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Recommended Citation

Lambert, Fred Bussey, "MS 76 Box 3 Notebook 5 - Slavery" (2020). *0236: Fred B. Lambert Papers, 1809-1964*.

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MS 76
BX 3
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Slavery

MS 76
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Negroes.

By Sampson Simmons
1936, June-Sept.

"I remember after the death of Sampson Sanders when they cut the lumber at his mill and built the boat on which his negroes were carried down the Guyandotte River to the Ohio to take them to a free state, in accordance with his will. When the boat was complete, and the negroes and their goods were loaded into it, the whole neighborhood turned out to see them go away. My sisters and my brother Cornwelzey's wife, Lizzie, cried; and the negroes all cried. They did not want to go, and some of them came back later, among whom was "Uncle John", who rode a young mare back. The mare had a young colt while there, and it seems to me he finally returned to the colored settlement, but I am not sure what became of him. "Uncle Cal" came back to Ironton, Ohio, bought a yoke of oxen and the last I heard of him, quite a while before the civil war, he was hauling iron ore from the mines to the furnaces. I remember so well hearing the hammering when they built the boat: I can hear it yet".

"I also remember when Brother Conwelzie George Summers, and George Gallaher returned, after taking the negroes away. They had gone to Cincinnati in the boat they had built, and there they took the train into Michigan. There was just one train a day at that time, on the Cincinnati-Michigan line, and at one of the stations through which they passed, George Simmons got off, and was looking around, and the train left him. He had to spend the night there and take the train next day and follow them to their destination. I remember them, on their return, telling how fast the train traveled. They said it traveled so fast that the corn shocks in the field through which they passed seemed to turn around as they went by".

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Among the negroes whom Uncle Sampson freed, I remember "Bess", "Uncle Bob", "Uncle John", "Aunt Dorcas", and "Aunt Sidney."

"Uncle Sanders had two very old negro men, "Solomon" and "Uncle Davy" Both had been brought in by slave traders, and were Guinea negroes from Africa. We lived about one and one-half miles from "Uncle Sampson's". "Uncle Davy" used to come up to our house every day. He walked with a long cane with an iron point on it. "Uncle Solomon" had a big, white spot, a sort of birth-mark on his face. He looked so queer with his shiny, black face around this milk-white spot. He always insisted on going to the polls on election day with "Mas Sanders", as he wanted to vote". It mattered not who was on the ticket, when Solomon was asked for whom he was voting, he called out "for Solomon Thornburg". Mr. Thornburg, having the same name, gave Old Solomon a feeling of kinship. He always went to the polls and "voted" for Mr. Thornburg, whether he was a candidate or not, and was happy, not knowing that his "vote" had no value.

My brother Wonwelzie's negroes were "Dennis", "Fred", "Bett", "Spencer" and three children, "Shed", "Charley" and "Hannah". "Shed" Bett, and Charley had belonged to their Grandfather Kilgore, and brother inherited them. Hannah was "Shed's" mother, and belonged to Grandmother Kilgore. She lived to be 104 years old. Spencer belonged to Mr. Lewis Roffe; and when he and our Bett were married Brother gave them the biggest wedding in all the country round about. All the negroes came, from miles around. After the marriage ceremony served in the "white folks" dining room. All the white folks in the neighborhood came to the wedding. After the negroes had eaten, they retired

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to the kitchen, and a big dinner was served to the white.

"Old Brother Calvin Rece performed the marriage ceremony. After Spencer and Bett were married, Spencer begged Brother Cornwelzie to buy him from Mr. Roffe. He did so, and gave five hundred dollars for him. Brother was very devoted to his negroes.

"After John Brown and his Confederates had started their insurrection among the Negroes of the Eastern Panhandle, Fred heard about it, and ran away, then came back for the rest of the negroes, but was caught. Then brother sold all but Shed and Charley. Wade Hampton offered brother thirteen hundred dollars apiece for them but brother told Wade that he didn't have enough money to buy those two boys. These two were in no way implicated in the run away. This was about 1857.

"After the war, when the negroes were free, Shed and Charley remained at home. Charley married Mrs. Roffe's housemaid, a fine woman; and he was a good man. They had several children, and Charley died young, with diabetes. Shed was the son of old "Jack Washington", who belonged to Grandfather Kilgore, and claimed to have belonged to George Washington, and bore the Washington name.

"Aunt Jennie" was one of Grandmother Kilgore's negroes. When my mother died, she (Aunt Jennie) came to live with us and to take care of we children. My father had died five months before, When I was a small boy, we lived on the home place at Milton, the old Simmons farm on the James River Turnpike, afterwards occupied by Dr. Bennett, Clay Vinson, and his wife, my sister Fanny. I left this place in the fall of 1847, when I was four years old. I remember seeing old Martin Moore's negroes fanning the chaff out of wheat, by four of them taking hold of the corner of a sheet and

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waving it back and forth in the wind.

"Old Uncle Tom and Aunt Dinah raised twenty children for their master, Mr. Martin Moore. They were splendid negroes. Mr. Moore, at one time, had a debt of two thousand dollars on his place and the mortgage was about to be foreclosed, and he sold two of Uncle Tom and Aunt Dinah's boys off for one thousand dollars each, and paid it off. "Uncle Tom" was a Baptist preacher of no mean ability, and had the high respect of all the white people in the neighborhood. He would make appointments to preach in different neighborhoods, and the white people would take all their slaves and go to hear him preach. It was Uncle Tom who officiated at the burial of his master, Mr. Moore. I was a small boy when Mr. Moore died, but was present at the funeral, and remember it vividly.

"Uncle Solomon and Uncle were full of superstition, and had many hair raising stories of witches to tell the children. They belonged to Sampson Sanders, and were both quite old when I remember them. I do not remember what became of them after Grandmother Sanders died. When Sampson Sanders died, in 1849, one of his negro slaves took me by the ~~hand~~ arm and tried to lead me up to the grave. I was only six years old, and I was afraid; hence, hung back and refused to go.

"Uncle Steve and Aunt Annie were two freed negroes who lived in Barboursville. He was a very large man, and she a very tiny woman. She baked ginger bread for sale, and also kept cider. We small boys were permitted to go to town on Court days and holidays with a few half dimes in our pockets to spend for ginger bread and cider at Aunt Annie's.

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"Uncle Steve had an old nag with which he cultivated fields, and also worked in town. I do not remember Aunt Annie after the war, but I do remember Uncle Steve. She probably died during the war".

"There was not a member in Co. E. who owned a slave. We were fighting for our constitutional rights, and not for the slaves".

"Abe Lincoln ordered General Grant to organize an army of thirty thousand negroes~~d~~ men to be put in the front of the army and sent through the south, thinking the negroes would be so cruel to the white non-combatants, especially women and children that the Confederate soldiers would have to stop fighting and go home, thereby breaking up the Southern army. But, instead of being cruel to the southern people, the negro leaders said: "Boys, remember these are our own white folks, and they did not commit the depredations that the white army of foreigners and General Sigler's army did.

Slavery -- "Abraham"

County Court.

July 27, 1835.

A deed of manumission from Reuben Booten to "Abraham", a slave, was this day presented in Court; duly acknowledged by the said Reuben Booten, to be his act and deed, and ordered to be recorded.

May 3, 1862.

Ordered that new summons be issued against the free negroes in this county, to appear at the June term, 1863.

June 22, 1857.

Ordered that it be certified to the Auditor of Public Accounts that Thos. Shelton, Jesse Booten, James Shelton, Thos. Rowsey, Simeon Sumpter did arrest four fugitive slave men, the property of Chas. K. Morris, of this County, named Isaac, Abraham, Leonard and Levi, in Lawrence County, State of Ohio and were delivered to said Morris by them, and received \$200.00 for each slave as a reward by agreement with said Morris. The object of this certificate is to obtain from the State of Virginia for said Thos. Shelton, and others the bounty granted by Seventh Section of Chapter forty-nine, (49) of the Acts of the General Assembly of Virginia (Passed Mch 17, 1856)

October 14, 1858. Ordered that Edward Parker and Lylla, his wife, Patience, Delphia, Joseph and Clark, free negroes, be summoned to show cause, if any they can, to the next term of this Court why the permission heretofore granted them to remain in this Commonwealth, shall not be revoked.

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Slavery.

By-5-249-April 10, 1848. Case against a man for stealing slaves from Capt. Wm. Jenkins.

May 27, 1850. Ordered that all Justices of the Peace be summoned to consider the application of Edmond and Scilla, people of color, to live and remain in this county.

Bk 5. P. 149, Sept. 23, 1850.

Edmond and Scilla, people of color, granted leave to remain in this state during the pleasure of the Court.

Mch. 26, 1851.

Isom, a man of color, petitioned Court for permission to remain in state, he having been conscripted by Sampson Sanders. He was permitted to remain during pleasure of the Court.

Feb. 27, 1854. In an attachment suit of Hill & Co. vs. Chas. Follansbee, an attachment was served upon "permelis", a slave, and other property.

Slavery. The register of County Court
Dec. 6, 1858. Samuel Wallace, a free man of color, was this day presented in Court and ordered recorded. Same date: The same as to Isom Sanders. The same as to Lewis Fullerton.

May 7, 1861.

Ordered that Joseph Smith, Edmund and Lilla Parker Lewis Fullerton, Isom Sanders, Flemin, Delphia (Conner)--- of this county be summoned to appear before the Justices of the County Court at the June, 1861 term, to show cause, if any, they can why the permission, if any they have, granted heretofore to

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them, to remain in this Commonwealth, shall not be revoked,
and also that free negroes,
who have been emancipated since the fourth Thursday in October,
1851, and who have remained in the Commonwealth more than
twelve months since their emancipation, be summoned to appear
before the Justices of the Peace of the County Court at the
June term, 1861, and to show cause, if any they can, why they
have not forfeited their freedom, and why they shall not be
ordered to be sold in slavery. It is further ordered by the Court
that the Clerk ascertain, if possible, , the names of the sev-
eral free negroes in this county (of the Commissioner of Reve-
nue, of this County) in that he answer the same in the above
blank.

Jine 3, 1861. Edmund and Lilla, his wife, free persons of color,
against whom a rule was awarded at the May term, 1861, to surrender
them to appear here on this day to show cause, if any they
could, why the permission, if any they have, to remain in this Com-
monwealth should not be revoked, this day appeared in Court; and
the Court, having heard all the evidence, the Court refused to re-
voke the privilege heretofore granted to them to remain in this
Commonwealth.

Slavery--A Local Reference See Prof. Hedrick, Huntington, W. Va.

In Philip's "Life & Labor in the Old South".

The rebel yell.

The test oath.

SLAVERY IN PENDLETON.

The Appalachian highland is seldom adapted to large farming operations. In early times the access to an outside market was far more inconvenient than in the lowland south. But, neither the Scotch-Irish nor the German settlers of this mountain land, were, as a class, favorable to slavery. Some of the religious sects among the Germans were decidedly opposed to it. West of the Blue Ridge, therefore, slavery never had the foothold it possessed east of the mountains.

In 1756 there were forty black tithables in Augusta, indicating a slave population of not more than one-twentieth of the whole. Runaways appear to have been of frequent occurrence. Yet slavery grew more rapidly than the general increase. In 1779 Rockingham had 165 colored tithables, one-ninth of the inhabitants being negroes. The capotation list for Pendleton in 1790 mentions only three colored tithables, these being the property of Francis Evick. In 1834 there were 280 slaves. In 1850 there were 322 slaves, and thirty-one free colored, a total of 353. This was 6% of the entire population. The same date nearly or quite coincides with the high water mark of the negro race in Pendleton.

If the county were destitute of river bottom and of large and smooth areas of fertile upland, the number of slaves would always have been exceedingly small. But the river bottoms, with their adaptability to large and profitable farming, gave a conspicuous advantage to those fortunate persons who owned these lands. This geographic condition quickly created a class of prosperous river farmers, who, under the industrial ideas of a former day, were not

slow to resort to slave labor. Yet, very few became slave-holders on anything like a large scale, and few of the hill farmers followed their example. This geographic condition helped greatly to accustom the people of the county to the mode of social and political thought which was prevalent east of the Blue Ridge. It had in consequence, an important bearing on the attitude of Pendleton during the crisis of civil war.

The old laws relative to negro law breakers were severe, yet not without reason. The slave had not the forethought, the initiative, nor the self-restraint which the white man had acquired through centuries of effort. He was a savage by instinct and heredity. Force, not suasion, was the one argument he could comprehend, and he expected it to be applied swiftly and vigorously. Leniency led only to a loss of respect toward those in authority over him. Thus we find that the negro who stole a horse or a hog was hanged. In 1779 a slave of Rockingham who killed a man was ordered hanged, and his head set on a pole.

The early records of Pendleton contain considerable mention of negro crime. In 1810 a negro felon was branded in the hand, and returned to his master. In 1811 negro Stevens was tried for plotting to kill, but was discharged. In 1812 negro Daniel was branded in the hand for stealing a calico habit, and a piece of muslin. In 1823, negro Lucy was sold for \$11.25, the amount of jail fees, of which she was the occasion. In the same year, a negro named Ben stabbed John Davis. He was ordered burnt in the hand, given ten lashes on the bare back, well laid on, and remained in jail, subject to the order of his master. The most serious crime was in 1843, when a girl named Maria, the slave of William McCoy, fatally stabbed a negro youth belonging to John McClure.

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tragedy occurred in Franklin, near the house recently torn down by John McCoy. Her trial took place in December. She was reprieved and sent south.

Sometimes the slave was the occasion of law breaking on the part of the white man. In 1811 two men in the southwest of the county were tried for stealing a wench, but were discharged. In 1859 a resident of the North Fork was jailed for giving a pass to a negro, though not convicted. In the same year another man committed a felony by helping three negroes to get away.

The colonial records of Augusta tell us that the age of a slave child was passed upon by the county court, and ordered certified in the records. The whereabouts and the doings of a slave were kept under scrutiny, and his liberty of movement was very much restricted. If a slave left his master's premises without a pass, any person might bring him before a Justice, who at his option might order a whipping; or, for every such offense he might be given ten lashes by the land-owner upon whom he had trespassed. He might not carry a gun, except by the permit of a Justice. If he gave false testimony he might, by turn, be nailed to the pillory and afterwards cut off, in addition to his receiving 39 lashes at a whipping post. The law of 1851 forbade the sale of poisons to negroes. For any slave, or free negro to "prepare, exhibit, or administer any medicine, whatsoever," was a felony punishable by death, unless there were no ill intent, or result. He might not give medicine, even in his own family without the consent of his master.

Before 1776 the slave was real estate in the eye of the law. After that date he was regarded as personal property. The

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The person with at least one-fourth of negro blood--and there was a large and increasing number of such--was counted as a mulatto.

Toward the period of the civil war there were few whippings in Pendleton, in consequence of the disfavor with which the institution was generally regarded. The non-slaveholder found his chief grievance against slavery to be in the too great petting which he thought the slave received, and which he found to make him impudent. The dates of slave births were recorded in the family Bible, though on the fly leaves. With the master's consent, the slave might be baptized. When the estate was settled up, the slaves were divided among the heirs, a single slave being sometimes held in plural ownership. The small amount of slave holding thus became much diffused. Perhaps the largest holder in the earlier years of the county was Daniel Capito. On the settling of his estate in 1828, the 12 slaves were sold at auction for \$2511.50.

The capitation law on a slave was 44 cents in 1800 and \$1.20 in 1860.

Sometimes the freeing of a slave at a certain age is mentioned in a will. Thus Nicholas Harper provided that his slave, Lydia, be set free when she is 30, if she behave herself, and that her child, Polly, be free at the age of 21. Sometimes there is a proviso that a slave be freed at a certain age. "shoild the law permit." More emancipating would have been done, but for the embarrassing statute of the freed negro. So long as slavery remained in force it was not desirable that such persons be numerous. They continued, in a certain degree, to be wards of their former owners who were thus in a measure, responsible for their conduct. If the negro were under 21, or over 45, or of unssound mind, he was supported by the estate

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of the former owner. The Constitution of 1851 required the registering of the freedmen every five years. In the registry were mentioned age, color, and identifying marks. A copy of the paper was given to the freedman. A county court might then grant him permission to live within its jurisdiction during good behavior. Sometimes, the application was refused. Such a refusal was put up against Elizabeth Dice in 1850. In 1845 the petition of the negro Randall, was overruled; but two years later it was accepted. The freedman might not carry a gun without a license, and if he worked in another county, his certificate had to be registered there. He could not, himself hold slaves except by descent. If over 21 and a male, or under 18 and a female, there was permission to choose a master. Removal from the state forfeited a certificate, and the free negro of another state was forbidden entrance into Virginia.

The behavior of a negro, whether slave or free, was naturally the measure of the tolerant feeling extended toward him. It is said of a free negro named Hayes, who in the early years of the last century lived on a mountain north-east of Ruddle, that his boys and girls were by general consent, allowed to attend the same school with the white children.

The war of 1861 overthrew the institution which Harry A. Wise denounced as "a blight on the economic development of the South, that repressed inventive talent, paralyzed Saxon energy, and left hiddden the South's commercial resources." The slaves and freedmen of 1860 were to be found in most neighborhoods of the county. Soon after the close of the war they had mostly, disappeared. In the valleys of the South Fork and the North Fork there are now none at all, with perhaps, a solitary exception in Circleville District. The continuance of a desire for black labor on the part of some of the residents of the county seat led to the rise of a settlement of

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colored people a mile south of Franklin. The settlement is known locally, "Africa". It contains about seventy persons, a number of whom are immigrants from other counties. The only other group of colored people is composed of a few families on the west side of the Blackthorn valley, and is known as Moatstown. These people were never slaves. The negro element in Pendleton, especially that of Moatstown, shows a large admixture of white blood.

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THE POINT OF THE LAND PURCHASED OF WARD ON SANDY RIVER AND RUN BACK EQUAL DISTANCE ON EACH LINE SO AS TO INCLUDE THREE HUNDRED ACRES".

ARTICLE 1: KOUNS IS TO GIVE POSESSION OF THE WHOLE OF THE LAND HEREBY SOLD IN THE PAYMENT OF THE SAID ONE THOUSAND DOLLARS, BUT RESERVES THE USE OF ONE ROOM CALLED THE CARPENTER'S SHOP AND THE KITCHEN IN WHICH A NEGRO MAN LIVES FOR THE USE OF HIS FAMILY MONTHS; ALSO THE RIGT TO USE SUCH ARTICLES OF VEGETATION FROM THE GARDEN WHICH HE MAY WANT.

ARTICLE 2: THE SAID McKEAND IS TO GIVE TO KOUNS THE POSESSION OF THE LAND ON SANDY IN ONE MONTH, AND TO CONVEY THE SAME IN SIX MONTHS, WHEN RECIPROCAL DEEDS SHALL BE EXCHANGED BY THE PARTIES".

ARTICLE 3RD: THE TENANTS NOW ON THE LAND SOLD BY KOUNS, WHO ARE JAMES FULLER AND SOLOMON HARMON ARE TO HOLD POSESSION UNTIL THE FIRST DAY LOF MARCH, NEXT, AND GEORGE JOHNSON IS TO OCCUPY THE FIELD HE RENTED OF KOUNS UNTIL THE FIRST OF MARCH; AND THE SAID McKEAND IS TO HAVE THE BENEFIT OF SAID LEASES". "IN TESTIMONY WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS".

JACOB KOUNS (SEAL)

WILLIS McKEAND(SEAL)"

SEPTEMBER 1837. DEED BOOK VI. PAGE 476.

SALE OF SLAVES:

"KNOW ALL MEN BY THESE PRESENTS, THAT I, OBADIAH MERRITT, OF CABELL COUNTY, VIRGINIA, FOR AND IN CONSIDERATION OF THE SUM OF TWELVE HUNDRED AND FIFTY DOLLARS TO ME IN HAND PAID BY JOHN PORTER, SR. OF SAID COUNTY AND STATE, THAT I HAVE THIS DAY SOLD

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AND CONVEYED, AND BY THESE PRESENTS DO SELL AND CONVEY UNTO THE
SAID JOHN PORTER, THREE NEGRO SLAVES, AS FOLLOWS, TO-WIT: SPENCER,
A MAN SLAVE ABOUT TWENTY-THREE YEARS OLD; ALSO MARGARET, A FEMALE
SLAVE ABOUT TWO YEARS OLD; CAROLINE, A WOMAN SLAVE ABOUT TWENTY-
THREE, TO HAVE AND TO HOLD THE SAID NEGRO SLAVES UNTO HIM, THE SAID
~~ROXTER~~ JOHN PORTER, HIS HEIRS AND ASSIGNS, FOREVER".

"TO HAVE AND TO HOLD THE SAID SLAVES THE SAID OBEDIAH MERRITT WARRANTS TO BE SLAVES FOR LIFE; BUT IT IS UNDERSTOOD THAT IF
~~XXXXXXXXXXXX~~ PELLINGTON MERRITT AGAINST WHOM THERE IS NOW A PROSECUTION
DEPENDING FOR FELONY, AND WHO IS OUT ON A RECOGNIZANCE WHICH SAID
PORTER, AS ONE OF THE SECURITIES SHALL MAKE HIS PERSONAL APPEARANCE
BEFORE THE NEXT CIRCUIT COURT OF LAW AND CHANCERY FOR CABELL COUNTY
AND SHLL NOT DEPART WITHOUT THE LEVE OF THE SAID COURT THAT THEN
AND IN THAT CASE THIS BILL OF SALE, OR MORTGAGE, TO BE VOID AND OF
NO EFFECT; OTHERWISE, TO REMAIN IN FULL FORCE".

"WITNESS MY HAND AND SEAL THIS 9TH DAY OF SEPTEMBER, 1837".

OBADIAH MERRITT (SEAL)".

DECEMBER 1837. DEED BOOK VI. PAGE 536.

MORTGAGE OF SLAVE:

"KNOW ALL MEN BY THESE PRESENTS, THAT WE, WILLIS MCKEAND,
JOHN MCKEAND, AND JAMES MCKEAND FOR AND IN CONSIDERATION OF THE SUM
OF FIVE HUNDRED DOLLARS THIS DAY LOANED TO SAID WILLIS MCKEAND HAVE
SOLD UNTO WILLIAM MCCOMAS ONE NEGRO MAN NAMED DAVID, TO HAVE AND TO
HOLD UNTO HIM, THE SAID WM. MCCOMAS, HIS HEIRS AND ASSIGNS FOREVER;
AND THE SAID WILLIS, JOHN, AND JAMES MCKEAND HEREBY WARRANTS AND DE-
FENDS THE TITLE TO SAID NEGRO MAN SLAVE NAMED DAVID UNTO HIM, THE SAID

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WILLIAM McCOMAS, HIS HEIRS, EXECUTORS, OR ADMINISTRATORS TO PAY TO THE SAID WM. McCOMAS, HIS HEIRS, EXECUTORS OR ADMINISTRATORS THE SAID SUM OF FIVE HUNDRED DOLLARS, OR WHATEVER PART THEREOF MAY BE YET DUE UPON A SALE OF SAID BOY UNDER THE FORECLOSURE OF THIS MORTGAGE, THE SAID McKEANDS FINDING ALL NECESSARY CLOTHING FOR SAID NEGRO MAN SLAVE, OR SUCH A SLAVE AS JIM, WHO SHALL BE PUT INTO THE POSSESSION OF SAID McCOMAS DURING THE PRESENT WINTER, AND McCOMAS THEREAFTER UNTIL THE MONEY HEREINBEFORE MENTIONED SHALL BE FULLY PAID".

IN TESTIMONY WHEREOF, THE SAID WILLIS McKEAND, JOHN McKEAND AND JAMES McKEAND HAVE HEREUNTO SET THEIR HANDS AND SEALS THIS 18TH DAY OF DEFEMBER, 1837".

WILLIS McKEAND (SEAL)

JOHN McKEAND (SEAL)

JAMES McKEAND (SEAL)".

APRIL 1838. DEED BOOK VII. PAGE 5.

DEED OF MANUMITION OF SLAVES:

"THIS INDENTURE, MADE THE 4TH DAY OF APRIL, IN THE YEAR OF OUR LORD 1838 BETWEEN JAMES C. BLACK AND GEORGE A. BROWN, OF CABELL AND MASON COUNTIES, VIRGINIA, OF THE FIRST PART; AND SAMUEL JULIUS, A MAN OF COLOUR, OF THE SECOND PART, WITNESSETH: THAT THE SAID PARTIES OF THE FIRST PART HAVE, FOR THE CONSIDERATION OF THE FAITHFUL SERVICES HEREAFTER RENDERED BY THE SAID SAMUEL, EMANCIPATED AND MANUMITTED AND BY THESE PRESENTS MANUMIT, LIBERATE, AND SET FREE FROM ALL INVOLUNTARY SERVITUDE THE SAID SAMUEL FROM US, OUR HEIRS, EXECUTORS, ADMINISTRATORS AND ASSIGNS, AND FROM ALL PERSONS, WHATSOEVER BY THESE PRESENTS; HEREBY GUARANTEEING TO THE SAID SAMUEL HIS LIBERTY, FREE

FROM ALL BONDAGE OR SLAVERY WHATSOEVER".

"IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS DAY AND YEAR ABOVE WRITTEN".

JAMES C. BLACK (SEAL)"

MAY 1830. DEED BOOK VII. PAGE 257.

MANUMICTION OF SLAVE:

"KNOW ALL MEN BY THESE PRESENTS, THAT I, SYLVESTER FULLER, OF THE COUNTY OF CABELL AND STATE OF VIRGINIA, FOR AND IN CONSIDERATION OF THE FAITHFUL SERVICES FENDERED ME BY WINNY, A NEGRO WOMAN NO BELONGING TO ME, AND FOR AND IN CONSIDERATION OF THE SUM OF ONE DOLLAR TO ME IN HAND PAID BY THE SAID WINNY, I HAVE MANUMITTED, LIBERATED, AND SET FREE FROM ALL INVOLUNTARY SLAVERY AND SERVITUDE THE SAID WINNY, FROM ME AND MY HEIRS AND FROM ALL PERSONS, WHATSOEVER, BY THESE PRESENTS".

"IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 24TH DAY X OF DECEMBER, 1838".

SAYLVESTER FULLER (SEAL)".

JANUARY 1840. DEED BOOK VII. PAGE 381.

DEED OF TRUST NAMING SLAVE MORTGAGED:

"THIS INDENTURE, MADE THIS 28TH DAY OF JANUARY, 1840, BETWEEN WAYNE McMAHON OF THE FIRST PART, THOMAS THORNBURG OF THE SECOND PART, AND WILLIS MOORE OF THE THIRD PART, ALL OF THE COUNTY OF CABELL AND THE STATE OF VIRGINIA.

"WHEREAS, THE SAID WAYNE McMAHON IS JUSTLY INDEBTED TO THE SAID WILLIS MOORE IN THE SUM OF THREE HUNDRED AND THIRTY-SIX DOLLARS AND NINETY EIGHT CENTS TO BE PAID ON THE 28TH OF MAY IN THE YEAR OF 1840

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AS BY A BOND BEARING EVEN DATE WITH THESE PRESENTS, AND WHEREAS, THE
WAYNE
SAID MC MAHON IS WILLING AND DESIROUS TO SECURE.

"NOW, THIS INDENTURE WITNESSETH: THAT FOR AND IN CONSIDERATION OF ONE DOLLAR, LAWFUL MONEY OF VIRGINIA, TO THE SAID WAYNE McMAHON IN HAND PAID BY THE SAID THOMAS THORNBURG AT AND BEFORE THE ENSEALING AND DELIVERY OF THESE PRESENTS, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED BY THE SAID WAYNE McMAHON, HATH GIVEN, GRANTED, BARGAINED AND SOLD, AND BY THESE PRESENTS DO GIVE, GRANT, BARGAIN AND SELL TO THE SAID THOMAS THORNBURG, HIS HEIRS AND ASSIGNS FOREVER ONE NEGRO GIRL NAMED PHEBY".

"TO HAVE AND TO HOLD THE SAID HEREBY GRANTED SLAVE PHEBY HEREBY CONVEYED TO THE SAID THOMAS THORNBURG, HIS HEIRS, EXECUTORS, ADMINISTRATORS AND ASSIGNS, FOREVER TO THE ONLY PROPER USE AND BEHOOF OF THE SAID THOMAS THORNBURG, HIS HEIRS, EXECUTORS, ADMINISTRATORS, AND ASSIGNS FOREVER". UPON TRUST, NEVERTHELESS, THAT THE SAID THOMAS THORNBURG, HIS HEIRS, EXECUTORS AND ADMINISTRATORS SHALL PERMIT THE SAID WAYNE McMAHON TO REMAIN IN QUIET POSSESSION OF THE SAID SLAVE UNTIL DEFAULT BE MADE IN THE PAYMENT OF THE SAID SUM OF THREE HUNDRED AND THIRTY SIX DOLLARS AND NINETY-EIGHT CENTS, EITHER IN WHOLE OR IN PART, SHALL SO SOON AS THE HAPPENING OF SUCH DEFAULT OF PAYMENT OF THE SAID WILLIS MOORE, HIS EXECUTORS, ADMINISTRATORS, OR ASSIGNS SHALL REQUEST, SELL THE THE SAID NEGRO GIRL PHEBY TO THE HIGHEST BIDDER FOR READY MONEY AT PUBLIC AUCTION AFTER HAVING FIXED THE TIME AND PLACE OF SALE AT THEIR OWN DISCRETION AND GIVEN TWENTY DAYS NOTICE BY ADVERTISEMENT SET UP AT THE DOOR OF THE COURT HOUSE OF CABELL COUNTY PREVIOUS TO THE DAY OF SALE".

"AND OUT OF THE MONIES ARISING FROM SUCH SALE SHALL AFTER

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SATISFYING THE CHARGE ATTENDING THIS TRUST PAY TO THE SAID WILLIS MOORE, HIS EXECUTORS, OR ASSIGNS THE SAID SUM OF THREE HUNDRED AND THIRTY-SIX DOLLARS AND NINETY-EIGHT CENTS WITH THE INTEREST WHICH SHALL HAVE LAWFULLY ACCRUED THEREON; AND THE BALANCE, IF ANY SHALL PAY TO WAYNE McMAHON, HIS HEIRS, EXECUTORS, ADMINISTRATORS, OR ASSIGNS, ON OR BEFORE THE 28TH DAY OF MAY IN THE YEAR 1840. WHEN THE SAME IS PAYABLE SO THAT NO DEFAULT OF PAYMENT OF THE SAID SUM OF THREE HUNDRED AND THIRTY-SIX DOLLARS AND NINETY-EIGHT CENTS BE MADE THEREON, THIS INDENTURE TO BE VOID; ELSE TO REMAIN IN FULL FORCE AND EFFECT".

"IN WITNESS WHEREOF THE SAID PARTIES TO THESE PRESENTS HAVE HEREUNTO SET THEIR HANDS AND AFFOXED THEIR SEALS THIS DAY AND YEAR FIRST ABOVE WRITTEN".

WAYNE McMAHON (SEAL)

THOMAS THORNBURG (SEAL)

WILLIS MOORE (SEAL)"

APRIL 1839. DEED BOOK VII. PAGE 443.

SALE OF SLAVES:

"THIS INDENTURE, MADE AND ENTERED INTO THIS 19TH DAY OF APRIL ONE THOUSAND, EIGHT HUNDRED AND TWENTY-NINE,

"BETWEEN GEORGE L. BURTON OF THE FIRST PART, HENRY CLARK OF THE SECOND PART, AND JOHN LAIDLEY OF THE THIRD PART,

"WITNESSETH, THAT WHEREAS THE SAID GEORGE L. BURTON IS JUSTLY INDEBTED UNTO THE SAID JOHN LAIDLEY IN THE SUM OF THREE HUNDRED DOLLARS, PAYABLE IN NINE MONTHS, WITH INTEREST FROM THE DAY AND THE SAID BURTON IS DESIROUS OF SECURING THE PAYMENT THEREOF, THIS INDENTURE WITNESSETH:

"THAT FOR AND IN CONSIDERATION OF THE PREMISES; THE SAID GEORGE L. BURTON HATH GRANTED, BARGAINED, AND SOLD, AND BY THESE PRESENTS DO GIVE, GRANT, BARBAIN AND SELL UNTO THE SAID HENRY CLARK A NEGRO WOMAN SLAVE NAMED PHEBY OF THE AGE OF TWENTY-THREE YEARS, NOW IN THE POSSESSIN OF THE SAID CLARK. TO HAVE AND TOLD SAID SLAVE PHEBY TO HIM AND HIS HEIRS FOREVER; YET, UPON THIS CONDITION, THAT IF THE SAID GEORGE L. BURTON SHALL PAY TO THE SAID JOHN LAIDLEY THE SAID SUM OF THREE HUNDRED DOLLARS WHEN THE SAME BECOMES DUE AND PAYABLE WITH ALL THE INTEREST THEREON, WITH THE COSTS OF RECORDING THIS DEED THEN THIS DEED TO BE VOID AND OF NO EFFECT; BUT IF THE SAID SUM OF THREE HUNDRED DOLLARS WITH THE INTEREST, AS AFORESAID AND THE COST OF RECORDING THIS DEED THEN THE SAID HENRY CLARK AGREES THAT HE WILL SELL THE SAID NEGRO WOMAN SLAVE NAMED PHEBY AT PUBLIC AUCTION AT CABELL COUNTY COURT HOUSE ON SOME COURT DAY AFTER PUBLISHING ANOTICE THEREOF ONE MONTH AT THE COURT HOUSE OF SAID COUNTY OF CABELL; AND FROM THE PROCEEDS, PAY THE COSTS AND CHARGES OF SALE AND THE DEBT WITH THE INTEREST TO SAID LAIDLEY; AND THE BALANCE, IF ANY REFUND TO THE SAID BURTON".

"I J WITNESS WHEREOF, THE PARTIES HAVE HEREUNTO SET THEIR HANDS AND SEALS THE DAY AND YEAR FORST ABOVE WRITTEN".

GEO. L. BURTON (SEAL)".

ATTEST: LOVEL H. HARRIS.

JUNE, 1840. DEED BOOK VII.

TRANSFER OF SLAVE PROPERTY:

"THIS INDENTURE OF THREE PARTS MADE THE DAY OF IN THE YEAR OF OUR LORD 1839, BETWEEN ROBERT W. HANDLEY OF THE

FIRST PART, FRANCES A. STEVENSON OF THE SECOND PART, AND ANN B. STEVENSON, OF THE THIRD PART:

WHEREAS, MARRIAGE IS SHORTLY INTENDED TO BE HAD AND SOLEMNIZED BETWEEN THE SAID ROBERT W. HANDLEY AND THE SAID FRANCES A. STEVENSON, AND WHEREAS, THE SAID FRANCES A. STEVENSON IS POSSESSED OF THE FOLLOWING SLAVES, TO-WIT: WILLIAM, GOVENOR, NED, AGNES, HENRY, RENA, LEWIS AND ANN, AND, WHEREAS IT HAS BEEN AGREED THAT THE SAID ROBT. W. HANDLEY SHOULD AFTER THE SAID INTENDED MARRIAGE RECEIVE AND ENJOY DURING THE JOINT LIVES OF THEM THE SAID ROBT. W. HANDLEY AND FRANCES A. STEVENSON THE USE AND OCCUPATION OF SAID SLAVES, AND ALSO THE SAME WITH THEIR INTERMEDIATE INCREASE FROM AND AFTER THE DECEASE OF SUCH OF THEM THE SAID ROBERT W. HANDLEY AND FRANCES A. STEVENSON, AS SHOULD FIRST HAPPEN TO DIE, SHOULD BE AT THE SOLE AND ONLY DISPOSAL OF THE SAID FRANCES A. STEVENSON".

"NOW, THIS INDENTURE, WITNESSETH: THAT IN PERSEVERANCE OF THE BEFORE RECITED AGREEMENT AND IN CONSIDERATION OF THE SUM OF ONE DOLLAR TO THE SAID FRANCES A. STEVENSON IN HAND PAID BY THE SAID AND DELIVERY AT AND BEFORE THE ENSEALING OF THESE PRESENTS, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED, SHE, THE SAID FRANCES A. STEVENSON, BY AND WITH THE PRIVILY CONSENT AND AGREEMENT OF THE SAID ROBERT W. HANDLEY TESTIFIED BY HIS BEING MADE A PARTY TO AND HIS SEALING AND DELIVERY OF THESE PRESENTS, HATH GRANTED, BARGAINED, SOLD, ASSIGNED AND TRANSFERRED AND SET OVER, AND BY THESE PRESENTS DOTH GRANT, BARGAIN, SELL, ASSIGN, AND YTRANSFER AND SET OVER UNTO THE SAID ANN B. STEVENSON HIS EXECUTORS, ADMINISTRATORS AND ASSIGNS ALL THE SLAVES, TO-WIT: WILLIAM, GOVENOR, NED, AGNES, HENRY, RENA, LEWIS AND ANN".

"TO HAVE AND TO HOLD THE SAID SLAVES HEREBY CONVEYED UNTO THE SAID ANN B. STEVENSON, HIS EXECUTORS, ADMINISTRATORS AND ASSIGNS,

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UPON SUCH TRUSTS, NEVERTHELESS, AND TO AND FOR SUCH INTENTS AND PURPOSES AND UNDER SUCH PROVISIONS AND AGREEMENTS AS HEREINAFTER MENTIONED: THAT IS TO SAY, IN TRUST FOR THE SAID FRANCES A. STEVENSON AND HER ASSIGNS UNTIL THE SOLEMNIZATION OF THE SAID, INTENDED MARRIAGE THEN UPON TRUST THAT THE SAID ANN B. STEVENSON, HIS EXECUTORS, ADMINISTRATORS, AND ASSIGNS, SHALL AND DO PERMIT THE SAID ~~ROX~~ ROBERT W. HANDLEY DURING THE JOINT LIVES OF THE SAID ROBERT W. HANDLEY AND FRANCES A. STEVENSON, HIS INTENDED WIFE, TO HAVE, RECEIVE, TAKE AND ENJOY THE INTEREST AND PROFITS OF THE SAID SLAVES HEREBY ASSIGNED TO AND FOR HIS OWN USE AND BENEFIT, AND FROM AND AFTER THE DECEASE OF SUCH OF THEM, THE SAID ROBERT W. HANDLEY AND FRANCES A. STEVENSON AS SHALL FIRST HAPPEN TO DIE; THEN, UPON TRUST THAT THE SAID ANN B. STEVENSON, HIS EXECUTORS, ADMINISTRATORS AND ASSIGNS SHALL AND DO ASSIGN, TRANSFER, AND DELIVER OVER ALL THE SAID SLAVES WITH THEIR INCREASE TO THE SAID FRANCES A. STEVENSON IN CASE SHE SURVIVE THE SAID ROBERT W. HANDLEY; BUT IF SHE DIE BEFORE HIM THEN UNTO SUCH PERSON AND PERSONS AND AT THE TIME AND TIMES AND IN SUCH PARTS AND PROPORTIONS, MANNER AND FORM AS SHE, THE SAID FRANCES A. STEVENSON SHALL FROM TIME TO TIME, NOTWITHSTANDING HER OVERTURE BY ANY WRITING, OR WRITINGS, OR BY HER LAST WILL AND TESTAMENT IN WRITING TO BE BY HER SIGNED, SEALED, PUBLISHED AND DELIVERED IN THE PRESENCE OF THE LIKE NUMBER OF WITNESSES DIRECT LIMIT OR ~~OR~~ APPOINT TO THE END THAT THE SAME MAY NOT BE AT THE DISPOSAL OF, OR SUBJECT TO THE CONTROL, DEBTS, PENALTIES, OR ENGAGEMENTS OF THE SAID ROBERT W. HANDLEY, HER INTENDED HUSBAND; AND IN DEFAULT OF SUCH DIRECTION, LIMITATION, OR APPOINTMENT, THEN TO SUCH PERSON, OR PERSONS AS WOULD BE ENTITLED, UNDER THE LAW DISPOSING OF THE PERSONAL ESTATE OF PERSONS DYING INTESTATE".

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"IN WITNESS WHEREOF THE FOREGOING PARTIES HAVE HEREUNTO SET
THEIR HANDS AND SEALS THE DAY AND YEAR ABOVE WRITTEN".

ROBERT W. HANDLEY (SEAL)
FRANCES A. STEVENSON (SEAL)
ANN B. STEVENSON (SEAL)".

SIGNED, SEALED, ACKNOWLEDGED AND
DELIVERED IN THE PRESENCE OF US

WITNESSES:

CHARLES L. STEVENSON,
JOHN VINCENT,
JANE M. MCCLUNG.

NOVEMBER 1840. DEED BOOK VII. PAGES 577-78.

MORTGAGE OF SLAVES:

"THIS INDENTURE, MADE AND ENTERED INTO THIS 28TH DAY OF
NOVE,BER, IN THE YEAR OF CHRIST ONE THOUSAND, EIGHT HUNDRED AND FORTY
BY AND BETWEEN WAYNE McMAHON OF THE FIRST PART, THOMAS THORNBURG OF THE
SECOND PART AND NANCY McMAHON OF THE THIRD PART, ALL OF CABELL COUNTY,
VIRGINIA, WITNESSETH":

"THAT THE SAID WAYNE McMAHON IS JUSTLY INDEBTED TO THE SAID
NANCY McMAHON IN THE SUM OF THREE HUNDRED AND NINETY-THREE DOLLARS,
DUE BY NOTEBEARING EVEN DATE WITH THESE PRESENTS, AND THE SAID WAYNE
McMAHON, BEING WILLING AND DESIROUS TO SECURE THE PAYMENT OF THE ~~XXXXX~~ ^{BEFORE}
MENTIONED SUM WITH THE LAWFUL INTEREST WHICH MAY ACCRUE THEREON TO THE
SAID NANCY McMAHON, THE SAID WAYNE Mc, AHON HATH THIS DAY BARGAINED,
SOLD, AND BY THESE PRESENTS DO BARGAIN AND SELL UNTO THE SAID THOMAS
THORNBURG THE FOLLOWING PROPERTY, TO-WIT: ONE NEGRO GIRL NAMED PHEBY

"TO HAVE AND TO HOLD THE SAID PROPERTY UNTO HIM, THE SAID THOM-
AS THORNBURG, HIS HEIRS AND ASSIGNS FOREVER. UPON TRUST, NEVERTHELESS

THAT IS TO SAY THE SAID WAYNE McMAHON IS PERMITTED TO RETAIN AND
KE EP POSESSION OF ALL THE BEFORE MENTIONED PROPERTY AND TO USE AND
ENJOY IT UNTIL HE SHALL MAKE DEFAULT IN THE PAYMENT OF THE ABOVE MEN-
TIONED SUM AS HEREINAFTER PROVIDED FOR, AND THAT IS: SHALL THE SAID
WAYNE McMAHON, HIS HEIRS, EXECUOTRS, OR ADMINISTRATORS FAIL TO PAY
THE SAID NANCY McMAHON THE ABOVE MENTIONED SUM ON OR BEFORE THE FIRST
DAY OF MAY, 1841, THEN AND IN THAT CASE THE SAID THOMAS THORNBURG, OR
HIS LEGAL REPRESENTATIVES, SHALL SELL THE BEFORE MENTIONED PROPERTY TO
THE HIGHEST BIDDER FOR READY MONEY, HAVING FIRST ADVERTISED THE TIME
AND PLACE OF SALE AT LEAST TWENTY DAYS BEFORE THE DAY OF SALE; AND OUT OF
THE PROCEEDS OF SUCH SALE FIRST PAY AND SATISFY THE COSTS AND CHARGES
ATTENDING THE EXECUTION OF THIS TRUST, AND THEN PAY TO THE SAID NANCY
McMAHON THE SUM OF THREE HUNDRED, NINETY-THREE DOLLARS AND INTEREST
IF SO MUCH BE RAISED; AND THE BALANCE, IF ANY, PAY TO THE SAID WAYNE Mc
MAHON OR HIS LEGAL REPRESENTATIVE. BUT IF THE SAID WAYNE McMAHON
SHOULD PAY THE SAID NANCY McMAHON THE ABOVE MENTIONED SUM, WITH INTEREST
WHICH SHALL HAVE ACCRUED THEREON BEFORE A SALE SHALL TAKE PLACE, THEN ANI
IN THAT CASE THE DEED IS NULL AND VOID, AND OF NO EFFECT".

"IN WITNESS WHEREOF THE PARTIES TO THIS DEED INDENTURE HAVE
HEREUNTO SET THEIR HANDS AND SEALS, DAY AND DATE ABOVE WRITTEN".

WAYNE McMAHON	(SEAL)
THOMAS THORNBURG	(SEAL)
NANCY McMAHON	(SEAL)"

NOVEMBER 1842. DEED BOOK VIII. PAGES 307-8.

MORTGAGE OF SLAVES:

"THIS INDENTURE, MADE THIS 3RD DAY OF NOVEMBER, IN THE YEAR
OF OUR LORD 1842 BETWEEN JAMES HOLDERBY AND ROBERT HOLDERBY, LATE
MERCHANTS AND PARTNERS TRADING UNDER THE STYLE AND FIRM OF JAMES HOL-
DERBY AND COMPANY, AND ALSO INDIVIDUALLY, BETWEEN THE SAID JAMES

HOLDERBY AND ROBERT HOLDERBY OF THE FIRST PART; AND JAMES C. WILLIAMSON, JOHN WILLIAMSON AND DAVID MOORE OF THE SECOND PART;

"WITNESSETH: THAT WHEREAS, THE SAID JAMES HOLDERBY AND COMPANY AND THE SAID JAMES HOLDERBY AND ROBERT HOLDERBY, TOGETHER WITH OTHERS, DID TAKE FROM ALLEN MCGINNIS, OF THE COUNTY OF CABELL AND STATE OF VIRGINIA A DEED OF TRUST EXECUTED TO ABSALOM HOLDERBY AS TRUSTEE, UPON CERTAIN SLAVES, TO-WIT: CAROLINE, JO, MARRY, AND ABRAHAM AND UPON SUNDRY OTHER PROPERTY IN SAID DEED OF TRUST ENUMERATED, WHICH DEED OF TRUST BEARS DATE THE 26TH SEPT., 1841 AND IS RECORDED IN THE CLERK'S OFFICE OF CABELL COUNTY COURT".

"AND, WHEREAS, THE SAID JAMES C. WILLIAMSON, JOHN WILLIAMSON AND DAVID MOORE DID TAKE A DEED OF TRUST FROM THE SAID ALLEN MCGINNIS UPON THE SAID NEGRO SLAVES AND SUNDRY OTHER PROPERTY TO SECURE A DEBT OWING FROM SAID ALLEN MCGINNIS TO THEM OF FOUR HUNDRED AND FORTY-TWO DOLLARS AND THIRTY-SIX CENTS, WHICH LAST DEED OF TRUST WAS EXECUTED TO JOHN LAIDLEY, ESQ. AS TRUSTEE, AND BEARING DATE THE 28TH DAY OF NOV. 1842; AND WHEREAS, IT IS AGREED BETWEEN THE SAID JAMES HOLDERBY & CO. AND THE SAID JAMES HOLDERBY AND ROBERT HOLDERBY INDIVIDUALLY ON THE ONE PART; AND THE SAID JAMES C. WILLIAMSON, JOHN WILLIAMSON AND DAVID MOORE, OF THE SECOND PART THAT THE SAID DEED OF TRUST EXECUTED BY THE SAID ALLEN MCGINNIS TO SAID JOHN LAIDLEY, TRUSTEE FOR THE USE OF SAID JAMES C. WILLIAMSON, JOHN WILLIAMSON AND DAVID MOORE SHALL HAVE PRECEDENCE, BOTH IN SAID DEED EQUITY, AND SHALL FIRST BE SATISFIED OUT OF ANY AND ALL PROPERTY MENTIONED IN THE DEED OF TRUST EXECUTED TO SAID WILLIAMSONS AND MOORE, ALTHOUGH THE SAME PROPERTY MAY HAVE BEEN PREVIOUSLY CONVEYED TO ABSALOM HOLDERBY FOR THE USE AND BENEFIT OF VARIOUS TRUSTEES JAMES HOLDERBY & CO., ROBERT HOLDERBY, AND OTHERS SO FAR AS THEIR INTEREST GOES IN SAID DEED OF TRUST, THE SAID

JAMES HOLDERBY AND COMPANY, AND THE SAID JAMES HOLDERBY AND ROBERT HOLDERBY HEREBY NAMING ALL PRIORITY OF RIGHT TO THE SAID JAMES C. WILLIAMSON, JOHN WILLIAMSON, AND DAVID MOORE IN THEIR DEED OF TRUST AFORESAID SO FAR AS THEIR RIGHTS, LEGAL OR EQUITABLE EXTENDED, THIS PREFERENCE IS GIVEN TO SAID WILLIAMSON & MOORE FOR THE ACCOMODATION OF THE SAID ALLEN MCGINNIS, A RELATION OF THE SAID JAMES AND ROBERT HOLDERBY, AND THE SAID JAMES HOLDERBY AND ROBERT HOLDERBY FOR THE SUM OF ONE DOLLAR IN HAND PAID TO THEM, DO HEREBY TRANSFER AND CONVEY TO THE SAID JAMES C. WILLIAMSON, JOHN WILLIAMSON AND DAVID MOORE PRIORITY IN LAW AND EQUITY IN REGARD TO THE TWO DEEDS OF TRUST AFORESAID".

"IN TESTIMONY WHEREOF THE SAID JAMES HOLDERBY AND ROBERT HOLDERBY HAVE HEREUNTO SET THEIR HANDS AND SEALS THIS DAY AND DATE ABOVE WRITTEN".

JAMES HOLDERBY (SEAL)

ROBERT HOLDERBY (SEAL)"

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF

NOVEMBER 1840. DEED BOOK VII. PAGES 577-8.

MORTGAGE OF SLAVES:

"THIS INDENTURE, MADE AND ENTERED INTO THIS 28TH DAY OF NOVEMBER IN THE YEAR OF CHRIST ONE THOUSAND, EIGHT HUNDRED AND FORTY BY AND BETWEEN WAYNE McMAHON OF THE FIRST PART, THOMAS THORNBURG OF THE SECOND PART AND NANCY McMAHON OF THE THIRD PART, ALL OF CABELL COUNTY, VIRGINIA,"

"WITNESSETH: THAT THE SAID WAYNE McMAHON IS JUSTLY INDEBTED TO THE SAID NANCY McMAHON IN THE SUM OF THREE HUNDRED AND NINETY-THREE

DOLLARS DUE BY NOTE BEARING ~~XXXX~~ EVEN DATE WITH THESE PRESENTS, AND THE SAID WAYNE McMAHON BEING WILLING AND DESIROUS TO SECURE THE PAYMENT OF THE BEFORE MENTIONED SUM WITH THE LAWFUL INTEREST WHICH MAY ACCRUE THEREON TO THE SAID NANCY McMAHON, THE SAID WAYNE McMAHON HATH THIS DAY BARGAINED, SOLD AND BY THESE PRESENTS DO BARGAIN AND SELL UNTO THE SAID THOMAS THORNBURG THE FOLLOWING PROPERTY, TO-WIT: ONE NEGRO GIRL NAMED PHEBY. TO HAVE AND TO HOLD ~~TE~~ THE SAID PROPERTY UNTO HIM, THE SAID THOMAS THORNBURG, HIS HEIRS AND ASSIGNS, FOREVER. UPON TRUST, NEVER-THE-LESS THAT IS TO SAY THE SAID WAYNE McMAHON IS PERMITTED TO RETAIN AND KEEP POSSESSION OF ALL OF THE BEFORE MENTIONED PROPERTY AND TO USE AND ENJOY IT UNTIL HE SHALL MAKE DEFAULT IN THE PAYMENT OF THE ABOVE MENTIONED SUM, AS HEREINAFTER PROVIDED FOR, AND THAT IS: SHALL THE SAID WAYNE McMAHON, HIS HEIRS, EXECUTORS OR ADMINISTRATORS FAIL TO PAY THE SAID NANCY McMAHON THE ABOVE MENTIONED SUM ON, OR BEFORE THE FIRST DAY OF MAY, 1841, THEN AND IN THAT CASE THE SAID THOMAS THORNBURG, OR HIS LEGAL REPRESENTATIVE SHALL SELL THE BEFORE MENTIONED PROPERTY TO THE HIGHEST BIDDER FOR READY MONEY, HAVING FIRST ADVERTISED THE TIME AND PLACE OF SALE AT LEAST TWENTY DAYS BEFORE THE DAY OF SALE; AND OUT OF THE PROCEEDS OF SUCH SALE FIRST PAY AND SATISFY THE COSTS AND CHARGES ATTENDING THE EXECUTION OF THIS TRUST, AND THEN PAY TO THE SAID NANCY McMAHON THE SUM OF THREE HUNDRED AND NINETY-THREE DOLLARS AND INTEREST, IF SO MUCH BE RAISED; AND THE BALANCE, IF ANY, PAY TO THE SAID WAYNE McMAHON OR HIS LEGAL REPRESENTATIVE. BUT IF THE SAID WAYNE McMAHON ~~AND~~ SHOULD PAY THE SAID NANCY McMAHON THE ABOVE MENTIONED SUM, WITH INTEREST WHICH SHALL HAVE ACCRUED THEREON BEFORE A SALE SHALL TAKE PLACE, THEN AND IN THAT CASE THE DEED IS NULL AND VOID AND OF NO EFFECT

"IN WITNESS WHEREOF THE PARTIES TO THIS DEED INDENTURE HAVE

HEREUNTO SET THEIR HANDS AND SEALS DAY AND DATE ABOVE WRITTEN".

	WAYNE McMAHON	{SEAL}
THOMAS	THORNBURG	{SEAL}
	NANCY McMAHON	{SEAL}".

Slavery in Cabell County.

While slavery in Cabell County or other sections of of Virginia now embraced in Cabell, Lincoln or Wayne counties, was not as pronounced as in ^{some} other sections of Virginia, nevertheless it existed here from the time of the very early settlements. In fact, many emigrants from Virginia, or other slave states brought their slaves with them.

The principal sources of information on the negro here are the deed books, will books, and court minutes, together with such information as has been handed down from old settlers and remembered by older people now living, or who were living until recent times.

51

John Harrison made his will in 1814. In it, he gave in trust his "negro fellow Samuel to my trusty friend Jourmah Buckley of Kentucky to live the said negro out for the best price he can get to school and raise my four sons," until they become 21 years of age; then to sell the negro and divide the money equally among his sons.

Slaves were bought and sold here just as they were in other southern states. March 21, 1814, George Ward gave a bill of sale to Obed Harrison, for a consideration of three hundred dollars, recorded as a deed (Deed Bk. 2 p. 12), acknowledging himself "fully satisfied," and stated that he "transferred, bargained, and reconveyed, to Obed Harrison of the County of Cabell all my right, title, claim, interest, and demand, to a negro girl named Venus (which right I acquired by a 2. bill of sale from

The said Obed Harrison, dated the fifteenth of July, 1813), to "the said Obed Harrison his heirs and assigns forever". Little did he dream of the great Civil War to follow and of the emancipation of all the slaves.

In the appraisals of Margaret Douthat's estate, ~~in Aug. 27,~~ 1821, (Will Bk 1 p. 8), are listed several slaves:

1	negro boy, Harvey	\$ 425
1	" girl, Mary	160
1	" boy, Joe	300
1	" woman, Delph	250
1	" boy, Benjamin	125

These appraisals were made by James Gallaher, James Holderby, and John Rutherford, men amply qualified to know the value of slaves. Margaret Douthat resided in Guyandotte.

Esther ~~Don~~ Russell, another Guyandotte woman, widow of
 — Russell

gave all her estate, including
 a negro boy, Samuel ^{to} her
 children, Samuel, ^{a negro boy} to be given
 to her sons Jeffrey and Charles
 Russell. She also "exonerated"
 her "negro man Samuel from
 involuntary servitude", to take
 effect after her death, and this
 she wanted "to be clearly un-
 derstood" that she "set Samuel
 free", after her death, and
 that she bequeathed to him
 fifteen acres of land on Four
 Pole creek "during his natural
 life", and a horse and cow
 "to raise his small children
 until they can become service-
 able to mine." Her other negroes,
 Goodwin, Alexander, and Julia
 were to be hired out for the
 benefit of her children until
 they should become of age,
 so soon as said negroes shall
 become of service. (Check with
 original)

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Esther Russell was the widow of Mark Russell who died about the same time, 1821, in the bill of sale of the estate of Mark Russell Dec. 25, 1822, the above negro, Goodwin was let out to Peter Scales, for \$25⁰⁰. No doubt Mrs. Russell was trying to be generous, yet this institution of slavery, made it imperative that she leave these children in bondage for the benefit of her own.

Elizah Donathane lived on the Jug Fork of Sandy River, his land extending to Mill Creek. In his will made July 29, 1824, he left a negro Abraham with his wife Rachel Donathane "during her natural life", then he was to have his freedom, "if he behaves himself as a dutiful slave. This was in what is now Wayne county."

Charles Love, who lived about Howell's Mill, made his will in 1819. He owned five slaves which he gave to his wife. Susannah Love, during her life,

35

Samuel Ferguson who lived at what is now Wayne Court House, made his will in 1824. He provided that Molly his "old black woman," should be set free, after the death of him and his wife, Mary, and provided further that Molly should have "her bed and its furniture, and a cow to give her milk to live upon in her old age." Sally, his "half-colored or mulatto girl" also was to be freed after the death of himself and wife and she was to have "her bed and its furniture and a little wheel for spinning on." Sampson his half-colored, or mulatto man was to be liberated, manumitted, and forever discharged in "thirteen years from the date of this will." In addition, he gave Sampson a good axe at the time of his freedom that he may be able to get his living by honest industry."

Daniel Witcher who owned a large farm, on Guyandotte River, above what is now known as Martha, and about three miles above Bar-boursville, owned a half dozen slaves, Stephen, Silvey, Thomas, Willy, Mary, and Marshall. In fact, practically all the farmers who lived on the main creek bottoms, or on river bottom farms, (Will Bk 1 p. 231-2) His property was appraised in

James McCormick, who owned that part of the Savage Grant from the mouth of Twelve Pole to Four Pole Creek, gave his "faithful old servant Moses and his wife, to his daughter, the wife of James Page. He gave the negro girl ~~Jane~~ ^{Lucinda} ~~to his~~ daughter and her future increase to his daughter Jane. To his son Moses, he gave his slave David, Moses, however, paying the executor \$500. A young slave, Moses, was given to his son George McCormick. This was dated, 1837.

7.

John Everett Sr. was a slave owner who lived on and owned the farm now known as The County farm. He did not name his slaves, but stated that it was his "will and desire" that his negroes should have the liberty of choosing their master providing there should be no difficulty in effecting that purpose.

John Russell of Guyandotte, "in consideration of their long and faithful service," ~~and~~ provided that after they serve with their personal labour my family for one year after my death, be emancipated and set free his two slaves Manuel and Patience, they to be given a certified copy of his will. The slave Henson was to be hired out to some humane employer of Cabell County for the purpose of meeting the legacies hereby given, until my youngest child may arrive at the age of twenty-one years, then to be emancipated and set free.

Done?

Jeremiah Kilgore's personal estate appraised in , listed seven slaves valued at \$100 to \$400 each. He was a son of Thomas Kilgore, an early sheriff of Cabell County, and lived above Millon. His slaves were Hannah, David, Adam, Jack, Frank Shadrack, and a black girl child valued at \$100. (Will Bk. 1 p. 357-8)

Thomas Roberts Sr., who lived somewhere in what is now Lincoln County, in his will (dated), left "two negro women Nancy and Peggy to stay with and take care of their mistress, during her life, or to be hired out by her, for her benefit, and after her decease to have choice of masters and mistresses among my children, or otherwise", but after his wife's decease, "all the money, land, negroes, and other property that may be left may be sold and the money equally divided among my children.

"Furthermore should the negro women choose for their masters or mistresses any of my children, then, in that case, they are to take them at their value in money."

From the above provisions, it seems that a number of interesting questions might arise. Suppose any of these negroes should ~~choose~~ choose some one outside the family for their masters or mistresses, then what would be done?

Sampson Sanders, one of the wealthiest farmers in Cabell County, died in 1849, leaving no wife or children. His home was at Martha, two miles above Barboursville, on the Guyandotte River. He was an extensive land owner. He had much personal property, and slaves were listed in the appraisal. In his will, he directed his executors; ~~William~~ Raine, John Samuels, ~~Geo. H. Pratt~~, John Laidley, George Hallaher, and Cornelia Simmons executors.

in the presence of the following witnesses: William Paine, John Samuels, Geo. W. Platt, Stephen Spurlock, Andrew Givins, William C. Hensenberry, and Charles Q. Hensenberry.

His will provided that all his slaves "of every age and sex be free at the time of my death from all involuntary servitude". His executors were directed to collect as much of his estate as might be necessary to buy land for these slaves, in the State of Indiana or some one of the ~~free~~ states of the United States of America, as may be necessary for the comfortable support of said slaves, assigning to each head of a family their proper proportion of land as well as to others who have no family or families and the other young men for the comfortable support of the old and decrepit or weakly slaves during their natural lives, and for the purpose of carrying out this part of my will into effect,

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I hereby give and bequeath to my said slaves fifteen thousand dollars to be paid out of my estate by my executors as aforesaid, which may be paid by my executors in property of mine now, at its appraised value after my death. The land will have to be purchased with money, and the balance of the fifteen thousand dollars may be, with the consent of the said slaves be paid in property at the appraised value, or part in money and part in property." (Will Bk 1 p. 391)

43

Dec. 18, 1837, Willis, James, and John McKeand borrowed \$500 of Wm. McComas, and gave a mortgage on a slave David, for security, with the privilege of redeeming said slave "at any time after the first day of April next (1838). In case said negro should run away or die before the mortgage could be foreclosed, the McKeands agree to pay the \$500; or whatever part is due at the time of the sale of said boy, under this foreclosure. (Deed Bk 6 p. 536)

Sylvester Fuller emancipated a negro woman Wimpy, Dec. 24, 1838, in consideration of one dollar and "of the faithful services rendered me, by Wimpy, a negro woman slave."

Robert therefore sold above
Slaves to these children Richard
H. Russell, William Frances,
Abigail S. Adam, Sarah, Nathaniel
and Robert Adam, for one
dollar, and the further con-
sideration of love and affection
for the children of my wife
Elizabeth, late, Elizabeth Adam
and for the further consider-
ation of providing for the
emancipation of the slaves"
these slaves to be held till
Jan. 1, 1846, after which their
manumission was to take
effect.

Obidiah Merrill owned ^{Pellington}
some slaves - about three. ~~He~~
^{Merrill} was indicted for some law
violation rather felony, gave
a mortgage for three slaves
for \$1250, to indemnify John
Porter Sr., in case Pellington Merrill
should leave the jurisdiction of the court.
Sept. 9, 1837

John Landley, attorney of willts
~~McKend~~, was authorized, if in
his opinion he should consider it
best, to "hire said negroes than
to sell them", for any term that
he might think proper (Oct. 19, 1833)

Robert Hereford of Mason County
second husband of Elizabeth
Russell, late Elizabeth Adam, Oct. 19,
1835, appr. John Landley his attorney
in fact to sell two negro Slaves
Lot and Edmund and make
bills of sale for them, and
to turn over the money to
Elizabeth Russell, late Elizabeth
Adam. Abigail Adam, Sarah
Adam, Robert Adam, Mary
Francis?, late Mary ~~Edith~~ Adam
and Nathaniel Adam, in equal
proportion, the children of
my said wife which she had
before my intermarriage with her
said atty authorized to sell
above slaves, to highest bidder
among above children, & divide
the money, etc.

the said Willis McKeand received or rather drew out of the estate of Sally M. J., his wife". He further stipulated that the slaves Randolph and Isaac were to be sold to satisfy the debt on his land", and likewise \$250 due to James Conner. John McKeand agreed that the land "on the east side of the river Guyandotte for the aforesaid slaves Randolph and Jack as a full and fair value may be raised" (Examine above carefully)

Willis McKeand reserves the life estate in said land "for the mutual benefit of his wife and children, and after his death to his wife during her natural life, and then to her heirs forever", not subject to the debts of John McKeand, or to his control, except for the mutual benefit of his (John's) family". Lack of form, etc. not to make this deed null and void

Deed Bk. 6 p. 2, 3, & 4 Cabell County. ~ 47

Aug. 12, 1834, a deed made by Willis McKeand, by consent of Thos. Marshall and John and Sally M. T. McKeand, formerly Sally M. T. Gilliam, shows that there had been a marriage contract entered into between the above

Willis McKeand and wife, in Goochland Co., Va., (copy given some where - Goochland or Cabell?) in which they would make a deed to John McKeand certain slaves' personal property.

The slaves were:

Gabriel, Robert, Dick, (William) David Caley, Louisa, Mary, Eochia, Adaline, Frank, Thomas, and Jane. Polly, Margaret, and Spotswood. "The last four named slaves are the dower of Mary McKeand, Sally M. T. Mother, and after her death to return to Sally M. T. and her heirs", "all of which said property

Sept. 7, 1835, Charles R. Baldwinⁿ,
 "pursuant to the request of my
 late wife," ^{Mary Jane Baldwin} and in accordance
 with the discipline of the Methodist
 Episcopal Church manumitted or
 set free his "negro woman Katy
 formerly the slave of Col. Andrew
 Lewis, dec'd late of Mason County,
 with her future increase".

The discipline of the Methodist
 Church was a powerful stimulus
 to ward freeing the negro in this
 section. (Mr. Broten stated that
 this was for "his former services
 to me as a slave" - speaking of
 Abraham.)

Rev. Burwell Spurlock

Aug. 25, 1835, manumitted a
 negro slave Lucy, "for and in
 consideration of former services,
 as well as the cause of human
 ity and the principals of
 eternal justice." (Deed Bk 6 p. 70)

49

John Bryan of Mason County,
under date of March 29, 1832, conveyed
three negroes to Valentine Herndon
and William P. Yates.

A negro slave boy named
French.

A girl named Caroline and
another named Kitty.

John Bryan was probably
the grandfather of William Jennings
Bryan (or he may have been
the ancestor of the Union Ridge
Bryans (Look this up. I have
forgotten) Consideration \$101.33

Thomas W. Haud, in 1833,
gave a bill of sale for a
negro boy George, about seven
years old. Witness J. Staley. In
1834, he made a similar Bill
of sale to Percival S. Smith,
for a negro slave, Jack, for
\$57.39

July 27, 1835, Reuben Booter
gave a deed of manumission to
his slave Abraham. (See over)
(Deed Bk 6 p. 14)

50

Mark Russell, a well-known citizen of Guyandotte four slaves, at the time of his death, about 1823. His administrator, William Spurlock gave a bill of sale to Benjamin Brown, for a negro named Gordon. The consideration was \$600.

The will of John Preston (1824) mentions several slaves. He lived in Botetourt County, formerly Montgomery Co., gave a deed of March 29, 1811, recorded in the General Court of Virginia Nov. 18, 1811.

This deed conveyed to Francis and Thomas L. Preston, conveyed certain real and personal property, for the benefit of his children which he names, but gave his ~~3525~~³⁵²⁵ acres of land east of the Guyandotte River above Barboursville to his daughter, as well as several slaves: Dolly, Rachel Frank, Letty, Charbone, Cornelius, Johnson and Godfrey to his daughter, Elizabeth Madison Johnson (wife of Charles C. Johnson.) July 15, 1824

51

Jacob Stallings who lived in the present Logan County, on Guyandotte River about the mouth of Crawley's Creek, named a single girl slave Hainah, in his will dated 1817. He owned large boundaries of land but only this one slave, evidently a house servant.

Jesse Spurlock lived on Twelve Pole Creek below Wayne. After his death about 1819, the appraisal of his personal estate showed nine slaves, one black man, Anthony, valued at \$600, four black women, and one child, and two boys and two girls, all valued at a total of \$3450. He was the father of the noted mountain ^{Methodist} preachers Stephen and Burwell Spurlock. No doubt, the fact that their father was a slave owner had much to do with their ideas on slavery. (Deed Bk 3 p. 63 & 64)

William Tony Sr. of what is now Logan Co., West Va., then Cabell Co., died about 1811. Three "black women" were appraised at \$300, \$100, and \$300, respectively, the cheaper one, no doubt, being an old woman, hence not so valuable.

Nathaniel Scales, father-in-law of Thomas A. Morris, assistant county clerk of Cabell County, and later a minister and bishop in the Methodist Church, was a slave holder, as shown by a deed of trust given to Peter Scales, to secure a debt. This deed of trust included, among other property, several slaves:

A negro woman named Lyde about twenty-five years of age.

Two negro girl slaves named Roda and Cynthia, and.

A negro boy slave about ten years of age, with the "future increase of the females of said slaves."

Just why the liability was limited to such increase is difficult to understand.

5315

1809, Philip shall go out the first
day of January, 1811, and Fanny
shall go out the first day of
January, 1813, and I do hereby
renounce all right and Title
to the said People after the
dates above written for my
heirs, Executors, etc. In wit-
ness whereof, I do hereby set
my hand and seal this the
15th day of December, 1793."

William Ball (L.S.)

Evidently, some of these slaves
were brought to Cabell County.

Mrs. Hannah Hutchinson, widow
of Samuel Hutchinson, deceased, had
one negro man, Daniel valued at
90 pounds, as shown by the apprais-
al of her property by William Love,
William Hamplon, and Ingraham
Roffe in 1809. Just where she
lived is not known to this writer.
This negro was hired out for the
years 1808, 1809, and 1800, for
15 pounds per year (Deed Bk 1 p 825)

William Ball of Culpeper County,
Virginia, emancipated negroes Jimima,
Andrew, Betty, Austin, Philip, and Fanny
on Dec. 15, 1793. This emancipation
was later filed in Cabell County.
This emancipation read as follows:

"Know all men by these presents,
that I, William Ball of Culpeper Co.,
do believe that all men are by
nature equally free, and from a
clear conviction of the injustice,
and criminality of depriving my
fellow ~~man~~ creatures of their Natural
right and Liberty do hereby eman-
cipate and set free the following
slaves and their issues to all
intent and purposes according to
the true meaning, These presents
only desire the gracious care
of the Young One until they are
of age — and Andrew shall go
out the first day of January, 1794,
Betty shall go out the first
day of January, 1800, Austin shall
as well the first day of January, 1800.

55

~ / Dan.-in-law? How?
Samuel Seale M. Ellendore Steel, a
negro woman Charlotte, and
her increase "hers forever" etc.

My dan. in law, Mary Buckley,
a negro woman, Winny,
and her increase forever
in lieu of their father's
estate.

My gr. dan. Margaret Garner,
dan. of Frances Garner, decid,
a negro girl, Milly and
her increase, a negro
boy Elyah, "to be hers
and her ^{heirs} forever."

Henry Hamplon, son

The Hamplons

Henry Hamplon of Prince William
County, Virginia, in his will
dated March 10, 1778, named his
family as follows:
——, his wife

William Hamplon, eldest son.

Henry Hamplon — gives, among
other things & land, a
negro woman, Jenny, and
Frank her youngest
child, with her increase
"to be his ^{& his heirs} forever." Also
6 other slaves, Abraham, Amey,
their increase, Daniel, Charles, Fanny,
Sarah Brown ^{Edmund} who m

~~J~~ George Newman
Brown, a negro
girl Matt, and her
increase to be her ^{& her}
heirs forever. (They had
a son, John Brown)

Elizabeth who m. Thomas Brewer
a negro boy, Jesse to
"hers and her heirs for
ever" etc

(By the will, it seems above were the
only children!)

57

Henry Hampton of Prince William County, Virginia, made his will March 10, 1778, in that county. Because of the fact that one or more of his family came to this section, this will was later recorded in Cabell County. He owned several slaves which he divided among his children, and, no doubt, some of these slaves were brought into Cabell County, or rather into what is now the Sandy River section of Wayne County. (later)

two or three slaves by name, as he states he had already put his sons in possession of them and their increase.

He gave a slave Mary and her issue to his sister ~~Ann~~ Eustasia Lacy, for the time of her natural life.

Jacob was to be sold to the highest bidder among his three sons, and after the death of his sister, Mary and her issue were to be similarly disposed of.

These pages are
out of order
Wm Jenkins sister
was Eustasia Lacy

In Will Bk. 2. p 322, the executors of James Holderby state that they have given unto Hannah Holder the females slave Louisa, valued at six hundred dollars and the female slave Georgilla, and the male slave Ben, valued together at \$750.

An additional list of nine slaves valued at a total of \$5500, as follows

Negro man Goodwin	^{aged 63}	valued at	300
" woman Fanny	aged 60,	" "	150
" man Frank	aged 22,	" "	\$1100
" man Alberly	" 23,	" "	\$1100
" woman Dorcas	" 30,	" "	\$700
" boy Cornelius	" 14,	" "	\$900
" " ^{Alvery} Albert	" 10,	" "	\$600
" " Othmeal	" 8,	" "	\$500
" " Theodore	" 2,	" "	\$150

This amount divided among six heirs will give to each, the sum of nine hundred and sixteen dollars, and sixty-six cents.

These slaves were divided among the heirs, and the values, combined with other personal property,

60
Sep 58

To his daughter, Sally Summers,
he gave his black girl Ann and
her increase

If considered most adorsable
and beneficial "for the interest
of those heirs whose negroes are
directed to be hired out in
this will, that they should be
sold to keep them from running
off or doing some mischief, I
want my executors to sell them
and pay the money that each
is sold for to the heir they
are willed to."

William Jenkins, owner of
the magnificent Greenbottom
estate, probably owned more
slaves than any other farmer
of this section. His will does not
give the number, but old citizens
who knew most of the Jenkins
family told me that he kept
as many as a hundred or more
slaves of all ages. He died
in , and they descended
to his children. He however,
only specifically mentioned

X

He further stated, that his servant Reason, being old, shall not be hired out, ~~and~~ "should it be found best to hire out the other servants, or any of them for the support of the family."

Adam Black, who lived in a large brick house still standing on the old Turnpike east of Qua gave his black women, Polly and Sarah to his wife, and his "black girl Nancy," ^{& her increase} to his daughter Melitta Thomas

He gave his "black boy Richard," to his daughter, Eliza Ann McCown, to be hired out for her and her heirs.

His "black boy Ben" was to go to his grandson, James R. Black, he, at that time having this slave in possession.

To his son John Black, he gave his black boy Frederick.

To his son William, his black boy Wesley.

To his son Wilson C. Black, he gave his black boy Merry, to be hired out during said boy's natural life, for Wilson's benefit.

62

or labour for them, before the time arrive when they would be entitled to their freedom then and in that event, I desire to be free immediately after such removal from the state of Virginia."

John W. Griffin, son-in-law of Solomon Thornburg, lived on the west side of Guyandotte River, about two miles below the town of Barboursville. In his will dated March 24, 1858, he provided that his slaves Marianda and George, ^{and their increase,} should, on the final settling of the estate, choose their owners among his children, "who shall equalize at a fair value with their brothers and sisters."

Gerard C. Ricketts of Guyandotte had a few servants. In case his parents and his wife should decide to live as separate families, the parents were to have the use and services of his servants, Reason and Sydney, so long as the parents should live.

and their two youngest children,
"Maliinda and Joe, to live with
with them on said improved land,
a young horse beast worth fifty
dollars, a good cow and calf,
and one hundred dollars in money
and should they be unable to
obtain permission to remain in
the state, so as to occupy said
improved land, then I desire my
executors to rent it for their
support and give the rent of
said property and money to them
then if they should make choice
to live with any of my children
in preference to being set free
and being compelled to leave
the state, then I desire that they
shall have the privilege of doing
so and the child with whom
they may make choice to live,
to receive said rent, and the
services of said two children for
their support during their live
or stay with said child and
should any of the slaves herein-
before mentioned be taken or
carried beyond the limits of
this state, to perform services

64

William Buffington also gave
To his daughter, Mary J. Hagar,
his "black girl servant now
living with her, named Frances
and her increase for and during
her natural life, and at her
death I desire said girl Frances
to be set free, and such children
as she may have, I desire to
be set free, as they severally
arrive at the age of twenty-
eight years."

(Part of this will copy missing
after 8th, which examine care-
fully)

About all the slaves went
to his wife, during her natural
life, and after her decease,
they were to be set free, both
they and their increase, as soon
as they should become twenty-eight
years old. His "old faithful servant
Ralph and Rhoda, after his wife's
death were to have the "use
and occupation of the improved
land where Jacob Plybon now
lives, during their life

James King of Lincoln County
in his will listed a single slave,
Henry, whom he gave to his wife,
Mary, for her natural life.

William Buffington, for many
years County Surveyor of Cabell County
which then included Lincoln and
Wayne Counties, made his will in
1855, and mentioned a few slaves.
Ralph and his wife, and all their
children, and Cynthia were left
to his wife during her lifetime,
with the exception of the oldest
boy named Clark, whom he told
he "would hire out until he
made me six hundred dollars,
with interest from March 18, 1850,
until paid, and then set him
free, part of which sum I have
received, as will appear in my
account book," etc., after which
his wife was to let him go free.

In other words, Clark was
permitted to buy his own freedom,
and this occurred more than once
in Cabell County.

Mary, his daughter was to have the "remainder and future increase" of Sall

Albert and Jenny were left to his son John

Alice to his daughter, Mary Everett.

Fleming to James and the further sum of \$200 to make him equal with the other slaves.

James Alderby was the owner of large boundaries of land. His home farm was recently known as the Alliger Farm. It was about two miles above the present Nickel Plant. In his will, he did not list all his slaves, but his wife was to retain this home farm, and probably the slaves not otherwise disposed of until her death, after which they or their sale value were to go to the various children. (Will Bk. 2. p 220)

67

Thos. E. Hanley lived in the upper end of Cabell County. The appraisement of his estate showed four slaves. A negro woman, Legunda and her two children Alexander and Lewis, valued at \$525, and a negro man, Ben valued at \$450. (Will Bk 2 p. 54)

John Handley's (Will Bk 2 103.4-5) appraisement dated 1852, owned a slave girl, Evaline, valued at \$600.

Solomon Thornburg, one of the very prominent citizens of Cabell County, had a large farm on Guyandotte River, about a mile above Barboursville.

He gave these children to his children

John to his daughter Elizabeth.
Bill to his son, Thomas.

Sall and Anna to his "beloved wife during her life time with the request that his "three youngest children " ~~the~~ shall maintain Anna after the death of their mother".

69
Martin Moore was another extensive farmer of the Dusenberry Ham section of Guyandotte River. He lived about two miles above Sampson Sanders. In the appraisal of his estate made in 1850, nine slaves were listed valued at

He had already given part of his slaves to his children. All except John, a boy slave, and Priscilla, a girl slave, were to be sold, and the money to be divided among certain of his children. He had given a negro girl, Malinda, to his daughter Amacetta Everett, and to his son, Martin Moore, a slave named Henry. Harkey was given to his daughter, Margaret Shelton, to his daughter Louisa Dusenberry, a negro girl named Martha. John, a negro boy was given to his daughter Frances Moore. Priscilla was given to his son Wilson Moore.

Deed Book 6 p. 476

Sept. 9, 1837, Obediah Merrill,
for \$1250, paid to him by
John Porter Sr., gave a Bill
of Sale ^{to sd. Porter} on three slaves, as
a guarantee that Pellington
Merrill, "against whom there
is now a prosecution for
felony and who is now out
on a recognizance with said
Porter, one of the securities
shall make his personal ap-
pearance," etc. shall be void, etc

Deed Bk. 7 p. 259

Sylvester Fuller, Dec. 4,
1838, manumits his female
slave "Wimpy", consideration \$1⁰⁰.

Deed Bk. 8 p. 238

Date not given here

James King, for \$1⁰⁰,
does "hereby grant, bargain and
sell," to be paid for, to Edmund
Bushby and wife Mary, all
horses, cattle, household furniture,
and a negro boy, etc.

Deed Bk 10 p. 263

July 2, 1850, James H. Trimble,
of Amherst Co. Va.
Schuyler H. Trimble; for natural
love, etc., To his sister, Lucinda
M. Jenkins, of Cabell Co. a girl slave named
Roda (Rhoda), free from all
debts etc. of her husband Eli
A. Jenkins, "free from any
marital rights," etc.

Deed Book 10 p. 526.

Nov. 1, 1852, Allen McGinnis,
as security for a note of
\$500 (of Nov. 1, 1852), payable
in a year, gives a deed of
trust to Wm. C. Miller (Thos.
Thornburg, trustee) to Miller, on
two negro boys, William and
Henry.

West Va. Review

Dec. 1840

Article - "Call the Doctor"
by Mary Eloise Turner pp. 85-92

Deed Bk 11 p. 63-4

April 9, 1853, John Hamman,
for \$1630, (note), gives a
deed of trust to James Martin,
(Henry J. Samuels, Trustee) on
1 Black man named Peter

1 boy

1 woman ~~Caroline~~ ^{Elizabeth} and her
children Lewis and
Caroline, "and her future
increase"

To "sell at public auction"
on ninety days notice, etc.

Deed Book —

July 21, 1853, Nathaniel S. Adams
and wife Paulina, and James H
and John N. Buffington^(2nd), and
William Buffington (Trustee), for
note of \$400, gives a T. D. on
a lot, on the west side of
between the town & Guyandotte
River, on W. side of Guyandotte
Street, also the following slaves:
Mary & dau. Lucinda[?] & increase
Adams lived in house on this
lot.

13
Court Minute Bk 1 p. 263

Registry of Slaves.

"A statement of slaves brought into this State from Kentucky by William Allison with the Affidavit."

Court Minute Bk. 2, p. 214

Oct. 1823.

"Phulaman Chapman, by his attorney, came into court etc. a jury, find that negro Sam, at time of filing said attachment, the property of Phulaman Chapman, and judgment for the plaintiffs costs."

Nov. 1859 (?) p. 43, Minute Bk VII

"On motion of James F. Davis who produced in court the assessment of the Commissioner of Revenue of this County, and the Sheriff's receipt for \$16 ⁶⁶, the tax imposed by law for the privilege of keeping

at Forks of Wayne Road, from the
8th of November, 1859, until April
County Court, 1860, thereupon the
said James F. Davis, together with
G. Harrison and Geo. W. Williams
entered into and acknowledged
a bond, in open court in the
penalty of two hundred dollars,
conditioned according to law;
thereupon the said James F. Davis
took the several oaths required
by law in relation to dealing
with free negroes, and also
in relation to small notes;
therefore, it is ordered that
the said James F. Davis has
the privilege of keeping an
ordinary, at the place afore-
said. (minute Bk 7 p. 43.)

Nov. 1859, minute Bk 7 p. 43
Alfred Diamonds was given a
license granted heretofore to
H. H. Mc Ginnis, to keep an
ordinary, penalty \$200, condition
same as above as to slaves, etc
to keep ordinary at

the Tavern House owned by 75
Owen Moore.

Minute Book 4 p. 107

June 1837, "Ordered that all the acting justices of the peace of this County be summoned to attend at the Court House at the August Term of this court next to take into consideration the application of Lewis and Jack, free men of colour, who intend to apply to the said court, at that time, for permission to reside within this county, according to provisions of the Act of Assembly, in that case made and provided."

Minute Book 6 p. 274

January, 1857.

D. B. Scott, guardian of the heirs of M. L. P. D. (?) vs. M. Wallace, that in a suit in Mason County, to recover sundry slaves, under the advice of his counsel,

76
he can promise, by recovering
the value of said slaves, upon
the condition that this court
will authorize his doing so."

"Upon consideration of the
representation of the said
D. B. Scott, this court doth
order, as far as they have
power, that it seems to them
that it would be advisable,
and, therefore, doth so direct the
said Guardian to make any
such compromise, as he may
deem best for the interest of
his wards."

File No. 215; Circuit Clerk's Office.

Gives an account of suit
brought by Dolph B Scott against
certain heirs of Nathaniel Cardwell,
deceased who lived on Four
Pole & had 160 acres of land.
(See fill)

It shows a newspaper
published in Gayandotte 1856.
J. C. Wheeler, Editor of The Unionist

COUNTY HISTORY - CABELL COUNTY.

HELEN KENT
APRIL 3, 1941.

THERE SEEMS TO BE NO RECORD OF A DEED OF TRANSFER OF SLAVE PROPERTY FROM THE SUIT MENTIONED IN MINUTE BOOK VI, PAGE 274, BUT IN THE CIRCUIT CLERK'S OFFICE IS THE FOLLOWING RECORD OF SUIT BROUGHT BY D. B. SCOTT AGAINST WILLIAM THARP AND MARGARET, HIS WIFE, WHO WERE NOT RESIDENTS OF CABELL COUNTY:

FOLLOWING IS THE SUMMONS TO COURT ISSUED TO WM. & MARGARET THARP:
" THE COMMONWEALTH OF VIRGINIA
TO THE SHERIFF OF CABELL COUNTY, GREETINGS:
WE COMMAND YOU TO SUMMON WILLIAM THARP AND MARGARET HIS WIFE-
NOAH CARDWELL AND WILLIAM KNIGHT-

IF THEY BE FOUND WITHIN YOUR BAILIWICK, TO APPEAR BEFORE THE JUDGE OF OUR CIRCUIT COURT FOR THE COUNTY OF CABELL, AT RULES HELD IN THE CLERK'S OFFICE THEREOF ON THE FIRST MONDAY IN THE MONTH OF MARCH NEXT TO ANSWER A BILL IN CHANCERY EXHIBITED IN SAID COURT AGAINST THEM BY DOLOPH B. SCOTT, AND UNLESS THEY SHALL ANSWER THE SAID BILL WITHIN ONE MONTH THEREAFTER, THE COURT WILL TAKE THE SAME FOR CONFESSED AND DECREE ACCORDINGLY; AND THIS SHALL IN NO WISE OMIT, UNDER THE PENALTY OF \$100 EACH.

WITNESS, JOHN SAMUELS, CLERK OF OUR SAID COURT AT THE COURT HOUSE OF SAID COUNTY, THE 18TH DAY OF FEBRUARY, 1856, AND IN THE 80TH YEAR OF THE COMMONWEALTH,
JOHN SAMUELS C.C.C."

NOTATION ON THIS SUMMONS AS FOLLOWS:

" WILLIAM THARP, MARGARET HIS WIFE AND WILLIAM KNIGHT NOT FOUND AND NON-INHABITANTS OF THE COMMONWEALTH-

JOHN M. UNDERWOOD
DEPT
E. M. UNDERWOOD S. C. C."

THE FOLLOWING NOTICE APPEARED IN THE "UNIONIST" A PAPER PUBLISHED IN GUYANDOTTE - 1856:

J. LAIDLEY JAL. " UNIONIST OFFICE"

GUYANDOTTE, VA. AUGUST 3, 1857.

J. C. "HEELER EDITOR.

" AT RULES HELD IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF CABELL COUNTY, ON THE 1ST MONDAY IN JUNE 1857.

DOLOPH B. SCOTT

VS.

JAMES THARP AND)
MARGARET HIS WIFE) IN CHANCERY
AND WILLIAM KNIGHT)
AND OTHERS)

THE OBJECT OF THIS SUIT IS TO RECOVER THE INTEREST OF THARP AND WIFE, AND TO GET A CONVEYANCE OF THEIR INTEREST IN THE LAND IN THE BILL MENTIONED

IT APPEARING BY THE AFFIDAVIT OF JOHN LAIDLEY THAT JAMES THARP AND WIFE AND WILLIAM KNIGHT, DEFENDANTS IN THIS CAUSE ARE NOT INHABITANTS OF THIS COMMONWEALTH.

IT IS ORDERED THAT THE SAID DEFENDANTS DO APPEAR HERE ON THE FIRST MONDAY IN AUGUST NEXT, AND ANSWER THE COMPLAINANT'S BILL AND THAT A COPY OF THIS ORDER BE INSERTED IN THE " UNIONIST ", A NEWSPAPER, PUBLISHED IN THE TOWN OF GUYANDOTTE, CABELL COUNTY, VIRGINIA, FOR FOUR SUCCESS-

COUNTY HISTORY - CABELL COUNTY

HELEN KENT
APRIL 3, 1941.

SIVE WEEKS AND A LIKE COPY POSTED AT THE FRONT DOOR OF CABELL COURT
HOUSE FOR THE LIKE PERIOD,
A COPY TEST, JOHN SAMUELS CLK. C. C.

JUNE 28, 1857, ALSO COPY JUNE 28".

" UNIONIST OFFICE "

GUYANDOTTE, VA. JULY 28, 1856-

" I, J. C. WHEELER, EDITOR OF THE UNIONIST, A PUBLIC NEWS-
PAPER, PUBLISHED IN GUYANDOTTE, CABELL COUNTY, DO HEREBY CERTIFY THAT THE A
ANNEXED ORDER OF PUBLICATION HAS BEEN PUBLISHED IN SAID PAPER, FOUR SUC ES
IVE WEEKS COMMENCING ON 28TH DAY OF JUNE A.D. 1856.

FEE \$2.50

J. C. WHEELER, EDTR.

FOLLOWING IS A LETTER TO THE JUDGE OF THE CIRCUIT COURT, IN THE HANDWRIT
OF DOLOPH B. SCOTT, WHICH WAS ALSO IN THE FILE IN CIRCUIT CLERK'S OFFICE:

THE ORATOR DOLOPH B. SCOTT STATES THAT NATHANIEL CARDWELL DECSD.
LIVED ON A TRACT OF LAND ON FOUR POLE CREEK IN THE SAID COUNTY OF CABELL
CONTAINING 160 ACRES, AND THAT HE LEFT SEVERAL CHILDREN- MARGARET, NOAH
AND A DAUGHTER WHO MARRIED WM. KNIGHT- THAT ON THE 10TH DAY OF AUGUST 1842,
GEORGE COTTRILL AND WIFE REBECCA, FORMERLY REBECCA CARDWELL, SOLD THEIR
INTENT IN SAID LAND TO WM. KNIGHT, WHO PAID THEM FOR THE SAME. THAT SAID
KNIGHT TOOK POSSESSION OF AND YET RETAINS POSSESSION, THAT MARGARET CARD-
WELL MOVE TO THE STATE OF INDIANA WHERE SHE MARRIED ONE WM. THARP. THAT SHE
CAME TO THIS COUNTY ON A VISIT, WITH HER HUSBAND BUT REFUSED TO EXECUTE A
DEED UNLESS SHE WAS PAID A FURTHER SUM OF MONEY, AS THE LAND WAS THEN IM-
PROVED AND INCREASED IN VALUE; BUT SOLD THE SAME TO BROTHER NOAH CARDWELL.

YOUR ORATOR CHARGES THAT NOAH CARDWELL AT THE TIME HE PURCHASED OF
HIS SISTER MARGARET THARP WELL KNEW AND HAD NOTICE FOR MANY YEARS BEFORE T
THAT WM. KNIGHT HAD BOUGHT AND PAID FOR THE LAND, HELD A BOND FOR THE CONVE
ANCE OF A TITLE AND HAD POSSESSION OF THE LAND.

YOUR ORATOR CHARGES THAT HE PURCHASED THE SAID BOND OF WM. KNIGHT
22" APRIL-1852- HE KNIGHT ASSIGNS IT TO YOUR ORATOR WHICH BOND WITH ITS
ASSIGNMENT AND A DESCRIPTION OF THE 160 ACRE TRACT OF LAND IS HEREWITH
FILED AS PART OF THIS BILL.

YOUR ORATOR ~~CHARGES~~ THEREFORE PRAYS, THAT WM. THARP, MARGARET
HIS WIFE; NOAH CARDWELL AND WILLIAM KNIGHT BE MADE AND TAKEN AS DEFENDANT
TO THIS BILL AND THAT DEFT. NOAH CARDWELL IN HIS ANSWER SPECIALLY SET OUT, W
WHEN HE PURCHASED, FOR WHAT SUM AND WHETHER PAID FOR OR NOT; AS ALSO DID H
AT THE TIME OF HIS PURCHASE AND BEFORE, OF THE EXISTENCE OF THEIS BOND EXE
CUTE TO WILLIAM KNIGHT AND WAS IT NOT A MATTER COMMON
OWNED THE BOND GIVE BY MARGARET BEFORE HER MARRIAGE TO WM. KNIGHT, THAT
YOUR HONOR DIRECT A CONVEYANCE TO YOUR ORATOR FOR DIVIDED INTEREST THE SD
T WANT OF LAW, SO AS TO OPINE TO HIM THE FULL INTENT OF MARGARET AND THE
TIME SHE SOLD TO WM. KNIGHT AND SUCH OTHER AND FURTHER RELIEF AS IN EQUITY
HE IS IN TO WIT AND AS IN DUTY BOUND HE WILL EVER PRAY TO BE,

D. B. SCOTT"

~~ON HAND~~

FROM FILE No. 215- CIRCUIT CLERK'S OFFICE
CABELL COUNTY.