

To the worshipping Court of Charlotte County in Chancery sitting. Humbly complaining shew unto your worships your orators Samuel Carter and Benjamin Marable that John Bibb late of the County of Charlotte died sometime in the year 1790 or 1791 having first made and published his will and testament, which was duly proved and admitted to record. The said John Bibb by his said will bequeathed several slaves & some Mrs property to his wife Elizabeth Bibb for her life with remainders to his children, William Bibb Philemon H. Bibb, John Bibb, Branch H. Bibb, Thomas Bibb Richard W. Bibb, Susannah Bibb and Sarah Bibb, with a provision that in case either of his children should die under age and not married that the property aforesaid should be divided among the Mrs children above named; and he appointed his said wife and Walthall Holcombe Richard Bibb and Hillery Moseley his exors, all which will more fully appear reference being had to the said will a copy whereof is herewith exhibited as a part of this Bill.

The said Walthall Holcombe, Richard Bibb and Hillery Moseley qualified as the exors of the said John Bibb. The said Elizabeth Bibb did not qualify; and your orators are informed that she did ^{not} accept the provision made for her by ^{her} husband and demanded her thirds. In consequence of which she received from the exors aforesaid slaves as her thirds of her husbands slaves. The said Elizabeth afterwards married Josiah Moseley and has lately died, leaving of the slaves so as aforesaid apportioned and their increase twenty one slaves, which are now in the possession of Hillery Moseley the surviving executor of John Bibb, the Mrs exors Walthall Holcombe and Richard Bibb having long since departed this life. Richard W. Bibb the son of the testator died and infant and not married - all the Mrs children of the testator are yet alive, or attained the age of twenty one or married; so that the slaves aforesaid ^{be divided} among the Mrs legatees above named or their representatives. The said Susannah Bibb married your orator Samuel Carter and died, and your orator her qualified as her adm and is entitled to one se-

Charlotte Court 2^d July 1827
Samuel Carter and Benjamin Marable

plts

against

In Chancery

Halley Moseley Branch ^{de} Bibb and Thomas Bibb Halley Moseley
for Showing Executor of John Bibb dec^d John Marshall and
William Deupree administrator of William Bibb dec^d the Same
William Deupree administrator of Philemon H. Bibb and the
Same William Deupree administrator of John Bibb dec^d

defts

The defendants Thomas Bibb ^{plts} and Branch H. Bibb ^{de} against
whom the plts appear to have proceeded in the mode
prescribed by Law against absent defts still failing to
appear and answer the court on the motion of the
plts doth take the bill as confessed as to them, and
the cause coming on to be heard as to the other defts
on the bill their answers, and exhibits, and was argued
by counsel - On consideration whereof the Court being of
opinion that the Administrator of John Bibb dec^d is
chargeable with the value of the Slaves taken off and sold
by the said John Bibb in his lifetime, doth adjudge
order and decree that William Bacon John Booth
Francis Barnes Deury A Bacon and Robert Moore or
any three of them do ascertain the value of the
aforesaid Slaves: and the Court being also of opinion
that the aged infirm and chargeable Slaves ought to be
supported out of the Estate doth adjudge order and
decree that the deft Halley Moseley do put up the

Said Slave to the lowest bidder - And the Court doth further assigne order and decree that the said William Bruce John Booth Francis Burns Drury A Bruce & Robert Moore or any three of them who are appointed Commissioners for the purpose do divide the Slaves in the proceedings mentioned and the Valuation put upon the Slave taken off by the said John Bill, into Seven parts of equal Value, and that they assigne so many of the Slaves as with the Valuation aforesaid will be equal to One seventh of all the Slaves and the said Valuation, to the administrator of the said John Bill dec and that they assigne to each of the plaintiffs one seventh part of the said Slaves and to the defendant Hilkey Moseley one other seventh part and to the defendant William Deupres administrator of Philemon Bill dec one other seventh part and to the said William Deupres administrator of William Bill dec one other seventh part and the remaining seventh part to the defendant John Marshall and that they report their proceedings to this Court, and the Court doth further assigne order and decree that each of the plaintiffs and the defendant John Marshall do pay to Hilkey Moseley one sixth part of the price at which the said old and infirm Slave may be got off and that the said Wm Deupres do pay 2/6^{ths} thereof one sixth as the adm of John Bill dec one sixth as adm of William Bill dec & one sixth as the administrator of

Philemon & Bill dec.

A Copy
Teste

Winlow Robinson Cl



Agreable to the within order, we the undersigned Commissioners, have this day proceeded to divide the Slaves belonging to the Estate of John Bill dec, as follows, To wit,

N^o 1. Est^o John Bill.

Edmund	£ 350
Isaac	350
rec ^d of Feb ^o 16	21.63
of Feb ^o 5	11.13
of Feb ^o 2	28.71
	<u>758.57</u>

N^o 4. Benjamin Marable

Isaac	£ 275
Geo	330
Charles	175
	<u>780</u>
To pay No 1.	21.63
	<u>758.57</u>

N^o 2. Samuel Carter.

Geo	350
Ant. Child	300
William	175
	<u>825</u>
To pay No 1.	28.71
To pay No 3.	40.72
	<u>758.57</u>

N^o 5. Branch H. Babb

Mary	360
John	268
Lucy	165
	<u>793</u>
To pay No 1.	11.63
	<u>758.57</u>

N^o 3. Hilkey Moseley.

Andrew	330
Tally	235
Aggy	150
	<u>715</u>
rec ^d of No 2.	40.72
of No 6.	2.85
	<u>758.57</u>

N^o 6. Est^o Philip Babb

Lucy	330
Elic	225
Geo	220
	<u>775</u>
To pay No 3.	2.85
To pay No 7.	13.58
	<u>758.57</u>

N^o 7. Est^o Wm Babb.

Lucy	300
Robt	330
Pegg	115
	<u>745</u>
rec ^d of No 6.	13.58
	<u>758.58</u>

Given under our hands this 12th day of July 1827

Wm Deupres
Francis Burns
Robert Moore

- 1 Wm Bibb died in north Carolina
- 2 Abraham H Bibb died intestate in Charlotte county
- 3 Wm Bibb
- 7 Susannah who married Samuel Carter.

- 4 Frank H Bibb gone to Kentucky
- 5 Thomas Bibb in Alabama
- 6 Sarah H Bibb from Kentucky is her adw & was her husband

Richard Bibb died an infant or intestate he was no ~~of~~ ~~any~~

Cap. 10
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Mrs Carter etc no children
 Mrs Bibb etc 4 children
 Abraham, William, William, William
 Mrs Bibb etc 3 children
 Mrs Bibb Sarah who is now in Europe
 of Andrew & Susanna

Cap. Saml Carter

Dear Sir

The estate of John Hill
 du. will shortly come into my hands and
 its necessary that some one the Legatee
 should proceed by filing a friendly bill
 for a division as you are the only one
 concerned you had better have it done
 in your name as otherwise I shall
 be compelled to hold the negroes or
~~affences~~ ~~until~~ ~~some~~ ~~of~~ ~~the~~ ~~legates~~ ^{with} come
 forward and push a division as I can't
 do it my self in haste of mine
 Adm. ~~Wm. Hill~~ ~~for~~

J. Monday
 27th Nov 1820
 J.

In the name of God amen I John Bibb of Charlotte
County being sick and weak tho in perfect sense and
memory do make this my last will and Testament I
lend to my wife Elizabeth Bibb during her natural life
the following slaves (to wit) Sam, Dick, Tom, Rachel, Fern, and
Sudak, my horses Ralf, Roebuck, Remus, and gray mare and
riding Chair at her death to be equally divided with their
increase among my sons and daughters William Bibb, Phelmon
Holcomb Bibb, John Bibb, Branch Holcomb Bibb, Thomas Bibb,
Richard Walthel Bibb, Susanna Bibb, & Sarah Bibb, to them their
heirs and assigns forever. I lend to my wife Elizabeth Bibb
during her natural life all my household and kitchen
furniture my stock of cattle, and hogs, at her death to be
equally divided among my children before married but leave
it discretionary in my wife Elizabeth Bibb to give to my
children before married his or her share of the property in
this Clause but as they shall severally arrive at lawful
age or be married - The tract of land I now live on and
my ferry I ~~have~~ to be sold when ever my executors shall think
proper and two thirds of the money arising from the sale
to be laid out in the purchase of a tract of land by my
executors for the use of my wife Elizabeth Bibb during
her natural life, at her death be sold and the mo-
ney equally divided among my sons before married
as they shall severally arrive at lawful ages and the
other third of the money to be equally divided among my
sons before married as they shall severally arrive at lawful
age or be married - My Will and desire is that until
the land I live on is sold, the ferry be rented out and
the money ^{to} equally divided among my sons as they shall
arrive at lawful age or be married. My Will and desire
is that if any of my sons die before he shall arrive at law-
ful age not married all the money hereby willed to such son
arising from the sale of the land and rent of the Ferry be equal-
ly divided among his surviving brothers and his share of the other
property be equally divided among his brothers and sisters which

were before married and if either of my daughters before
married shall die under lawful age not married that
her proportion of the legacies hereby willed her be equally
divided among her brothers and sisters before married or their
representatives to them their heirs and assigns forever. I give
to my son William Bibb one black horse named Dick now
in his possession. All the rest of my horses I leave to
be sold and the money equally divided among my sons
and daughters before married as they shall severally
arrive at lawful age, that is to say the horses not
before willed — I give to my daughter Nancy Mosley five
negroes and their future increase, to wit, Beny, Nell,
Lybra, Pall, and Rose, to her her heirs and assigns forever
All the rest of my slaves and their future increase
and other estates not before willed, I give to be equally
divided among my sons and daughters before married
except my daughter Nancy Mosley as they shall severally
arrive at lawful age or be married. I constitute and
appoint my wife Elizabeth Bibb Executors Thiberry Mosley,
Walthell Healecomb, Arthur Mosley, Richard Bibb and
Leungston Bacon Executors of this my last will and Testa-
ment this 25th day of May 1790.

Sealed published and declared as my John Bibb J.S.
last will and Testament in presence of
Anderson Coche, Lazarous Webb. 3

At a Court held for Charlotte County the seventh day of Febru-
ary 1791 — This last will and Testament of John Bibb dead was
presented in Court by Walthell Healecomb and Richard Bibb
two of the Executors therein named and the same was proved
by the oath of Anderson Coche and Lazarous Webb the two witnes-
es thereto subscribed and ordered to be recorded. On the
motion of the said Executors who made oath according law
Certificate is granted them for obtaining a probat of the
said will, in due form they giving security whereupon the
said Walthell Healecomb with John Watkins his security and
the said Richard Bibb with William Price Derrick and James How-
lett his securities severally entered into and acknowledged
their bonds for that purpose reserving liberty to the other Executors
to join in the probat thereof when they shall think fit

At a Court held for the said County the 4th of April 1791
On the motion of Thiberry Mosley one of the Executors within
named who made oath according to law Certificate is grant-
ed for obtaining a probat of the said will in due form
he giving security whereupon he with Edward Mosley, Mark
Goode, and Thomas Bedford, his securities entered into and acknow-
ledged their bond for that purpose. Telle Thomas Read C

Copy
Telle

Amos P. Hinson