

1839-060
Loudoun Co.

CHANCERY CAUSES: ELIZABETH BALDWIN ETC. VS. HEIRS OF MAHLON BALDWIN ETC.

M 6905

John Baldwin
STACY Baldwin
JAMES Baldwin
John WHITACRE
Phebe Baldwin WHITACRE
ROBERT WHITACRE
AMOS WHITACRE
JAMES WHITACRE
Thomas M. Humphrey
Lydia WHITACRE Humphrey
Ruth Baldwin
John Chambling
MARY ANN Baldwin Chambling
DAVID EWERS
MASSA Baldwin EWERS
JAMES RUSSELL
CHARLOTTE Baldwin RUSSELL
SAMUEL Baldwin
Joseph Hawk
MARCENY Baldwin Hawk
HANNAH Baldwin
MARY Baldwin
ELIZA Baldwin
Thomas Baldwin
Joseph Baldwin
ISAAC Baldwin
SARAH Baldwin
Kirkbride Baldwin
BURN Baldwin
HOWARD Baldwin
Emily Baldwin
ABRAHAM Baldwin
NANCY Baldwin
SARAH JANE Baldwin

SLAVE: Milkey
Her children:
JAMES, BURN, FRANCES,
MARCUS

To the worshipful Court of Loudoun County in Chancery
sitting your Oratrix Elizabeth Baldwin, the Widow of John Baldwin
late of the County of Loudoun, who died intestate and childless
~~with issue~~ Stacy Baldwin, and James Baldwin, Brothers of the
intestate - In C. Whitacre who intermarried with Phebe Baldwin
the sister of the intestate - and is now dead - leaving children
namely Peter Whitacre, Amos Whitacre - James Whitacre, ~~Thos's~~
~~Whitacre the wife of Thos. M. Humphrey, & Lydia his wife~~
formerly Lydia Whitacre - Ruth Baldwin Widow of Mahlon
Baldwin dec'd. In C. Charming & Mary Ann his wife
daughters of Mahlon Baldwin & John Baldwin his son -
Daria Evers & Mafsa his wife - sister of the Intestate
James Ruffel & Charlotte his wife Daughter of Samuel Baldwin
a Brother of the Intestate - Jos. Hawk and Marcey his wife
daughters of Samuel - Hannah the Widow of Samuel Baldwin
Mary Baldwin, Eliza Baldwin & Thos. Baldwin, Children of Jos.
Baldwin dec'd.

Represent that John Baldwin departed this
life childless, and intestate, more than ten years since
leaving amongst other property a slave named Melkey, whose
children are James, Burn, Frances & Marcus - That the
slaves can be divided in kind, and many of those entitled
to division are infants under the age of 21 years - ~~The said~~
Your Oratrix Elizabeth - is desirous of having her interest
in the moiety of the property settled - and your Oratrix ~~sister~~
desires that the property shall be sold ^{for cash or} on such credit as
to the Court may seem proper, and the proceeds distributed
amongst the claimants, according to their respective
rights, and that the Infant ~~Dep't~~ Heirs of Mahlon Baldwin
Isaac, Sarah - Kirkbride, James, Burn Howard, and Emily,
and the Infant Heirs of Saml. Baldwin dec'd. Abraham
Samuel, James Nancy, Sarah Jane - Joseph & Ruth
may be made Dep'ts to this ^{Bill} and by their Guardian to be
assured by the Court make answer to the same, & that
your Worship may render such decree in the
may be consistent with equity & good course.

The answer of ~~Isaac~~ Isaac, Sarah, Kithbridge - James Burr Howard
and Emily Baldwin, Infant Heirs of Mahlon Baldwin
and of Abraham, Samuel, James, Nancy Sarah Jane ^{Joseph} and
North Infant Heirs of same? Baldwin dec'd to a Bill exhibited
a^t. them in the County Court of Loudoun by Elizabeth Baldwin
and others - These Respondents by their Guardian James C
Williams, appointed by the Court to defend this suit - save &
resave to them selves, every benefit of exception to the Coupl's Bill
can neither admit nor deny - the statement made in the Bill
and as they are Infants - of tender years, incapable of estimating
their own rights - and therefore by their Guardian - say they
are willing to abide by any decree - which by the Court may
be thought correct - they pray to be hence dismissed with their costs

James C. Williams

Elizabeth Baldwin & others Coupl's

a^t.

Isaac Baldwin & others

This cause being set for decree & coming
on to be heard - on Bill, Answer, and other evidence - and by consent
of parties, it is decreed and ordered - that John & Charlotte ^{Jas. Baldwin Senr.}
do sell the four slaves in the Bill mentioned, after having
advertised the time, & place of sale previously ^{in some news paper published in Loudoun} thirty days, for
the highest price that can be obtained for them ⁱⁿ cash -
and have the ~~same~~ ^{proceeds} here in Court = ~~at~~ subject to its future
order, ~~on~~ On the second Monday in Aug. 1835 -

Baldwin & Co

no 3 - Bill. ans? & decem.

Baldwin's Hair & Co

1835 June 10th Guadi

ad telum off^o Bill &

Ans & - Jan & decem

Aug 11th Mt 10 Baldwin

Rule in Bond Chamber

& decem as to the money

paid in by 10 Baldwin

12th Sept 10th & decem

1836 June 15th Decem &

1837 Aug 14th Decem &

1834 Feb 17th Discount

Williams

James G. ~~James~~ Guad. ad litem

Balowni asst. Balowni & others In ch 7

This cause again came on this 14th day of Aug 1839
for further hearing - and it appearing to the Sa-
-tisfaction of the Court, that Elizabeth Balowni the
widow of John Balowni Dec. and a Party to this
suit, has departed this life since the making
of the last order herein, by Reason whereof, the
fund heretofore set apart for the use and
Benefit of the said Elizabeth during her life
ought to go into the hands of those legally
entitled to receive the same In Consideration
whereof and upon the Petition of James Balowni
& John Whitacre two of those having an Interest
in said fund. The Court doth a Judge order
& decree, that Samuel M Edwards the former
Comptroller in this Cause, who was directed to
loan the fund aforesaid for the use & Benefit
of said Elizabeth Balowni - do forthwith proceed
to collect the same, ~~of the said~~ that
after retaining as a compensation for his trouble
2 1/2 per centum upon said sum, that he pay
over to the said James Balowni in his own right
one Seventh Part thereof, and as the said John
Balowni Dec. one Seventh Part thereof, To John
Whitacre in right of his Wife one Seventh Part - To the
Heirs & Representatives of Samuel Balowni Dec. or to the
Person duly authorized to receive the same one Seventh
Part - To the Heirs & Representatives of Joseph Balowni Dec.
or to the Person duly authorized to receive the same one Seventh
Part, To the Heirs & Representatives of Nathan
Balowni Dec. one Seventh Part, and the Woman's
one Seventh Part, to David Swain in right of his Wife
or to the Person authorized to receive the same & report
his proceedings under this order, to this Court, in a final decree

Balwin
and

Secur

Balwin & Co

at a court held for Loudoun County 10th June 1835

Elizabeth Baldwin the widow of John Baldwin late
of the County of Loudoun, who died intestate and child-
less Tracy Baldwin and James Baldwin, Brothers of the in-
testate, - In^o Whitacre, who intermarried with Phoebe Balde-
win the sister of the Intestate, and is now dead, leav-
ing children, namely Robt. Whitacre, Amos Whitacre,
James Whitacre, Tho^s. M. Humphrey and Lydia his wife
formerly Lydia Whitacre, - Ruth Baldwin widow of
Maklon Baldwin dec^d. In^o L. Chamblin and Mary
Ann his wife Daughters of Maklon Baldwin and John
Baldwin his son, - David Ewers and Masha his wife
sister of the Intestate, - James Russell and Charlotte his wife
Daughter of Samuel Baldwin dec^d. - Brother of the Intestate,
Jos. Hawk and Marceny his wife, Daughter of Samuel Hun-
nab the widow of Sam^l. Baldwin, Mary Baldwin, Eliza
Baldwin and Thomas Baldwin, Children of S^r. Baldwin dec^d.

Plaintiffs -

against

The Infant heirs of Maklon Baldwin Viz: Isaac, Sarah, Hilda
- bride, James, Burr Howard, and Emily and the Infant
heirs of Samuel Baldwin dec^d. Viz: Abraham, Samuel, James,
Nancy, Sarah Jane, Joseph and Ruth by James G. Williams
their Guardian ad litem - Depts - 3 In Chambers

This cause being set for decree and coming on
to be heard on bill, answer and other evidence and
by consent of Parties it is decreed and ordered that
John L. Chamblin and James Baldwin sh^o do sell the
slaves in the bill mentioned and having advertised
the same and places, previously thirty days in some news
paper published in Loudoun for the highest price that
can be obtained for them in Cash, and have the proceeds here
in Court subject to its future order on the second Monday in
August 1835.

Attest
J. J. [Signature]

Baldwin and others
versus Decree
Baldwin and others

August 11th 1835.

Madam.

James Bolden & Living
Macey Bolden do
Samuel Bolden Dead
Joseph Bolden do
Mahlon Bolden do
David Emery in right of his wife
John Whiteacre in right of
his wife and she dead

Do
do

Elizabeth Baldwin

Plf

Dec 4th 1835

vs
Jas Baldwin & others

In Chancery
3 Dpt

The Commissioners appointed under a Decree made in this Cause, made on the 10th of Decr 1835 for the purpose of making sale of certain Slaves in the Brit^{ish} & purchasing mentioned having reported to this Court that they had discharged that duty & had now ready in Court the Proceeds of Sale, to wit the sum of \$2125, subject to its order upon Consideration whereof, the Court doth adjudge, order & decree that the said \$2125 be deposited in the Vally Bank at Lansing to the Credit of the Equity Court of London & subject to its future order

and it is further ordered & decreed that Sam^l Edwards be & he is hereby appointed a Commissioner for the purpose of making distribution of the funds aforesaid, among the Parties interested therein according to their respective rights, after deducting all the Expenses necessarily incurred by ~~the said Commissioners~~ in the prosecution of this suit, and also after allowing to Jas^l Chamblin adv^{ce} bonis non of John Baldwin Dec^{ed} the sum of \$119:19¹⁰ which appears by his ac^{ts} ret^{ur} na to be due him - and that said Commissioner in making the distribution aforesaid shall allow & set apart for the Benefit of Elizabeth Baldwin the Plf in this Cause for & during her Natural life One half the Pr^{nt} Pr^{nt} Pr^{nt} of the funds aforesaid and said Commissioner he and he is hereby empowered to loan said half of said funds for & during the life of said Elizabeth Baldwin Pr^{nt} Pr^{nt} Pr^{nt} upon Bond & good Security at the rate of Six per cent per annum, payable half yearly from the date thereof; said Bond to be made payable to said Commissioner & to be returned with his report to this Court for the Benefit of the Parties interested to be conditioned for the forth coming of the amount so loaned at the death of said Elizabeth Baldwin the Plf herein, and

also for the prompt payment of the interest reserved
half yearly to said Off. It is further ordered that in
making said loan the Commission herein appointed
& shall give the Preference to Mr. L. Chamblin, upon
his giving the necessary Security - The Commission is
also further ordered to allow to Mr. L. Chamblin & James Baldwin
the former Commission for the Sale of the Negroes in the Bill
mentioned a Commission of 2 1/2 per centum each upon the
first three hundred Dollars by them recd. and the sum 4
per centum each upon the residue thereof, in addition
to the other legal expenses incurred by them in carrying said
order into effect including an atty for and he is
authorized to audit & settle their acct in relation to this
subject & report the same to the Court. Said Commission
to be fully empowered to draw from the Bank of the Valley
the sum or deposit there to the credit of the County Clerk
of Loudoun (in this cause) without further authority - and
said Commission is hereby authorized to receive out of the
fund or funds a Commission of one per centum or a
Commission for his services - and he is further ordered
to divide the balance of the fund among the other claimants
as follows - On South Part to James Baldwin - On South
to Stacy Baldwin, or to the Heirs & Representatives of Samuel
Baldwin Dec'd. - On South to the Heirs & Representatives of
Joseph Baldwin Dec'd. - On South to the Heirs and
Representatives of Mahlon Baldwin Dec'd. - On South
to David Ewers in right of his Wife - On South
to John Whitcomb in right of his Wife - & Report
his Proceedings and the order for a final
 decree

Baldwin & Co
Per Baldwin & Co
August 1835

Decree
21st 12th

In obedience to an order of the Worshipful
Court of London County sitting as a Court of
Chancery, made on the 10th day of June 1855-
in the Case of Baldwin vs. Baldwin & others
the undersigned Commissioners named in said
order, did on the 20th day of July last sell
at public Auction for Cash the Slaves
in the Bill & proceedings mentioned, for the
sum of \$2125 which sum he has now
in Court ready to demand subject to
the future order of the Court, all which
is submitted

W. L. Chamberlin
James Baldwin

Baldwin

or

Baldwin & Co

}
}

In charge

upon the motion of James Baldwin one of the Commissioners appointed
at the Jan Term last for the purpose of making sale of the Slaves in
the Back & procees mentioned, it is ordered that he pay into the
✓ Bank of the Valley at Leesburg the sum of \$862⁰⁰ to be placed to the
Credit of the Court & subject to its future order or decree to be made
in this Cause - that being the amount received by him on A/c of the
Slaves sold by himself & John S. Chubb in his Commission

Baldwin

or

Baldwin

} Aug

1835 Aug. 10th 8th 1/2

June 15th 1886

Baldwin vs Baldwin & others In Chancery

It appearing to the Court that Joseph Baldwin has taken out letters of administration upon the Estate of Saml Baldwin dec'd. It is ordered & decreed that Saml. M. Edwards who was appointed a Commissioner to distribute the Estate of John Baldwin dec'd do pay over to the said Joseph Baldwin as adm^r of Saml. Baldwin dec'd. - whatever amount he may have now or which may hereafter come to his hands as the Distributor & adm^r of said Saml. Baldwin dec'd. ~~or his heirs &c.~~ in the Estate of said John Baldwin dec'd.

Lindem County to wit

Augt 11th 1835

Elizabeth Baldwin & --- Defs

"

Isaac Baldwin & others Defs

In Chy

On the motion of James Baldwin it is ordered that
John L Chamberlin be summoned to appear here on tomorrow
to shew cause if any he can why he has not complied with
the decree of this Court made on the 10th day of June 1835
in which he was appointed as one of the commissioners for
the purpose of selling the slaves in said decree mentioned

Attest Teste & signing etc

Baldwin

To 3 Mills

Chumlin

To Thomas

12th Mile disch^d

Exacted by drawing to the Dept a copy of
the within draft.

James R. Williams Esq
for Notary R. Williams Esq

The Commonwealth of Virginia to the Sheriff of Loudoun County
greeting We Command you that you Summon Isaac Baldwin Sarah Baldwin
Elizabeth Baldwin James Baldwin Burr Howard Baldwin Emily Baldwin
^{children & heirs} of Mahlon Baldwin decd. Abraham Baldwin, Samuel Baldwin, James
Baldwin, Nancy Baldwin, Sarah Jane Baldwin, Joseph Baldwin & Ruth
Baldwin Infants heirs of Samuel Baldwin decd.

to appear before the Justices of our County Court of Loudoun at the
Court house thereof on the second Monday in June next to answer
a bill in Chancery exhibited against them by Elizabeth Baldwin
widow of M^r Baldwin decd, Stacy Baldwin & Baldwin Brothers of M^r Baldwin
John Whitacre who intermarried with Phoebe Baldwin sister of M^r Baldwin who is now
dead leaving children namely, M^r Whitacre, Amos Whitacre J^r Whitacre, M^r Humphrey
Lydia his wife formerly Lydia Whitacre, Ruth Baldwin widow of Mahlon Baldwin
decd. John L. Chamblin Mary Ann his wife daughter of M^r Baldwin the said Baldwin his son
David Swers Maria his wife sister of Intestate, J^r Russell & Charlotte his wife daughter
of M^r Baldwin decd a brother of Intestate, Joseph Bacon & Mary Ann his wife daughter of M^r Baldwin
Hannah the widow of M^r Baldwin, Mary Baldwin, Eliza Baldwin & M^r Baldwin, Gudden of M^r Baldwin decd
And unless they shall answer the said bill within four months
thereafter the Court will take the same for confessed and decree
accordingly and this they shall in nowise omit under the penalty
of £100 and have then thereunto this writ witness
Charles Benns clerk of our said Court the day of 183
in the Year of the Commonwealth

L. Benns

Baldwin J. ¹⁸

ver

Baldwin J. ¹⁸

To June 1835