

Petition Analysis Record (PAR)

Race and Slavery Petitions Project

Series 2, County Court Petitions

University of North Carolina at Greensboro

Accession: # 21679103

Norfolk County, Virginia

Salutation: To the worshipful the Justices of Norfolk County seting in Chancery

Court: Chancery

Beginning Date: February 1791

Court: Chancery

Ending Date: July 1799

Petitioner[s]: 1

Number of Pages in Petition: 3

George Wythe White Male

Defendant[s]:

Francis Tarrant White Male

Anne Claiborne Tarrant White Female

George Claiborne White Male

William Claiborne White Male

Thomas Claiborne White Male

William Happer White Male

Abstract:

About 1761, Thomas Wythe "bequeathed to his wife Frances the property of one half of his Slaves with the use of the other half during her Life; & to his neice ... the sd. other half of his Slaves after the death of his Wife." George Wythe, the petitioner and Thomas's brother, points out that he "purchased of his Brothers widow all her right to the said Slaves" and that the niece married Thomas Claiborne. He further notes that "by desire of his mother, without receiving any consideration, delivered up to the sd. T Claiborne so many of the sd Slaves with thier increase as were agreed to be equal in value to one half of the whole number." George admits that Thomas gave him a receipt for the ten slaves, "which receipt was not recorded & having been mislaid cannot be found." Anticipating that there may be disputes among the representatives of Thomas Wythe, the representatives of the Claibornes, and himself and his representatives, George Wythe asks that the parties involved be summoned "to appear & answer the premises & to abide the order of the Court therein."

Subjects:

children of whites

death of black

death of white

distribution of slaves

slaves as property

slaves in estate

valuation

widows

wills

Number of Pages in Related Documents: 0

Related Documents: Court Record, November 1790--July 1799

Petition Result: dismissed

Location Description: County Court Papers

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Norfolk County, Virginia

Repository: Library of Virginia, Richmond, Virginia

To the worshipful the Justices of the Peace sitting in Chancery having been examined, sheweth that your worship's Your Brother George Wythe that his Brother Thomas Wythe who died about thirty three years past by his Testament, among other things, bequeathed to his Wife Francis the property of one half of his Slaves with the use of the other half during her life, & to his Niece Stephen Loomis the & other half of his Slaves after the death of his Wife — that Your Brother purchased of his Brother's widow all her right to the said Slaves — that Thomas Claiborne afterwards married the sd Stephen Loomis & not long afterwards your Brother by desire of his Mother, without receiving any consideration, delivered up to the sd Claiborne many of the sd Slaves with their increase as were agreed to be equal in value to one half of the said Slaves ^{excepting} two named Hannah & Priscilla whom your Brother's Mother wished to retain & of whom the former is now dead & the other if living too old to be of any value — that the sd Mr Claiborne gave Your Brother a Receipt for the Slaves so delivered to him, who as Your Brother believes (for at this present time he cannot recollect with certainty) were ten & named Cate, Sally, Esther, Hannah, Aggy, Franky, Will, George, Rosa, & Susan; which receipt was not recorded & having been mislaid cannot be found. Now for as much disputes may arise after the death of the sd Thomas Wythe's widow now Mrs Mosby, between the representatives of the sd Thomas Claiborne Stephen his Wife, who are both dead & your Brother or his Representatives

to prevent such disputes, or for the adjustment
of them, if they should happen - That the re-
presentatives of said the Widow of Thomas Cla-
borne are Francis Tarrant & Anne his wife
& Daughter & Thomas Claiborne Wm Claiborne
& George Claiborne who survive of the S^d Ed
Claibornes Children - & Wm Kapper of Noth Carolina
the only surviving estate Ex^r of the S^d Cla-
borne Dec^d all of whom being interested in the
Question your orator prays, may be made
Parties Defendants & may such of them as
are of full age upon oath & those who are infants
by guardians to be assigned by the worshipping
Court upon oath or without oath, answer the
allegations before stated; & that costs & expenses may
be awarded & to take the examination of such

Witnesses concerning the subject matter of this
Bill & that their testimony may be perpetu-
ally preserved - May please yr^{ws} Worships
to grant to your orator the Com^{on} the writ or
writs of Subpoena to be writen to the S^d
Def^s before named com^{manding} them to ap-
pear & answer the premises & to abide the
order of the Court therein

One Witness for
Complainant

Small Johnson

May 1798.	Cont
June —	Cont
July —	Cont
Aug —	Cont
Sept —	Cont
Oct —	Cont
Nov —	Cont
Dec —	Cont
Jan. 1799.	Cont
Feb —	Cont
Mar —	do
Apr —	do
May —	do
June —	do
July —	disrupted
by Peter Austin	