of the said Elizabeth W. Bruce, shall expose to sale, at public auction, to the highest bidder for case in the town of Charlottesville, on some Court day, the slaves **Julius + Emily** in the said deeds of Court mentioned; and at the residence of the said Elizabeth W. Bruce, shall also expose to sale, in like names, but on a credit of six months, the household and kitchen furniture, and other property in the said deed, mentioned and described, or such part thereof as may now remain, and out of the monies arising from the sale of said slaves the said Commissioner shall pay the expenses of executing this decree, and satisfy the debt so as aforesaid due and owing to the said Nelson Banksdale, if sufficient for purpose, and the residue, if any, shall deposit to the credit of this suit, in the Charlottesville Savings Bank and for the payment of the

purchase money of the other property herein directed to be sold the said Commissioner shall take bonds with xxx approved personal security, and file the same together with a certificate of the money directed to be deposited as aforesaid, among the papers in this cause, and make report of his proceedings to this Court.

“But before acting under this decree the said Commissioner shall enter into bond in the XX office of this Court with sufficient security, in the penal sum of \$1500, payable to the Commonwealth of Virginia and conditioned for the faithful discharge of the duties herein required of him.”

William Brown v. John Brown, (June 1, 1853), Page 380-381

Page 381: “On consideration whereof the Court being of argued by Counsel being of opinion that a sale of the land and slaves in the bill mentioned will be necessary for a fair and equal division among the those entitled and for the interest of all concerned; doth [adjudge, order and decree](#) that William A Brown and John A Brown who one hereby appointed Commissioners for that purpose do sell the land in the bill mentioned on a credit of one, two + three years in usual installments with interest from the day of sale, taking bonds for the purchase money, with approved personal security, and returning the title to the land as further security._

“The said Commissioner are directed to sell the slaves in the bill mentioned on a credit of ninety days (excepts as to so much as may be necessary to defray the expenses of the rule and the costs of this suit which must be in case taking from the purchases negotiable notes satisfactory endorsed._

“The said Commissioner are directed to advertise the sale of the said land and slaves, to take place on the premises at public auction to the highest bidder, for at least six weeks in some newspaper published in the town of Charlottesville at the front door of the Court house of Albemarle County and in such other modes as to them may seem best. The said Commissioner are directed to collect the purchase money arising from the sale of the said slaves when the notes become due, ^ and fire therewith the bonds taken by them, and an account of their expanding (sp?) of the money by them, and report all their proceedings to this Court, when the Court will decree a distribution of the proceeds of the sale of said slaves

among those entitled, and direct the collection and distribution of the proceeds of the sale of the land, provided the same shall be confirmed by the Court. But said Commissioners shall not be authorized to act under this decree until they shall have executed and filed with the xxx of the Circuit Court of Albemarle a bond with security in the penalty of Eight thousand dollars, conditioned according to law.”



Case: John H. Coleman v. Benjamin M Perkins, Mapie and Wade, commissioners

Date: October 18, 1853

Page(s): 393 - 394

Related Case(s):

Details: Page 394: “And the Court doth further [adjudge, order and decree](#) that the said Mapie and Wade (sp?) *having first advertised the time and place of the sale of the slaves conveyed and embraced in the said deed of trust for fifteen days on some newspaper published in Albemarle + by parting notice at the front door of the Court House of Albemarle County and at not less than four places in the neighborhood, shall proceed to sale at Public Auction to the highest bidder on the promises the stock of goods and merchandise mentioned in said deed for Court, where the amount purchased does not exceed ten dollars, and on a credit of six months for all sums exceeding ten dollars, requiring negotiable notes from the purchases well endorsed.*”



Case: Andrew J. Dawson v. Benjamin Dawson

Date: October 22, 1853

Page(s): 410 - 412

Related Case(s):

Details: Page 411 public auction, “The Court doth further adjuge, order and decree that John H. Coleman, James Hammer (?), James Brady, George W. Coleman, and John S. Moon be appointed Commissioners (any three of whom may act) whose duty it shall be *to al-lot and assign to Mrs. Dorthy Dawson one third of the slaves belonging to the intestate as her driver interest in said slaves: and to divide the residue of said slaves equally between the children of the said Benjamin Dawson deceased having a due required to the advancements made by the intestate to his children in his lifetime...*”

“The Court doth further [adjudge, order and decree](#) that this cause be referred to one of the Commissioner of this Court who shall, as soon as it can be done, take the following accounts: An account of the advancements made by the said intestate to her children in his life time and report the results of such account both to the commissioner herein before appointed *to divide the negroes among the children of the intestate*, and also to this Court. And it being suggested by the Plaintiff bill that the said Martin Dawson departed from this Commonwealth in the year 1836 and not having been heard from since, is presumed to be dead, the said Commissioner shall institute (?) an inquiry for the purpose of ascertaining where he be dead or not the results of which inquiring he shall also report both to the said Commissioner herein before appointed to divide the slaves of the intestate and to this Court and in the event the said Martin Dawson shall be ascertained to be dead, the said? Comissions shall divide his part of the slaves equally among the reoccurring children of the said Benjamin Dawson - deceased + his mother, she being one of his equal distributes: An account of the value of the land....

Page 412: “The parties to be so stated

“But so much of this Decree as authorized the delivery of the Negroes above referred to, to be delivered to the Distributes of Benjamin Dawson deceased or Martin Dawson if deceased, shall be suspended until they shall respectively, if required by the administration, enter into Bonds respectively with good security in a partially equal to double the value of the negroes allotted to them respectively, conditioned to refunded them respectable (?) proportions of any debt or demand which may hereafter appear against the Estate of Benjamin Dawson deceased and also for xxx to the said Martin Dawson if it shall appear hereafter that he is not, now, dead, his interest in or share of the said slaves, to the extent of the allotments and assignment (?) thereof to his respective Distributes (?).



Case: James P. Douglass v. Anrenou(?) Douglass

Date: October 25, 1853

Page(s): 420

Related Case(s):

Details: Page 420 - halfway down “The Court doth further decide that all the rest and residue of the testator’s estate, including money on hand, many arising from the sale of slaves and other property and debts due to

the testator, after first setting apart one dollar for the nephews + nieces of the testator living in the Western Country, and satisfying the expenses of the administration the debts due from the testator including the debt due to Isaac Wallers of the name had not been paid, and the legacy of two hundred dollars to Maria Boneuck (?) shall be equally divided amongst the following persons”

Page 421 - top of the page... “But in making such division the Court is of opinion that the (?) especially given to any of the persons last named shall be brought into hatchpart (?) as the manner is in relation to advancements made by a parent (?) in his lifetime to his children and the parties respectively changed therewith that is to say Harriet Douglass is to be charged with the appraised residue of **Sarah and her child** specifically given to her by the will, if she retains **the other child** of **Sarah** born after the date of the will she is to be charged with the value of **that child** also._ Magill C. Douglass is to be charged with the appraised value of **Conway** specifically [bequeathed](#) to him. Jacob (?) c. Danun is to be charged with the amount of his three bonds due to the testator. The interest on said bonds is to stop running at the date of the testator’s death, but all interest in xx up to that date is to be estimated and changed to said Mann an account of his interest in the estate of the testator and be brought into (?) with the principal of the debt. Francis E. Douglass is to be charged with the appraised value of the slave Matilda especially [bequeathed](#) to him_ Rice D. Douglass is to be charged with the appraised value of Jane and her child which was born before the date of the will specifically [bequeathed](#) to him_ **The child of Jane**, born after the death of the testator was born the property of Rice D. Douglass and is therefore not to be accounted for by him_ The Court is of opinion from all that appears in this cause, that the threshing box in the bill mentioned was property considered as a part of the personal estate of the testator. The Court doth further adjudge, order and decree that the plaintiffs render before one of the Commissioners of this Court an account of their Executorship upon the estate of their testator, which account the said Commissioner shall state, settle + report to the Court. And the same Commissioner shall also state, settle + report to the Court a [legatee](#) (?) account between the Executors of John Boueuck dec. + his legatees (?), upon the principles above set forth, with any matter

especially stated, deemed pertinent by himself or required by any of the parties to be so stated._”



Case: Marcus Durnell (?) v. Mary Harrison

Date: October 24, 1853

Page(s): 428 - 429

Related Case(s):

Details:

Page 428: “... the Court doth overrule the said motion to dissolve and doth [adjudge, order and decree](#) that the Sheriff of Albemarle the Report of where proceedings under the [decretal \(?\) order](#) of February 8th 1853 is filed, and no exceptions appearing thereto is hereby confirmed + approved_ do collect and pay over to the said Defendant Mary Harrison *the nett proceeds of the hire of the negroes mentioned in the said Report* when the same shall fall due and shall continue to hire out the said slaves in like manner as heretofore directed by the said Decree of February last and pay over the nett proceeds of such hiring, to the said Defendant Mary Harrison, until he further order of the Court.

“And it appearing to the Court that the subpoena in this Cause xx upon the original bill, was duly executed upon the defendant James Bledsoe; and he shall filing to answer. On motion of the plantt. By Council, a rule is awarded against the said James Bledsoe, sustainable to the next term of this Court to show cause why he shall not be attached for his said contempt. It being alleged that the purchase money for which (continued next page)

Page 429: “the slave **Henry** was cold, has in consequence of the claims appointed by the remainder men, been returned in the hands of a certain David Pulliam of the City of Richmond , who is said to be willing to pay the same wherever property thereto authorized; The Court doth [adjudge, order and decree](#) that the said David M. Pulliam doth deposit in the City Savings Bank of Richmond whatever sum remains in his hands on account of the purchase aforesaid and file a certificate of such deposit, with the papers in this cause, whereupon he and all personal claiming title to said slave under the sale of Mary Harrison through the agency of said Pulliam, or the firm of Pulliam + Slade shall be forever protected against the claims of all and each of the parties to this suit._”



Case: Egbert R. Watson v. Henry H. Bell

Date: October 27, 1853

Page(s): 430 - 432

Related Case(s):

Details: (Page 432) “And as a part of the sum with which the Commissioners now charge themselves, consist of the purchase money + interest due from William Bell for the purchase of a slave sold her by the Commissioner at their sale in Nov. 1854 but by inadvertance not herefore taken into account the decree aforesaid in favour of Henry H. Well and wide, is to be held subject to a credit as of the 15th Provisions for said purchase money and interest by the sum of \$844.39._

The Commissioners shall make report to the Court of their performance of this decree and file with the same their xx for the payments made by them.”



Case: William A. Brown v. John A Brown

Date: October 29, 1853

Page(s): 439 - 440

Related Case(s):

Details: (Page 439) “On consideration whereof the Court doth ratify and confirm said report and the sale made by said Commissioners_ and it appearing that the purchases of the land is willing to pay up at once the purchase money therefor, the Court doth [adjudge, order and decree](#) that the same Commissioners do proceed to collect the said purchase money as sum as the purchase will pay the same, or if it shall not be xx paid, when and as the bonds therefore shall become dec: and shall also proceed to collect that portion of the purchase money for the slaves which had not already been collected, and withdraw from the Savings Bank that portion thereof which has been deposited therein_ to which end leave is given them to withdraw form the papers in this cause the bonds and notes for said purchase money and the certificate of deposit._”



Case: Susannah Davenport v. Thomas Wood

Date: October 29, 1853

Page(s): 440 - 442

Related Case(s):

Details: (Page 441) “2nd, *An account of the hires of the negroes*, and showing who is liable therefore.”

Case: Chad D. Everett v. Jackson M. Everett

Date: November 2, 1853

Page(s): 452 - 456

Related Case(s):

Details: (Page 453) “In regard to the questions submitted by the Exec (?) to the Court, in his Petition aforesaid, xxx the emancipated slaves, the death of some of them before the arrival of the period when they were entitled to their freedom the issue of others, born before and since the expiration of that period - and the disbursement and distribution of the fund bequeathed for their benefit, the South is of opinion and doth decided. *First - that all the negroes of the testator remained in the condition of slavery until the day of October 1853, when the term of five years from the testator's death elapsed.* _ on that day they become entitled to freedom, and to the provision made from them by the testator's will _ But being slave up to that date, they were and not until then capable of taking any part of the estate. And as the slaves **Bob** and **Louis** died before that time, no portion of the bequest to the emancipated slaves, every rested in them _ what would have been their shares had they lived until the expiration of the five years, must ensure (?) to the benefit of the survivors _ 2nd - That the children born since the death of the testator, but before the expiration of the five years from his death, have the same interest in the fund as tho they had been having at the death of the testator:-

“3rd _ But that the child of **John** and **Rose** born since the expiration of the five years, had no interest in the fund, It was free born: was never the slave of the testator or of any other person; and cannot for that reason, any more than the children who may hereafter be born; claim any benefit under the testator's will._ Yet being an infant of tender years, to the care and custody of whom, the mother is entitled by law - the Exe. in carrying out the xxx of the testator in regard to the removal (?) of the parents, must necessarily remove the child with them._ The expense of doing so will not, strictly speaking be considered an incurred an account of the child, but rather an account of the mother _ as part of the expense invest to her removal_ and which therefore, until xxx a property charge against the general fund._ For it is an expense which the Exec. must incur or

withhold from the mother the custody of the child, and thereby violate alike her loyal rights and the claims of humanity.

“4th In respect to the management of the fund which the bounty of the testator has provided for the emancipated slaves, the Court instructs the Exec., that as they are persons who are incapable of making xxxx, by reason of their condition of servitude, and it having been the intention of the testator to release them from that condition _ the first great rule (?) by which the Exec. is to be governed, must be to effect this object _ and he had the right, as it will be his duty to administer the fund in that way by which is best xxxx, and by all means in that way which necessity requires for its accomplishment.

“To attain this and is a consideration which is paramount to all consideration of equality, in the distribution of the fund, To effect then this primary object, the executor should, out of the liberal provision which had been made for the purpose, set apart a fund amply sufficient to defray all expenses that may be necessarily incurred, *in the removal of the negroes and their infant children*: And in the disposition of the fund, this set apart, the rule (?) will be to apply it according to the emotion and necessity of each individual, without respect to equality. *The leare xx which will be left must be distributed equally amongst all the negroes who were alive at the expiration of the five years from the date of the testator death*: And if, after *the removal and settlement of the negroes* xxx shall have been affected and all expenses incident thereto have been paid, there shall remain a surplus of the fund set apart for that purpose, such surpluses will be divisible in like manner amongst the same individuals, or their legal distributors, according to the law of the state in which they may die.

“The Exsor. Sets forth in his Petition, *his present plan as to the removal of the negroes*: about which no question has been submitted by him to the Court; nor was it necessary that he should do so: For the will invest him with ample xx in that subject and his own judgment and direction must be his guide, in the increase? Of these proves?

“The Excor also asks for institutions in relation to the proper mode ? of charging his distributions: but his enquiries on this head have been sufficiently answered by the Court, in laying down the rule for the disposition of the whole fund as above states.

Page 455 (second paragraph) - *“The Executor of cause cannot determine the precise amount to which each of the negroes will ultimately be entitled: nor is it necessary that it should: He can come sufficiently (?) by setting apart as already directed an ample fund for defraying all common expenses and dividing the residue by the number of the negroes who were alive at the expedition of the 5 years from the testator’s death._ The xxx will be the share by which each should be credited._ This process xxx had better be expired to the fund actually in hand: And as often as the Exec shall settle his accounts showing additional collection on account of the fund the balance reported against hire must be divided in the same way, and the share of each individual credited to his or her account._ The Excor however should pay over no money to the negroes until they are six years? Tho entitled to the few they yet remain in a state of slavery and will continue so until the Excor (?) to their freedom, the best mode of during which will be to deliver to each apent (?) to the bequest of freedom endorsed them and xx by the Eexor._ Until this is hone the Excor should pay over no money to the negroes or for them on their own contracts: But as soon as this is done, he would be justifiable in paying over to there of full age, the entire amount due them. _Yet he is not bound to do so until he shall have removed them from the state: and not then until a reasonable time shall have been allowed him to collect the funds of the estate, and to purchase xxx for them if he shall deem it expedient to do so or to make such other providing for their entitlement , as in his judgment shall best promote their comfort and propensity._ The learnt presumes that upon arriving at their new homes, the xx negroes would have a right to xx the exe in the disposition of this respective shares of the fund: but until they apart this right. the Exe may invest the same in such way as he thinks best._ “The Court presumes that upon arriving at this new homes the xx negroes would have a right to xx the exe in the disposition of their respective shares of the fund: but until they assert this right, the Excor may invest the same in such way as he thinks best._*

“The shares of the infants must not be paid either to them or to their parents._ During the minority of the infants their parents respectively will be entitled to receive the annual interest of their shares to the expended in their maintenance and education, providing their advantages are furnished to them by their parents. When the infant become of age they will (Page 456): “be entitled to receive their respective shares of the fund: Or should they during their minority preserve the appointment of guardians in the Country to which they may be removed three guardians will be entitled to receive the fund from the Exor on their complying with the requirements of the laws of Virginia in relation to the relation to the tramples of funds to foreign guardians._

“As already indirected, payments by the Exer to the xx parties, and their receipts to them, properly allocated will be good. But no final settlement should be made with any of them, until it can be ascertained with certainty what sum each party is entitled to receive; For if the Exor pays too much, he can-not get it back: and if two titles (?), a receipt in full would be no ban to a claim for the deficiency._

“The Exor asks whether in purchasing property for the negroes he should take the title to himself in trust for them, or directly to the negroes themselves? To which the Court replies that as a general rule the convergence should be to the party by whom it is purchased._ When from the xxx habits of the negro the property would be likely to be wasted_ most xxx the Exor would be justified in taking the conveyance to himself for the use and benefit of the negro._ Such a cause might be some restraint upon the cestue que trust: _

*“Lastly as to the purchase by some of the emancipated negroes, of certain slaves with whom they are connected by marriage or blood. This is a matter with which the Exor as such has nothing to do._ Yet as an act of kindness and humanity in the part of the emancipated negroes it should be favored by the Exor who should advance the money necessary to enable the parties to make the purchases _ taking cue, however not to exceed, in any case the share to which the purchases may be entitled._ The Exor however, would be well justified in exercising a controlling influence in reference to this matter by withholding payment upon ?? or [adjudication](#) contents (?) _ Further, he should endeavor, as far as papible, to provent the making of such entents: *especially to prevent purchase of any negro who is**

worthless or immoral in his habits or xx in his disposition. _ The summation of such a purchase would be to inflict a curse upon the whole family: and may efforts of the exor to avert such a calamity, would merit and would receive, the sanction of the Court.

“With the foregoing expression of the heirs of the Court, touching the remains enquiries submitted to it the Court directs that the Exor shall from time to time report to it his proceedings in carrying not in accordance with these heirs, so much of his testator will as his reference to the slaves emancipated by him._”



Case: John Dettor v. Julius A Harris

Date: November 3, 1853

Page(s): 465 - 466

Related Case(s):

Details: Page 466 - halfway down - “That in consequence of her having failed to appoint any of the estate of Blake Harris to Mrs. Dettor (sp?) she is entitled to receive on full and equal third part of the value of the estate of Blake Harris which remain at the death of Polly Harris the tenant for life: And to enable her to her that third part of Blake Harris’ estate, the land appointed to Julius A Harris is bound to her for one third part of its value when it went into the property of Julius A. Harris with interest thereon from that date until paid. That the negroes appointed to Louisa J. McSparran, include (?) **Janelle** the increase, are bound to her for one third part of their value at the date of their going into the possession of Mrs. McSparran with interest thereon from that time until paid. And that of so much of the estate of Black Harris as to which the power of appointment has not been duly executed, she is entitled to receive one third part thereof. The other two thirds of that fund will belong Julius A. Harris and Mrs. McSparran, to be equally played between them upon this bringing xxx the value of the estate of Blake Harris, which they xx respectively under his will by the appointment of Mrs. Polly Harris, deducting therefore the amount that they may have to contribute respectively to Mrs. Dettor (?) _ Whereupon the Court doth adjudge, order + decree that it be referred to one of the Commissioners of the Court to take an account of the value of the land which Julius A Harris like under his ?? ?? at the date of his receiving *the same and the value of the negroes* which Mrs. McSparran look in like [monnies](#) at the the time she receives the same of each of which he

is to allow Mrs. Detter one third part with interest therein as alone mentioned and to date in account accordingly between the said parties in reference thereto. The said Commissioners is also to take an account of the estate and the value thereof of Blake Harris decd. as to which the proves of appointment has not been duly executed by Mrs. Harris and to set apart one third part thereof for Mrs. Detter the residence of that fund he is to divide between Julius A. Harris + Mrs. McSparran according to the xx above expense and to state an account thereof accordingly, Which said accounts the said Commission. Is xx to report with any matter deceased xxx by him or which either party may require._”



Case: Mrs. Mr. Mclum v. Stephen D. Hopkins

Date: November 3, 1853

Page(s): 467 - 468

Related Case(s):

Details: Page 467 - “...and therefore, the Court doth [adjudge, order and decree](#) that so much of the bill as related thereto is dismissed and that the defendant viewer of the plaintiff the costs by him about his defense in this behalf expended up to this date. But the fact appearing that during the pendancy (?) of this suit the plaintiff has attained the age of twenty one years and is therefore entitled to have a division of the property, land and slaves agreeable to the provisions of said will as will as to rents and hires, xxx his arrival at full age when the portion of land and slaves to be aforesaid and allotted to him. It is therefore [adjudge, ordered and decreed](#) that John White, Henry B Moore, George A Farrow, James M Bowen + Theo (?) H. Cobbs, or any three of therein be and are hereby appointed Commissioners, directed to yr upon the land in the Bill mentioned and to divide the savings so as to allot to the Plaintiff two thirds thereof as her adibate Estate and to the Deft. Hopkins xx therefore xxx the said partitions, according to quantity + quality which said 1/3, the said Hopkins is to hold during his life as tenant by courtesy. And the ?? Commissioners will divide the slaves in the Bill mentioned and then increase, allotting to the Plaintiff 1/3rd thereof and allotting to the Deft Hopkins as xx of his late wife the reoccurring third _ and that these made report to the Court of these proceedings under this decree_ And one of the Commissioners
Page 468: “of this Court in directed to take an xx of the new s thereof the 2/3rds of the said land + slaves, since the said Bill (?) reached the age of

21 ears _ make report thereof to the Court_ And on the motion of the Plt. William McCluring (?) who xxx his desire to present a petition for an appoint from so much of this decree, xx his Bill with Courts_ as to his claim for rents and hires occuring his xx of the land + slaves in the Bill mentioned, the execution for Costs is suspended until the full day of debts ready to enable the said Plt. to execute a Bond before the Clerk of this Court in his office in the penalty of \$100 with Security , conditioned as the law directs.”

BOOK #4

1854-1857



Case: Robert Thrift (Deceased) v. George N Thrift, Mildred P. Graves, Edward Fearneyhough and Mary B. Thrift (Deceased)

Date: May 15, 1854

Page(s): 1

Related Case(s):

Details:

– “And it appearing that Rachel Thrift, one of three children of James Thrift deceased has departed this life intestate under age and unmarried (the said three children of James Thrift deceased being entitled under the restrictions and provisions of the will of Robert Thrift deceased to one equal sixth part of his estate, not specifically [bequeathed](#) as well as to the proceeds of two negroes. **Charles** and **Minny** belonging to said children divided from Robert Thrift’s estate and sold for division among them under decree of the court)...”



Case: Durrett vs. Hopkins H

Date: May 17, 1854

Page(s): 10

Related Case(s):

Details:

“This cause came on to be finally heard on the papers formerly read and the report of R. P. Jackson, Nicholas M. Page, and William Smith three of the commissioners appointed by the decree herein of the 19th day of May 1853 to divide the slaves in the Bill mentioned and was argued by counsel. – On consideration whereof and there being no exception to said report the court doth approve and confirm the same, and order it to be recorded in the Will book of the County Court of Albemarle, to be memorial of the division which it makes and of the title which in virtue thereof and if this decree, the several parties namely Stephen D. Hopkins, Colson Heiskill, James Durrett, Mary I. Durrett administrator of her deceased husband, John Durrett, deceased, and Richard M. Durrett have acquired to the slaves therein respectively allotted to them.”



Case: Ira Harris v. Decatur W. Harris, Clifton Harris, Joel Harris, Louis A. Haupi, Mary Louisa Haupi and another infant child of Louis A. Haupi whose name is unknown

Date: May 18, 1854

Page(s): 11

Related Case(s):

Details: – “And thereupon this cause coming in to be heard on the Bill and Exhibit number 1 the answer of Mary Louisa Haupi and name unknown infant children of Louis A. Haupi and his wife Sarah A. Haupi deceased by Ira Garrett their guardian ad ?? and was argued by plaintiffs counsel: On consideration whereof the court ?? at present undertaking to decide any of the questions ?? of the will of Joel Harris deceased time being the matter involved in this suit, or upon the liability of the parties or the property in the claim afforded by the plaintiff ?? for the present [adjudge order and decree](#) that one of the commissioners of this court do take state and settle the account of the plaintiff for expenditures advancements and supplies made and furnished by the plaintiff as alleged in his bill as acting Trustee under said will will for the defendant Clifton Harris and his family and also that the commissioner take an account of the probable annual average rents and hires of the land and slave in the Bill mentioned constituting the trust fund and that such account when completed he report to this Court together with any other matter specifically stated, deemed by himself or required by either of the parties to be stated.”



Case: Thomas I. Deane and John I. Brown, merchants and partners trading under the name and style of Deane & Brown v. Brightherry B. Garth and other

Date: May 22, 1854

Page(s): 18

Related Case(s):

Details:

– “The Court is further of opinion and doth decide that the trust fund is liable for the payment of all reasonable costs and expenses incurred in *the removal of the negroes and other property attempted to the named secured by the grantor in the deed*. And also for all legal costs incurred by the attaching creditors in serving out and persecuting their attachments by that the payment of the costs of said attachments is to be postponed until all the debts are satisfied and then to be made out of the residue of the trust fund sufficient for the purpose.”



Case: William A. Brown v. John A. Brown and other

Date: Tuesday, May 23, 1854

Page(s): 22

Related Case(s):

Details:

– “And it now appearing to the court as well from the said report as from the petition of William Carr by her next friend the answer thereto and exhibits therewith filed and the affidavit of John A Brown and William A Brown that the time the decree for the sale of the land and slaves was rendered herein Charles A Brown one of the parties named as a defendant herein was dead. Although that fact did not at that time appear in this cause, and that by reason thereof the sale was irregularly decreed and made as to his portion of the land and slaves and that the title of the purchases is imperfect as to his said portion the court would retain the funds arising from the sale of his said portion for the purpose of indemnifying the purchases against such defect in his title, but for the fact that all parties representing and being entitled to his said interest in both the real and personal estate are now before the court asking a confirmation and ratification of the sale which has been made, and in the opinion of the Court it is proper that the sale of his said interest, along with that of the interests of his brothers and sisters should stand. And being entitled to his said interest has been before the court at the time when the sake was ordered to be made. The Court doth therefore further [adjudge order and decree](#) that the sale which had been made shall stand valid and be confirmed as well as to the interest of the said Charles A. Brown and those representing him as to the interest of those who were at the time regularly before the court and that the title of the purchases of the entire real and persona estate be held good and valid And the Court doth further order that William A. Brown as adm with the will [annexed](#) of the said Charles A. Brown do take and hold as such adm and to be applied by him in due course of administration according to the provisions of the will of his said testates the portion of the purchase money arising from the sale of his said interest in the land and slaves that is to say the sum of \$1406.28/100 with whatever interest may have accrued thereon.



Case: James F. Bowyes and Ruth T. his wife v. Ryland Rodes late adm with the will [annexed](#) of Achilles Wood (Deceased) and others

Date: May 26, 1854

Page(s): 32

Related Case(s):

Details:

- “On Consideration whereof the Court overruling said exception doth fully ratify and confirm the said report in all matters except so much thereof as refers to ans reports the transaction of Ryland Rodes late adm [adjudge order and decree](#) that the defendant Bealeel Brown pay unto the plaintiffs \$294.80 with interest in \$179.76 a part thereof from the 22nd day of May 18, 1854 it being the amount appear due from him to the plaintiffs and the defendant George P. Hill and wife giving out of his possession and management of the land and slaves belonging to the two infant children of Achilles Wood deceased after the division of the land and slaves between his widow and children ; whereby he became and acted as guardian de facto of the estate of said infant. And upon the payment of said sum and interest to said plaintiffs by the defendant Brown. One [moiety](#) thereof is to be applied tax credit to the claim of the plaintiffs against the defendant George P. Hill as hereinafter mentioned.”
- “And the Court doth further [adjudge order and decree](#) that the plaintiffs recover of the defendant George P. Hill the sum of \$337.30 with interest on \$243.75 part thereof from the 22nd day of May 1854. Till paid being so much due from said defendant to said plaintiffs on account of the sale by him of the slave Orville but as provided their last sum is to be credited by [moiety](#) of the sail sum decreed to be paid by the said Brown to the plaintiffs when the same shall be received by the latter.”



Case: Mary E. Higginbotham in her own right and as [executrix](#) of David Higginbotham (Deceased) v. George D. Fisher and others

Date: May 26, 1854

Page(s): 34

Related Case(s):

Details:

- “This cause came on this day to be further heard upon the papers formerly read. The report of Mary E. Higginbotham who was appointed Commissioner by a former order in this cause made in the 28th day of May 1853 to make sale of the land and slaves belonging to the estate of David Higginbotham deceased which report of said Mary E. Higginbotham was

filed on the 27th day of January 1854; and also upon the report of Emslie G. Higgenbotham who by a subsequent order made in said cause on the 20th day of October 1853 was substituted as Commission in the place of the said Mary E. Higgenbotham with power and authority to make sale of so much of the real estate of the said David Higgenbotham as had not been sold by the said Mary E. Higgenbotham and with the further power and authority to make sale of all the slaves belonging to the estate of the said David Higgenbotham deceased which report of the said Emslie G. Higgenbotham was filed the 2nd day of May 1854 and to which reports of the said Mary E. and Emslie G. Higgenbotham no exceptions have been filed and was argued by the counsel;”

–“ On considerations whereof the court doth adopt the report of the said Mary E. Higgenbotham commissioner as aforesaid and doth ratify approve and confirm the sale of 1038 $\frac{3}{4}$ acres of land made by the said Mary E. Higgenbotham commissioner as aforesaid in the 30th day of September 1853 to D. G. Smith at the price of \$19.55 per acre. And the Court doth also adopt the report of Emslie G. Higgenbotham commissioner as aforesaid filed in this cause in the 2nd day of May 1854 except so much thereof as claims for the said Emslie G. Higgenbotham an interest in the estate of the said David Higgenbotham by virtue of an alleged purchase by the said Emslie G. Higgenbotham from Bernar H. Bucker and except so much thereof as refers to the contract entered into between said Emslie G. Higgenbotham and the said D. G. Smith and Robert H. Carter in reference to the sale and purchase of the negro woman **Mary**; And with the exception herein states the court doth ratify appear and confirm the sale of slaves made by the said Elmslie G. Higgenbotham Commissioner as aforesaid on the 16th day of November 1853. And the court hereby reserves for further consideration and decision the questions raised by the said report and not herein decided because in the opinion of the Court there is not sufficient evidence in the cause to enable the court to determine the questions.”

And it appearing to the court from the report of said Elmslie G. Higgenbotham that so much of the purchase money of the slaves belonging to the estate of the said David Higgenbotham as has not already been paid is now due. The Court doth hereby appoint the said Elmslie G. Higgenbotham the receiver of the Court in this cause whose

duty it shall be to proceed to collect without delay as much of said purchase money as is due and unpaid and to this end leave is hereby given to him to withdraw from the papers of the cause so many of the bonds of the purchases of slaves as are still unpaid leaving with the Clerk of the Court a receipt therefor....”



Case: John Detter and Eliza P. his wife v. Julius A. Haris in his own right and as exec of Blake Harris and Polly Harris (deceased) and others

Date: May 26, 1854

Page(s): 40

Related Case(s):

Details:

– “And the Court doth [adjudge order and decree](#) that Julius A. Harris Fontaine P Pettett and Daniel White do pay unto Erasmus McShannon and Louisa Jones his wife \$115.80 with interest from the 6th day of July 1849 until paid and the further sum of \$15.84 with interest thereon from the 1st day of January 1847 until paid which sums of money with interest are to be paid John Detter and wife which they agree to receive as part of the what is due to them upon the division of the slave Loretta and to be credited when paid on the account”

–“And the Court doth further [adjudge order and decree](#) that unless Erasmus S. McSharron and Louisa J his wife or someone for them shall within sixty days from the date of this decree pay to the said John Detter and wife the sum of \$186.67 with interest thereon from the first day of January 1847 until paid. That being one third part of the value of the slave **Loretta** appointed to Louisa McShannon by Polly Harris or so much thereof as shall remain after giving credit for what the said Detter and wife may receive under this decree for the benefit of Erasmus S. McShannon and wife in part satisfaction of the same William H. Goodman sheriff of Albemarle Country be and is hereby appointed a Commissioner to make sale of said Slave for cash having first given six weeks notice in one of the newspapers published in Charlottesville the terms time and place of sale and also at the courthouse door of Albemarle County and some two or more public places in the neighborhood of the place of the sale and out of the proceeds from the sale then pay the balances due to Detter and wife and deposit the remainder in the Charlottesville Savings Bank to the

credit of this cause and make a report of his proceedings under this decree together with certificate of deposits taken by him”



Case: Ino P. Gillium v. G. S Harper adm with the will [annexed](#) of Elizabeth A Gilliums (deceased) and others, and Samuel W. Blain against Pleasant Gilliums and others, Valencia Kursolving and others against Pleasant Gillium and others

Date: May 27, 1854

Page(s): 43

Related Case(s):

Details:

– “On consideration whereof the Court doth [adjudge order and decree](#) that all the land and real estate belonging to the devisees of Elizabeth Ann Gillium (deceased) and which is described in the papers of this cause also all the perishable property belonging to the estate of said Elizabeth Ann Gillium (deceased) also the negro woman **Rose** named in the papers of this cause also the negro boy **Tom** one of the children of **Laura** otherwise called **Edy** and about ten years old. Shall be sold by the Commissioners hereinafter named and appointed for that purpose. That the land shall be sold on the premises at public auction after six weeks publication of a notice of the time and place Thereof in one of the newspapers printed in the town of Charlottesville- at the Courthouse door of Albemarle County and some two or more public places in the neighborhood of the land. For cases as such sum as will be necessary to defray the costs of the sale. And for the residue, a credit of six twelve and eighteen months personal security shall be required And the title to the land withheld as security for the ?? payment of the whole of the purchase money; that the perishable property and the slaves shall be sold at such times and places and upon such terms and publicly or privately as to the Commissioners may seem best for the pecuniary interests of all concerned. And John Wood Jr and Drury Wood are named and appointed commissioners to make sale of the property hereinafter directed to be sold; but before they shall undertale to execute this decree.”

–“The Court doth also [adjudge order and decree](#) that so soon as the said boy **Tom** shall be by sale converted into money in solvent bonds. Gabriel S. Harper the administrator with the will [annexed](#) of Elizabeth A. Gillium

(deceased) and John Wood Jr. who has been appointed trustee under a former order of this Court. Shall surrender and deliver up into the hands of Thomas J. B Clark the assignee of S.W Blain all the remaining slaves belonging to the estate of Elizabeth A. Gillium (deceased (with the exception of Tom aforesaid) a woman named **Laura** sometimes called **Edy and her two youngest children names not known** and her two other children named **William** and **Stephan** the said slave to be held and enjoyed by the said Thomas J. B. Clark to him and his heirs forever.”

Case: Thomas Via and Elizabeth his wife v. Elizabeth Ann Norris and others, and Thoms M. Dunn guardian of Thomas A. Norris and others against Silas B Maupin and Mary I. His wife and others

Date: May 27, 1854

Page(s): 46

Related Case(s):

Details: “That Thomas a Dunn receiver of the money for the sale of the slaves and Miletus B. Jarman and James E. Chapmand his sureties shall pay the sum of \$633 as of the 9th day of May 1854.

Case: Ann E. Gilmer in her own right and as Executor of Thomas W. Gilmer (deceased) v. William W. Morris and others

Date: October 20, 1854

Page(s): 68

Related Case(s):

Details: “And the Court doth further [adjudge order and decree](#) that it be referred to one of the Commissioners of the Court as certain and report who are the heirs at law and distributees of Martha Key (deceased) and who now entitled to share in division and distribution of the slaves and dower lands of his widow Martha Key deceased and which lands are set forth and described in the Bill and proceedings.”

Case: Henry E. Head who sues in his own right and as one of the Executors of Valentine Head (Deceased) and also as trustee under his will for Mrs. Adela A. Hull v. Lucy J. Head and others

Date: October 24, 1854

Page(s): 83

Related Case(s):

Details: “On Consideration and there being no exception to said report the Court doth confirm the same and the bonds for its sale money of the slaves being now due the Court doth [adjudge order and decree](#) that the same Commissioner or some of them as shall give the bond hereafter required do proceed to collect the amount due from James C. Gentry and deposit the same to the credit of this cause in the Charlottesville Savings Bank or lend out the same in bond with good security payable on demand.”

“The said Commissioner is further directed to make such statement touching the proceeds of the sale of the land and slaves made under a former decree in this cause as will show the new amount thereof for distribution and how the same might to be distributed.”



Case: James E. Chapman trustee in a deed of first executed to him by Thomas R. Dunn v. Thomas R. Dunn and others

Date: October 25, 1854

Page(s): 86

Related Case(s):

Details:

– “And the Court being of the opinion that it is expedient and proper that the slaves belonging to the estate of the said Thomas Salmon (deceased) should be divided among the parties entitled thereto doth further [adjudge order and decree](#) that John J. Borcock, Stokes Tunstall, William Michie, William J. Brown and Thomas Ballard be and they are hereby appointed commissioners any three or more of whom may act whose duty it shall be after having been duly sworn for that purpose to divide fairly and justly and according to the best of their skill and judgment between Elizabeth W. Salmon the widow of Thomas Salmon (deceased) and James S. Dunn and wife. And Thoms R. Dunn and wife all the slaves belonging to the estate of the said Thomas M. Salmon now the possession of the said Elizabeth W. Salmon and supposed to be about 40 in number.

In making which division the said Commissioners shall in the first place lay off and allot the said Elizabeth W. Salmon one full third of value of said slaves as her dower in the same. And in dividing the residue of said slaves between the widow and her two surviving daughters it shall be the duty of said Commissioners and they are hereby directed to be governed in their proceedings by the statement of A. B made out and file by the

Court in this cause which statement A.B shows the principles upon which said slaves should be divided among the parties entitled thereto. And it shall be the further duty of said Commissioner and they are hereby in making said division of said slaves between Thomas R. Dunn and wife and James L. Dunn and wife to take into account the advancements which have been made by the widow to each of said parties. “

– “And the Court doth further [adjudge order and decree](#) that the said John J. Bowcock who is herein appointed a commissioner to make sale of the land belonging to the estate of Thomas Salmon (deceased) and the said John J. Bowcok, Stokes Tunstall and others who are appointed Commissioners to divide the slaves belonging to said estate among the parties entitled thereto shall report to the Court their proceedings under this decree.”



Case: Robert Page and George W. Page in their own right and as executor of the last will and testament of Edward Page (deceased) v. William Page and others

Date: October 25, 1854

Page(s): 88

Related Case(s):

Details: “It is therefore [adjudged, ordered and decreed](#) that the said Robert Page and George W. Page be and they are hereby appointed Commissioners whose duty it shall be to sell the said tract of land at public auction on the premises and the said slaves at the same time and place. After having first given six weeks provision notice of and sale by advertising the same for that time in some newspapers published in the town of Charlottesville and on the door of the Courthouse and Albemarle County; also at three or more public places in the neighborhood of said land requiring so much of the proceeds thereof in ready money as will be sufficient to pay costs of this suit and dividing the [residue](#) into three equal payments of six twelve and twenty four months from the day of sale the said slaves to be sold on a credit of six months taking from the purchasers their bonds with good security for the same as well as for the said payments of land money for which the titles of the land is to be also withheld as ultimate security –all the said bonds to bear interest from the state with a memorandum endorses on the back that is punctually paid

the interest will be remitted – But if it should be found impracticable to effect a sale of the old man Lewis in consequence of his age and infirmity to the highest bidder.



Case: David W. Durham v. William Borden and others

Date: Wednesday, October 25, 1854

Page(s):89

Related Case(s):

Details: “It appearing from the affidavit of Robert Joseph Roperts and Eliza Roberts that Emily Burnley the wife of William Burnley is dead that fact is suggested of record; and it also appearing to the satisfaction of the Court that the said Emily Burnley died ?? without issue and that the said William Brunley has no interest in the slaves in the bill and proceedings mentioned the Court doth by consent of parties in uniting filed with the papers in this cause correct so much of the decree of the 25th day of May 1855 as directs the said David M. Durham ‘to pay to the said William Brunley William McKae James Johnson each one fourth part of the said sum of two hundred and ninety dollars and ten cents and to retain for himself the other fourth payer thereof...”



Case: Meriwether L. Anderson who sues in his own right also as executor of Mildred M. Lewis (deceased) and as administrator [de bonis non](#) with the will [annexed](#) of Reuben Lewis (deceased) v. William Moore and others

Date: Thursday, October 26, 1854

Page(s): 92

Related Case(s):

Details: Researcher Note: Meriwether L. Anderson is the nephew of Meriwether Lewis. Reuben was Meriwether Lewis’ brother, Mildred was Reuben’s wife.

- “On Consideration whereof the Court sustains the three exceptions aforesaid but overrules the objection to the allowance made to the Plaintiff for going to Baltimore for the purpose of carrying there the slaves emancipated by Mrs. Lewis and superintending their embarkation for Liberia – the same being deemed reasonable and proper.”
- “That said executor in like manner pay unto Gabriel Harper and Sarah his wife the sum of \$597.82 cents with interest from 1 June 1854 til paid – that being the balance to which Mrs Harper is entitled from the ??

referred to in the case of Mrs. Buckner after requiring her in conformity with the will of Mrs. Lewis to account for the value of the slave Edmund specifically appointed to her out of the estate of Reuben Lewis (deceased)



Case: Andrew J. Dawson v. Benjamin H. Dawson and others

Date: Friday, October 27, 1854

Page(s): 100

Related Case(s):

Details: “The amount of advancements having been ascertained the Commissioner heretofore appointed by a direct order of this Court to divide the slaves are hereby directed to divide the same and report the mode of division to the next term of this Court. In making which division the Commissioner to estimate and set forth in their report the value of each slave, they are also to take in consideration the advancement made and the amount to which any of the distributees may be entitled to receive under this decree.”



Case: Charles D. Everett who sues in his own right and as executor of Charles Everett (deceased) and also as trustee under the will of said Charles Everett (deceased) v. Jackson M. Everett

Date: Friday, October 27, 1854

Page(s): 101

Related Case(s):

Details: Researcher Note: Dr. Charles Everett served as a personal physician to Thomas Jefferson and James Monroe. He is said to have attended Jefferson on his deathbed. He also worked as the personal secretary to then president James Monroe. After emancipating the workers he enslaved, they moved to Mercer County Pennsylvania and formed a community that would come to be known as Pandenarium.

– “This cause came on this day to be further heard on the papers formerly read and the report of Charles D. Everett. Executor of Charles Everett (deceased) made in pursuance of the direction given to him in the last decree entered in this cause to report from time to time his proceedings in carrying out so much of the testates will as has reference to the slaves emancipated by him – It appears from said report that the Executor has purchased various parcels of real estate in the state of Pennsylvania from

the persons at the prices and for the purposes mentioned therein: Also that he has purchased of Frank G. Ruffin a negro man slave named **Jackson** the husband of **Letitia** one of the emancipated slaves at the price of \$675 that he has purchased of Meriwither L. Walker a negro woman slave named **Harriet** who is the wife of **George** the blacksmith also emancipated and there children of said **Harriet** and **George** namely **Reuben**, **Charles** and **Joseph** all for the sum of \$1600; that he has purchased of Charles L. Bankhead a negro woman slave named **Lucy** wife of **William** another of the emancipated slaves at the price of \$310; that he has purchased of F.R Nelson a negro man slave named **David** the husband of **Nancy** another of the emancipated slaves at the price of \$625.50; that he has purchased of William M. Smith a negro woman slave named **Betsy** the wife of **James** likewise emancipated and their child **Samuel James** at the price of \$850 and that the executor has himself agreed to let **Henry** another of the emancipated slaves have a women named **Sophia** and two children of said **Henry** and **Sophia** namely **William** and **Jerry** the said women and children being the property of the said C. D Everett at the price of \$1300.

These purchases are all alleged to have been made at the insistance and request of those for whom they were made.

The Court doth therefore appear and confirm them as well as the purchases of real estate referred to in the report. And in any settlement of accounts which may be hereafter made ordered in this cause the Commissioner shall charge the several parties with evidence written or verbal that such purchases were made at this request. Any writing to that effect acknowledged by the parties in presence of an attesting witness after their right to freedom shall have been perfected by the delivery of their title papers will be deemed sufficient.

It appears from said report that in the Petition filed by the Executor at the last October term he was in error in saying that an infant child C now stated to be named Ann of John and Rose was born after the expiration of five years from the death of the Testator: it having been since ascertained that said child was born within the five years. So much of the decree of October term last as declared that said child was entitled to no part of the fund given by the testator to the emancipated slaves. Was therefore erroneous and must be disregarded in the distribution of the fund of

which said child will be entitled to an equal part with the other slaves living at the death of the testator or born within five years thereafter.”

– “As to the wish of Wilson, one of the emancipated slaves so purchase his son belonging to William P. Farrish the Court cannot advise the Executor to make the purchase– Wilson being an old man and his son quite young and having no relatives or connections among the other emancipated slaves it is so not probable that the interest or happiness of either party would be promoted by the purchase.”

Case: Jefferson Wood v. Simeon B. Wood and others

Date: October 27, 1854

Page(s): 105

Related Case(s):

Details: – “And it being apparent from the number and ages of the slaves mentioned and described in said bill and proceeding as belonging to the estate of the said Benjamin Wood (deceased) that they cannot be divided ‘in kind’ amongst the legal distribution thereof. But that a sale of them is also necessary to a fair and equal division the Court doth therefore further order and direct that the said Jefferson Wood who is hereby appointed Commissioner for that purpose also having advertised the time and place of sale for four successive weeks in one of the newspapers printed in the town of Charlottesville and in such other manner as he may think proper shall proceed to sell said slaves at public auction to the highest bidder on a credit of nine months with bond and good security bearing interest from the day of sale with an endorsement therein ‘ that the interest is to be remitted if the principal is punctually paid’

And said Commissioner is further directed to make a report to this court of his proceedings herein and return therewith to bonds so as aforesaid required to be taken by him as well for the lands as for the slaves.”

Case: Ann E. Gilmer in her own right and as executrix of Thomas W. Gilmer decd v. William W. Minor and others

Date: October 30, 1854

Page(s): 111

Related Case(s):

Details: “As to the residue. The slaves in the bill mentioned. Being the same assigned for life. To the said Martha Key decd . or such of said slaves

and their increase as are now living and can be had, taking from the purchases thereof bonds with good security. Bearing interest from date. But with liberty to said purchases as any of them to pay the money if they prefer to do so. Instead of giving them bonds. And if he purchases any of them shall elect to pay cash. The said Commissioners are hereby divided to receive it and distribute it amongst the parties entitled thereto according to the report of Commissioner Duke that is to say to Ann E. Gilmer executrix of Thomas M. Gilmer decd five whole shares or ninths. 7/11 of another share. And 2/7 of 1/11 of one share. To Joshua Daniel 1/11 of one share...But if any of said slaves are valueless and cannot be sold. Then the said commissioners are hereby directed to dispose of them to the lowest bidder and provide for the payment therefore out of the purchase money of the slaves.

And the Court doth further [adjudge order and decree](#) that the defendant Elhanan Row sheriff of Orange County and as such committee and administrator of Martha Key deceased at the and and expectation of the present term year or sooner if not hired out and he thinks proper so to do. Surrender to the said James W. Saunders and William I Robbertson the said slaves in the said bill mentioned. and which were assigned. For life to the said Martha Key decd as her share of the slaves belonging to her husband Walter Key decd at the time of his death as such and so many of said slaves and their increase as have come to his possession as administrator aforesaid : and that he render before one of the commissioners of this court an account of the hires of said slaves and of the rents of the dower land herein before mentioned since the death of said Martha Key. together with and account of the value of the negro **“Billy”** alleged to have been sold and removed or permitted to be sold and removed from the Commonwealth of Virginia and of the value of any other slave assigned to her as aforesaid and which may have been sold or removed which account the Commissioner is hereby directed to state settle and report with any matter deemed pertinent by himself or required by any of the parties to this suit specifically stated said rent and hires between the said Elhanan Row and administrator aforesaid and the parties entitled to said land and slaves...”



Case: Benjamin H. Eubank suing in his own right and as adm of Thomas Eubank decd Daniel Eubank decd and James Eubank decd against Sarah Eubank and others

Date: May 28, 1855

Page(s): 153

Related Case(s):

Details: – “Furthermore the court being of the opinion that the interests of all parties will be promoted by a sale of the land and negroes in the Bill mentioned doth [adjudge order and decree](#) that Benjamin H. Eubank be and is hereby appointed a commissioner whose duty it shall be after *advertising the said land and negroes* for six successive weeks in some newspaper published in the town of Charlottesville at the Courthouse door of Albemarle County an two or more public places in the neighborhood of the land to proceed at the residence of the late John Eubank to sell at Public auction to the highest bidder *the tract of land and negroes* belonging to the late John Eubank for his life and more under the will of James Eubank now decd passing to the Testator's children – *the negroes on a credit of six months* with interest thereon from day of sale secured by bond with good personal security and with liberty to the said commissioner to receive cash therefor: and the land for cash as to so much as shall be necessary to defray the expenses of the sale and the costs of this suit. And as to the residue a credit of six twelve and eighteen months with interest on said installments of purchase money from the day of sale to be secured by bonds with good personal security and the title to be retained till the payment of the purchase money and inasmuch as the said commissioner is hereby authorized to receive in a certain event the proceeds of sale of the negroes and will doubtless be hereafter authorized to collect the residual.”



Case: Andrew J. Dawson against Benjamin H. Dawson and others

Date: May 31, 1855

Page(s): 164

Related Case(s):

Details: – “This cause this day came on to be further heard upon the papers formerly read the report of the Commissioners Coleman, Hamner and Brady heretofore appointed by a [decretal order](#) of this Court to divide the slaves belonging to the estate of Benjamin Dawson decd –(to which is

no exception) and the report of Commissioner Duke made in pursuance of the order of the 27th day of October 1854 (to which there is no exception)”

Case: William W. M Coleman against Stephen D. Hopkins and others

Date: May 31, 1855

Page(s): 168

Related Case(s):

Details:

– “ On consideration whereof the Court doth [adjudge order and decree](#) that the said exceptions be sustained and the Report to which they apply be set aside out and out as to the land but approved and confirmed as to the slaves.”

Case: Henry E. Head who sues in his own right and as one of the Executors of Valentine Head decd and also s trustee under his will for adela A. Hull against Lucy J. Head and others

Date: May 31, 1855

Page(s): 170

Related Case(s):

Details: – “ Which report was filed on the 12th of May 1855 is recommitted to the same Commissioner with instructions to make such changes and modifications therein as to him shall seem right.-- and also to ascertain and report the fee simple value (as of the time of closing a/cs0 of the life estate of Mrs. Head in the land and negro funds. Stating separately the interest in each fund.”

William D. Tompkins in his own right and as adm [de bonis non](#) with the will [annexed](#) of James Tompkins decd and also as adm of Sarah E. Tompkins against John D. Coleman and Eliza P his wife and others – (May 31, 1855) – page 172

– “On Consideration whereof the Court being of the opinion that a sale of the four lots of land and the slaves in the bill mentioned is manifestly proper by partition and that the interest of the infant defendant will be promoted thereof doth [adjudge order and decree](#) that William D. Tompkins who is hereby appointed a commissioner for that purpose to expose to sale the said lots of land and the slaves. Having first duly advertised the

time and place of sale in some newspapers printed in the town of Scottsville and in such manners as to the said Commissioner shall seem fit for at least six weeks prior to the day of sale. Allowing for the lots of land a credit of one: two and three years in equal installments taking from the purchases bonds with good personal security bearing interest from the day of sale the said interest being payable annually and retaining the legal interest title thereto as a further security, and allowing for the slaves a credit of twelve months taking from the purchase bonds with good personal security bearing interest from the day of sale – with the option to the purchasers of the slaves or any of them to pay the cash if they shall prefer so to do...But said Commissioner shall not act under this decree until he shall execute and file with the Clerk of this Court a bond with good security payable to the Commonwealth of Virginia in the penalty of ten thousand dollars conditioned for the faithful performance of his duties under this decree and of any future order or order which may be entered herein in this cause in relation to the collection and distribution of the proceeds of sale of said lots of land and slaves.--”

– “...But the said Commissioner may if he prefers it require to be paid in cash so much of the proceeds of sale of the lots of land and slaves as until be sufficient to defray the costs and expenses of sale and the costs of this suit up to the day of sale.--”



Case: James E. Chapman trustee on a deed of trust executed to him by Thomas R. Dunn against Thomas R. Dunn and others

Date: July 9, 1855

Page(s): 175

Related Case(s):

Details:

– “On consideration whereof the court doth ratify confirm and approve said several reports and in pursuance of the reports of commissioners Babcock Brown and Ballard by which the slaves belonging to the estate of the late Thomas Salmon decd are divided between Elizabeth W. Salmon his widow and Jane B. Dunn and Caroline Dunn his daughters. The court doth [adjudge order and decree](#) that the said Elizabeth W. Salmon do hold, possess, and enjoy during their lifetime and by virtue of her dower right in the Estate of the said Thomas Salmon decd The Following named slaves

to wit **Collin Hannah** and child **Sophronia. Mahaley. Julia. Pleasant. Kitty. Amanda. Ellen. Malissa. Willy. Jimmy. Joseph. Horace. Wyoh. Jane and Frank** on third of the undivided interest in said slaves to belong in fee simple to the said Elizabeth W. Salmon 40 thereof to the said James L. Dunn and wife at the death of the said W. W Salmon and the other 1/3 to Thomas R. Dunn and wife subject to a lien thereon in favor of the said E. W Salmon to the amount of \$1762.55 with interest from 1st of January 1855 that being the sum over advanced by the said E. W Salmon to the said Thomas R. Dunn and wife. And the Court doth further [adjudge order and decree](#) that the said Elizabeth W. Salmon under the will of her daughter Sarah C. Salmon decd and as distributee of the said Sarah C. Ann W and Martha Salmon do hold enjoy, and process as her own absolute property fee simple the following named slaves to wit. **Malinda and child. Henry. George. Simon and Frances.** And in pursuance of said last named report the court doth further [adjudge order and decree](#) that James L. Dunn and Caroline his wife do hold and enjoy as their absolute property in fee simple the following named slaves to int. **Hannah and her two children Washington and Billy Fountain Flemming Charlotte. Lewis. Allen. Mary. and Eliza.** In virtue of the right of said Caroline Dunn to her original one fifth of the estate of her father the late Thomas Salmon decd and as distributee of her three deceased sisters Ann W. Martha and Sarah C. Salmon: and it appearing from the said report of the Commissioners Babcock and other that after assigning said slaves to the said James L. Dunn. there is still a deficiency due them from the said Elizabeth W. Salmon to the amount of \$89.25. It is further [adjudged, ordered and decreed](#) that the said Elizabeth W. Salmon do pay to the said James L. Dunn and wife the said sum of \$89.25 with interest thereon from the 1st day of January 1855 till paid which sum when paid, together with said slaves. Will be in full of the interest of said James L. Dunn and wife in the slaves belonging to the estate of the said Thomas Salmon decd with the exception of their interest in the dower slaves which have been herein before decreed to Elizabeth W. Salmon for life.

And it further appearing from the said report that Thomas R. Dunn and wife are entitled as distributees of Ann W. Martha and Sarah C. Salmon to certain slaves which formerly belonged to the estate of Thomas Salmon

decd but which not having been conveyed by the said Thomas R. Dunn in his deed of trust dated the 4th day of May in the year 1850 were subsequently conveyed by him in a certain deed of trust bearing date on the 27th day of October in the year 1853. For the purpose of securing the payment of certain debts therein mentioned due from him the said Thomas R. Dunn to the said Elizabeth W. Salmon and James L. Dunn and it being the opinion of the court that Jame R. Dunn the wife of the said Thomas R. Dunn is entitled to have a portion of said slaves or the proceeds thereof settled upon herself for life remainder to her children free from all debts or liabilities of her husband the said Thomas R. Dunn and the court being further of the opinion that one half of said slaves or the proceeds thereof would not be more than a reasonable settlement to be made upon the said Jane R. Dunn and her children doth [adjudge order and decree](#) that Thomas Wood be and is hereby appointed a commissioner whose duty it shall be after having given at least 6 weeks notice of the time and place and terms of sale by advertisement in one or more of the newspapers published in Charlottesville to expose to sale at public auction tot the highest bidder on a credit of 90 days the purchasers to execute notes negotiable and payable at one of the Banks in the town of Charlottesville with interest added the three slaves named Albert, Fanny and Reuben and mentioned in said report. It shall be the duty of the said Commissioner to sell said slaves in front of the Court House of the County of Albemarle and her shall grant to the purchaser or purchasers the privilege of paying the cash therefor. Should they prefer so to do...”

– “But before the said Commissioner shall proceed to sell said slaves it shall be his duty to and he is hereby required to execute before the Clerk of this Court and file among the papers of this cause . bond with good security payable to the Commonwealth of Virginia in the penalty of \$5000 conditioned for the faithful discharge of the duties herein imposed upon him.”

– “And the Court doth further [adjudge order and decree](#) that whatever fund may come into the hands of the said Elizabeth W. Salmon as trustee of the said James B. Dunn whether the same be derived from the proceeds of the sale of real estate or from the proceeds of the sale of slaves or from

whatever source shall be held by her of the said Jane R. Dunn during her life. Free from all debts or liabilities of her husband remainder to the children of the said Jane R. Dunn.”

– “And it appearing from the report of Commissioners Babcock and others that the said Elizabeth W. Salmon is indebted to the said Thomas R. Dunn and wife in the sum of \$107.06 owing to the inequality in the partition of the slaves hereinfoe mentioned.”

– “And it being the opinion of the Court that the costs of this suit should be paid by the parties interested in the Estate of the said Thomas Salmon decd and in the Estates of his deceased daughters it is further [adjudged ordered and decreed](#) that the said Elizabeth W. Salmon do pay the same including attorneys fees out of the proceeds of the hires of the slaves belonging to said Estates for the year of 1854.”



Case: Robert M. Page and George M Page in their own rights and as executors of the last will and testament of Edward Page decd against William Page. Edmund D. Page and others

Date: July 14, 1855

Page(s): 183

Related Case(s):

Details:

– “On Consideration whereof the Court being of the opinion from the said petition and deposition last mentioned that it is proper to confirm the said sale by will nevertheless *retain the legal title to the land and negroes* in the said report mentioned as a security for the payment of the purchase money form Robert Page and George W. Page, or either of them.”

– “Thereof the Court doth [adjudge, order and decree](#) that the said Robert Page and Geu

George W. page does each return in his hands for his own interest in the same the sum of \$337.20, as their equal shares under the will, of the proceeds of the sale of the negroes, and of the last installment of the land, after setting apart the said sum of \$599 for the payment of specific legacies, and the said Robert Page out of the money due from him for Squire is directed to retain in his hands for his own use his special legacy under the said will of \$200, and the said George W. Page is directed to

retain in his hands for his own use his special legacy under the said will of \$144 out of the amount due from him for Woodson and Lewis which when ?? will leave due from Robert Page of the purchase of Squire \$522.79; and from George W. Page for the price of Woodson and Lewis \$1741.34...”



Case: Henry E. Head who sues in his own right and as one of the Executors of Valentine Head dec d and also as trustee under his will for Mrs. A. A. Hull against Lucy J. Head in her own right and as Executor of Valentine Head decd and other

Date: July 14, 1855

Page(s): 185

Related Case(s):

Details:

– “ On Consideration whereof the Court without deciding on said exceptions doth recommit the said reports to the same Commissioner with the instructions to consider of and red report his view upon the said exceptions and to reform the report as he may deem proper and to rectate the accounts in such manner as to separate the funds arising from the sale of land and slaves and to show how the same should be disposed of giving to the widow in lieu of her interest in said funds the fee simple value thereof, which accounts the said Commissioner shall state. Settle and report to the court with any matter specially stated deemed pertinent pertinent [sic] by himself or required by any party to be so stated.



Case: James E. Chapman trustee against Thomas R. Dunn and others

Date: October 16, 1855

Page(s): 188

Related Case(s):

Details:

– “This cause came on again to this day to be further heard on the papers formerly read. The report of Thomas Wood was filed the 10th day of October 1855. Who by a former order in this cause made on the 9th day of July 1855 was appointed a Commissioner to make sale of three slaves **Albert. Fanny** and **Reuben** mentioned in said order. To which report of said Wood there is no exception and was argued by counsel. On consideration whereof the Court doth approve and ratify said report and doth hereby

confirm the sale of said slaves made by said Wood Commissioner as aforesaid on the 3rd day of September 1855.

Case: Andrew J. Dawson against Benjamin H. Dawson and others

Date: (n.d)

Page(s): 207

Related Case(s):

Details:

– “And an injunction is granted to inhibit the plaintiff and all others concerned from proceeding any further in the execution of the orders and decrees heretofore rendered in the cause until the further order of the Court and to inhibit Benjamin H, Dawson, Agnes C. Dawson, W. B Hummond and Josephine H his wife Andrews J. Dawson and Dorathe J. Dawson *from selling or otherwise dispersing of the negroes* which where assigned to them respectively by John h. Coleman, Jameds Hamner and James Brady under a former order entered in this cause and set forth in their report filed 23rd May 1855.”

Case: William D. Tompkins in his own right and as administrator of [de bonis non](#) with the will [annexed](#) of James Tompkins decd and as administrator of Sarah E. Tompkins decd against John S. Coleman and Eliza his wife and other defendants

Date: (n.d)

Page(s): 206

Related Case(s):

Details:


– “This cause this day came on to be further heard upon the papers formerly read and the report of sale of the lands and slaves made by Commissioner William D. Tompkins to which report there is no exception and was argued by counsel. On consideration whereof the Court approving as well the sale of the portion of land which was sold privately as of that sold publicly and also the sale of the slaves doeth ratify and confirm the said sales. And the report of said Commissioner.”

– “And the said Commissioner shall also state a distributee account between the plaintiff and the children of James TOMpkin and Sarah E.

Tompkins and he shall also make out a statement so as *to show how the funds arising from the sale of the land and negroes...*

Jefferson Wood against Simeon Wood and others – (Monday, October 22nd, 1855) – page 208

– “ And it appearing from the last mentioned report that the proceeds of the slaves sold under said decree have been brought into the settlement of the administrator accounts of the said Jefferson Wood as the Administrator of Benjamin Wood decd and that a portion of said proceeds is necessary for the payment of the intestate’s debts...”

 **Case:** John M. Norvell and Littleberry M. Powell in their own right and as Executors of James Norville decd against Elizabeth Norvelle and others

Date: October 24, 1855

Page(s): 216


Related Case(s):

Details:

– “ On consideration whereof the Court is of opinion that the testator by his will meant that Woodson Norvell should account for the \$200 only without interest and not for the price of Susan.

– “The following specific legacies would have to be delivered viz. To James M. Norvell a feather bed and furniture and bedstead to Woodson Norvell the negro woman **Susan** and all the rest of the estate would have to be sold and the proceeds of sale together with the \$400 to be paid by Jane Powell...”

– “ Woodson Norvell is to receive **Susan** but is to account not only for the \$200 charged in the will but with **Susan’s** just proportion of the \$2000...”

 **Case:** George M. Runkle guardian of John Nichols and Cecilia Allod Nichols against John Nichols and Cecilia Allis Nichols infant children of Edwin B. Nichols dec d and others

Date: October 26, 1855

Page(s): 221

Related Case(s):

Details:

– “On consideration whereof it being clearly shown to the satisfaction of the Court independently of any admissions in the answers that the interest of the infant defendants will be promoted by a sale of the house and lot in the bill mentioned– so as to exempt the negroes therein mentioned from sale–”

–And said Commissioner of the Court is directed to take, settle and report an account of the debts due from the estate of Edwin B. Nichols decd and the priorities of each and also an account for the amount and value of the assets in the hands of the administrator George W. Runkle which are liable for the payment of such debts and especially the said Commissioner is to enquire as certain and report the value of each one of the slaves which belong to the estate of the intestate Edwin B. Nichols–”



Case: Carter H. Page in his own right and as administrator of Mann Page decd against Jane F. Page and others

Date: October 29, 1855

Page(s): 227


Related Case(s):

Details:

– “ On consideration whereof the COurt doth ratify and confirm said report and statement and doth [adjudge order and decree](#) that the plaintiff as administrator of Mann Page decd shall make sale of so much of the personal estate of his intestate as may be necessary to pay the debts due from said estates including the balance reported as due to himself on his administration account together with all other debts and charges of administration in which shall be embraced their costs of this suit or so much thereof as may not be paid out of such of the (unintelligible) of the present term year as are yet to be accounted for – taking care not to sell any of the slaves for that purpose unless the rest of the personal estate shall be insufficient and then only so far as may be necessary to meet the deficiency–And it being apparent that but few if any of the slaves will have to be sold. The Court doth appoint Francis K. Nelson, Robert. W. Lewis, James H. Lewis. Stephen F. Sampson and William Cowherd Commissioner any three or more of whom may act whose duty it shall be having been first duly sworn to divide and assign the slaves (which are not

sold by the administrator) between and among the widow and Children of Mann Page decd and his grandchild Francis W. Page according to their respective rights and interests– charging the said Francis W. Page with the advancement of \$3500 which was made to his father in his lifetime and charging the plaintiff Carter H. Page with the same amount advanced to him by his father in his lifetime– neither of whom of course *will be entitled to receive any portion of the negroes* unless the dividends of each shall be more than the sum of \$35000

And the said Commisisoners or such as may act are directed before making said division between the children and grandchild of the intestate Mann Page to allot and assign *the widow of her intestate one third part of the said negroes*. To be held by her for life as her dower interest in said slaves–”

 **Case:** David Michie and others against David Michie and others


Date: (n.d)

Page(s): 239

Related Case(s):

Details:

– “And the Court doth further [adjudge order and decree](#) that the same Commissioner be and he is hereby required to expose to sale at public auction first advertising for three weeks in like manner as the lands are herein directed to be the slaves in the bill mentioned. Of which the said Sarah Michie died possessed. And upon a credit of five months requiring of the purchasers notes negotiable and payable at the Monticello Bank well endorsed including interest from upon the day of sale–

 **Case:** Henry E. Head who sues in his own right and as one of the executors of Valentine Head decd and also as trustee under his will for Adela A. Hull against Lucy J. Head in her own right and as executrix of Valentine Head decd and others

Date: (n.d)

Page(s): 242

Related Case(s):

Details:

– “ It is also [adjudged, ordered and decreed](#) that Alexander Ruies Egbert R. Watson and Henry E. Head. who were appointed receivers to collect the

proceeds of the sales of slaves belonging to the estate of the testator. And which sales were made by them as commissioners appointed by a former decree rendered in their cause. Shall forthwith proceed to collect the balance of said proceeds of sales now due and remaining unpaid...”

– “It is also [adjudged ordered and decreed](#) that Alexander Ruies Egbert R. Watson and Henry E. Head receivers of the proceeds of the sales of slaves and the real estate of the testator made under former order of this court shall not nor shall either of them pay any money which shall be divided by this decree to be paid out and distributed to Lucy J. Head and Henry E. Head or to either of them until the said Lucy J. Head and Henry E. Head have fully paid out and distributed all sums of money ordered by this decree to be paid to the several persons heretofore respectively named by them the said Lucy J. Head and Henry E. Head...And the said receivers are expressly authorized and directed to apply so much of the said proceeds of the sales of the lands and slaves of the testator's estate as may pass through their hands and which may be hereinfoe decreed to be paid to the said Lucy J. Head and Henry H. Head first to the purpose of depositing the sum of \$1275 with the like interest thereon from the 28 September 1855 until paid to the credit of their cause...”

– “It is [adjudged ordered and decreed](#) that disbursements and distributions authorized and ordered to be made by any of the parties or receivers in this cause may be made to the Attorneys in law or Attorneys in fact as well as to the parties themselves, and the receipts of such Attornies shall be as valid and as the receipts of the parties themselves in per pria persona.

It is also [adjudged ordered and decreed](#) that the receiver of the proceeds of the slaves and land respectively as hereinfoe named shall be authorized and empowered to transfer and assign to the several parties to this cause the bonds of the purchasers of the said land and slaves in payment and discharge of the disbursements and distribution herein before ordered to be made by said receiver, provided always that said parties are willing to receive said bonds in payment and discharge of their respective distributors shares...”

– “ It is also [adjudged ordered and decreed](#) that although in the provisions hereinbefore mentioned made relative to the distribution of the proceeds of the sales of the slaves and real estate of the testator by the receivers authorized to collect and disburse and distribute the same interest is to be paid and to is ordered to be paid out and distributed whilst the same may remain in the hands of said receivers ready for distribution.

It is also [adjudged, ordered and decreed](#) that in the payment and distribution of the assets of the estate of Valentine Head decd and by the receivers of the proceeds of the slaves and real estate of said testator that the bonds of any of the...

Case: David R. Goodman and George M. Terrell executors of Joel Terrell decd against Lucy Terrell and other

Date: Wednesday, October 31, 1855

Page(s): 249

Related Case(s):

Details:

– “And the Court doth further [adjudge order and decree](#) that the said George M. Terrell (who alone of the executors has been acting as trustee) pay to the said Harriet W. Phillips for her sole and separate use and benefit the sum of \$20 that amount of interest and profit to which she will be entitled on the first day of November next – And that he shall also assign over to her without recourse the claim against S. D. Williamson and wife for the hire of a slave named Edmund for the year 1853 – the same not having been collected...”

Case: Ann E. Gilmer in her own right and as executor of Thomas W Gilmer decd against William W Minor and others

Date: November 1, 1855

Page(s): 257

Related Case(s):

Details: – “And the Court doth further [adjudge order and decree](#) that the said Saunders and Robertson do proceed to collect the money due in the bonds *given for the purchase money of the negroes* by suit or otherwise. And that they also by suit or otherwise collect the money which will become due in December next on the bond of Luther M. George and his sureties.

And distribute the proceeds when collected as heretofore directed in relation to the money hereafter received by them *on account of the sale of the land and negroes referred to in the Bill*



Case: Unmarked

Date: May 20, 1856

Page(s): 269

Related Case(s):

Details:

William M. Stephenson of Mercer County Pennsylvania having filed his petition setting forth that he is the guardian of Frank Robinson, Joseph Robinson . Eliza Robinson. Alexander Robinson Amanda Watson Hannah Watson Sally Watson and Margaret Watson duly appointed and qualified by the Orphans Court of the County Mercer, in said State , where the Petitioner and his said Wards were once slaves. But emancipated by the last will of Ch: Everett decd late of said Albemarle County Virginia that in pursuance of the provisions of said will they have been removed to and settled in the County of Mercer in the State of Pennsylvania that their estate consists of exclusively of money due them from Charles D. Everett executors of said Ch: Everett decd residing in this County: and praying the Court to order the said Executor to pay over and deliver all money or personal property in his hands. Belonging to said wards respec...(unintelligible) tot he said William M. Stephenson guardian as aforesaid – and to authorize said guardian to receive the same and remove it to the State of Pennsylvania :and it appearing to the Court that the notice of this application has been published once a week for four successive weeks in a newspaper: It being also shown by authentic documentary evidence that the said William Stephenson has as guardian of each of his wards given bond in the Orphans Court of Mercer County Pennsylvania where he qualified with security and in a penalty sufficient to ensure his accountability for the whole amount of such ward's estate in his hands or which will probably be received by him as such guardian . – especially from Virginia to Pennsylvania of the money belonging to the wards aforesaid. And in the hands of Ch: D. Everett Executor of Ch: Everett decd until neither impair the rights nor be prejudicial to the interests of the sad wards respectively or of any other person. Doth therefore order that Charles D. Everett Executor of Ch: Everett decd do pay and deliver to

the said William M. Stephenson guardian as aforesaid whatever money may be in his hands or subject to the control belonging to the wards aforesaid respectively: and the said William . Stephenson guardian as aforesaid is hereby authorized to receive said money and remove the same to the State of Pennsylvania.



Case: Benjamin H. Eubank suing in his own right and as administrator of Thomas Eubank decd Daniel Eubank decd and James Eubank decd against Sarah Eubank and others

Date: May 20, 1856

Page(s): 271

Related Case(s):

Details: This Cause came on this day to be further heard on the papers formerly read and the report of Commissioner B. H Eubank of the sale of land and negroes under the [decretal order](#) of the 28th May 1855 which report bears date on the 31st August and 5 October 1855.



Case: Unmarked

Date: n.d.

Page(s): 274

Related Case(s):

Details: William F. Clarke, guardian of Willis Lewis George W. Lewis. Nick Meyers. Lucy Meyers. Mary Jane Lewis. William Bell. Jackson Bell and Henrietta Bell. duly appointed and qualified as such by the orphans Court of Mercer County in the State of Pennsylvania any money or property within the Jurisdiction of this Court—and especially such as may be in the hands of Charles D. Everett as Executor of Charles Everett decd or in any other capacity belonging to said wards or either of them. Notice of this application appearing to have been published for four weeks successively evidence that the said William F. Clarke as guardian of each of the wards aforesaid. Has in the Orphans Court aforesaid. Of Mercer County Pennsylvania given bond with security and in a penalty sufficient to ensure his accountability not only for any estate of his said wards in possession in the State where he qualified but also for any he may receive elsewhere and especially rom Virginia and being also satisfied that such removal of the estate of said wards will not be prejudicial either to their rights and interests or to those of any other person or persons: It is

ordered by the Court that the said Charles D. Everett do pay over to said William F. Clarke guardian as aforesaid any money on his hands or under his control as executor of Charles D. Everett decd or in any other capacity belonging to the wards aforesaid respectively: And that the said William F. Clarke be and is hereby authorized to receive the same or any other estate within the jurisdiction of this Court belonging to his said wards and remove it to the State of Pennsylvania.



Case: Muriel B. Watson and Lucy his wife Mad J. Hall and Chalres P. Dowel and Nancy his wife against Elizabeth Hall and others

Date: n.d.

Page(s): 279

Related Case(s):

Details: "On Consideration whereof it appearing to the satisfaction of the Court that the partition of the land in the bill referred to cannot be conveniently made and that it will promote the interest of all parties to make sale of the same for the purpose of division and that a sale must necessarily be made of the slave in the bill referred to in order to a division among the parties interested. The Court doth [adjudge order and decree](#) that Muriel B. Watson and Mace B Hall be and they are hereby appointed Commissioners whose duty it shall be having published notice of the time and place of sale for at least 6 weeks in one of the newspapers printed in the town of Charlottesville and by advertising the same at the front door of the Courthouse of the County of Albemarle and at some two or more public places near the land. To proceed to sell the said land and the slave in the bill referred to at public auction to the highest bidder allowing for the land a credit of one two and three years in equal installments but leaving interest from the day of sale said interest to be payable annually...of the purchase money for the said slave they shall require to pay in cash an amount sufficient to pay the costs and expenses of this suit and of executing this decree."



Case: James Knox Walker and Augusta his wife and others against John Morris administrator of Thomas Daniel decd, Thomas E. Walton, Richard H. Baughman and Martha J. Baughman

Date: May 21, 1856

Page(s): 281

Related Case(s):

Details: “And the said Commissioner first advertising the time and place for three weeks in the same newspapers and in such other word as in his opinion will give general notice thereof shall sell to the highest bidder, at public auction upon a credit of six months with interest from day of sale the slaves in the bill mentioned requiring of the purchasers notes negotiable and payable at the Bank of Scottsville with one or more good security endorsers –”



Case: Andrew J. Dawson against Benjamin H Dawson and others

Date: May 26, 1850


Page(s): 295

Related Case(s):

Details: “And the Court doth [adjudge order and decree](#) that Charles A. Scott. William Branch. Robert H. Carter. Austin M. Appling and John D. Moon be and are hereby appointed Commissioners who or any 3 of whom being first sworn are directed to redivide and realLOT the slaves belonging to the estate of Benjamin Dawson decd among his widow and children; in which division and realLOTment they shall assign to Dorothy Dawson one third of sd slaves as her dower interest therein. To be held by her for and during her natural life. And the and the remainder of sd slaves said acting commissioners will divide equally among the children of sd decedent in his lifetime to any of his children who shall participate in such division . X which division they will report to the Court. –And to enable the said Commissioners to execute this decree parties having possession of any of the said slaves are hereby directed to surrender the same to the said Commissioners. And to ascertain such advancements. This cause for such and other purposes is recommitted to one of the Commissioners of this Court with directives to take and state the following accounts– first an account of the advancements made by the decedent in his lifetime to any of his children claiming to be a distributee in the decedent's estate and such account. When taken and stated Commissioners is directed to report the result thereof Commissioners herein appointed to divide and allot the slaves and also to the Court.”

– “Second—an account of the annual hires, issues and profits of the said slaves since the death of the said decedent— and the person or persons therefore”

– “But so much of this decree as authorizes the delivery of the slaves herein mentioned to the distributees of Ben Dawson decd shall be suspended until they shall respectively if required by the sd administrator of Ben Dawson decd enter into bonds payable to her with good security in a penalty equal to double the value of the slaves allotted them respectively...”

 **Case:** George Carr administrator of Thomas Grady decd with the will [annexed](#) against Thomas Grady Wertenbaker and others

Date: May 27, 1856

Page(s): 301

Related Case(s):

Details:

– “Ira Garret is appointed guardian of the defendants Thomas G Wenterbaker. Thomas G. Shifflet and James. Caroline. John and Ann. children of Ann who was emancipated by the will of the plaintiffs testator—”

–” On Consideration whereof the Court is of the opinion that by the will of *Thomas Grady decd his negroes became entitled to freedom at the time of his death* and that *the children of Ann one of the emancipated negroes* bore after the death of the testator were entitled to freedom. Not under the will. But because they were born of a free woman.--The directions of the testator. *That Daniel Higginbotham should have the direction of the negroes until his youngest child should become of age* and should act as Master for them must not be understood as giving to them *any interest in the negroes until that period should arrive.* – but to give him the control and management of the property intended for thor benefit the profits of which he had a right to apply and disburse for them *according ti the condition and wants of each negro* one of whom are to be regarded as having a rested or transferable interest in the property until the period for distribution arrived. viz when the youngest child (of whose named in the will) became of age—when that period of time arrived. *All the negroes including the increase of the females then born (not any thereafter born) became entitled to*

participate as a class in the testator's bounty. Share and share alike and to be so farr regarded as having a rested interest therein as to be capable of transmitting it to heirs or distributees upon the death of ?? or late. – The period of time at which the property was to be divided amongst the parties was the 1st January 1851. – before which time James, Caroline and John children of Ann were born. And they are of course to be regarded as members of the class. And not entitled to share in the testator's bounty – William another child of Ann was born on the 16th June 1851 and us therefore not one of the class and not entitled to share in property Wilson became entitled to a vested interest therein on the 1 January 1851– And on his death in 1853 the same passed to his sister Ann. subject to the payment of his debts. – In this state of facts and in order more particularly to ascertain the rights of the parties. The Court doth [adjudge order and decree](#) that it be referred to one of the Commissioners of the Court to settle the accounts of George Carr adm with the will [annexed](#) if Thomas Gradt decd on which shall be charged not only the debts if the testator and expenses if administration. – but all proper expenditures for the negroes from the death of the testator to the 1 January 1851 at which time reserving a sufficient fund to any all costs and expenses common to all the negroes. The balance in the hands of the administrators shall be distributed upon the principals here laid down. –”



Case: George Carr, administrator of David Muchie decd and others against David Mitchie and others

Date: Wednesday, May 28, 1856

Page(s): 303

Related Case(s):

Details: “This cause came to be heard in the papers formerly read together with the account and report of sales made by George Carr Commissioners of sale. Under the [decretal order](#) of October term last of the perishable property. slaves and a portion of the Real estate in the Bill mentioned. and was argued by Counsel and no exception appearing to said report. The same by consent of parties is fully ratified and confirmed.



Case: William D. Scruggs against John D. Craren

Date: 30 May 1856

Page(s): 319

Related Case(s):

Details: “This cause came on this day to be further heard upon the papers formerly read. Upon the rule awarded in this cause returned executed and the certificate of publication as to John D. Crarern *whereupon the Court doth [adjudge order and decree](#) that the estate called Rose Hill together with the negroes and stock derided by the will of John H. Craren to the separate use of Jane C. Craren for the support of her husband John D. Craren herself and their children be committed to the charge of Drury W. Burnley...*”

Case: William D. Tompkins in his own right and [sic] against John L. Coleman and Eliza his wife

Date: n.d

Page(s): 322

Related Case(s):**Details:**

– “And the Court doth [adjudge order and decree](#) that the plaintiff William D. Tompkins as Commissioner proceed to collect the interest upon the land bonds as also the principal thereof when and as the same shall become due and shall also collect the principal and interest in the bonds for the purchase money of the slaves for which purpose leave is given him to withdraw said funds from the papers of this cause.

– “And it being the suggested to the Court that the slaves purchased by John H. Coleman were in reality bought by him for the benefit of Eliza L. Coleman wife of John L. Coleman to be held under and pursuant to the deed of marriage settlement in which he is trustee. The Court doth order that if the said Eliza L. Coleman shall so request in writing the said Commissioner may allow the bond of the sd Ino H. Coleman to remain uncollected to the extent of the share of the said Eliza L. Coleman in the Estate and upon reporting the facts to the Court it will hereafter make such order as may be necessary to insure that the slaves so purchased shall be held under and pursuant to the provisions of sd marriage settlement.

Case: James B. Fretwell who sues in his own right and as administrator of Fretwell decd and also as administrator of Matthew Martin decd against John R. Fretwell and others.

Date: October 20, 1856

Page(s): 325

Related Case(s):

Details:

– “ On consideration whereof the Court doth [adjudge order and decree](#) that John Morris. John N. C [unintelligible] and John Tyler Staples be and are hereby appointed commissioners who or any two of whom being first duly sworn. Shall if practicable so divide the slaves in the bill mentioned as to give one equal fifth part thereof in value to the plaintiff James B. Fretwell in his own right. Also one equal fifth part to the plaintiff as administrator of Richard Fretwell decd also one equal fifth part to the descendants of William Fretwell also one tenth part to – Barnard and Mary his wife– And the remaining tenth part to the descendants of Frances Fretwell. And they shall make report to the Court. But if said Commissioners shall find it impracticable or independent to attempt a division of the slaves in kind. – then upon certifying their opinion in uniting to that effect to the Plaintiff James B. Fretwell. He shall have power and he is hereby appointed a Commissioner to sell the slaves in the Bill mentioned to the highest bidder at public auction. On a credit of six months the purchasers give bonds with good security. Bearing interest from the date: But said sale shall not be made until the time place and terms thereof shall have been first advertised for four weeks in some newspaper published in the town of Charlottesville. And also by posting at two or more public places in the neighborhood of the place at which the sale shall be made – And said Commissioners shall report his proceedings to the Court – together with the bonds taken by him and a statement of the costs and expenses of executing this decree.

 **Case:** Mary Forter against John A. Forter and others

Date: October 20th, 1856

Page(s): 327

Related Case(s):

Details:

– “Being The Court being of opinion from the allegations in the Bill *that the only title to the negroes in the bill mentioned* which the trustees acquired under the deed of trust of the 1st of March 1855. From John A. Foster to them was an interest in remainder after the death of the

plaintiff. Thereupon an injunction is awarded to inhibit *the said trustees or either of them from selling the negroes mentioned and referred to in the bill* mentioned and referred to in the said deed of trust or the increase thereof except an interest in remainder after the death of the plaintiff.



Case: Mary Higginbotham in her own right and as Executor of David Higginbotham decd against George D. Fisher and Elizabeth G. his wife and others

Date: Friday, October 24th, 1856

Page(s): 339

Related Case(s):

Details:

– “This cause came on again to be further heard that 24th day of October 1856. upon the papers formerly read the joint report of Mary E. Higginbotham and Elsmie G. Higginbotham who by former orders in this cause were appointed Commissioners to make sale of the land and slaves belonging to the estate of David Higginbotham decd which Report was filed on the 17th day of May 1856. And to which there is no exception:



Case: Ro Barclay Moon against James Lobban administrator with the will [annexed](#) of Judith C. Turner decd N. H. Massie Trustee and John S. Moon Trustee in two deeds respectively

Date: October 29th, 1856

Page(s): 357

Related Case(s):

Details:

– “...and for the present. The Court directs James Lobban as administrator of Judith C. Turner decd to sell the negro man by the name **John Rivers** in the bill mentioned. – and to apply the net proceeds of the sale money in purchasing as such administrators and by virtue of his office of administrators Trustee for the said plaintiff and those in remainder an interest in the plaintiffs bond for \$3693.33 due without interest the third day of May 1859 and given the said Smith for the purchase money of the land bought of him by the plaintiffs. – which interest the Court directs shall be held by the said Lobban as aforesaid in lieu of the slave aforesaid...”

David Michie in his own right and as next friend of Frances A. Michie and James Jr. against James Michie administrators of John A. Michie decd and others – (October 30, 1856) – page 361

– “ On consideration whereof the Court being of opinion that John A. Michie acquired a good and valid absolute title as in fee. to the negro woman **Sarah** by virtue of his purchase under the execution referred to in the cause the said Sarah not being a part of the trust funds held under the will of William Michie the elder for William Michie Jr. but was the absolute property of the said William Michie Jr. acquired by virtue of his intermarriage with his wife. And that and that so much of the decree entered in this cause in the 2nd day of November 1853 as directed John A. Michie by virtue of his purchase under the execution acquired an estate in Sarah for the life of William Michie is erroneous therefore so much of the signed decree as to relates to the said Sarah is reversed and [annulled](#) and the 4th exception taken by the plaintiff to the report of Commissioner Massie is overruled...”



Case: William D. Tompkins in his own right and c [sic] against John L. Coleman and Eliza his wife and others

Date: October 30, 1856

Page(s): 362

Related Case(s):

Details: “And the report of Special Commissioner William D. Tompkins filed on the 24th October 1856. To which also no exception has been taken. Together with the written request of the defendant Elizabeth J. Coleman filed therewith dated Oct 15th 1856 , that the Commissioner should not collect the bond of John H. Coleman for the purchase of a negro woman **Frances and her two children** at the sale made under a decree in this cause.”

– “...and the Court doth [adjudge order and decree](#) that said Commissioner shall proceed to collect the bonds for the purchase money of the slaves and distribute the same between the legatee and distributees in the proportions to which they are respectively entitled thereto according to said report Commissioners...”

– “And the Court doth further order that in making said Collection and settlement the bonds of John H. Coleman for the purchase money o the slaves bought by him be surrendered and that the said John H. Coleman hold said slaves as trustee for the separate use and benefit of Eliza G. Coleman under and pursuant to the deed of manage settlement in which he is her trustee. His said purchase having in fact been made for her use and benefit.”

– “ And said Commissioner is further authorized to allow James E. Tompkins to affect his share in the Estates against his bond for the purchase money of the slaves bought by him.”



Case: James Knox Walter and Augusta his wife and others against John Morris administrator of Thomas Daniel decd Thomas E. Walton. Richard H. Baugham and Martha J. Baugham

Date: October 31, 1856

Page(s): 370

Related Case(s):

Details: “The Court doth further [adjudge order and decree](#) that it be referred to one of the Commissioners of this Court. Whose duty it shall be to take. state and settle the accounts of John Morris administrators of Thomes Daniel decd also an account of the proceeds of the sales under the [decretal order](#) of May Term 1856 *including the sales of negroes* when made as well as the land sale as aforesaid, And an account for the distribution of the entire estate of Thomas Daniel decd among his heirs or representatives according to their respective rights.

Henry E. Head who sues in his own right and as one of the executors of Valentine Head decd and also as trustee under his will of Adela A. Hull against Lucy J. Head in her own right and as executrix of Valentine Head decd and others. – (October 31, 1856) – page 381

– “It is also [adjudged ordered and decreed](#) that before the Receivers shall pay any portion of the money decreed herein in the favor of Lucy J. Head they shall deduct from the amount of principle and interest of her bond to the Commissioners of sale appointed by this Court under a former order for the purchase by her of a slave.



Case: James B. Fretwell, sing in his own right, as administrator of Alex Fretwell decd, also as administrator of Richard Fretwell decd also as administrator of Matthew Martin decd against John R. Fretwell and others

Date: Wednesday, May 20, 1857

Page(s): 393

Related Case(s):

Details: “And thereupon this came on to be further heard in the papers formerly read and the report of James B. Fretwell Commissioners *for the sale of the negroes under the decree of the 26th of October last*. And was argued by counsel. – On consideration whereof and there being no exception to said Report the same is confirmed. – And the court doth [adjudge order and decree](#) they James B. Fretwell the Commissioner aforesaid as soon as the purchase money for the slaves aforesaid shall have fallen due – proceed to he collect the same – for which purpose he shall withdraw from the papers of this cause the bonds filed with his report upon leaving with the clerk his receipt thereupon.”

– “And the Court doth further [adjudge order and decree](#) that it be referred to one of the Commissioners of the Court to take an account of the entire fund arising from the sale of the slaves aforesaid. and also of the hires thereof from the death of Mrs Jane H. Fretwell up to the time of their sale– so as to show the nett amount for the distribution after deducting all expenses of sale. costs of suit and other proper charges–”

– “And the said James B. Fretwell Commissioner of sale as aforesaid is directed to make some disposition of the slave Isaac. by selling him either privately or publicly as he shall think best. And to the highest or lowest bidder as he may prove to be valuable or chargeable: And he shall report his proceedings in the premises of the Court. –”



Case: Andrew J. Dawson against Benjamin A. Dawson and other

Date: May 21, 1857

Page(s): 399

Related Case(s):

Details: “ The Commissioners appointed in this cause at the October term 1856 to divide and allot the slaves of the estate of Benjamin Dawson deceased. failing to act, the Court doth remove them, except William Branch and doth appoint the said Mr. Branch and Nelson Elsom, William Brown, James Hamner and John Coles any three of whom to act, who

being sworn, are directed to execute the previous order herein touching the division of said slaves and to make report thereof to the Court.

Case: Alexander River v E. R. Watson against George Paris Sen. Ann L. Paris and Joseph Harlan

Date: May 23, 1857

Page(s): 409

Related Case(s):

Details: “On consideration whereof the Court doth [adjudge order and decree](#) that unless the defendant Ann L. Paris or some one for her shall pay to the plaintiff the sum of \$300 with interest thereon after the rate of six percent per annum from the 20th day of December 1853 till paid and their costs by them about this suit in their behalf expended it shall be the duty of the Sheriff of Albemarle County to take possession of the slaves held by Ann L. Paris and referred to in the Bill and Exhibit B. as her separate property. Namely **Maria** and **Elvira**, **Charity** the child of **Maria** and **Jasper**. **Lewis**. **Sally** and **Matt**. children of **Elvira** and to sell them in so many and such of them as may be necessary and out of the net proceeds thereof to pay off the debt. interests and costs aforesaid. And if there shall be any surplus of money arising from the sale he shall pay over the same to the said Ann L. Paris. The said sale shall be made in like manner in all respects as to the slave or slaves sold had been taken under an execution...”

Case: John H. Coleman Executor of Elias Hamlett decd against Rebecca Hamlett and others

Date: May 26, 1857


Page(s): 420

Related Case(s):

Details: “The Court is further of the opinion that Mrs. Rebecca Hamlett the testators widow under the 2nd section of the 1c [codicil](#) to the will takes the slave **Mary** in fee and any child or children of her born after the date of said [codicil](#) – viz: the 12th day of January 1853: that the word ‘increase’ as used therein is to be used in its restricted sense and to mean future increase according to the opinion expressed by the Court of Appeals in the case of Pullers executor v. Puller 3 Rand: 83 – The words ‘ who was her property before our marriage’ are not sufficient to indicate that the

testator meant thereby that the increase of **Mary** born after the date of said [Codicil](#) should pass with **Mary** referred to but if used to show the reason why **Mary** was given to Mrs. Hamlett, it does not follow that the testator for the same reason meant to give her **the increase of Mary** then born.

As to whether either of the children named in the bill was born before or after the date of the first [codicil](#) the Court forebears to express any opinion at this time. As the parties may be able to set that question without the intervention of the Court.”


 **Case:** William M. Woods and Egbert R. Watson against Benjamin M. Perkins and others

Date: May 27, 1857

Page(s): 427

Related Case(s):

Details: “On consideration whereof the Court is of the opinion that under the Clause of the deed of trust from B.M Perkins to the Plaintiffs which is quoted in the bill in relation to the reservation of slaves or the proceeds of the sale thereof to the value of \$5000– for the benefit of B. M. Perkins, the said Perkins was entitles to the hires of said slaves, or to the interest on the proceeds thereof from the time of their sale until it should be ascertained that said slaves, or if sold, the said \$5000. – would be needed for the purposes of the trust. –”

 **Case:** George Carr administrator of Thomas Grady decd with the will [annexed](#) against Thomas Grady Wertenbaker and other

Date: n.d.

Page(s): 439

Related Case(s):

Details: “This cause came on this day to be further heard on the papers heretofore filed. And the petition of **Ann, one** of the slaves. manumitted by the will of the said Thomas Grady and the written consent of George Carr– Thereupon the Court doth [adjudge order and decree](#) that the said George Carr be relieved from his duties as Trustee under said will for the said Petitioner **Ann**. And that John L. Cochran of Albemarle. be substituted in his place as trustee for said **Ann**– But the said J. L Cochran is required before assuming duties of said Trustee to enter into bond in the Clerk’s

office of the COurt with good personal security. For the faithful discharge of his duties as trustee aforesaid in the penal sim of \$3000– And when said bond is so executed the said George Carr is then authorized to pay over to the said John L. Cochran as trustee for said Ann whatever money which may be due from him as administrator de bonis non of the said Thomas Grady's will.”

Case: David R. Goodman and George M. Terrell executor of Loal Terrell against Lucy Terrell and others

Date: n.d.

Page(s): 440

Related Case(s):

Details: “On consideration whereof it is [adjudged ordered and decreed](#) that William Jeffries shall proceed to collect the proceeds of the negro woman **Henrietta** named in the petition – and shall invest the same in bonds of the state of Virginia on the best terms he can – Which bonds he shall hold for the use of the cestice que use in the place of the negro woman **Henrietta** that was sold.

Case: Charles D. Everett sueing in his own right and as executor and trustee under the will of Charles Everett decd against Jackson M. Everett and others

Date: Friday, May 29, 1857

Page(s): 444

Related Case(s):

Details: “On the motion of the Plaintiff who has qualified as the administrator of Lucy Jane Bell. also as administrator of Susan Myers. also as an administrator of Rachael Bell – three of the slaves emancipated by Dr. Charles Everett– and who died before the filing of the supplemental bill in this cause as is set out therein– And the said Charles D. Everett having also qualified as administrator of Alexander Robertson. Another of said emancipated slaves– who was named as a party defendant in the supplemental bill as originally filed but dies afterwards as stated in the addition or amendment to the same: It is ordered that this cause be hereafter conducted in the name of Charles D. Everett as administrator of the said Lucy Jane Bell Susan Myers Rachael Bell and Alexander

Robertson respectively in addition to the characters in which he originally sued.



Case: James Knox Walker and Augusta his wife and others against John Morris administrator of Thomas Daniel decd Thomas C. Walton Richard H. Bagham and Martha I. Baugham

Date: May 29, 1857

Page(s): 446

Related Case(s):

Details: "This cause coming on this day to be further heard on the papers formerly read. and the report of John Morris Commissioner to sell the slaves of the estate of Thomas Daniel decd was argued by counsel..."



Case: George Carr administrator of Thomas Grady decd with the will [annexed](#) against Thomas Grady Wertenbaker and others

Date: May 29, 1857

Page(s): 451

Related Case(s):

Details: "This cause coming on to be further hears on the papers formerly read the Report of Commissioner R J W Duke the Petition of Ann Garland and the order made thereupon at the present term of the Court substantiation John L. Cochran as trustee for the said Ann Garland - in the place and stead of George Carr - was argued by counsel: On considerations whereof and there being no exception to said Report the Court doth [adjudge order and decree](#) that the Plaintiff as administrator with the will [annexed](#) of Thomas Grady decd out of the assets of the testator in his hand to be administered do pay unto Jon L. Cochran trustee for Ann Garland as aforesaid the sum of \$1580 with interest after the rate of six percent per annum on \$1495.84 part thereof from the 1st day of April 1853 till paid- that being the balance due Ann Garland in her own right under the will of Thomas Grady and as sole distributee of her decd brother Wilson who was also emancipated by the testator's will-



Case: Nancy Clarkson and Mary Maupon against Marcus Durrett and others

Date: May 29, 1857

Page(s): 451

Related Case(s):

Details: “On consideration whereof – and it appears from the Bill which has been taken for confessed as to D. M Pulliam that sometime in the year 1848 the said Pulliam purchased one of the slaves in the bill mentioned namely Henry. from Richard Harrison who had no right to sell him – but that being [sic] notified not to pay over the purchase money he has retained the same...”

Case: George Carr administrator of David Michie decd and others against David Michie and others

Date: May 29, 1857

Page(s): 453

Related Case(s):

Details:

“And therefore two remove as to the bequests of the personal estate referred to in the said will – That therefore Mrs. Sarah Michies one of the testator’s children took under his will a fee simple estate in the and devised to her and an absolute and unconditional estate *like an estate in fee in the negroes* and other personal estate therein [bequeathed](#) to her by the testator...”

Case: N. H Massie. Guardian of Mary S. Stevenson against Mary Stevenson widow of Andrew Stevenson, decd, N. H Massie Administrator of A. Stevenson, decd John W. Stevenson and Mary S. Stevenson– the last are infants

Date: May 29, 1857

Page(s): 454

Related Case(s):

Details: “And the Court doth further [adjudge order and decree](#) that Robert H Courter, John O. Harris, George W. Starke John O. Pendleton and George Rivers be, and there are hereby appointed special Commissioner, any three of whom may act whose duty it shall be after being first duly sworn, to divide the slaves mentioned in the Bill, *into three lots of equal values, having due regard to the age and sex of the negroes and the the state of their health, Capacity for service and family connections, so as not to separate many children from their mothers or husbands and wives from each other, and to allot one share to the widow. Mary Stevenson for her life one share to*

John W. Stevenson and the third to the infant Mary S. Stevenson– and to report their proceedings to this Court. –

BOOK #5

1857-1860



Case: Robert Denneth and Eliza M. his wife against John J. Barksdale who was formerly administrator of Albert C. Terrell decd and others

Date: (n.d)

Page(s): 9

Related Case(s):

Details:

– & doth [adjudge order and decree](#) that –Drury W. Brunley as administrator [de bonis non](#) of Albert C. Terrell decd *sell the slaves in the bill mentioned to the highest bidder at public auction* having first advertised the time & place of dale for four weeks in the two newspapers published in the town of Charlottesville, and also by posting the same at the front door of the Albemarle Court house. The said administrators shall sell the slaves on a credit of six months

...the said Burnely as ?? aforesaid is hereby authorized to execute a sound discretion in fixing the time and place for the *sale of the sale of slaves aforesaid, and if in said Burnely's opinion the slaves will not bring a fair price* between this and the next term of the cour, then he shall postpone the sale until after that time and report the fact to the court.



Case: George Carr, executor of the last will and testament of Andrew Leitch, dec'd. Against Mary Leitch and Martha Leitch.

Date: n.d.

Page(s): 15

Related Case(s):

Details: The court doth further [adjudge, order, and decree](#) that the said George Carr who is hereby appointed a commissioner for the purpose so lend out upon good real and personal security the sum of one thousand nine hundred dollars that sum being *the -- proceeds of one third of the negroes and land sold of which land and negroes the widow Mary Leitch was entitled to --* and -- over the interest on the same to the said Mary Leitch for and during the term of her natural life.



Case: Charles Couter against John Thomason and others

Date:

Page(s): 17

Related Case(s):

Details: On consideration whereof the Court doth [adjudge, order and decrees](#) that Fontaine M. Wells -- with the will [annexed](#) of Sarah Thomason decd, *out of the shares of the negroes referred to in the Bill*, either at present in his hands or which may come into his hands hereafter do pay the plaintiff the amount of his medical account to wit \$32 dollars, with interest at the rate of six per cent per annum thereon, from the 27th day of October 1853 till paid, and the costs expended by the plaintiff in prosecuting this suit.

Case: John H. Coleman, executor of Elias Hamlet, decd against Rebecca Hamlet, Henry Hamlet, William Seaton Hamlet, Lorenzo D. Turner and Mary his wife the children of Seaton hamlet whose names and number are unknown and the children of Mary Turner wife of Lorenzo Turner whose names and number are unknown.

Date:

Page(s): 22

Related Case(s):

Details: This cause came on this day to be further heard on the papers formerly read the report of commissioner Duke made in pursuance of the -- order herein of the 26th of May 1854 with the depositions of witnesses in relation to the sale of the birth of one of the children of the slave **Mary** referred to in the plead -- And was argued by counsel. On consideration whereof the court is of opinion that as well the oldest as the second child of the said slave **Mary** was born after the date of the [codicil](#) to the testator's [bequeathing](#) "Mary with her increase" to Rebecca Hamlet and doth therefore [adjudge order and decree](#) that the said Rebecca Hamlet do retain possession of and hold as her own absolute property not only the woman **Mary and her child** which the Bill alleges but erroneously as the testimony shows was born subsequently thereto.

Case: James A. Leitch and John Toole , executors of George O'Toole dec'd vs. Michael Toole and Mary Ann Toole, etc.

Date: Thursday, October 29, 1857

Page(s): 44

Related Case(s):

Details: Wherefore it is considered by the court and so [adjudged, ordered, and decreed](#) that Jane Toole Sr. shall take a fee simple estate in the girl **Sarah, Mary Jane's Daughter**, that Jane Jogan and Jane Toole Sr. can take an annuity for their respective lives of one hundred dollars and that the said Jane Toole Sr. and Jane Hogan shall take jointly for and during the term of their natural lives the house and lot which Jane Toole Sr may select and **the slave Mary Jane** and her future increase. That John Toole Jr. shall take the old Baptist Church which is now a coach shop to be charged with an annuity of twenty-five dollars.

That the devise of the two acres to the Catholic Bishop of Richmond, Virginia to build a Catholic Church on is void. That the legacy of five hundred dollars and the ?? to George Toole Jr lapsed by the death of the legatee prior to the death of the testator, *that the restrictions therein workaroud the sales of the negro slaves are void*, and are to be entirely disregarded by the executors *in making sales of the slaves*, except that they may sell privately or publicly as to them may seem best with this understanding that if they shall undertake to make sales privately, they shall see to it that shall sell for as much as if sold publicly -- that the legacy of one hundred dollars to Father Daniel Downey for the benefit of his church is valid and the same shall be paid to him by the executors in due course of administration.



Case: William P. Jarman Trustee against William J. Rothwell and Mary Ann, his wife, William White, Edmonia G. Rothwell, Edgar F. Rothwell, Sally B. Rothwell, Willy Ann Rothwell and Mary C. Rothwell.

Date:

Page(s): 49

Related Case(s):

Details: It is [adjudged, ordered, and decreed](#) that William P. Jarman be and *he is hereby appointed a commissioner to sell the slaves in the bill mentioned* including the girl **Indy** (if W. Yarborough in whose possession she now is, will surrender her to him) upon a credit of six months, the purchasers giving bonds with security, to bear interest from their dates the sale to be made at such time and place as the commissioner shall designate of which six weeks notice shall be given by publication some newspaper published in the town of Charlottesville, and also by posting the same at the front door of the court house of the county of Albemarle

and at two or more public places elsewhere in the neighborhood of the place of sale; And should the girl **Indy** be sold the proceeds of such sale will be held by the court subject to any valid claim Mr. Yarborough may have against the same. The said commissioner shall report the proceedings to the court.



Case: Peter A. Woods against Jesse P. Key, William H. Jones, John Jones, Samuel Black and Susan, his wife, and Mildred P. Key.

Date:

Page(s): 59

Related Case(s):

Details: This state of things must continue to exist until the death of Jesse P. Key, when the life estate will be determined and *all the interest which the trustees have in the slaves will also cease* and determine...and then the reminder over will take effect.

If at the death of Jesse P. Key the present condition of things shall remain unaltered, the heirs of himself and wife will then be William Black, Mildred Key, and John Jones, *each of whom will be entitled to one third of the slaves.*

By the 7th clause of the will, the testator also gives to the same trustees and upon the same trusts, one third of his interest in the estate of his uncle Walter Key of ORange, except the debt due by execution. *This bequest is to be constructed in all respects like the bequest of the slaves.*



Case: Julianna Wood, serving in her own right and as guardian of William D. Wood against Drury Wood, executor of David Wood deceased and others.

Date: May 26, 1857

Page(s): 62

Related Case(s):

Details: It is also [adjudged, ordered, and decreed](#) that James Dobban, Ges. M. McCintire, Andrew J. Brown, John H Bibbs and JOhn C. Patterson shall be appointed with full power and authority *to make division in kind of the slaves of the said decedent*, between the said Juliana Wood, the widow and a legatee and the said William D. Wood, the infant child and a legatee of the said David Wood deceased. Any three or more of said cont?? Being first duly sworn shall have power to act in the premises and such as many

act by virtue of this decree shall make report to the next term of this court how they have executed the decree.

And after the said division shall have been affected, *the said Drury Wood shall deliver the slaves to the parties to whom they may be respectively allotted and assigned without awaiting a future order of this court. The widow's share of the said slaves* to be held by her on the terms and conditions above mentioned -- It is also [adjudged, ordered, and decreed](#) that it be referred to one of the master commissioners of this court to make state and settle any additional items of the accounts o the said Drury Wood...

 **Case:** N.H. Massie against Mary Stevenson and others

Date: 29th of May, 1857.

Page(s): 72

Related Case(s):

Details: ...to sell the property known as "Blenheim"

...N.H. Massie special commissioner as aforesaid after giving notice by publication for not less than six weeks in one or more newspapers published in the town of Charlottesville and by publication in such other paper or papers in the portions of the state or elsewhere as the said commissioner on his discretion -- think advisable and also by notice posted at different places in the neighborhood, sell on the premises to the highest bidder, at public auction the plantation known in the preceding in the this case as "Blenheim" on the following...

[didn't see any explicit mention of the sale of enslaved people in this one]

 **Case:** Marcus Durrett against Mary Harrison and others

Date: October 31, 1857

Page(s): 74

Related Case(s):

Details: And the court doth further [adjudge, order, and decree](#) in the fifth cause, that it be referred to one of the commissioners *to take an account of all of the slaves bequeathed by Peter Clarkson to Mary Harrison for life* and of the increase of the females thereof and sharing which of them have died, which of them have been sold and by whom, and when and for what price and also their value at the date of the death of Mary Harrison. He shall also take an account of all charges or ?? which have been incurred by any

of the parties ?? in remainder in protecting the common interest of all of them, and which ought properly to be borne by all in proportion to their interest in the subject: and also an account showing who are entitled and in what proportion *so entitled since the death of Mr. Harrison to the slaves aforesaid or to the proceeds of their sale*, all which accounts the said Commissioner is directed to state, settle, and repeat to the -- together with any matter especially stated.

Case: Andrew Beck suing in his own right and as committee (?) of Nancy Beck against Stephen Ferguson and others

Date: September 25, 1857

Page(s): 77

Related Case(s):

Details: ...directing a sale as well of the -- estate as well as the estate in -- in the -- *slaves now in the possession of the said Nancy Beck*, the widow of the said Reuben Beck.

Case: Andrew Beck against Stephen Ferguson & others

Date: October 1, 1857

Page(s): 86

Related Case(s):

Details: ... a commissioner with authority and instructions to sell at public auction to the highest bidder upon the terms *prescribed by the said decree all the slaves* held by the said Nancy Beck on her committee in her right of dower or as a distributee in the estate of the said Reuben Beck decd *and which negro slaves are accurately described in the pleadings* in this cause and it appearing to the court that *the sale of said slaves* has been made by said commissioner in pursuance of and according to the times of said decree and the court - being of the opinion that *the sales reported by said commissioner of said slaves* were favourable and ought to be confirmed. It is therefore [adjudged ordered and decreed](#) that the said sales so made and reported by him the said Drury Wood commissioner as aforesaid to and the same and hereby confirmed: and the said Drury Wood who is hereby appointed a commissioner received for that purpose is authorized to withdraw from the papers of this cause the bonds by which the purchase money was secured and to proceed to collect the same when said bonds shall fall due...



Case: N.H. Masssie - Guardian of Mary S. Stevenson against Mary Stevenson, N.H. Massie asmr of Andrew Stevenson, Defts & John H. Stevenson

Date: May 29, 1857

Page(s): 101

Related Case(s):

Details: This cause this day came on to be further heard upon the papers formerly read, and the report of Geo Rives Geo W. Starke & Jno Pendleton special commissioners appointed by a decree herein of the 29th of May 1857 *for the purpose of dividing the negroes in the bill mentioned* among the legatees, said report being dated 16th day of November 1857 with no exceptions thereto and was agreed by counsel. On consideration whereof the court doth ratify and confirm said report and the court *in order to equalize the division of the slaves* doth further [adjudge order and decree](#) that Jno W. Stevenson do pay to Mrs. Mary Stevenson the sum of \$45.94 $\frac{2}{3}$ with interest thereon from the 16th November 1857 till paid at the rate 6/20 centum per annum which said sum *together with the negroes allotted her in said report* she is to hold for her life with remainder over in fee to Jno W Stevenson and Mary S Stevenson the infant that the said Jno W Stevenson do also pay with like interest from the same time till paid. Sum of \$16:60 $\frac{2}{3}$ to N.H. Massie Guardian of Mary S. Stevenson for the use and benefit of said infant and that said Jno W. Stevenson & Mary S. Stevenson *do hold the slaves allotted them as in fee simple.*



Case: Wm P. Jarmon, Trustee against Wm. Rothwell & Mary Ann his wife, Wm White, Ermonia G. Rothwell, Edgar F. Rothwell, Sallie B. Rothwell, Willie Ann Rothwell, and Mary C. Rothwell

Date: May 16, 1858

Page(s): 100

Related Case(s):

Details: This cause came on this day to be further heard on the papers formerly read and the report of Wm P. Jarman Commr *for the sale of the negroes in the pleadings mentioned* and was argued by counsel on consideration whereof and there being no exception to said report the court confines the same and doth [adjudge order and decree](#) that the said Wm P. Jarman who is appointed receiver in this cause, withdraw from the papers the bonds filed with his report when they became due and collect

the same as soon as can be done by suit or otherwise filing with the papers in this cause his receipt for the said bond.

Case: George Carr exor of the last will and testament of Andrew Leitch deceased against Mary Leitch & Martha Leitch

Date: May 15, 1858

Page(s): 108

Related Case(s):

Details: ...that the said George Carr who is hereby appointed a commissioner for the purchase do lend out upon good real and personal security the sum of one thousand nine hundred dollars *that sum being the nett proceeds of one third of the negroes and land sold of which land and negroes the widow Mary Leitch was entitled to dower and -- over the interest on the same to the said Mary Leitch for and during the terms of her natural life...*

Case: Grandison Moseley exor of Jane Fretwel decd against Georg I. Brown & Elizabeth his wife, William D. Scruggs, and Mary Jane his wife and Jno Morris

Date: May 17, 1858

Page(s): 119

Related Case(s):

Details: If there be any estate of the testatrix upon which the will does not operate and as to which she died intestate, that estate is first liable for the payment of the legacy of \$500 to Jno Morris which is a general pecuniary legacy and which can be paid only out of the intestates estate tho legatees are not bound to abate or contribute in respect to that legacy...

*In dividing the negroes old woman **Eliza** is to be set apart and **Adaline and the children** are to be set apart and then *the balance of the negroes are to be equally divided into two lots or parcels*, one lot and an old woman **Eliza** to be assigned to the exor in trust for the sale and separate use and benefit of Mary J. Brown under the second clause of the will for life to said Mary the remainder ?? to such of her children as resided with the testatrix at the date of the will but subject to an abatement under the second [codicil](#) to the will herein after mentioned. The other lot together with **Adaline and her children** are to be assigned over to the exor under the*

2nd clause of the will in trust for Thos Hughes for life remainder over to his children...



Case: Marcus Durret against Mary Harrison and others

Date: May 17, 1858

Page(s): 128

Related Case(s):

Details: "These six causes having been consolidated by a [decretal order](#) of the 31st October 1857. Now coming on to the further heard upon the papers formerly reas were argued by counsel. On Consideration whereof and by consent of parties. The Court doth [adjudge order and decree](#) that Marcus Durrett. William J Robertson and John B. Baldwin be and are hereby appointed commissioners who after advertising for six weeks the time. Place and terms of sale in a newspaper in their town of Staunton and another in the town of Charlottesville *Shall sell all the slaves in the proceedings mentioned as embraced* by the bequest of Peter Clarkson decd to the lat Mary Harrison for life a such of them as they can get possession of for cash as to so much as will defray the expenses of sale and as to the balance on a credit of six months with interest thereon from the day of sale the purchaser executing therefore negotiable notes with one or more approved and -- payable at some bank either in Staunton or at Charlottesville.



Case: Samuel D. Williamson against Charles K. Brown and Others

Date: May 17, 1858

Page(s): 130

Related Case(s):

Details: On the motion of Mary M. Gibbs, Sarah C. Gibbs, Willie A. Gibbs and William Naye Gibbs, infant, who -- by their -- friend James Dobb -- an injunction is granted them in -- the Deft Terry White trustee *dc from selling any of the negroes in the bill mentioned* until the further order of the court. But the effect of this injunction is to be suspended until the plaintiff someone for them shall enter into bond with sufficient security in the Clerk's Office of the Court in the penalty of \$200 condemned to pay such -- be awarded payment to the plaintiff if the injunction should be dissolved.



Case: May M. Gibbs and others against William W. Gibbs and others

Date: May 18, 1858

Page(s): 134

Related Case(s):

Details: On motion of Jerry White who this day filed his motion in the cause the court after considering the bill answers and ex-- and hearing counsel in opposition thereto without intending to dissolve the injunction heretofore awarded in this cause doth order that the said Jerry White who is hereby appointed commissioner for that purpose after giving such notice of the sale as is present in the deed of trust referred to in the bill do sell at public auction *to the highest bidder the life estates of William W. Gibbs in the slaves in the bill mentioned but before the purchasers shall be permitted to take possession of the said slaves they are to be required to enter into bond with good security in the clerks office of this court in double the amount for which the male slaves over the age of 14 years may be sold and in the penalty equal to three times the amount for which any of the other slaves may be sold payable to the commonwealth of Virginia, the females thereof (except such of them as may die from visitation of Providence) forthcoming at the death of said William W. Gibbs to be delivered next to the children of said Gibbs in accordance with the will of William Way, and in the meantime not to remove the slaves from the estate of Virginia or beyond the jurisdiction of the Court.*

Out of the proceeds of said sale the Commission is first to pay the costs of this suit, and expenses of executing this decree, and to dispose of the residue of the proceeds according to the provisions of the deed of trust mentioned in the Bill and to report his proceedings to this court.



Case: William P., Jarman trustee against William J. Rothwell and others

Date: n.d.

Page(s): 141

Related Case(s):

Details: On motion of the plaintiff the order entered in this cause on a previous day of the present term is amended in this, that said plaintiff be and is hereby authorized *after collecting the sale bonds for the negroes sold in this cause* to apply the interest which shall have accrued on said bonds for the use and benefit of Mrs. Rothwell and her children who are with her in such manners as to herein may seem best.



Case: Mary M Gibbs and others against William W. Gibbs and others

Date: May 18, 1858

Page(s): 140

Related Case(s):

Details: This cause coming on to be further heard on the papers formerly read *and the report of the sale of the negroes* referred to in the bill by Jerry White under the order entered in this cause on the 18th day of May 1858 to which no exception have been take was argued by counsel, on consideration whereof the court doth [adjudge, order, and decree](#) that the said report be in all respects confirmed...



Case: William P. Jarman and Mary A. his wife in their own right and the said William P. Jarman, asmr of William H. Rothwell decd (plaintiff) against James C. Rothwell, William J. Rothwell, Fielding E. Rothwell, Joseph J. Ramsay and Sarah E. his wife, John H Rothwell, Joseph W. Rothwell, William A White and Susan P. his wife and Newton V. White and Lucy J his wife (Defendants)

Date: October 12, 1858

Page(s): 150

Related Case(s):

Details: On consideration whereof and by like consent the court doth [adjudge order and decree](#) that William P. Jarman be and is hereby appointed a commissioner whose duty it shall be after giving notice of the time, place, and terms of sale for six weeks by publication in one or more newspapers published in the town of Charlottesville and also by posting at the front door of the Courthouse of Albemarle and at two or more public places in the neighborhood of William H. Wayland's late residence *to sell at the highest bidder at public auction the land and slaves in the bill mentioned.* On a credit as to the lands of one, two, and three years, with interest from the day of sale to be paid annually.
...and as to the slaves, there shall be a credit of six months, the purchasers to give bonds with good security bearing interest from the day of sale.



Case: Julianna Wood, Guardian of William D. Wood against Drury Wood, administrator and others

Date: October 15, 1858

Page(s): 161

Related Case(s):

Details: This cause came on again to be heard on the papers formerly read. The report of commissioner R.T.W. Duke dated September the 1st 1858 made in pursuance of a [decretal order](#) pronounced in this cause on the 30th day of October 1857, the report of James Lobban, Andrew J. Brown and George W. McIntire, three of the commissioners who were appointed by said decretal with power and authority in them rested to make division in kind of the slaves of said David D. Wood, an infant heir, and legatee of said David Wood decd and to the report of Drury Wood special commissioner appointed by said [decretal order](#) for the purpose of investing so much of the money as was in his hands or should come in his hands as receiver for the collection of the proceeds of real estate sold by virtue of former degrees in the cause and to which infant heir of David wood decd would be entitled in bonds of the state of Virginia.

And it appearing from the report of James Lobban and others above referred to that *the division of the slaves of David Wood decd* made between the widow and only child is a just and fair one. And it also appearing from the receipt of said Julianna Wood in her own right and as Guardian of William D. Wood that Drury Wood *the admr has delivered all of said slaves into the possession of Juliana Wood to be held by her in her own right and as Guardian respectively.* And also the bonds *for the hire of said slaves for the current year 1858. Such delivery of said slaves and bonds* by the said Drury Wood to the said Julianna Wood as above named is expressly approved, sanctioned and confirmed by the court.

And the hires of the current year shall go to the person who may now own the slaves which produces said hire. And it is referred to one of the commissioners of this court to state and settle any items of the administration account of Drury Wood asmr of David Wood decd to make report thereof to his court, together with any other matter or things deemed pertinent by himself or required by any of the parties to be so stated and reported.



Case: Andrew Beck, Committee against Stephen Ferguson and others

Date: October 19, 1858

Page(s): 180

Related Case(s):

Details: And the court being also of the opinion that it would be judicious and politic to distribute the residue of the proceeds of said slaves among and between the parties entitled thereto as -- provided said parties shall be required to execute and file with the papers of this cause proper bonds with condition [annexed](#) thereto as is heretofore named and specified.

...And the said Drury Wood who was authorized by the said decree pronounced in the cause on the 12th day of May 1858 to collect the proceeds of slaves sold under a previous order of this court.

And conditioned to refund so much of the principal of the amount so to be distributed, whenever in the opinion of this court the necessities or comfort of the said Nancy Beck shall require the same to be invested so as to increase the amount of her annuity. And in as much as several of the distributees have purchased slaves sold by the commissioner Drury Wood.

Case: William J. Robertson Guardian of Mason Gordon, and the said William J. Robertson in his own right and Hannah G. his wife against Mason Gordon, Elizabeth L. Gordon, James L. Gordon, Reuben L. Gordon, William F. Gordon Jr., Robert M. Kent, George L. Gordon, Charles T. Gordon, John C. Gordon, and Alexander J. Gordon

Date: October 21, 1858

Page(s): 192

Related Case(s):

Details: On consideration whereof, it being clearly shown independently of any admissions in the answers that the interest of all parties and especially of the infant defendants Mason Gordon will be promoted by a sale of the real estate as prayed for in the bill and *also by a sale of such of the slaves as may not be needed in the bill*, and also by a sale of such of the slaves as may not be needed for the payment of debts, and the court being of opinion that the rights of no person will be violated thereby, doth [adjudge order and decrees](#) that William J. Robertson be and he is hereby appointed a commissioner whose duty it shall be to expose to sale at public auction to the highest bidder the lands in the courthouse of Albemarle and of Spottsylvania...

And the court doth further [adjudge order and decree](#) that in the event that any of the slaves of the estate of William F. Gordon decd shall not be sold by the said William J. Robertson, as admr of said Wm. F. Gordon decd then

the said Robertson, as commr under this decree shall expose to sale such and so many of said slaves as many remain unsold by him as administrator in order to a division of the proceeds among the parties to this suit according to their respective rights and interests - said sale may be made by him at the same time and under the same notice and upon the same terms with his sale as admr as aforesaid or at such other times and upon such other terms and upon such other reasonable notice as to him may seem fit taking care in either case to take good personal security if the sale is made upon credit.

Case: Susannah Davenport against Thomas Wood, exor of Drury Wood decd and others

Date:

Page(s):

Related Case(s):

Details: And being of opinion from the order in the cause that Jesse Davenport now deceased, late husband of the plaintiff had at no time during his coverture with the plaintiff reduced into his possession the slaves referred to in the bill or any part of them and that on the death of the said Jesse *the said slaves became the property of the plaintiff and have been at not time liable to the claims of the executor's creditors* named in the bill and deeming it necessary as between the plaintiff and the said Abney exor as aforesaid to express any opinion upon the claims set up by his testator to said slaves under an alleged special assignment thereof to him by Jesse Davenport in his lifetimes made before the negroes were divided and the share of Davenport and wife designated and set apart for them doth [adjudge order and decree](#) that the injunction awarded in this cause by the county court of Albemarle on the 5th day of November 1827 by perpetuated and that parties respectively to this suit pay their own costs.

Case: N.H. Massie [de bonis non](#) of William Michie decd against V.W. Southall executor of John E. Michie decd, Frances J. Michie, Ann B. Michie, Sarah H. Michie, Edward Brown and Theodosia his wife, Elizabeth E. Brown, Frances Ann Michie, J. Augustus Michie, Susan F. Michie, Thomas G. Michie, Virginia W. Michie, William J. Early and Elizabeth his wife, John P. Michie, Theodore A. Michie and Margaret his wife, Richard Hewett and Frances D. his wife and Therese E. Michie, Adeline Michie and Henry Clay

Michie infants by J. Augustus Michie, their next friend and Frances H. Michie, infant child of Alexander Michie decd.

Date: Tuesday, May 10th, 1859

Page(s): 214

Related Case(s):

Details: On consideration whereof and the court being fully satisfied that it is the interest of all parties as well as their wish that the debts due by William Michie's estate respective to his two sisters Ann B. Michie and Frances J. Michie shall be paid out of the money arising from the sale of his lands, rather than *to require the distributees of his estate to surrender the slaves allotted to him some years since* that the money for these debts may be raised by their sale, the same distributees precisely being interested and in similar proportions in the land in the negroes left by William Michie, and it appearing to the court that it would have been the duty of the admr of William Michie had he been aware of the existence of those debts to proceed to sell the slaves for the purpose of paying them and this end may now be reached by a simpler substitution which affects no one's rights but promotes the convenience of all...



Case: Mary W. Gibbs, Sarah C. Gibbs, Millie L. Gibbs and William Nayt Gibbs, infants who sue by their next friend James Lobban against Jerry White, Trustees, and William W. Gibbs

Date: December 16, 1858

Page(s):

Related Case(s):

Details: This cause this day came on to be further heard upon the papers formerly read and upon the report of the special commr Jerry White acting under the decree herein of the 12th October 1858 showing the collection of the purchase money for *the sale of Gibbs' life estate in the negroes in the Bill mentioned* and the -- testator of the proceeds of said sale among the first class executors entered thereto under the trust deed of said Gibbs as fully set forth in the bill an exhibit in this cause and it appearing to the satisfaction of the court that distribution of said trust fund has been made according to the respective rights of the parties, it is therefore [adjudged ordered and decreed](#) that the said report of said special commr bearing date the 16th dec 1858 be and the same is hereby fully approved and confirmed.



Case: Charles H. Hatchet, in his own right and as asmr of Charles A. Smith decd. Against John Smith, Patsy Earington and Jon her husband, Ger A Shields, W.R. Shields, John Hancock, William Hancock, John W. Smith, Joseph N. Smith, Myra S. Smith, George W. Smith, Robert A. Smith, James G. Smith, William W. Smith, Myra E. Wheat, Betty B. Waggoner and Edmund her husband, Melvin E. Smith, Mary L. Smith, Ethan Smith and Ann M. Smith

Date: 11 May 1854

Page(s): 223-224

Related Case(s):

Details: ...and was argued by counsel - on consideration whereof and the court being entirely satisfied *that division in kind of the slaves mentioned in the bill* is absolutely impossible, and of the land highly injurious and unpracticable without destroying in great measure its value, and that therefore the interest of all parties, and more especially of the infants, requires a sale of both land and slaves. Therefore it is adjudged, ordered, and decreed that W.N. Massie be and he is hereby appointed a special commr whose duty it shall be after first advertising the sale of the slaves not less than six weeks and the land not less than six weeks in some one or more newspapers published in the town of Charlottesville also at the front door of the courthouse of Albemarle County and two or more public places in the neighborhood of the court *to sell to the highest bidders all the slaves in the bill mentioned*, either on the premises or at the courthouse of Albemarle County as he may -- on a credit of four months for negotiable property well endorsed...



Case: George Carr asmr of Thomas Grady decd (with the will [annexed](#)) against Thomas Grady Wutenbaker (?) and other

Date: 12 May 1859

Page(s): 237

Related Case(s):

Details: This cause coming on to be further heard upon the papers formerly read together with the answer of George Brent to jettison of Robertson and Southall Jr. and the deposition of Egbert R. Watson was argued by counsel. On consideration thereof, it appears from the deposition of said Watson that the defendant **George Brent** *was a slave at the time of entering into the contract with Robertson Southall Jr. being held in*

slavery by Goerge Carr the admr with the will annexed of Thomas Grady decd who had not appointed to the legacy of freedom in favor of said Brent. The said Brent therefore had not capacity to make a binding contract; but yet he was dealt with by Robertson Southall Jr. as a freeman. When he knew he was not free; And whilst virtually he is not bound by the contract he should not be allowed to practice a fraud on his lawyer and then escape from all responsibility. He should at last be held responsible to pay his lawyers so much money as they reasonably deserve to have for their services. E.R. Watson having fined that at the sum of \$50, the Court doth adjudge, order, and decree that George Carr asmr with the will annexed of the said Thomas Grady decd do pay out of the funds deposited in the Albemarle Insurance Company...



Case: William D. Moon in his own right and executor of Thomas Moon decd and as asmr of Sarah L. Moon, decd. Against Richard A. Moon, Thomas ZLZ. Moon, Fleming B. Moon, Sally T. Moon, Jacob M. Moon, Samuel W. Moon, John W. Moon, Charles N. Goodman, and Mary Ann his wife

Date: 12 May 1859

Page(s): 238

Related Case(s):

Details: The court doth [further adjudge, order and decree](#) that the said William D. Moon as [executor](#) of them as Moon decd *do sell the slaves in the bill mentioned at public auction to the highest bidder in front of the Albemarle House in the town of Scottsville, Albemarle County for cash enough to defray the expenses of sale and the costs of this suit, and as to the [residue](#) of the purchase money a credit of twelve months ~ the purchaser giving -- good security bearing interest from death. Previous notice of the time and plan of such sale to be given at least four weeks by advertisement to be published in the Scottsville Register and posted at the front door of the court house of Albemarle County and two public places in the neighborhood.*



Case: George Carr exor. Of Andres Leitch decd against Mary Leitch and Martha Leitch.

Date: 14 May 1859

Page(s): 243

Related Case(s):

Details: On consideration whereof and there being no exceptions to said Carr's report showing he has received the interest one hundred and fourteen dollars on \$1900 part of Geo. L. Payton's bond, to the 1st day of December 1858 and paid it over to Mrs. Mary Leitch *on account of her dower interest in the negroes and land sold of Andrew Leitch's estate as directed in a decree of 15th May 1858*. Also that he has received the interest in bond of state of Virginia to the 1st January 1859.


 **Case:** Carter N. Page against Anna E. Page and Francis W. Page

Date: 17 May 1859

Page(s): 258

Related Case(s):

Details: On consideration whereof, the court confirming said report doth [adjudge order and decree](#) that Carter N. Page shall hold as his own absolute property *the slaves assigned to him by said report: viz **Reuben, George, Henry, John, Mariah, Mary Ann, Judy, Sally and Isbel***, and that the slaves assigned to Anna E. Page by said report viz. **Johnson, Beverly, Peter, Patsey and child, Lucy, Milly and Rachel** shall be held by her as followed, viz one third thereof shall be held and enjoyed during her natural life and after her death shall pass to her infant child Francis W. Page. The other two thirds thereof shall be held by heir and guardian of the said Francis W. Page until he shall become 21 years of age and then shall be delivered over by her to her said Ward. And it appearing that the said commissioners have not divided the other personal property in the bill mentioned, the court doth direct that they shall proceed to divide the same and report such division to the court - The court doth also direct that one of the commissioners of this court shall proceed to take the accounts directed by a decree in this cause remembered on the 19th day of October 1858.

 **Case:** James Leitch and John Toole Sr exercise of George O'toole decd against John Toole Jr, etc.

Date: 23 May 1859

Page(s): 278

Related Case(s):

Details: This cause came on this day to be further heard upon the papers formerly received and the report of this account of sales of the perishable property. *The slaves and a portion of the real estate made by James A. Leitch and John Toole executors of George O'Toole decd* and which sales was made in pursuance of a decree pronounced in this cause on the 29th day of October 1857 and which report of sales is dated the 20th day of May 1859 and was argued by counsel: on considerations whereof and there being no objections -- taken to said report and the sales of all the property reported as sold by said executors appearing from the affidavits of James Lobban and others as well as from the report itself to have been made for fair and reasonable prices. It is therefore [adjudged, ordered, and decreed](#) that the said report of sales be and the same is hereby confirmed and the said executors are directed to collect the proceeds of said sales and to administer pay out and distribute the same according to the provisions and directions of the last will and testament of George O'Toole decd as expanded and interpreted by this court by its decree pronounced in this cause on the 29th day of October 1857.



Case: William P. Jarman and Mary A. his wife in their own right, and the said William P. Jarman as a asmr of William H. Rothwell decd against James C. Rothwell and other

Date: n.d.

Page(s): 280

Related Case(s):

Details: ...it is [adjudged, ordered and decreed](#) that the said William P. Jarman be and is hereby appointed a commissioner whose duty it shall be to -- from the papers, the bonds for *the purchase money of the slaves sold by him*; as the aid bonds fall due (leaving his receipt for the same with the clerk) and to collect said bonds as soon as they become due -- And out of this proceeds thereof together with the purchase money reporter as having been received by him for the slaves sold to Geo. D. Brown, JOhn Mosby and J. Woods Garth he shall on the 4th day of July 1859 pay as follows viz: To James C. Rothwell the sum of \$1167.23 principal and \$5.96 interest...

The said William P. Jarman shall also retain out of said fund for himself and wife -- as their share of the proceeds of the sale of the negroes after

equalizing the advancements made by the decedent -- the sum of \$1015.23 Principal and \$5.10 interest...

Case: Egbert R. Watson asmr with the will annexed of David Isaacs decd. Against Jane West, Thomas Isaacs, Tucker Isaacs, Ester Hemmings, and Julia Ann his wife, German Evans and Agnes his wife, John W. Goff, sheriff of Albemarle, and as such asmr with the will annexed of Nancy West decd. Also as asmr of Frederick Isaacs decd. And also as Admr of **Penelope a free woman of colour.**

Date:

Page(s): 284

Related Case(s):

Details:

[no mention of enslaved people]

Case: William B. Smith guardian of -- L. Wallace, William R. Wallace, Judith a Wallace, Mary H. Wallace and Sarah L. Wallace against Jon Pill-- , Michael Wallace, Jno L. Wallace, William R. Wallace, Judith A. Wallace, Mary H. Wallace and Sarah L. Wallace

Date:

Page(s): 300

Related Case(s):

Details: This cause coming on this day to be heard on the bill and exhibit therewith - the answers of Michael Wallace and John Pillson - the answer of Ira Garrett, guardian and -- of John L. Wallace, William R. Wallace...On consideration whereof - the court is of opinion that the slave **Franky** in the bill mentioned belongs in fee simple to the infant defendant who are the children of Amanda Wallace decd and that therefore the decd of trust executor upon said slave by their further William W. Wallace was null and void as to said slave - the court is further of opinion that it is clearly shown independently of any admissions in the answers that the interest of the infants will be promoted by a sale of **Franky**. And that the rights of no person will be violated thereby -- and the court is further of opinion that it is *expedient to confirm the sale of said slave* -- made to Michael Wallace as in the pleadings maintained. The court therefore adjudged, ordered and decreed that sale be and is hereby confirmed -- but that said

slave be held subject to a lien for the purchase money and to any further order of the court in relation thereto.

And the plaintiff William B. Smith is hereby appointed a commissioner whose duty it shall be to collect of the said Michael Wallace this purchaser money of said slave viz the sum of \$200 with interest after the rate of six percent per annum from the 15th day of August 1854 till paid. And after paying all the costs of this suit to deposit among the papers in this cause. And the said commissioner shall make report of his proceedings to the court -- and the court -- the right to make a personal -- against Micahel Wallace for the purchase money aforesaid, or to direct the sale of the slaves aforesaid -- if any such course shall be found necessary. But the *life of said slave is now regarded as at the risk of Micael Wallace.*

Case: Orville Allen and Sarah Ann his wife and said Orville Allen committee of Robert Davis, a lunatic against James C. Carter and Virginia Frances his wife and James C. Carter as committee of Elizabeth Davis and J. Charlotte Davis

Date: 28 May 1859

Page(s): 313

Related Case(s):

Details: This cause came on this day to be further heard on the papers formerly read together with the report of commissioner Jones, made in pursuance of the -- of October term 1857 to -- the plaintiffs Allen and wife have field nine exceptions...

...and to ascertain the proper amount for which said funds should be made liable, it is deemed prudent, *first to arrest (?) the sale of the negro man, **Dick***, in the proceedings mentioned, and -- in the hands of the admr. Of the decedent, and being the only remaining personal property belonging to the estate of his intestate, it is therefore adjudged, ordered, and decreed that James C. Carter, as admr of Edmund Davies decd first having advertised the time and place of sale in such way as to give reasonable public notice thereof shall expose to sale the negro man, **Dick**, at public auction to the highest bidder, upon six months credit, with interest from the day of sale taking from the purchaser a note well endorsed made negotiable and payable at one of the Banks in Charlottesville, and shall make a report of his proceedings under this decree, to Commr -- D. Jones who is therefore directed after applying the

nett proceeds to be claimed from said sales, as well as the amount due from him on account of advancement with interest on such advancements from the 2nd day of Dec 1850, as credits against the claim of said admr against the estate of his intestate, to ascertain and report to this court the balance which will remain due of the said claim of said commr and the amount for which said banks will be then liable to discharge such balance of said claim, as well as the other existing claims against the estate of the acedent, together with any other matter deemed pertinent by said commissioner, on which any of the parties may-- to be reported; and to state and report also a -- account, so that the court may see that the estate including advancements...



Case: Thomas C. Baylor and Nancy, his wife against Oliver E. Cleveland and Sarah, his wife, Overton Carr and Mary his wife, James B. Carr and Sarah his wife, George W. Carr, Mary Jane Carr, Drury Wood in his own right, Drury Wood administrator of Bernard Carr decd and Drury Wood administrator of Nancy Carr decd George Carr, William J. Nelson, etc.

Date: 13 October 1859

Page(s): 329

Related Case(s):

Details: ...On consideration whereof and the Court being of the opinion that *a sale of the land and negroes* admitted in the bill in this cause, and *a division of the land and negroes* admitted in the bill in this cause, and a division of the proceeds among all the parties to this cause according to their respective rights would be more promotion of the interests of said parties *then a division of the said land and slaves in kind* among said parties. It is therefore adjudged, ordered, and decreed that Drury Wood be, and it is hereby appointed a commissioner whose duty *it shall be to make sale of the land and negroes assigned in the said plaintiffs bill*, viz the -- and one half acres of land -- and the four slaves named in the plaintiffs bill, viz. **Jane, Aggy, Henry, and Allen** who were lately in the possession of said Nancy Carr as the -- of said Bernard Carr decd. Said land and negroes shall be sold at public auction to the highest bidder after having first advertised the time and place of sale for at least six weeks in one of the newspapers printed in the town of Charlottesville, and by posting said notion at the courthouse door of the Court of Albemarle and then or more places in the neighborhood in which the land is situated.

And the negroes shall be sold on a credit of one year with interest from day of sale and the purchase money shall be secured by bonds and good personal security...



Case: Massie Guardian against Stevenson and others

Date: 14 October 1859

Page(s): 338

Related Case(s):

Details: This cause this day came on to be further heard upon the papers formerly read and the report of N.H. Massie, Guardian of the Infant Mary S. Stevenson, of *a sale made by him of the slaves of said [Infant](#)*, under the decree herein of the 10th of May 1859, and was argued by counsel: On consideration whereof, and the court being satisfied with the sale of said slaves as reported by said Guardian, as being entirely fair and reasonable and judicious, to wit, the sale of **William, Edward** and wife **Elvira, Charles, Edward Jr., Joe, Kesiah, Jimmy** and wife **Hannah, Harriet** and **Robert** to J.L. Carson for the sum of \$8050 doth hereby [ratify and confirm](#) said report and sale on all subjects.



Case: Hatcher Jr. vs. Smith and others

Date: n.d.

Page(s):

Related Case(s):

Details: *On consideration whereof the court being satisfied with the sale of the negroes and the portion of the land as reported by said commr doth ratify and approve the same, and confirm the said report in all respects. And it appearing that their will be on hand about the 26th day of December next a nett balance of eleven thousand nine hundred and fifty eight dollars and ninety one cents (\$11958:91) the purchase money of the negroes sold, for distribution, giving to each of the five original shares the sum of \$2391: 78/5 and it not being certain...the legatees who are non residents may appear to claim this respective shares...*



Case: Adams J. Wilkinson, the said Alexander C. Goolsby and Martha S. Patterson who was formerly Martha S. Goolsby, George W. Randolph, Andrew Jackson and Martha S. Crank, executrix of John Clarke decd.

Date: 24th October 1859

Page(s): 370

Related Case(s):

Details: ...[doth adjudge order and decree](#) that Susan Goolsby administering of nathaniel D. Goolsby decd proceed *to sell a sufficient number of the slaves* belonging to the estate of Nathaniel D. Goolsby and, as will sales by and pay off the debt of one thousand five hundred and twenty one dollars thirteen cents -- her with interest from the 7th day of March 1859 bill paid.

The court doth further [adjudge order and decree](#) that Thos D. Shelton, John T. Staples, Jno Morris, David Clements, and Joseph Glover be and they are hereby appointed commissioners any three or more of whom may act, *whose duty it shall be to value the remaining slaves* belonging to the estate of Nathaniel D. Goolsby decd to such valuations they shall add the advancements made to Thomas F. Goolsby...

...and the children of Abbey Ann Richardson, also the debts paid by the administratrix for Lewis T. Goolsby and Thomas F. Goolsby on account of the security shift of the said Nathaniel D. Goolsby decd *for the aid parties which seems together with the negroes will constitute the entire estate* of Nathaniel to be distributed amongst his children, the said commissioners shall then ascertain the share of each child in said fund, *including the valuation of the slaves*, for distribution and should the said advancements and payments made for Lewis T. Goolsby and Thomas F. Goolsby as reported by commr. Jones exceeded their share of the estate...

The court doth further [adjudge, order, and decree](#) that before the negroes shall be outlined to the parties to whom they are respectively allotted in the division they shall, on the guardians of such of them as may be infants, shall execute property refunding bonds in the -- of -- the amount of their shares with good security conditioned as the...



Case: Mary Jane Carr against Overton Carr, Benjamin W. Thomason administrators of John W. Carr and James P. Carr, William Carr, Nannie Carr, John Carr, Lucas Carr, Oscar Carr, and Malinda Carr

Date: 24th October 1859

Page(s): 371

Related Case(s):

Details: ...and the court doth further [adjudge, order, and decree](#) that John Branch, Richard Crank, Edward Hamm, William Prichett and Edward

Douglass, who are hereby appointed commissioners for that purpose, any three or more of whom being first sworn may act, *do divide the negroes in the bill* and proceedings mentioned, so as to assign to the widow of John M. Carr, her dower interest therein, being one third part thereof for her life, which they are directed to assign to her accordingly, if it be practicable and make report accordingly...

But it shall not be -- to -- *to the said widow her share of said negroes*, until she shall give to the admr of John M. Carr a proper refunding bond with good security, in a penalty equal to double the amount of the property so assigned to her.

Case: Terrells Exors against Terrell etc.

Date: 25 October 1859

Page(s): 377-378

Related Case(s):

Details: This day this cause came on to be further heard upon the papers formerly read, together with the report of Railey (?), Mansfield J. Bundy, acting as commrs *to divide the slaves of Joel Terrell* decd by virtue of the decree made in this cause on the 27th day of October 1852, to which report there was no exception, argued by counsel.

Case: Lyman Burnham admr of Mary Harrison against Margaret A. Crawford ex of Jas Crawford decd and Margaret A Crawford ex of Jas Crawford decd against George W. Clarkson and James Magruder and Marcus Durrett against Lyman Burnham admr of Mary Harrison and others and Marcus Durrett against Margaret A. Crawford in her own right and as ex of James Crawford decd.

Date: 25th October 1859

Page(s): 380

Related Case(s):

Details: ...and with the consent of Mrs. Margaret A. Crawford, [executrix](#) of James Crawford decd. *The interest of the estate of the said James Crawford decd in the sale money of the seventeen slaves* heretofore sold by commr Barrett Baldwin and Robertson is held and pledged as collateral security for the payment of the negotiable notes of W. Bill Crawford for \$75.38 referred to in said report, or for the payment of any other note, which may be given in -- of the said note...



Case: Charles D. Everett who sues in his own right and as executor of Charles Everett decd and also as trustee under the will of said Ch. Everett, also as admr of Lucy Jane Bell, as admr of Susan Myers, as admr of Rachel Bell, as admr of Alexander Robertson, as admr of Rachel Bell and also as admr of Frances Allen against Jackson Everett and others

Date: 27th October 1859

Page(s): 386

Related Case(s):

Details: ...and the court doth further adjudge, order, and decree that it be referred to one of the commr of this court to settle the accounts of the plaintiff as executor of Charles Everett and together with all proper legatee accounts so far as the same were not embraced in the report of commr Duke confirmed at the last term of the court the said commr shall also state on account showing her for the plaintiff shall a the time of stating the same have executed this -- and the -- of the 12th day of May 1859 and *exhibiting in his report as far as possibly can what sums arising from the "negro fund" in this cause are now in the hands of the plaintiff in what capacity be -- them and to whom the same should be paid.*



Case: George Carr exor of Andrew Leitch decd against Mary Leitch and Martha Leitch

Date: May 1, 1860

Page(s): 426

Related Case(s):

Details: ...on account of her dower interest in the negroes and land sold by Andrew Leitch's estate, as directed in decree of 15th May 1858.



Case: Nancy Carr in her own right and said Nancy Carr, Guardian of George W. Carr against Oliver E. Cleveland and others and Thomas C. Barger and Nancy W. his wife against Oliver E. Cleveland and others.

Date: 13 October 1859

Page(s): 439

Related Case(s):

Details: ...*Drury Wood special commissioners who by the decree pronounced in the cause of Barger and wife against Cleveland and others the land and negroes described in the pleadings...*

...and the said Drury Wood who is hereby appointed commissioner for that purpose, shall withdraw from the papers of this cause as they fall due and payable the bonds given which were sold by virtue of the decree pronounced in the above named cause of Barger and wife vs Cleveland and others.

BOOK #6

1861-1863



Case: William M. Morris against Robert Dyer and Sarah his wife, G. M. Morris, Richard P. Suddarth and Patsy his wife Nancy Morris and Henry A. Darrow administrator of Henry Morris deceased

Date: September 17th, 1860

Page(s): 14-16

Related Case(s): N/A

Details: “On consideration whereof the Court ratifying and confirming said report of Commissioner Crank, doth [adjudge order and decree](#) that Henry A. Darrow be and he is hereby appointed a receiver whose duty it shall be to collect (when they become due) the negotiable notes executed by the *purchasers of the slaves* sold by him on the 9th day of December 1859 and apply the proceeds of said notes as follows...”



Case: Thomas C. Barger and Nancy W. his wife against Oliver E. Cleaveland and others

Date: October 1st, 1860

Page(s): 24-25

Related Case(s): Mary Jane Carr v. Overton Carr

Details: Mary Jane Carr, widow of John M. Carr, deceased, elected in this case to “take the fee simple value of her life estate *in the proceeds of the land and negroes* which have been already sold under a decree pronounced in this cause.”



Case: Mary Jane Carr against Overton Carr, Benjamin N. Hunman, administrator of Jno. M. Carr, decd, James P. Carr, Wm. O. Carr, Nannie Carr, John Carr, Lucien Carr, Oscar Carr, and Melinda Carr

Date: October 16, 1860

Page(s): 30-31

Related Case(s): Thomas C. Barger v. Nancy W. Barger

Details: “And it appearing to the court from the said petition of the administrator and widow of Jno. M. Carr decd that they both desire that *the slaves discussed in the bill* in this cause: **William** a man and two boys named respectively **Sam** and **Jim** should be sold, and it also being suggested to the court that so much of the decree pronounced in this cause on the 24th day of October 1859 as *ordered a division of the said three slaves* between widow and children of said Jono. M. Carr deceased

has not been executed. It is therefore [adjudged, ordered and decreed](#) that Drury Wood, who is hereby appointed Commissioner for that purpose shall on some day after the 25th day of December next sell at public auction to the highest bidder the three slaves hereinbefore named- the said slaves shall be sold in front of the Court House of Albemarle County on such day as to the Commissioner shall seem best on a credit of six months time.”



Case: Joshua Lilly and Sarah J. Lilly, his wife against John O Moseley, in his own right and as executor of R. P. Moseley, decd, and also as trustee for Ann Holberts children for Sarah J. Lilly and her children and for Mildred P. Bishop and her children Martha Moseley, James J. Bishop and Mildred P. his wife

Date: October 22, 1860

Page(s): 49-51

Related Case(s): N/A

Details: “On consideration whereof the court is of the opinion that the attempted renunciation by Martha Moseley and Richard P. Moseley of the provision made for her by the will of the deceased husband is void; and that she is now entitled to what the will gives her, that is to say, she is entitled to the sum of \$150 in fee simple, to the use for life of the slave **Martha**, and also to the hires, during her life, of the two slaves **Allen** and **William**: or if said widow and the others parties interested in the slaves prefer to sell them or any of them, then the widow will be entitled to the interest, during her life, on the proceeds of such sale.”



Case: Charles D. Everett suing in his own and as exr and trustee under the will of Charles Everett decd. Against Jackson M. Everett and others

Date: October 23, 1860

Page(s): 52-53

Related Case(s): N/A

Details: “It also appears from the report aforesaid that of the slaves emancipated by Chas. Everett, the following have received payment in full of their legacies under the testators will- namely, **Joe Duke, Nancy Bell, Tom Bell, Milly Bell, Nelly Bell**, the distributors of the estate of **Susan Lewis decd formerly Susan Bell**, namely her husband **Willis Lewis**, and her two children, **Mary Jane Lewis and John M. Lewis** (but **Jno. Wm. Lewis**

having died after the death of his mother- his share of her estate passed and has been paid to his father that said William Lewis.) the distributors of Jackson Bell, namely Daniel Bell and Nancy Bell, his father and mother: Windsor Duke, Letilia Willis Lewis, Mary Jane Lewis, Mike Johnson, Wilson Nicholas, Rachel Bell's distributors, namely her only child Henrietta Bell, the distributors of Susan Myers, namely Nick Myers and Lucy Ann Myers, Lucy Jane Bells' distributors, namely her only child Milly Bell, and Wm. Bells' distributors, namely his father and mother Jackson Bell and Nancy Bell. These parties have now no further interest in this cause and may be regarded as no longer in it. They have all received payment in full, either in person- or to their trustees, or guardians, as the report aforesaid + other proceedings in the cause will show.”



Case: Charles H. Hatcher in his own right and as asmr of Charles A. Smith decd against Jno Smith, Patsy Edington and Jogn her husband, Geo A. Shields, Wm. R. Shields, John Hancock, William Hancock, John N. Smith, Joseph H. Smith, William N. Smith, Myra E. Wheat, Better B. Waggoner, and Edmund her husband, Melvine E. Smith, Mary L. Smith, Ethan Smith and Ann N. Smith

Date: October 23, 1860

Page(s): 53-54

Related Case(s): N/A

Details: “And the said commissioner having heretofore executed his official land in sufficient penalty + continued according to law funding for the collection as well of the land sales as of the negro money. The Court doth hereby direct + authorize said Commr. Masie as said sale bonds fall due to withdraw the same and to collect them, and distribute the net proceeds together with the balance in in his hands among the distributors in the same proportion as the negro fund was distributed and in like manner.”



Case: Loyd G. Harris against Henry H. Harris in his own right and as asmr of Matthew N. Harris decd, Schuyler G. Harris, Matthew H. Harris, Benjamin J. Harris, Daniel M. Tucker, James H. Ticker and W. B. Tucker, Cleb J. Harris, Wm. B. Harris and Elizabette his wife, Wm. C. Harris, Judetta Roberts, Adeline Roberts, Calvin Roberts, Virginia Barrett, Julia Barnett, Sedoney Barnett + Henry H. Roberts Admr. of Lucas P. Roberts decd.

Date: October 23, 1860

Page(s): 62-63

Related Case(s): N/A

Details: “2nd. An account of the advancements made by M. M. Harris to any of his children whether the same was made in land slaves money or otherwise”



Case: Mary E. Brackenborough + Thomas WW Brackenborough Jno N. Brackenborough infants by Mary E. Brackenborough their mother + next friend against Thomas H. Brown late Sheriff of Albemarle and as such administrator with the will [annexed](#) of Arther S. Brackenborough and of John N. Brackenborough decd + also of Wm. H. Brackenborough decd, Thos W. Brackenborough + others

Date: October 23, 1860

Page(s): 63-66

Related Case(s): N/A

Details: “The second exception is to be overruled to the extent that on proper testimony Wm. H. Brackenborough this surety *are to be heedable for the value of the slaves therein referred* and interest upon the same.”



Case: Thomas C. Barger against Oliver Cleaveland + others

Date: May 14, 1861

Page(s): 77

Related Case(s): Thomas C. Barger v. Oliver Cleaveland + others

Details: “It is therefore [adjudged ordered + decreed](#) that it shall be referred to one of the commrs of this Court to ascertain + state + report to the next term of this Court the fee simple value of the life estate of the said Mary Jane Carr in the real estate + negroes heretofore sold in this cause”



Case: Drury Wood administrator de bonis non with the will [annexed](#) of Joel Lovell decd.



Date: May 14, 1861

Page(s): 81-82



Related Case(s): N/A

Details: “Thereupon this cause came on this day to be heard and the bull and exhibit therewith filed, the joint + several answers of the infant

defendants George William Lovell, James C. Lovell, Sarah J. Lovell + Margaret Lovell, by Ira Garrett their guardian ad litem, and was argued by counsel. On consideration whereof it is [adjudged ordered + decreed](#) that the report of the division of the Slaves belonging to the estate of Joel Lovell decd. and reported by James F. Burnly, James H. Burnly, Richard W. Wrigfield, Edward C. Wrigfield + R Bailey Commrs. Appointed to make said division by an order of the County Court of Albemarle on the 5th day of November 1860, among + between the legates of said Joel Lovell decd... be and the said report of the division of said slaves is hereby confirmed ratified + approved.”



Case: Mary Jane Carr against Overton Carr + others

Date: May 14, 1861

Page(s): 86-87

Related Case(s): Mary Jane Carr v. Overton Carr

Details: “It is therefore [adjudged ordered + decreed](#) that the course of said Drury Wood Special Commissioner as aforesaid of in postponing the sale of said slaves, he + the same is hereby approved + sanctioned. And if the said Drury Wood shall deem it discreet + advisable to do so he shall be authorized to proceed to sell all of the said slaves in or about the 1st day of January (1862) in the mode and after the notion presented in the aforesaid decree of the 1th day of October 1860.”



Case: Winifred Stout against Thomas M. Duary + others

Date: May 15, 1861

Page(s): 87-89

Related Case(s): N/A

Details: “and the said exr is authorized + directed to proceed to collect the proceeds of the collections first pay to any person or persons who shall be willing to take the old + infirm slaves Jerry + Nelly as (*illegible*) indicated in the aforesaid report of Commr Jas D Jones as being reasonable to support said slaves for their lives the sums [annexed](#) to their respective names viz **Jerry** \$250 + for **Nelly** \$500”



Case: Edward Eastham, Overton Carr and his wife Mary A. Carr, Thomas P. Howard and his wife Emily C. Howard, James M. Eastham, David C. Eastham, William A. Eastham and Lucy A. Eastham against George Carr and


Gideon Previllian executors of Meekins Carr deceased, Geroge Carr administrator of George Eastham deceased and Nancy M. Eastham

Date: October 15, 1862

Page(s): 131-132

Related Case(s): N/A

Details: “On consideration whereof the Court being satisfied that Nancy M. Eastham, the children of late Rachael Eastham decd, grandchildren of the late Meekins Carr and [bequeathed](#) to them by the said Meekins Carr, doth [adjudge order and decree](#) that the same be divided, and that Dabney Shackelford, John B. Rothwell, James M. Previllian, Daney Minor and Jm. I. Previllian be appointed commissioners for the purpose, any three or more of whom having been first duly sworn, *shall value them the said negroes*, divide them into eight lots equal or nearly equal as practicable, and assign one lot to Edward Eastham one to Coulton Carr and wife Mary A. Carr one to Thomas P. Howard and wife Emily C. Howard, one to James M. Eastham, one to Davic C. Eastham, one to William D. Eastham, one to Lucy A. Eastham and one to Nancy W. Eastham, and report to this Court.”


 **Case:** Mary Jane Carr against Benjamin W. Sherman administrator of John W. Carr + others

Date: May 12, 1863

Page(s): 143

Related Case(s): Mary Jane Carr v. Overton Carr

Details: “It is also ordered and decreed that it be referred to one of the commissioners of this Court to take and state an account sharing how *the proceeds of said slaves* when collected shall be divided among the widows and heirs of John M. Carr deceased...”





 **Case:** Edward Eastham + others against George Carr and Gideon C. Previllian exrs of Mikins Carr + others

Date: May 12, 1863

Page(s): 148-149

Related Case(s): Edward Eastham v. George Carr

Details: “And the court doth [adjudge order and decree](#), that *the division of the negroes*, assigning to Lucy Ann Eastham, **Nelson** at \$1250, to James William M. Eastham, **Martha** and his **infant child** at \$900, to Edward Eastham, W. Eastham, at \$1000”

-  **Case:** Henderson + wife against Crawford Vals
Date: May 13, 1863
Page(s): 187
Related Case(s): N/A
Details: "... and thereupon special Commrs Massie, Jones _ Sneed dated the 12th May 1863, *having the sale of the land + part of the negroes* in the Bill mentioned with the statement + vouchers accompanying it."
-  **Case:** James D. Wiant, Catherine C. Wiant, widow and administrator of Abram Wiant decd. Against John A. Wiant, Virginia Wiant, Geo Wiant, Sarah Wiant, W. Jones + Mary Francis his wife and Rolf C. Davis + Cynthia W. his wife"
Date: May 15, 1863
Page(s): 179-180
Related Case(s): N/A
Details: "to allot to Ms. Catherine C. Wiant the widow of Abram Wiant decd. Her dower in the lands and *her distributive share of the slaves* where of their decd husband died seized and possessed which report is dated June 1861"
-  **Case:** John C. Barger and Nancy his wife against Oliver E. Cleveland + others
Date: October 13, 1863
Page(s): 190-191
Related Case(s): Thomas C. Barger v. Oliver Cleaveland
Details: "And the said Drury Wood shall pay to the guardian of each of said seven children of John M. Carr decd. The sum of forty dollars and seventy six cent, as of the said 12th day of October 1863, said sum being the proceeds of perishable property and interest *on the proceeds of the land and negroes* in the funds in this case, and to which the said seven children of John M. Carr decd; are entitled"
-  **Case:** James D. Jones administrator of Sarah May decd. And also administrator to the will answered of Francis May decd against George Carr and Henry H. George against James D. Jones, administrator of Sarah May decd. + others
Date: October 15, 1863

Page(s): 205-206

Related Case(s): N/A

Details: “*And it appearing from the report of the commrs of sale in the negro case that said commr now proceed out and deposed on account of the fund in thatcase \$300.43 cents more than the account received by him.*”



Case: Etheline N. Phillips against Savanna Adams, Savanna S. Page, Thomas J. Christian in his own right and as administrator of M. R. Sullivan decd. Fannie C. Christian, John Morton and May N. Morton his wife, Wm. Sullivan and Eugene Sullivan

Date: October 15, 1863

Page(s): 207-208

Related Case(s):

Details: “On consideration whereof it is [adjudged, ordered and decreed](#) that Drury Wood be and he is hereby appointed a special commissioner, whose duty it shall be to make sale of the real estate belonging to the estate of said deceased Stephen R. Sullivan, *also of the slaves belonging to said estate*, and all of which real estate and slaves, are described in the plaintiff's bill this cause, said real estate and slaves are to be sold at public auction to the highest bidder after having first given notice of the time and place of slave by publication thereof in one of the newspapers printed in the city of Lynchburg or Richmond and by putting said notice at the front door of the Courthouse of Albemarle County and at three or more public places in the vicinity of said real estate...”



Case: Coulton Carr against John M. Carr decd + others and May Jane Carr against John M. Carr's administrator + others

Date: October 15, 1863

Page(s): 221-223

Related Case(s): Mary Jane Carr v. Overton Carr

Details: “The widow of John <. Carr that she elects to take the fee simple value of her life estate, in *the three negroes belonging to said John M. Carr's est.*”



Case: Henderson + wife vs Crawford Vals

Date: October 15, 1863

Page(s): 223

Related Case(s): Henderson + wife v. Crawford Vals

Details: “The Court doth grant the prayer of said petition and doth therefore [adjudge order and decree](#) that N H Massie Receiver shall have authority to deposit the share of John H. Crawford both in the land + negroes already sold and shown by the report in this cause.”



Case: Magts Ever against Magt + c

Date: May 10, 1864

Page(s): 234-235

Related Case(s): N/A

Details: “And the Court doth [adjudge order and decree](#), that the division of the negroes, made by the commissioners, James Lolban, William A. Watson and Geo M. McIntire, adding **Alex**, a negro man at thirty five hundred dollars to John G. Magt, **Mat** a negro man at thirty five hundred dollars to Mary Jane Poindexter, **Sally** a negro woman at eighteen hundred and thirtyfive dollars and **Lucy Allen** a negro girl at two thousand dollars to James M. Magt, **Helen** a negro girl at twenty give hundred dollars, Spencer a negro man at three thousand dollars, and **Maria** a negro woman at two hundred and fifty dollars to Mary Morton Woods, Lucyman Woods, William Woods and Gertrude Woods, (and at thee thousand dollars+ **Lydia** a negro woman at) and **Martha** a negro woman at eight hundred and thirty five dollars (and **Ambrose** a charge at five hundred dollars) to Charles M. Magt, strand stable forever.”



Case: Joseph M. Thomas in his own right and as Administrator of Ralph Thomas decd. against Lucy Thomas and other

Date: May 10, 1864

Page(s): 239-241

Related Case(s): N/A

Details: “And the Court in pursuance of the terms of said division, both [adjudge order and decree](#) that *the following sums of the slaves*, viz, by Reuben Thomas to Joseph M. Thomas the sum of \$25; by Reuben L. and Jas. A. Thomas to the said Joseph M. Thomas, the sum of \$50; + by the said Reuben L and Jas A. Thomas to David T. Thomas the sum of \$75.”

SAYING THEIR NAMES

"AS LONG AS YOU SPEAK MY NAME I SHALL LIVE FOREVER."

- AFRICAN PROVERB

In this section, we present the names of more than 300 enslaved individuals found in mid 19th-century chancery court cases in Virginia. A few of the names are repeated from one book to another because the related cases went on for several years but most of the names represent a single encounter with the life of a Black Virginian in bondage. ***They have been organized by the order in which they appear in each book for easy reference.***

We have chosen to write these names in paragraph form to counter traditional enumerations of enslaved people from this period who appear as a vertical list in documents like wills, inventories of estates, auctions, and other legal and public records. The “paragraph” format hints at the narrative potential behind each name and it symbolically reconnects these individuals, honoring the relationships that were forcibly severed by the imposition of bondage. While this compilation does not encompass every individual trafficked through the Albemarle County court system, it is a testament to those we can identify and a solemn acknowledgment of the countless others whose names remain unknown. We hold space for the memory and affirm the dignity of all those who endured the brutal realities of enslavement within and beyond Albemarle County, Virginia.

BOOK #1

Nancy · Randal ~ Warwick ~ Betty ~ Ned ~ Charlotte · Margaret ~ Ma(s)(f)ia · Randall · Peyton · John · Charity · Beverly · Betsy · Robin · Thomas · Mary · Isaac · Fleming · Bob · James · John Bowles(r) · Reuben · Philip · Caleb · Eliza · Washington · (S)(D)ucky · Isabella · Kasey · Renee · Mary · Rachel · Jacob · Sam · Sarah · Nicey · Jane · Robert · Susan · Parmelia · Wilson · Nancy · Easter · Clara · Georgianna · Joanna · Elisha · Hanna · William · Chauncey · Joseph · Michael · Jacob · Judy · Agg · Jacob · Lucinda · Mary · William · Infant · Nancy · Sam · Robert · (N/M)elly Ann · Infant · Jacob · Peyton · Ned · Lindsay · Joe · Dick · Jessica · Sally · Mary · Martin · Emanuel ~ Phebe · John · Peggy · James · Nancy · Amey · Spencer · Jerry · Henry · Betsy ~ Milly · Maria · Anderson · David ~ Lewis · Joseph · Edmund · William · Wilson · George · Thomas · Peter · Rebecca · Hannah · Dinah · Priscilla · Jane · Cary Ann ~ Lucinda · Alice · Hannah · Clara · Margaret · Mary · Harriet · Jim · Edy · Nancy · Dolly · Eve ~ James · Betsey ~ Dolly ~ Inda · Isaac ~ Milly · Milly's Children

BOOK #2

John · Nancy · Nancy's Child · Alexander ~ James · Marcella · Eugene ~ Jacob · Peyton · Ned · Sudsay · Joe · Joshua · Sally · Martin ~ Aggy · Aggy's Three Children ~ Betsy ~ Susan · Lewis · Lucy ~ Joe ~ Sousa · Sousa's Children ~ Maria · Susan · Jefferson · Mat · Julia · Ben

BOOK #3

Mildred · Molly · Nig · Tom · Mary · Carter · Ned · Henry ~ Susan · Susan's Children · Lucy · Lewis ~ Julius · Emily ~ Sarah · Sarah's child · Sarah's other child · Conway ~ Henry ~ Bob · Louis · John · Rose ~ Janelle

BOOK #4

Charles · Minny ~ Mary ~ Rose · Tom (Edy) · Laura · Laura's two youngest children · William · Stephan ~ Jackson · Letitia · Harriet · George · Reuben · Charles · Joseph · Lucy · William · David · Nancy · Betsy · James · Samuel James · Henry · Sophia · William · Jerry ~ Billy ~ Collin ~ Hannah ~ Sophronia · Mahaley · Julia · Pleasant · Kitty · Amanda · Ellen · Malissa · Willy · Jimmy · Joseph · Horace · Wyoh (?) · Jane · Frank · Malinda · Malinda's Child · Henry · George · Simon · Frances · Hannah · Hannah's two children · Washington · Billy · Fountain · Flemming · Charlotte · Lewis · Allen · Mary · Eliza · Albert · Fanny · Reuben ~ Susan ~ Ann ~ John Rivers · Sarah ~ Frances · Frances' two children ~ Maria · Elvira · Charity · Jasper · Lewis · Sally · Matt ~ Mary · Ann · Henrietta

BOOK #5

Mary and her child ~ Mary Jane · Sarah ~ Indy ~ Eliza · Adaline and her children ~ George Brent ~ Reuben · George · Henry · John · Mariah · Mary Ann · Judy · Sally · Isbel · Johnson · Beverly · Peter · Patsey and child · Lucy · Milly · Rachel ~ Franky ~ Dick ~ Jane · Aggy · Henry · Allen ~ William · Edward · Elvira · Charles · Edward Jr. · Joe · Kesiah · Jimmy · Hannah · Harriet · Robert

BOOK #6

William · Sam · Jim ~ Martha · Allen · William ~ Joe Duke · Nancy Bell · Tom Bell · Milly Bell · Nelly Bell · Susan Lewis/Bell · Willis Lewis · Mary Jane Lewis · John M. Lewis · Jonathan William Lewis · William Lewis · Jackson Bell · Daniel Bell · Windsor Duke · Letitia Willis Lewis · Mike Johnson · Wilson Nicholas · Rachel Bell · Henrietta Bell · Susan Myers · Nick Myers · Lucy Ann Myers · Lucy Jane Bell · William Bell ~ Jerry · Nelly ~ Nelson and his infant child · Martha ~ Alex · Mat · Sally · Lucy Allen · Helen · Maria · Lydia · Martha · Ambrose

NARRATIVES

Below are examples of the narrative potential behind each of the individual names listed above. Starting from the information found in the Chancery Court records, members of our research team engaged other sources to further develop our understanding a little more of what Lucinda's may have been like. This can be a starting point for further research, a point of a connection to existing knowledge, and a potential model for inquiry into the other individuals trafficked through the Albemarle County Court system.

LUCINDA →

Lucinda was a Black woman who was enslaved on a plantation located in the southern part of Albemarle County near Scottsville.¹ During her lifetime, we know that Lucinda had multiple children, many of whom are not named in the written record.

Throughout her lifetime, Lucinda was forced to endure the constant threat of separation from her children and her children's father, a Black man named Nelson.² Her enslaver, John Danielle, was frequently in debt, and as a result, the men, women, and children Danielle enslaved were subjected to review by court commissioners and were often put up as collateral. For instance, in May 1837, due to Danielle's debt to Edward H. Moon, James B. Freetwell, John D Moon, Thomas Moon, and Thomas, Staples + Co, Benjamin Magruder, a commissioner, held Lucinda as collateral.³

¹ See Deed record, 36: 225 ([im. 120](#)), June 1838.

² Deed record, 35: 4 ([im. 274](#)), May 1837.

³ Deed record, 35: 4 ([im. 274](#)), May 1837.

In October 1839, the Chancery Court of Albemarle County took possession of portions of Danielle's property, and ordered that Lucinda, along with an unknown number of her children, would be sold at Court Square in Charlottesville to pay off his debts.⁴ As was typical of the period, in settling debts, the Chancery Court elected to hold an auction on court days – festive gatherings where white businessmen, planters, and traders would gather to hear news and participate in the trafficking of enslaved people.⁵ During these public auctions, family separation was common as enslavers frequently sold the men, women, and children they enslaved to willing buyers. Prior to the sale, Albemarle County Court advertised the sale of Lucinda and her children in local newspapers 30 days prior to the sale. Lucinda was sold alongside at least twelve other Black men, women, and children enslaved by Danielle at Court Square.

Court Square served as a site of enslavement and also as a tool of dehumanizing Black men, women, and children in Virginia. The ultimate fate of Lucinda and her children is not known at this time.

WARWICK →

Throughout the summer of 1834, Warwick, an enslaved man in Albemarle County was in every issue of a Charlottesville newspaper and had his name likely nailed to the door of the County courthouse. The reason for this celebrity was far from benign. The Chancery Court of Albemarle County, on May 14th, 1834, ordered Warwick sold at public auction by a commissioner appointed by the court to pay off the debts of his deceased enslaver, John Douglass. Though Warwick had labored upon Douglass's land while the latter reaped the profits, it nonetheless fell to Warwick to pay the price of his enslaver's poor financial acumen.⁶

⁴ Chancery Court Record, Book 1, page 391.

⁵ Shepard, E. Lee. "“This Being Court Day”: Courthouses and Community Life in Rural Virginia." *The Virginia Magazine of History and Biography* 103, no. 4 (1995): 459–70. <http://www.jstor.org/stable/4249539>.

⁶ Chancery Court Record, Book 1, page 83-84.

Warwick's story mirrored thousands across Albemarle County and Virginia as he found himself marketed for sale directly by agents of the county government. The Court ordered for the sale to take place only after, "having published notice of the time and place of sale for four weeks successively, in the newspaper printed in the Town of Charlottesville, and by advertising the same at the door of the court-house of Albemarle County, on some court day." Hundreds of enslavers would have seen the advertisement for Warwick's sale and made their way to the auction block to participate in bidding for his labor and the land upon which he worked.

Likely around August, 1834, the same month that Great Britain formally abolished the institution of slavery, Warwick stood upon and auction block and listened to white men, many likely neighbors of John Douglass, shouting out prices for his home and his body.

THE PEOPLE OF VIEWMONT →

Between 1834 and 1836, sixty-nine enslaved people lived and worked on the Viewmont and Snowden plantations, located halfway between Charlottesville and Scottsville. The Viewmont plantation had originally been founded by enslaver, architect, and planter Colonel Joshua Fry, but by the 1830s, the property transferred into the hands of Edward H. Moon having been gifted to him by his great uncle, Captain Harris. Yet, Sarah Harris, a relative of Edward Moon, had been promised a dower composed of one third of the sum collective wealth of the combined land and people enslaved at Viewmont. Moon proved reluctant to divide up his holdings, and in response, Sarah Harris brought the matter to the Chancery Court of Albemarle County.⁷

⁷ Chancery Court Record, Book 1, pages 86, 109, 168, 178, 194-196, 222, 298, 336, 362, 380.

The Court ruled in favor of Sarah, but the outcome affected far more than just her. The ruling stated that Sarah indeed held the right to the land and enslaved people composing one-third of the Viewmont Plantation at least “during her natural life.” This decision meant that approximately some enslaved people would be forced to labor on behalf of Sarah Harris while others remained enslaved by Edward H. Moon. Though they might not be physically separated by this ruling, a change in enslavers often brought with it new dangers, particularly when a new enslaver proved even more vicious than a previous one. Moreover, the Court’s ruling demanded an inventory be taken of enslaved people, and it appointed Francis B. Dyer, sheriff of Albemarle County, as court commissioner.

Dyer traveled to Viewmont and Snowden, and once there identified every enslaved person on the plantation, assigning each human being an arbitrary financial value based on his own personal understanding of the “market” for enslaved persons. Dyer recorded the “prices” for 69 enslaved people. He assigned the highest prices to teenage boys and young men such as a 19 year old John Bowles whom he claimed has a value of \$500. He assigned lower prices to those older such as the 59 year old Reuben whom he claimed was worth \$50 as well as the very young such as the two month old Nancy. Though the “worth” of Nancy could never possibly be encompassed in a single, crude number to her mother Eliza, Sheriff Dyer seemingly held no qualms about assigning her the meager price of \$75.

Historian Daina Ramey Berry has illustrated how enslaved people retained a sense of their own value, their “soul value” as she terms it, despite the callous, inhuman efforts of enslavers to commodify their bodies. Yet, Dyer’s efforts were undoubtedly traumatic and disturbing for those who felt his cold, calculating gaze and witnessed him scribble down demeaning “prices” for their friends, parents, siblings, children, and themselves.

WILSON, HIS SON, AND

PANDENARIUM →

On October 27th, 1854, Albemarle County Court determined the fates of over a dozen women, men, and children, enslaved by the deceased Dr. Charles D. Everett, the personal physician of Thomas Jefferson and James Monroe. Like Thomas Jefferson, Everett had expressed disdain for the institution of slavery, but unlike Jefferson, Everett spent the last decade of his life seeking to actively work toward divorcing himself from the horrid institution. In 1837, he began the process of manumitting those he enslaved, paying them wages. Upon Everett's death in 1848, he allotted each of those whom he had enslaved \$1000, enough to purchase the freedom of those formerly enslaved individuals' spouses, parents, children, and other relatives that remained in bondage. Everett also purchased acreage in Mercer County, Pennsylvania, to ensure those freed had land to off which to live. Everett's nephew by the same name, Charles D. Everett, carried on his legacy, purchasing 50 acres in Pennsylvania and providing plots to those emancipated by his uncle's will. The name of this settlement of free people of color was Pandenarium.⁸

Yet, the process of emancipation was not as full or complete as it should have been thanks to the interference of the Albemarle County Court system. Everett's will was clear, but white Virginians had a deep-seated fear of free Black people. They believed that the substantial presence of free people of color might encourage or promote rebellion among the enslaved, and the vast majority of white Virginians scoffed at the notion of coexisting with a large nonwhite population. Virginia never quite went as far as states such as South Carolina, which effectively banned manumission in 1820, but they still sought to curb the practice. As a result, courts across Virginia regularly stymied efforts by enslavers to manumit those they enslaved if they did not provide clear measures to ensure their removal from the state.

⁸ Chancery Court Record, Book 4, page 101.

The Chancery Court of Albemarle County held up most of Dr. Charles D. Everett's will, but not all of it. The court granted freedom to dozens including Letitia, George, Reuben, Charles, Joseph, William, and Nancy, just to name a few, and even allowed Everett to "purchase" the relatives and spouses of these individuals after his death in accordance with his will (at incredibly inflated prices). The Court allowed these purchases because "It appears from said report that the Executor has purchased various parcels of real estate in the state of Pennsylvania..." Yet, the Court denied an elderly man named Wilson, one of those emancipated by Everett's will, from purchasing his own son's freedom. The court claimed that because of his age and lack of known relatives "it is so not probable that the interest or happiness of either party would be promoted by the purchase." The Court, therefore, condemned Wilson's son to a life of slavery allegedly in the interest of his and his father's "happiness."

OAK LAWN RESEARCH MEMO

JUNE 15, 2023 | JAKE CALHOUN, CASSONDRA HANNAH, KATIE WU

Abstract: This memo represents our research to date on the Oak Lawn, prioritizing information about the Black men, women, and children who were enslaved on the property located in Charlottesville, VA. Oak Lawn was owned by James Fife, and is located at the corner of Cherry Avenue and 9th Street in the Fifeville neighborhood. For over a century, the stories of the enslaved people who lived and labored on the Fife estate have been obscured, despite the fact that they constitute the majority of people to ever reside on the plantation. Over the past century, *The Daily Progress* has multiple published pieces exploring the site's history, but these articles have exclusively focused on either the Fife family or the mansion that exists on the property, often cited as having been designed by James Dinsmore but never referenced as having been physically constructed by the hands of the enslaved.⁹ The purpose of this memo is to document the history of those enslaved at Oak Lawn, in the hope of opening up new possibilities for reparative justice for the descendants of the Black men and women enslaved at Oak Lawn.

⁹“Herndon Fife Answers Call,” *The Daily Progress*, August 16, 1919; “Family Tenaciously Holds Onto Estate,” *The Daily Progress*, October 27, 1977; “Historic Oak Lawn estate in Charlottesville hits market for first time since 1847,” *The Daily Progress*, March 12, 2023; “Fife mansion eyed for experiential culture center,” *The Daily Progress*, April 8, 2023.

We have documented at least seven names of people who were enslaved by James Fife on Oak Lawn. Several of these individuals lived into the post-emancipation period and became pillars of the Charlottesville community. While this is not an exhaustive account, we hope that this research, which builds upon the work of other local historians, conveys the deep significance of the Fife estate for descendant communities in Charlottesville.

I. Overview of Property

Oak Lawn, originally known as “Oak Grove” plantation, was built in 1818 for a Charlottesville merchant and enslaver Nimrod Bramham. Bramham enslaved thirteen Black men and women at Oak Grove.¹⁰ After Bramham’s death in 1847, James Fife, a white Scottish planter and architect purchased the property. Fife owned at least two other plantations, one in Goochland, Virginia, and one known as Rock Hill in Charlottesville (purchased in 1839). When James Fife bought Oak Lawn, the property consisted of 388 acres of land.

While the property consists of 5.2 acres today, the original 388 acre property included the land that today makes up the Forest Hills Park, Smith Aquatic and Fitness Center, Boys and Girls Club, the U.S. Army Reserves building, and Buford Middle School. In the 1960s, the city of Charlottesville acquired a portion of the land through eminent domain to build the Buford Middle School, and the Fife family sued the city for \$130,000 in response.

In March 2023, Oak Lawn was put on the market for \$4.2M (see Zillow listing [here](#)). The property has been owned by the Fife family since 1847, and is currently managed in a trust by the Fife family’s descendants and relatives. The property became a Virginia Historic Landmark in 1966 and is listed on the National Register of Historic Places.

¹⁰ Year: 1830; Census Place: Albemarle, Virginia; Series: M19; Roll: 197; Page: 234; Family History Library Film: 0029676; Year: 1840; Census Place: St Annes, Albemarle, Virginia; Roll: 549; Page: 133; Family History Library Film: 0029683

The property includes a brick structure that is noted as being original to the house as the “old cook’s house” which likely was a structure where Black men and women slept and worked (see Appendix I). Based on the work of scholars and public historians documenting the quarters of enslaved people, extant structures like this provide opportunities to learn more about the lives of Black men and women who labored on plantations.

The property also includes a family cemetery (see Appendix II). Considerable work by local historians and descendants have documented the lives of several people enslaved at Oak Lawn (and their descendants) who are buried at the Daughters of Zion cemetery in Charlottesville, Virginia.

II. Enslavement at Oak Lawn

James Fife enslaved at least 22 Black men, women, and children at Oak Lawn plantation. Some of these people may have been enslaved on the property by Nimrod Bramham prior to Fife’s acquisition of the estate in 1847. At the same time, Fife might have purchased others elsewhere and forcibly trafficked them onto the property. At the time of the 1860 slave schedules, the youngest child that the Fifes enslaved was six months old and the eldest person enslaved was 70 years old. The 1860 slave schedules also indicate that two people, one 50 year old man and one 14 year old boy, escaped from the plantation seeking their own freedom. It is unclear at this time when and how these two men returned to Oak Lawn. Based on census records, we can gather that these two men were Robert Buckner and his son, Anthony Buckner.

While the 1860 slave schedules did not include names of the people and only their age, sex, race, and status (fugitive v. present on the plantation), postwar Freedmen’s Bureau labor contracts and census records can be used to trace these men and women. To that end, below, we have calculated estimated birth dates based on this slave schedule and put these dates and names in bolded text. Where more information needs to be garnered, we’ve left a question mark and put possible matches in blue text.

For more information on these individuals, see Part III.

1860 Slave Schedules at Oak Lawn¹¹

50 year old male *fugitive, est. birth 1810	Robert Buckner
24 year old male, est. birth 1836	Currently Unknown
70 year old female, est. birth 1790	Currently Unknown
34 year old female, est. birth 1826	Susan Buckner (m. Robert Buckner)
30 year old female, est. birth 1830	Currently Unknown
30 year old female est. birth 1830	Currently Unknown
20 year old female, “mulatto” est. birth 1840	Currently Unknown
10 year old male est. birth 1850	Currently Unknown Willis Buckner?
8 year old male est. birth 1852	Currently Unknown Willis Buckner?
6 year old male, est. birth 1854	George Buckner (f. Robert Buckner)
4 year old male, est. birth 1856	James Buckner/ George Buckner?
1 year old male, est. birth 1859	Thomas Buckner
8 year old male, est. birth 1852	Currently Unknown (Willis Buckner?)

¹¹ 1860 Slave Schedules, located on Ancestry.com (location is noted in census records St. Anne’s Parish, Albemarle County, Virginia). The National Archives in Washington DC; Washington DC, USA; *Eighth Census of the United States 1860*; Series Number: M653; Record Group: *Records of the Bureau of the Census*; Record Group Number: 29

12 year old male, est. birth 1848	Currently Unknown
6 year old male, est. birth 1854	Currently Unknown
4 year old male, est. birth 1856 George Buckner?	Currently Unknown
1 year old female, est. birth 1859	Maria Buckner
2 year old male, est. birth 1858	Currently Unknown/ George Buckner?
6 month old male, est. birth 1854	Currently Unknown
14 year old male *fugitive est. birth 1846	Anthony Buckner
12 year old male, est. birth 1848	Currently Unknown

III. Narratives

In support of local historians' and descendants' genealogy work, below we have pieced together the following narratives to tell the stories of the men and women enslaved at Oak Lawn. We have relied primarily on census records (see Part IV of this memo for these records in greater detail) and other historical documents including letters and newspapers as noted. This research is not meant to be exhaustive, but rather is an attempt to both illuminate the horrors of enslavement at Oak Lawn and the humanity of those enslaved.

Below, we have fleshed out narratives of Robert and Anthony Buckner. Considerable documentation exists for both, but more research and narrative writing can be done for other people who were enslaved at Oak Lawn.

A. Robert Buckner

Robert Buckner was born in 1803 in Virginia and was enslaved by James Fife at Oak Lawn.¹² Both of Robert's parents were born in Virginia and were likely enslaved.¹³ Robert worked as a farm hand at the Oak Lawn plantation, where he labored outside year-round, including during hot Virginia summers. Sometime around 1860, Robert Buckner fled enslavement from the Oak Lawn plantation with his 14-year-old son, Anthony Buckner.¹⁴ Seizing freedom meant risking punishment if caught and quite often, permanent separation from family and kinship networks if successful. For instance, his wife, Susan Buckner (who was at the time 34 years old) and at least five children were forced to stay behind on the Oak Lawn plantation. The father-son duo were forced to return to Oak Lawn soon after, where they remained enslaved until the end of the Civil War.¹⁵

According to the Daughters of Zion genealogy research, Robert and Susan Buckner had two sons, George (b. 1857) and James (1866 - 1916). Robert Buckner also had two sons with Sylvia, Anthony Buckner (1846 - 1923) and Willis Buckner (b. 1851).¹⁶ Thomas, Maria, Charles, Lucie, Mary Buckner are also listed as his children in genealogy records.¹⁷

Following emancipation, Robert Buckner, his wife Susan, and their five children entered into a 12-month long labor contract with James Fife, their former enslaver.¹⁸ According to Freedmen's Bureau records, Robert was paid \$12/month for his and his family's labor, and was promised "proper and suitable food and quarters for self and family at liberty to raise a hog." For these 12 months, the contract was

¹² *Find a Grave*, database and images (<https://www.findagrave.com/memorial/55134276/robert-buckner>: accessed 06 June 2023), memorial page for Robert Buckner (1803–27 Jan 1901), Find a Grave Memorial ID 55134276, citing Daughters of Zion Cemetery, Charlottesville, Charlottesville City, Virginia, USA; Maintained by Greenie (contributor 47081955).

¹³ Year: 1900; Census Place: Charlottesville, Albemarle, Virginia; Roll: 1697; Page: 2; Enumeration District: 0002.

¹⁴ The National Archives in Washington DC; Washington DC, USA; *Eighth Census of the United States 1860*; Series Number: M653; Record Group: *Records of the Bureau of the Census*; Record Group Number: 29

¹⁵ *Ibid.*

¹⁶ <https://daughtersofzioncemetery.org/the-people/buckner-robert/>

Note that George and James are both listed as Robert's biological kin according to the 1880 census.

¹⁷ <https://daughtersofzioncemetery.org/the-people/buckner-robert/>

¹⁸ The five children mentioned are likely Anthony Buckner (1846 - 1923), Willia Buckner (b. 1851), George Buckner (b. 1857), James Buckner (1866 - 1916) and one other. See Daughters of Zion: <https://daughtersofzioncemetery.org/the-people/buckner-robert/>

essentially binding; should Robert and his family choose to leave, they would need to pay \$20, a sum amounting to almost \$400 today.¹⁹ Although subsequent labor contracts between Robert and James Fife have not been located, Robert continued to labor for James Fife's family as a "farm hand" until the fall harvest of 1870, if not longer.²⁰ Then 60 years old, Robert was hired to help with farm work on the same plantation upon which he was enslaved.²¹

While emancipation brought new forms of labor arrangements – some between formerly enslaved people and their former enslavers – racial hierarchy persisted. Robert Buckner labored for white families in the area in the years following emancipation but was often denied fair pay. For instance, in a February 1868 letter from the Freedmen's Bureau, the Assistant Commissioner instructed a white man named Watson in Augusta County to pay Robert Buckner \$10 after Watson withheld payment.²² Robert cut trees in the area in October of the year prior with another man, John Preseton White, but was never compensated.²³ Again in May 1868, Freedmen's Bureau correspondence details that Robert Buckner was still owed \$8 for his labor. In this new post-emancipation world, Robert fought tirelessly to receive payment for his services.

By 1870, Susan and Robert managed to build a life away from Oak Lawn, settling in a home in nearby Fredericksville Parish. They kept a full house with many children, including Mary Buckner (2 months), Lucie Buckner (3 years old), Charles Buckner (6 years old), Maria Buckner (11 years old), Thomas Buckner (12 years old), James Buckner (14 years old), and his son, George Buckner (17 years old). Maria,

¹⁹ The National Archives in Washington, DC; Washington, DC; *Records of the Field Offices For the State of Virginia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872*; NARA Series Number: M1913; NARA Reel Number: 67; NARA Record Group Number: 105; NARA Record Group Name: *Records of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1861 - 1880*; Collection Title: *United States Freedmen's Bureau Labor Contracts Indenture and Apprenticeship Records 1865-1872*

²⁰ Year: 1870; Census Place: *St Anne's Parish, Albemarle, Virginia*; Roll: M593_1631; Page: 575B

²¹ Ibid.

²² The National Archives in Washington, DC; Washington, DC; *Records of the Field Offices For the State of Virginia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872*; NARA Series Number: M1913; NARA Reel Number: 104; NARA Record Group Number: 105; NARA Record Group Name: *Records of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1861 - 1880*; Collection Title: *Virginia Freedmen's Bureau Field Office Records 1865-1872*

²³ Ibid.

Thomas, James, and George all attended school at this time.²⁴ Given the age of Robert and Susan, it is possible that some of these children were not biologically related to them, but rather made up important kinship networks, as was customary in the post-emancipation period. Later census records, for instance, one in 1885, lists Thomas Buckner as Robert's son as well.²⁵ Mary and Lucy are listed as Robert Buckner's children in a 1900 census.

By 1880, Robert Buckner, at the age of 74, worked as a gardener. Susan, then 55 years old, worked as a washerwoman in the area. Their sons, George and James, worked as dining room employees. Robert's eldest son Anthony, who occupied his own residence nearby, also worked in the hospitality industry, later opening up a grocery store in Charlottesville which would become an important gathering space for the local African American community. Maria, who had attended school, worked as a washerwoman. According to this 1880 census, Charles (aged 15), Lucy (aged 11), Mary (aged 9), and William (aged 7) continued to be cared for by Robert and Susan. Though both Susan and Robert could not read or write, it was clear that schooling and literacy were both important to them; Charles and Lucy also both attended school.²⁶

Twenty years later, Robert Buckner was noted on census records as a "retired servant" and owned the house he lived in in Albemarle County (noted as District 0002 on census records). He died a "highly respected" community member on January 27, 1901 at the age of 98. Following a "largely attended" funeral service, Robert Buckner was buried in the Daughters of Zion Cemetery.²⁷

²⁴ Year: 1870; Census Place: St Anne's Parish, Albemarle, Virginia; Roll: M593_1631; Page: 575B

²⁵ Year: 1880; Census Place: Charlottesville, Albemarle, Virginia; Roll: 1352; Page: 302C; Enumeration District: 013.

²⁶ Ibid.

²⁷ "Was 98 years old," *The Daily Progress*, (Charlottesville, Virginia), Wednesday January 30, 1901, Page 1. See Daughters of Zion. <https://daughtersofzioncemetery.org/the-people/buckner-robert/>

B. Anthony Buckner

Anthony T. Buckner was born in Virginia in 1846 to Robert Buckner and his wife Sylvia. Anthony was the eldest of at least five siblings, and like his father, Anthony was born into bondage and enslaved at Oak Lawn by James Fife. Many enslaved men and women on plantations in Virginia often labored in tobacco, wheat, or cotton fields. While we do not know if Anthony was forced to engage in strenuous agricultural tasks, Anthony worked as a domestic servant for much of his time in bondage. This highly intimate form of forced labor meant that Anthony would have been forced to assist in the preparation of meals in the Fife mansion, the cleaning of the estate, and likely would have served in the capacity of a valet for those committed to denying him humanity. He was also forced to serve as a companion to James Fife's son Robert Herndon (R. H.) Fife, who was three years older than Anthony.

Enslavement brought the constant fear of family separation. Early in Anthony's life, his mother Sylvia either passed away or was sold by the Fifes. Despite the fact that enslavers encouraged enslaved men and women to marry and establish families, enslavers rarely formally recognized such unions. The high demand for free labor in the cotton-producing states of the deep South meant that Virginian planters could often expect lucrative payments for an enslaved man or woman if they "sold them South." By the 1840s and 1850s when Anthony was a child, Virginia's most significant state export was enslaved people. While Sylvia's fate is unclear at this time, it is possible that she might have been brutally separated from her children.²⁸

Though we cannot know the full breadth of the tasks foisted upon Anthony or the full scale of the tragedies and horrors he endured as an enslaved child, it is clear that Anthony was committed to seizing his freedom. Around 1860 when he was just 14 years old, Anthony sought to escape his life of forced servitude by joining his father in an escape attempt. Fleeing enslavement was deeply dangerous and held a slim

²⁸ See Daughters of Zion: <https://daughtersofzioncemetery.org/the-people/buckner-robert/>

chance of success after the passage of the Fugitive Slave Act of 1850. The journey often resulted in illness, imprisonment, or death. Unfortunately, Anthony and his father Robert were re-enslaved just before the outbreak of the Civil War. Throughout the entire war, Anthony was forced to labor as R. H. Fife's personal body servant, accompanying Fife as the white Virginian fought to preserve the institution of slavery. Fife had attended the University of Virginia in 1861, but elected to enlist early in the Confederate army in March of 1862, joining the Charlottesville Light Artillery. Fife's unit fought in seminal battles within the Army of Northern Virginia under General Robert E. Lee including Chancellorsville, Gettysburg, and Spotsylvania Court House. Even after the destruction of his battery, Fife remained committed to the cause of the Confederacy, so much so that he joined the Staunton Artillery and continued fighting until Lee's surrender at Appomattox. Anthony must have been present at each of these battlefields, seeing the horrors of war and surviving the brutality of Civil War soldier encampments. His experience would have, no doubt, been harrowing as he endured starvation, disease, and all the injustices enslaved men during the war faced surrounded by a soldiery committed to white supremacy and the preservation of enslavement.²⁹

Emancipation brought with it a new breath of hope for the Buckners. As his father fought for fair wages for his farm work, Anthony capitalized on the skills he had been forced to hone during his enslavement and found employment as a waiter, or as the census termed it, "dining room servant." Though we do not know for whom Anthony labored immediately after emancipation, it appears that he strived to establish his and his family's independence. By 1870, just five years after his emancipation, Buckner had already learned to read and write. He married a woman named Louisa and the couple had their first child, Annie. By 1880, the couple gave birth to a second daughter, Hattie, and Anthony established himself as a waiter in a local hotel. Soon after, Anthony opened a grocery store at 904 Main Street in

²⁹ 1860 Slave Schedules, located on Ancestry.com (location is noted in census records St. Anne's Parish, Albemarle County, Virginia). The National Archives in Washington DC; Washington DC, USA; *Eighth Census of the United States 1860*; Series Number: M653; Record Group: *Records of the Bureau of the Census*; Record Group Number: 29; J.F. Munro (2022, February 10). Anthony T. Buckner. *Holsinger Portrait Project*. <https://juel.iath.virginia.edu/node/1190>

Charlottesville, finally achieving the independence that he had striven for since enslavement.³⁰

For nearly four more decades, the Buckners served the Charlottesville community with their grocery store. During this period, Louisa and Anthony had three more children: Susie Buckner, John T. Buckner, and George Walker Buckner. George would end up becoming a prominent figure in his own right as Economist at the Tuskegee Institute and as Executive Secretary of the St. Louis Urban League. In 1921, a local Black-owned newspaper called the Charlottesville Messenger famously published an article written by George Buckner entitled, “The New Negro.” Though the precarious situation of the Messenger as a Black newspaper in the South compelled some Black residents to disavow the piece, “The New Negro” highlights George Buckner’s commitment to racial justice. “The New Negro the country over is coming to see that his salvation is in his own hands,” George declared in the article. One can imagine the young Anthony holding a similar conviction when he first fled bondage on the eve of the Civil War, striving to emancipate himself.³¹

Anthony Buckner passed away on Christmas Eve in 1923 at the age of 77. In his obituary, *The Daily Progress* described him as “a typical representative of the old school of colored servants,” obscuring his legacy as a man dedicated to the pursuit of freedom as evidenced by his flight from slavery and his subsequent labors for independence.³² Five years prior to his death, he entered the photography studio of Rufus W. Holsinger with his granddaughter, Eileen Woods Buckner (his son George’s daughter). Anthony and Eileen, 75 and nine years old respectively, posed for a portrait photograph in the Holsinger studio. The photograph can be viewed in the Holsinger Studio Collection, now on exhibit at the Albert & Shirley Small Special Collections Library at the University of Virginia (see Appendix V)

I. Post-Emancipation Census Records for Further Research

³⁰ *Blue Ribbon Commission on Race, Memorials, and Public Spaces Report*, Charlottesville, VA, 12-19-2016.

³¹ Ibid; “The New Negro: What He Wants,” *Daily Progress*, Wednesday February 16, 1921, page 1.

³² “Colored Merchant Dies Suddenly,” *The Daily Progress*, December 27, 1923.

While our research team has focused on writing these narratives above, researchers can continue to trace the lives of the Buckners. Below is a list of the census records we have found which we hope can complement the ongoing genealogy work work, especially that done by the Daughters of Zion Society.

A. 1870s federal censuses

In 1870, three federal censuses were recorded: June 1870 in Fredericksville Parish, August 1870 in St. Annes Parish, and September 1870 in St. Anne's Parish.

In June of that year, the following Buckners were recorded as living in Fredericksville Parish in Albemarle:

1870 federal census (June 1870, Fredericksville Parish)³³

Robert Buckner (60 years old)
Susan Buckner (55 years old)
Mary Buckner (2 months)
Lucie Buckner (3 years old)
Charles Buckner (6 years old)
Maria Buckner (11 years old) * attending school
Thomas Buckner (12 years old) * attending school
James Buckner (14 years old) * attending school
George Buckner (17 years old) * attending school

The census notes that "one name is wrong and left out," though does not specify which name or error was recorded. At the same time, another error can be gleaned based on an 1885 census, it's possible that Thomas Buckner's age was misrecorded as he was 23 in 1885.³⁴

In September 1870, the St. Anne's Parish census noted the white Fife family who were living at Oak Lawn. Robert Buckner, who was 60

³³ Year: 1870; Census Place: Fredericksville Parish, Albemarle, Virginia; Roll: M593_1631; Page: 276B.
https://www.ancestry.com/discoveryui-content/view/40115432:7163?_phsrc=eMb279&_phstart=successSource&gsf_n=Robert&gsln=Buckner&ml_rpos=2&queryId=8bae682408c150487fb90dcfd14e887b

³⁴State Library and Archives, Nebraska State Historical Society; Lincoln, Nebraska; *Nebraska, Marriage Records*:
https://www.ancestry.com/discoveryui-content/view/50369:61335?tid=&pid=&queryId=52467ae0ddc2e3b521b9cd7ef47db874&_phsrc=eMb270&_phstart=successSource

years old, was listed on this census as a “farm hand.” No other Black people are listed within this household.³⁵ James Fife at 76 years old and worked as a minister and his wife Margaret W., was 59 and was listed as “keeping house.” Their children, M. C. (female, 31 years old who lived at home), R. H. (male, 37 years old and worked as a farmer), Sallie (25 years old, who lived at home), and Mary (5 months old, who lived at home). We can guess that while Robert Buckner is listed on the June 1870 census in Fredericksville Parish with other Buckners, he might have been hired to help with farm work on Oak Lawn during the fall of 1870.

After the Civil War, Rev. James Fife had served as the last of three white pastors of First African Baptist Church (now First Baptist Church). In 1863, when some Black worshipers including the Buckners attempted to extract themselves from the white First Baptist (the congregation now located on Park Street) to form the First African Baptist Church, they were not allowed to worship without white oversight. James Fife, as minister, served as the first minister of the First African Baptist Church, which meant that individuals like the Buckners could only worship with their enslaver/former enslaver as pastor. In 1866, William Gibbons, a Black minister who had been enslaved became the congregation’s first Black minister.³⁶

Other Buckners are noted on the August 1870 census in St. Anne’s Parish. An August 1870 census record in St. Anne’s Parish details the household of Anthony Bucker, one of Robert Buckner’s sons, below:

1870 federal census (August 1870, St. Anne's Parish)³⁷

³⁵Year: 1870; Census Place: *St Anne's Parish, Albemarle, Virginia*; Roll: M593_1631; Page: 575B
https://www.ancestry.com/discoveryui-content/view/37206205:7163?tid=&pid=&queryId=75c5188acb1e3c89ac2ae2526a1ad9c4&_phsrc=eMb274&_phstart=successSource

³⁶ “Friday, 1865 December 22, Charlottesville, Albemarle County, Virginia: “As Brother James Fife may be Pastor of the Charlottesville African Church,” Albert and Shirley Small Special Collections Library, University of Virginia, <https://150yearsago.library.virginia.edu/2015/12/02/friday-1865-december-22-charlottesville-albemarle-county-virginia-as-brother-james-fife-may-be-pastor-of-the-charlottesville-african-church-it-is-competent-for-him-when-in-his-judgement/>

³⁷ Year: 1870; Census Place: *St Anne's Parish, Albemarle, Virginia*; Roll: M593_1631; Page: 552B.
https://www.ancestry.com/discoveryui-content/view/40120824:7163?_phsrc=eMb276&_phstart=successSource&gsfn=Anthony&gsln=Buckner&ml_rpos=1&queryId=7abc4dca4a002093b6f5d4531a4e388c

Antony Buckner (25 yrs, “dining room servant”)
Louisa Buckner (22 yrs, mulatto, keeping house) (Married to Anthony)
Annie Buckner (2 years, at home)
Annie Wilson (11 years, mulatto, nurse)

Antony (spelled inconsistently throughout federal census records, also noted as Anthony and likely the correct spelling) Buckner was 25 years old and working as a “dining room servant.”³⁸ Louisa Buckner, who was 22 years old at the time and noted in the census as mixed race, was keeping house. Both Annie Buckner, who was two years old at the time, and Annie Wilson, also noted on the census as mixed race lived in the house with Anthony and Louisa. Annie Wilson was working as a nurse at that time.

B. 1880 federal census

The 1880 census shows Robert Buckner and Anthony Buckner’s households below.

1880 federal census (June 1880, Albemarle County, Charlottesville)³⁹

- Household #1
 - Robert Buckner (74 years old, gardener)
 - Susan Buckner (55 yrs, Washerwoman)
 - George (23, son, dining room “out”)
 - James (22 yrs, son, dining room “out”)
 - Maria (17 yrs, not listed as daughter, washerwoman)
 - Charles (15 yrs, attending school)
 - Lucy (11 yrs, attending school)
 - Mary (9 yrs, no mention of school)
 - William (7 yrs)
- Household 2: (# 71)
 - Anthony Buckner (37 yrs, waiter in hotel)

³⁸ Ibid.

³⁹ Year: 1880; Census Place: Charlottesville, Albemarle, Virginia; Roll: 1352; Page: 302C; Enumeration District: 013.

https://www.ancestry.com/discoveryui-content/view/40120824:7163?_phsrc=eMb276&_phstart=successSource&gsfn=Anthony&gsln=Buckner&ml_rpos=1&queryId=7abc4dca4a002093b6f5d4531a4e388c

- Louisa Buckner (29 yrs, not listed as mulatto, keeping house)
- Hattie Buckner (9 months, born in August)

C. 1885 Federal Census

Several Buckners also emigrated from Virginia out west, and tracing these movements might additionally be helpful in locating descendants in continued genealogy work. Below, find a 1885 marriage record in Omaha, Nebraska which shows that Thomas Buckner, son of Robert Buckner and Susan Buckner emigrated to Nebraska.

1885 Marriage Record (Omaha, Nebraska)⁴⁰

- Thomas Buckner (23 years old) *no race listed*
- Marrying Lena Wright (20 years old, from Missouri)
- Susan J. Davis (maiden name of mother), Robert Buckner is listed as father

D. 1900 federal census

1900 federal census (June 1900, Charlottesville District)⁴¹

- Robert Buckner is listed as a “retired servant” and living at age 90 in 1900
 - Birth year: May 1810
 - Widowed

⁴⁰ State Library and Archives, Nebraska State Historical Society; Lincoln, Nebraska; *Nebraska, Marriage Records*: https://www.ancestry.com/discoveryui-content/view/50369:61335?tid=&pid=&queryId=52467ae0ddc2e3b521b9cd7ef47db874&_phsrc=eMb270&_phstart=successSource

⁴¹ Year: 1900; Census Place: Charlottesville, Albemarle, Virginia; Roll: 1697; Page: 2; Enumeration District: 0002. <https://www.ancestry.com/discoveryui-content/view/71140535:7602>

- Father and mother born in VA
- Owned his house, (not mortgaged), house (not farm)
- Cannot read or write
- Daughters:
 - Mary (born in March 1877, 23 years old, single, wash)
 - Lucy (born in Jan 1875, 25 years old, single, dressmaker)
 - Both can read and write

Appendix I



Appendix II



Appendix III

1850 Slave Schedules for James Fife (20 people enslaved)

<i>James Fife</i>	20	40	M	B			31	31
	35	M	.				32	32
	32	M	M				33	33
	32	F	M				34	34
	30	F	M				35	35
	25	F	M				36	36
	25	F	B				37	37
	13	F	.				38	38
	13	F	.				39	39
	11	M	.				40	40
<i>20</i>	9	M	.				41	41
	7	M	.				42	42
<i>23m</i>								

NAMES OF SLAVE OWNERS.	Number of Slaves.	DESCRIPTION.			Fugitives from the State.	Number manumitted.	Deaf & dumb, blind, insane, or idiotic.	
		Age.	Sex.	Colour.				
1	2	3	4	5	6	7	8	
1 <i>James Fife con^d</i>		5	F	B				1
2		3	F	.				2
3		1	F	.				3
4		3	M	.				4
5		1	M	.				5
6		1	F	.				6
7		3/4	F	.				7
8		3/4	F	.				8

Appendix IV

1860 Slave Schedule of James Fife (22 people)

NAMES OF SLAVE OWNERS.	Number of Slaves.	DESCRIPTION.			Fugitives from the State.	Number manumitted.	Deaf & dumb, blind, insane, or idiotic.	No. of Slave houses.
		Age.	Sex.	Color.				
1	2	3	4	5	6	7	8	9
1	1	14	M	B	✓			
2	1	12	"	"				3

Appendix V



Anthony T. Buckner and his granddaughter Eileen Woods Buckner
 "A. J. Buckner" 08/12/1918 (mislabelled "A. J." as opposed to A. T.) The Holsinger Studio Collection at the University of Virginia

ADDITIONAL ARCHIVES

 : Physical location of the archival materials

 : Some materials are available online at Family Search. Access is free but an account is required.

Jefferson's University ... the early life (JUEL)

 [JUEL](#)




JUEL is a rich resource base containing information on white and Black individuals affiliated in a wide range of capacities with the University of Virginia. Many of the enslavers, commissioners, Sheriffs, and other white individuals named in the Chancery Court cases had some affiliation with the University and this resource can be used to better understand the connections between the University, Court Square, and the broader landscape of slavery, slave hiring, etc. in Albemarle and surrounding counties.

Albemarle County Fiduciary Books 1-4, 1856-1863

 *Albemarle County Courthouse, Charlottesville, VA*

 [Family Search](#)

Fiduciary Books detail transactions in which one individual was held as a trustee of another. These books record these legal trusts and generally list the administrator, executor, and guardian. These books contain a list of sales and other information pertaining to the fates of enslaved individuals. Sam Towler has recorded this information and is currently available in an excel spreadsheet. Place of sale is not generally mentioned, but these records potentially could help forge

connections between additional records, including those of this Index, and assist in genealogical endeavors.
<p>Albemarle County Will Books 21-28, 1853-1870</p> <p> <i>Albemarle County Courthouse, Charlottesville, VA</i></p> <p> Family Search</p>
<p>The Albemarle County Will Books contain information regarding estate administration, most commonly wills and sales. Sam Towler has gone through these books between the years 1853 and 1870 and compiled an excel spreadsheet containing information regarding enslaved persons and their sale. Again, place of sale is rarely recorded but undoubtedly would prove useful for genealogical research. Information housed in the same excel spreadsheet as that of the Deed Books.</p>
<p>Albemarle County Deed Books , 58-61, 1856-1870</p> <p> <i>Albemarle County Courthouse, Charlottesville, VA</i></p> <p> Family Search</p>
<p>The Albemarle County Deed Books contain information regarding the sale of real or personal property from one individual to another. Sam Towler has gone through books 58 to 61, spanning the years 1856 and 1870, recording information pertaining to the sale or hiring of enslaved persons. Again, place of sale usually is not mentioned, but holds potential to be useful for genealogical research and cross-referencing with this index. Information housed in the same excel spreadsheet as that of the Will Books.</p>
<p>Albemarle County Minute Books, 1830-1860</p> <p> <i>Albemarle County Courthouse, Charlottesville, VA</i></p> <p> Family Search</p>
<p>The Albemarle County Minute Books recorded all items before the court including civil, criminal, and chancery court cases. The Minute Books records between 1850 and 1865 contain information on fugitive slave cases in which Black persons were brought before the court on suspicion of being fugitive slaves. Occasionally, when individuals were ruled by the court to be fugitive, the court would appoint a commissioner to sell them at public auction on the next court day, if their</p>

enslaver could not be discovered or procured. In these instances, the place of sale is likely to have been recorded.

Library of Virginia - Chancery Court Record Index

 [Library of Virginia](#)

The Library of Virginia has begun digitizing the county court records for Albemarle county at the time of this report, and the records are searchable. Additionally, one can search specifically for the mentions of enslaved persons. These records are not exhaustive and there seem to have been instances of the court's sale of enslaved persons that do not appear in this digital database.

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GLOSSARY

The following terms and definitions have been provided to assist the reader in navigating the 19th century legal language found in the Chancery Court Books for Albemarle County, Virginia. As such, definitions reflect the way a particular word was used in the time that these documents were created. Occasionally, a set of words will be given together, ie. “adjudge, order, and decree” since the definition of the combined phrase conveys more meaning in this context than each word individually.

adjudge, order, and decree	emphasizes the formal and authoritative nature of the court's decision. It means that the court has: <ul style="list-style-type: none">- Adjudged: Made a formal judgment or determination regarding the matter at hand.- Ordered: Issued a command that must be followed by the parties involved.- Decreed: Pronounced a formal and binding decision, often with the force of law.
adjudicate	to make a formal judgment or decision about a problem or disputed matter
annex	add or attach
annul	to declare/render an official agreement invalid
bequeath	to leave personal property or assets to someone through a will after one's death
chattel	any personal property that could be moved, as opposed to real estate (which is immovable property). This term was often used in legal contexts to describe tangible items like furniture, livestock, or tools. Notably, it also included enslaved individuals, who were considered personal property under the laws of that period.
codicil	a legal document that amended, supplemented, or modified an existing will. It allowed the testator (the person who made the will) to make changes without having to rewrite the entire document. A codicil had to be executed

with the same formalities as the original will, including being signed and witnessed.

commissioner

(an official appointed by a government or a court to perform certain duties. These duties could include overseeing specific government functions, conducting investigations, administering oaths, taking depositions, or managing public works.

**conditional
emancipation**

the practice of granting freedom to an enslaved person under certain conditions or terms. This could involve requirements such as continued labor for a set period, relocation to another area, or meeting specific criteria set by the enslaver. Unlike full and immediate emancipation, conditional emancipation imposed obligations or restrictions that had to be fulfilled before complete freedom was granted.

**de bonis non
(administratis)**

(often abbreviated as "de bonis non") was a legal term used in the context of probate and estate administration. It referred to the remaining assets of a deceased person's estate that had not yet been administered or distributed by the original executor or administrator. When the original executor could not complete the administration of the estate (due to death, resignation, or removal), a new administrator, called an "administrator de bonis non," would be appointed to handle the unadministered assets.

decretal order

a formal ruling or decree issued by a court, particularly in equity cases. This type of order was typically issued in response to a petition or motion and had the force of law, requiring parties to comply with its terms. Decretal orders often involved matters such as injunctions, asset distribution in probate or bankruptcy cases, or specific directives related to property rights or contracts.

defendant

a person or entity against whom a legal action or lawsuit was brought.

devisee

a person or entity named in a will to receive real property (land, buildings, etc.) upon the death of the testator (the person who made the will). Unlike a "legatee," who received

	personal property, a devisee specifically received real estate through the terms outlined in the will.
encumbrances	any legal claim, lien, or restriction that affected the ownership or use of real property. This could include mortgages, easements, unpaid taxes, or any other obligation or limitation that encumbered the title or transfer of the property. Encumbrances had to be disclosed during property transactions and could impact the value or marketability of the property.
executor	a person named in a will to carry out the instructions and wishes of the deceased (testator) regarding the distribution of their estate after death. The executor was responsible for managing the estate, paying debts and taxes, and distributing assets to the beneficiaries as specified in the will. They had a fiduciary duty to act in the best interests of the estate and its beneficiaries.
executrix	a female executor
increase	any children born to an enslaved woman
infant	<ul style="list-style-type: none"> • a baby, young child • a person who was under the legal age of adulthood, typically considered to be under 21 years old
injunction	a legal order issued by a court that required a person or entity to stop or refrain from certain actions. This could include halting specific behaviors, preventing the use of property in a certain way, or prohibiting the continuation of a particular activity.
intestate	a situation where a person died without leaving a valid will or without specifying how their estate should be distributed after their death.
legatee	a person or entity named in a will to receive personal property or assets from the estate of a deceased person (the testator). Unlike a devisee, who received real property (land, buildings, etc.), a legatee specifically received personal property such as money, jewelry, furniture, or other movable assets as specified in the will.

lunatic	A general term for someone with a mental disorder or mental illness. This could encompass a wide range of conditions, from what we now understand as severe psychiatric disorders to what might have been more transient or situational mental health issues. Legally, being declared a "lunatic" could have significant consequences. A person deemed a lunatic might be placed under guardianship, with their legal rights and ability to make decisions transferred to another person.
moiety	one half or a portion of something, especially when dividing property or assets. For example, in legal contexts, a moiety could represent a half share or interest in an estate, land, or other property. It denoted a specific portion or division, often used in the context of inheritance or property distribution.
monies	various amounts of money, payments, or funds that were involved in transactions, contracts, debts, or other financial matters.
perishable property	items or assets that were likely to decay, spoil, or lose value if not used or sold promptly. This category often included goods such as food, crops, livestock, and other items that could deteriorate over time.
plaintiff	the party who brought a civil lawsuit or legal action against another party (the defendant) in a court of law.
ratify (and confirm)	legal terms used to validate or approve actions, agreements, or decisions: "Ratify" referred to the formal approval or adoption of a contract, treaty, or other agreement by an authorized party, making it legally binding. "Confirm" had a similar meaning but was often used to validate or approve actions or decisions that had already taken place, reaffirming their validity or legality.
real property	land and anything attached to it permanently, such as buildings, trees, minerals, and water rights. It encompassed physical, tangible assets that were immovable and permanently fixed to the land. Real property also included

	interests, benefits, and rights associated with land ownership, such as easements, leases, and mineral rights.
rents and profits; rents, issues, and profits	the income or revenue generated from the use or rental of real property. This could include payments received from leasing land, buildings, or other real estate to tenants or lessees.
residue	what remained or was left over after all debts, expenses, and specific bequests or distributions were paid or accounted for in an estate or trust. The residue of an estate or trust included any remaining assets, property, or funds that were not specifically designated or allocated to beneficiaries or creditors.
testator	a person who made a valid will, a legal document that outlined how their property and assets should be distributed after their death. The testator was responsible for drafting and signing the will according to legal requirements, including having witnesses present during the signing.
unsound/unsoundness	In the context of slavery, "unsound" was frequently used in reference to enslaved individuals to indicate that they were not in good health and, therefore, were less valuable. Slave traders and enslavers would often use the term to describe enslaved people who had physical disabilities, illnesses, or other conditions that affected their ability to work. This usage had significant economic implications, as "unsound" enslaved people would be sold for lower prices or might be considered less reliable for labor.
voucher	a voucher could refer to a written statement or document that provided evidence or proof of a claim, fact, or entitlement. For example, in court cases or administrative proceedings, vouchers could be used to substantiate expenses, services rendered, or other relevant information.