

R.053 (Formerly DATA.032 from Thomas Woodward Disc 2)

INFORMATION ON JAMES NELSON, WHO MAY HAVE MARRIED MARGARET WOODWARD, DAUGHTER OF THOMAS (REGULATOR) WOODWARD & JEMIMA COLLINS.

Entered in October of 1991 by Robert R. Hill of Brandon, Florida. Updated in December of 1993.

Source: My research based on information obtained from the Fairfield County Museum in Winnsboro, S.C. Updated information based upon research by a certified genealogist named Mr. Brent H. Holcomb of Columbia, South Carolina for Mrs. Calhoun J. Killeen, 1501 Natalie Joy Lane, McLean, VA. 22101, who in turn sent me a copy of that report. Also, input provided by Mrs. Jean Holly Day of 52 W. Broadway, Danville, Indiana.

#### INTRODUCTION:

My research on this James Nelson Sr. was started at the South Carolina Archives by me back in 1986 and continued off and on until 1991. I feel I was on the right track but failed to obtain the following Equity Records, which obviously shows that James Nelson Sr. had a two marriages, the second one apparently to Margaret Daniel Turner in 1788. They also show the relationship of Samuel Nelson & John Nelson (half brothers).

Originally, I was of the opinion that there were TWO James Nelson Sr.'s (over a period of time) and had two different set of children, UNTIL I saw this report from Mr. Holcomb.

This is a very good example of the advantage for one hiring a Professional Certified Genealogist, when affordable, to do their research, and not rely (as I have done many times) on information passed on to me by others, despite the fact that some research was done by myself.

Since this information was given to me, I have reconsidered, my beliefs, and now feel that this James Nelson Sr. DID IN FACT first marry Margaret Woodward 3/, daughter of Thomas (Regulator) Woodward (1729-1779) & his first wife, Jemima Collins. I admit there is no actual proof here but there is a awful lot of circumstantial evidence.

This opinion is based upon the "equity suits, deeds, will" that was found by Mr. Holcomb. This updated document is a result of that information and combining my original research to that of Mr. Holcomb's.

Robert R. Hill 10th December 1993.

Caution is advised to all researchers...A James Nelson SR. is said to have married Margaret Woodward 3/, daughter of Thomas (Regulator) Woodward 2/ & his 1st wife, Jemima Collins.

There was another James Nelson in Fairfield County, S.C., named James W. Nelson, who also had a wife named Margaret. At first I thought she was Margaret Woodward 3/, daughter to Thomas (Regulator) Woodward 2/ and his first wife, Jemima Collins. I am now convinced that is wrong!

After discussing this with Mrs. Jean Holly Day, of Danville, Indiana, we are suspicious that James Nelson Sr. may have been the man that married Margaret Woodward 3/, and had a son named Samuel Woodward 4/.

The first wife, thought to be Margaret Woodward 3/, apparently died, and then in 1788, James Nelson Sr. remarried to Margaret Daniel Turner.

We suspect that James W. Nelson may have been the son of the above James Nelson Sr. and who married a woman named Margaret--.

If it should turn out that James W. Nelson's wife was named Margaret Woodward, as I originally thought, then she was certainly not the daughter of Thomas (Regulator) Woodward 2/, because she was way to old to have had a son named Samuel Woodward (b. 1839) as mentioned in the estate papers below.

#### JAMES NELSON SR.

DAR records shows that James Nelson Sr. was born in 1748 in Orange County, N.C. and died on the 28th May 1835 in Fairfield County. He was a Revolutionary Soldier (Pension No. W.9588 in National Archives).

His second wife seems to have been Margaret Daniel Turner (not Margaret Woodward 3/) who he married in 1788 in Fairfield County, S.C. Margaret Daniel Turner Nelson died at midnight on the 23rd day or 24th day of July 1845.

Margaret Woodward 3/, is thought to have been the first wife of James Nelson Sr., probably died sometime between 1775 and 1788 and I am told that so far to date, there has been only one child found, a son named Samuel Nelson, who was named in the law suits below, and found by Brent Holcomb.

By his second marriage, James Nelson Sr. & Margaret Daniel Turner had the following Children:

Jesse Nelson  
Mary Nelson m. Kennedy

Catherine Nelson m. Delaney  
Harriet Nelson m. Shedd  
Thomas W. Nelson  
John Nelson

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On the 3rd of July 1800, the following "Power of Attorney"  
was made by James Nelson & his 2nd wife, Margaret Daniel  
Turner.

Deed Book N, Pages 54-55, 3rd July 1800

Power of Attorney

Know ye by these presents that we, JAMES and MARGARET NELSON,  
of the state of South Carolina & district of Fairfield, for  
very good causes & considerations, us thereto moving have  
made, named, constituted and appointed & by these presents do  
make, ordain and appoint our trusty son WILLIAM TURNER, of  
the state of Virginia, Carpenter, our trusted and lawful  
attorney for us and in our names and to our use, to ask \_\_\_\_\_  
\_\_\_\_\_ of and from the Executors or Administrators of the  
said JOHN DANIEL, of the said state of Virginia and county of  
Fairfax, the sum of money left by the said JOHN DANIEL, as a  
legacy to the said MARGARET NELSON, late MARGARET DANIEL and  
or other goods and chattels or whatsoever may fall to the  
share of her, the said MARGARET NELSON, of the estate of her  
father, the said JOHN DANIEL, deceased.

Signed/ Jas (N) Nelsom  
his mark  
Marg. (X) Nelson  
her mark

Witnesses:

William Robertson Sr.  
William Robertson Jr.

This William Turner is thought to have been the same William  
Turner that later came to South Carolina and married a  
daughter of Reverend William Woodward, who was a brother to  
Nelson's first wife, Margaret Woodward.

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James Nelson Sr. made his will, dated 15th May 1833,  
and it was probated on 3rd August 1835 and recorded in Will  
Book 14, Page 362, Apt. 60 File 926.

The following information was taken from a hand written copy  
by Ethel Buchanan Sanborn, in 1973, of what appears to have  
been an Application to Administer the estate of James W.  
Nelson, who obviously had died intestate. It does not appear  
to have been copied completely. Also notice that his name  
was James W. Nelson, NOT SR. I failed to take note of this  
very important fact, also since he had died intestate, I

realized it was a different James Nelson, and since the wife was said to have been Margaret (W.) Nelson, I incorrectly assumed, it was Margaret Woodward 3/, daughter of Thomas (Regulator) Woodward 2/.

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RESEARCH BY MR. BRENT HOLCOMB FOLLOWS:

The following found by Mr. Brent Holcomb:  
(Kershaw County Equity Roll Number 232)

SAMUEL NELSON vs. John Nelson. Bill for injunction ne exeat & Relief. Filed 14 November 1824. Answered 20 April 1825.

South Carolina, Camden District. In Equity. To the Honorable the Judges of the Court of Equity of the said State. Your orator SAMUEL NELSON that in July in the year 1816, Francis Lester and others filed their Bill in the Honorable Court at Columbia, again your orator desiring (?) a partition of four negroes named Saylor, Clarissa, Charlotte & Isaac then in possession of your orator, that a final decree was made in the said case ordering that the negroes be sold by the commissioner in Equity of said district in order to effect a partition, two thirds of the proceeds of the sale to be paid to Complainants in certain proportions and one third to your orator. That with a view to defeat said decree your complainants HALF-BROTHER, JOHN NELSON pretending great friendship for your orator, advised your orator to run off the said negroes and sell them and more effectively to induce your orator to acceded to his proposition the said JOHN offered to carry it into effect and as a compensation for all the trouble and expense her (sic) should be at in the course of the transaction, he agreed to take out of the proceeds of the said sale three hundred dollars and no more. Your orator having agreed to this arrangement, the said JOHN NELSON borrowed of your orator for the purpose of assisting him in taking off the said negroes a riding chair which he promised to return safe and uninjured or to pay for if broken. The said JOHN by his agent Le-- H. Coe then took off three of the said negroes named Saylor, Clarissa and Charlotte whom he sold for about three hundred dollars in cash and three thousand dollars in good bonds or notes as he afterward informed your orator. Your orator further sheweth unto your Honors that Saylor, one of the negroes so sold, ran off and returned to this state and was seized and sold by the Commissioner in Equity under the decree and that Isaac another of the negroes ordered by the decree aforesaid to be sold and how had not been carried off was likewise sold by the commissioners & brought six hundred and five dollars. That these two sums making in the whole Sixteen hundred and ten dollars, not being deemed the value of two thirds of the four negroes ordered by the decree to be sold and Clarissa

and Charlotte two of the negroes who had been run off and sold not returning an attachment was taken out against your orator for contempt in not delivering up the said negroes to be sold under said decree. That your Orator was arrested under the said attachment and confined in jail from whence as previously agreed upon in such an event your Orator wrote to the said JOHN NELSON to procure his release from jail. Your orator further sheweth unto your honors that the person to whom Saylor had been sold by Coe came in pursuit of him and finding that he could not recover the negro was about instituting (?) a suit against Coe being then discovered as \_\_\_\_\_ in taking off the said negroes was about likewise to be sued by the Commissioner in Equity or those interested in the aforesaid decree. That JOHN NELSON fearing a development of the whole transaction came forward apparently influenced by paternal affection for your Orator, but really to prevent discovery, compromised with the person to whom Saylor had been sold by Coe by giving to him his bond for the payment of one thousand dollars & then compromised with the Complainants in the Equity case against your Orator and procured your Orators release from confinement and satisfaction of the aforesaid decree by joining your Orator as obligor in a bond conditioned for the payment to FRANCIS LESTER of \$ 567 with interest from 16 March 1820... Your Orator further sheweth that he frequently applied in a friendly manner to the said JOHN to come to a settlement & Pay over to your Orator whatever balance was due him but under various pretences the said JOHN eluded a settlement.. a tract of land belonging to your orator was set up and sold by the Sheriff of Richland district under an execution in favor of JOHN & LUCAS CREYON against your Orator. That at the said sale JOHN CREYON bid off the said land for \$ 50 and transferred his bond to ALEXANDER HERBEMONT who paid to the Sheriff the sum big (sic) and took from him titles to the said land. you orator sheweth that finding his property about to be sacrificed at Sheriff Sale he entered into an arrangement with the said JOHN NELSON to purchase it in for your Orator wife & children and to pay for it out of the funds of your Orator then in his hand. That accordingly the said JOHN applied to ALEXANDER HERBEMONT and procured from him a title to the tract of land... after wards on the Sheriff sale day in December 1822 purchased at Sheriffs sale for the trifling sum of \$ 25 a tract of your orators land levied upon and sold, 218 acres in the District of Richland on the waters of Cedar Creek bounded on the north by land of Samuel Green, Thomas McKinsty, on the south by land of Samuel Green, East by land of Alexander Kennedy and by lands unknown... your orator believes that the said JOHN will still be found indebted to him at least \$ 1000... said JOHN NELSON threatens to sell his whole estate in that state and remove in the course of the fall or spring to reside in some one of the western states.... to restrain the said JOHN NELSON from departing beyond the limits of the State unless by leave of this honorable court.

Samuel Nelson appeared 18th October 1824  
Signed by S. NELSON

Answer of JOHN NELSON. ...denies that he ever persuaded the complainant to run off the negroes, the subject of said suit... Coe took Saylor, Clarissa & Charlotte for a bond on a Mr. Higin of Newberry & two Jennys, leaving undisposed one of the negro woman in the State of Georgia...

20 April 1825 JOHN NELSON

South Carolina, Richland District. Personally appeared SAMUEL NELSON who being duly sworn says that his brother JOHN NELSON some time ago informed this Deponent that he the said JOHN owned lands in the state of Alabama and that he intended to remove to that state.... 25 October 1824  
(Signed by) S. NELSON

Comments by Brent Holcomb: This suit certainly shows that SAMUEL NELSON and his half-brother (JOHN NELSON) were not on good terms at this point. The important points for our purposes are the proof of the relationship, the reference to a previous equity suit in which certain slaves (names included) were to be sold, and the actual signature of SAMUEL NELSON. This signature may help us to identify him in other records. By searching the index to Richland County equity records, I located the suit referred to in the Camden District suit and another as well, both of which are important in our research.

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Richland County Equity Bills Number 122 (Copy enclosed from microfilm RI 100 at SC Archives, abstracted in the order on which it appears on the film):

State of South Carolina, Columbia District. The answer of SAMUEL NELSON Defendent, to the bill of Complaint of JOHN LESTER, THOMAS LESTER, REBECCA now wife of Henry Andrews, ANDREW LESTER, WILLIAM LESTER, CATHERINE DARGON & FRANCIS LESTER, complainants.

That he has been informed and does believe that WILLIAM STROTHER, deceased, did give and devise to his daughter CATHERINE the negro girl Dulcina mentioned in the Complainants' Bill, that the said WILLIAM STROTHER departed this life about the time mentioned in Complainants' Bill without having altered or revoked his said last Will and testament. That upon the death of said WILLIAM STROTHER, Kemp T. Strother did take upon himself the execution of said Will as executor thereof and did deliver the said negro girl Dulcena to the said Catherine at or about the time of her intermarriage with ANDREW LESTER, the father of the

complainants. This Defendant further answering states that some time after the intermarriage of the said ANDREW LESTER with the said Catherine as action was instituted in the Court of Common Pleas for Camden District by Chesnut, Boykin & McRa against the said ANDREW LESTER in which said action the Plaintiffs recovered judgement.... 7 May 1791. That some time after the said levy was made by virtue of the said execution the said ANDREW LESTER as this defendant had been informed departed this life and the whole of his real and personal property levied upon as aforesaid was sold by the Sheriff of Camden District to satisfy and pay the said judgement except the negro girl Dulcena who was also in the of the said Sheriff by virtue of the said Execution and then about five years of age. That the said JOHN CHESNUT one of the said plaintiffs touched with compassion for the said Catherine then widow of the said ANDREW LESTER deceased was humanely disposed to secure to the said Catherine out of his share or (of) property of the said judgement for her separate advantage and as her own property the said negro girl Dulcena, but as the said negro Dulcena was then also levied upon as the property of said WILLIAM STROTHER deceased by virtue of an execution against COL'N TAYLOR as executor of the said WILLIAM STROTHER deceased at the suit of a certain Brailsford... said JOHN CHESNUT did permit WILLIAM STROTHER JUNIOR brother of said Catherine to adopt such measures as his prudence dictate... this Defendant took the said Complainants into his family upon his intermarriage with the said CATHERINE when the youngest of them was only two years of age and the oldest about thirteen or fourteen and schooled, fed, and clothed them all for the space of about five years and some of them much longer and until about the year 1806 or 1807 without any remuneration or compensation whatever except the pitiful assistance of two small negro boys given by the said JOHN CHESNUT to the said Complainants one of which was entirely too small to do any work for two or three years after they came into this possession of this Defendant, which this Defendant would not have done unless he had been fully convinced that the said negro girl Dulcena and her increase were the entire and absolute property of this defendant... 25th April 1817 Signed/ S. NELSON

State of South Carolina, Columbia District. In Equity.

The Bill of Complaint of John Lester, Thomas Lester, Rebecca Lester, now the wife of Henry Andrews, Andrew Lester, William Lester, Catherine Dargon, the widow of William Dargon and Francis Lester against SAMUEL NELSON, Defendant.

Your Orators and oratrixes, Children and Heirs at Law of ANDREW LESTER, deceased, that WILLIAM STROTHER the Grandfather of your Orators and Oratrixes being possessed of a considerable personal estate, made his last will and testament bearing date 16 May 1779 and thereby bequeathed to his daughter CATHERINE one negro girl commonly called DULCENA

and the said Testor appointed his son KEMP T. STROTHER and COLONEL THOMAS TAYLOR, executors.. The said THOMAS TAYLOR refusing to act... ANDREW LESTER in November 1795 died intestate leaving CATHERINE LESTER your Orators and Oratrixes said Mother his widow... on or about the month of \_\_\_\_ in the year 1798, their said mother intermarried with one SAMUEL NELSON who by virtue of this marriage possessed himself of the said negro girl Dulcena and her increase (to wit) Sailor (sic), a boy about sixteen years of age, Clarissa a girl about fourteen years of age, Charlotte a girl about 12 years of age and Isaac a boy about eight years of age...

Copy of the will of William Strother included as exhibit.

Comments by Brent Holcomb: We know by reference from the Camden District suit that this is the same Samuel Nelson. His signature, is also similar, and the names of the four slaves in question appear in this suit as well. The important part is that this suit proves that SAMUEL NELSON married CATHERINE (STROTHER) LESTER, widow of Andrew Lester and daughter of WILLIAM STROTHER, in 1798. Therefore, this fits with what you had previously determined about the age of SAMUEL NELSON. Since the youngest child of Catherine was about two years old in 1798, it stands to reason that SAMUEL NELSON and Catherine may have had children of their own. Catherine had a child aged 13 or 14 in 1798, or born about 1784-1785. Therefore, Catherine was probably born about 1765-1768. It does not seem likely that Catherine could have been the mother of ELIZABETH NELSON, born about 1823. I think that Catherine would have been beyond child-bearing age, at least aged 55, by that time. Another equity suit answers that question.

Richland County Equity Petitions Number 167 (Copy enclosed from microfilm RI 143):

Exparte the Heirs of Lemuel Perry. Petition for Partition. It appearing to the Court that the sale of the premises in this case has not yet been made in pursuance of an order of the court made at last term & that effect...

Mr. DANIEL RUFF states that the Land mentioned in the Petition is mostly Pine Land a Large proportion of which has been cleared and worn out by cultivation that there is about 300 acres and this is to be divided among nine distributees on an average is worth from \$ 2 to \$21/2 per acre.... of opinion and reports to this court that a sale would be preferable.

State of South Carolina, Columbia District. In the Court of Equity. To the Honorable the Judges of the Court of Equity... the petition of DANIEL PERRY, MARK PERRY, JOHN PERRY, MARY MONTGOMERY by her husband and next friend DAVID MONTGOMERY, RACHEL GODBOLD by her husband and next friend



ANANIAS GODBOLD, SARAH NELSON by her husband and next friend SAMUEL NELSON, and RACHEL PERRY humbly shew unto your Honors that Lemuel Perry since deceased was in his life time and at the time of his death seized and possessed of a certain plantation or tract of land containing 300 acres lying partly in Richland District, partly in Fairfield District and partly in Kershaw District in the state aforesaid. That being thus seized and possessed the said LEMUEL PERRY departed this life on or about 3 April 1820 intestate leaving his widow your petition RACHEL PERRY and his children, your petitioners DANIEL PERRY, MARK PERRY, JOHN PERRY, MARY MONTGOMERY, RACHEL GODBOLD, SARAH NELSON & his infant children Joseph Perry and Eliza Perry & his grandchildren the children of his deceased son JACOB PERRY to wit SARAH PERRY, ISABELLA PERRY, JAMES PERRY and RACHEL PERRY JUNR....

WE do nominate and appoint J. Gregg our Solicitor... 16 May 1820. (signed by) Mary Montgomery, David Montgomery, Rachel Godbold, Ananias Godbold, SARAH NELSON, S. NELSON, Mark Perry, Daniel Perry, Daniel Perry for John Perry.

I do hereby consent on part of my children Sarah Perry, Isabella Perry, James Perry and Rachel Perry infants... Ann (x) Perry.

Comments by Brent Holcomb: Now, we have a second marriage for SAMUEL NELSON, by 1820, to Sarah Perry. Notice that the signature is the same as the other documents. Notice also that this marriage is prior to the birth of ELIZABETH NELSON, later KELLY. This gives you another direct ancestor in Lemuel Perry. Just for my own satisfaction, I checked my book in "Camden District Wills & Administrations," and I enclose a copy of page 49 which references the will of Jacob Perry, which names his son Lemuel (Lamuel) Perry. Now, we need to get back to the NELSON lineage. There are some very important documents, not the least of which is the equity suit which we viewed for the Kelly research. Because the microfilm is so difficult to read, I requested that the Archives staff pull the original and make copies from it for us. It has delayed this report a few days, but I feel that it was worth the wait. In this way I could also choose the important parts and copy them only.

Camden District Wills & Administrations,  
Fairfield County Equity Bills 1847 Number 13 (copy of pertinent portions enclosed from original at SC Archives):

John Nipper admr in right of his wife & others vs. Daniel Nelson, Jesse Nelson & others. Bill for account. Decree, and relief (?). Filed \_\_\_ Feb. 1841. John Z. Hammond C.E.F.D.

State of South Carolina, Fairfield District. To the Honorable the Chancellors of the said State... your orators & oratrixes John Nipper & Rachel his wife formerly RACHEL NELSON, Edward Turket & Martha formerly MARTHA NELSON,

GRANVILLE NELSON, JAMES NELSON, ELIZABETH NELSON, SAMUEL NELSON, \_\_\_\_\_ Kelly who intermarried with NANCY NELSON, Benjamin Kelly, Samuel Kelly, Douglass Kelly & Sarah Kelly children of the said Nancy Kelly by their next friend \_\_\_\_\_ Kelly that your orators & oratrixes Rachel Nipper, Martha Turket, ELIZABETH NELSON are the children of SAMUEL NELSON, deceased, formerly of Richland District in the state aforesaid, that John Nipper, Edward Turket & \_\_\_\_\_ Kelly intermarried with the daughters of the said SAMUEL as above stated & that your orators and oratrixes Benjamin Kelly, Samuel Kelly, Douglass Kelly & Sarah Kelly are the grandchildren of the said SAMUEL. That the said SAMUEL during his life confessed a Judgement to one JOHN NELSON, his half brother, under which the said JOHN had all the estate of the said SAMUEL (NELSON) sold at Sheriffs sale & bought in the same taking titles thereto from the Sheriff of Richland District. That the said sale as your orators & oratrixes believe was wholly irregular, fraudulent & void, & that the said SAMUEL NELSON during his life filed a Bill in Chancery at Camden for the purposes of adjusting the accounts between the said JOHN NELSON and himself & for setting aside the said Sale & voiding the Sheriffs title made to the said JOHN NELSON. That upon the hearing of the said cause at Camden in June Term 1826, the following decretal order was made...

At the sale so made by the said JOHN NELSON one Daniel Nelson a brother of the said JOHN became the purchaser of the said Lands, the said Daniel having as your orators & oratrixes have reason to believe a full knowledge of the nature of the claims of the said JOHN NELSON to the said Land or at least had good reason to believe that the said JOHN NELSON had no title thereto & no right to sell the same and colluding with the said JOHN in the purchase thereof to defraud your orators & oratrixes of their just rights....

the said JOHN NELSON who died without children having been permitted by some arrangement with other heirs of the said JOHN NELSON to retain the said lands as his distributive share of the estate of the said JOHN NELSON... said John Nelson died in the year 1834 intestate leaving a widow REBECCA NELSON, but no children that the said Rebecca, his widow, & JESSE NELSON, his brother, administered upon his estate & took possession thereof & that the said Rebecca has since her administration intermarried with one A.T. HOLMES with whom she now resides in the State of Georgia...

your orator JOHN NIPPER has since intermarried with a daughter of the said SAMUEL NELSON administered upon the estate of the said SAMUEL & requested the said JESSE NELSON, who is the sold (sic) (sole) administrator of JOHN NELSON residing in this State to adjust the accounts of the said SAMUEL & JOHN (NELSON)....

he a administrator aforesaid has paid over the estate of said

JOHN NELSON to JOHN DELLENY (?) and Catherine, his wife, to William Shedd & Harriet, his wife, as distributees by virtue of a gift from JESSE NELSON, the original distributee... The joint & Several answers of JOHN NELSON and DANIEL NELSON to the Bill of Complaint of JOHN NIPPER, administrator & others.

... they answer & say that believe the Complainants stand in relationship to the deceased SAMUEL NELSON as stated in their bill of Complaint. They also believe that the said SAMUEL NELSON in his lifetime confessed a Judgement to his half brother the said JOHN NELSON, but for what amount or at what time, these defendants are not informed and pray that complainants be required to produce a copy of said Judgement and make it an exhibit with this Bill of Compliant...

(Middle of page numbered 5) These defendants admit that the said SAMUEL NELSON & his widow, the said SARAH NELSON, departed this life about the time stated in Complainants Bill...

(bottom of page Numbered 7) made a final division of said estate among the persons legally entitled to receive the same; the widow of the said JOHN NELSON taking one half thereof & the brothers and sisters of the whole blood of the said JOHN NELSON taking the other moiety thereof, under a deed of gift from their father, the late JAMES NELSON (who being also the father of the said JOHN NELSON) who was supposed to inherit & take moiety this defendants now having in possession only his distributive part of said estate.

dated 10 July 1841. Jesse Nelson, Daniel Nelson.

Comments by Brent Holcomb: This equity suit established the relationships (again) of John Nelson, Daniel Nelson, and others to Samuel Nelson, but most important states clearly that JAMES NELSON was their father. We need to view other records on James Nelson, particularly his will.

Fairfield County Estates, Apt. 60, Estate Number 926 (copy of will only enclosed from microfilm renumbered FA26 at SC Archives):

State of South Carolina, District of Fairfield. Will of James Nelson Sr., of the District aforesaid... to my beloved wife MARGARET NELSON, the plantation or tract of land on which I reside supposed to contain 400 acres more or less, excepting thereout a mill east and fifteen acres above the place where he shall erect the dam to be measured therefrom for my son Jesse. At the death of my wife, I desire the same subject to the above exception to my son Daniel. Also all my slaves (named), stock of hogs, sheep, etc., to my wife; my son Jesse shall have the management of the plating interest during her life; at the death of my wife, the boy

Jack to my daughter MARY KENNEDY; to my daughter CATHERINE DELENY, Phoebe and her two children, Serena & Caroline; to my daughter HARRIET SHEDD the boy Adam; to my son THOMAS NELSON, one feather bed; to my son JOHN NELSON my clock; executor to sell residue of property and distribute among my surviving children. dated 15 May 1833. James (N) Nelson (legal seal), Wit: John Delleny, George Robertson, William T. Nelson. Codicil made provision for Abram and Peter to choose with whom they will reside. Proved by the oath of John Delleny and William T. Nelson, 3rd August 1835.

Comments by Brent Holcomb: AT first, I did not think that this will was going to pertain. Notice that Samuel Nelson is not mentioned. However, notice that John, Jesse, Daniel and Harriet and Catherine are named as children. They were legates of John Nelson, whom we know was a half-brother of Samuel Nelson. By the way, in the case of intestacy, half-siblings could not inherit if there were siblings of whole blood living. Therefore, Samuel Nelson was not a legatee or distributee of his half-brother John's estate. Now, perhaps James Nelson Sr., had already given Samuel his portion of the estate or perhaps they were not on good terms because of the problems between John Nelson and Samuel Nelson, which had been taken to court as early as 1826, well before this will was written in 1833. Let's look for some other evidence to connect James Nelson Sr., and Samuel Nelson.

Fairfield County, South Carolina, Minutes of the County Court 1785-1799 by BHH, Page 97:

July Term, 19 July 1794. State vs. Frederick Arrick.  
Ordered that James Nelson & Samuel Nelson witnesses in behalf of the state....

Page 155-156: January Term 1798. Arthur Clarke & Co. vs. Samuel Nelson & Catherine Nelson.

Comments by Brent Holcomb: The first entry proves that Samuel Nelson was of age, old enough to be a witness, by 1794. This fits with what we determined from the census, that he was born prior to 1775. The second item appears to involve him and his first wife Catherine.

Some other information from published sources:

Marriage & Death Notices from Columbia, S.C. Newspapers 1838-1860 by BHH, Page 165, notice from issue of 21 September 1842 of the Southern Chronicle:

Died, at his residence in Fairfield District, on Wednesday, the 7th inst., James Nelson Esq., in the 53rd year of his age, leaving a wife and eleven children.

Comments by Brent Holcomb: If this is James Nelson Jr., then

he was born about 1790, clearly much younger half-brother of Samuel Nelson.

Marriage & Death Notices from Columbia, S.C., Newspapers 1792-1839 by BHH, Page 54, notice from issue of 29 November 1834 of the Telescope:

Died, at his plantation in Kershaw District, on the night of the 20th inst., Mr. John Nelson, in the 47th year of his age... left an amiable wife.

Comments by Brent Holcomb: This is without a doubt that John Nelson, half brother of Samuel Nelson. Notice that he was born about 1788, and obviously quite a bit younger than Samuel Nelson. Now, we will search some other Fairfield County records:

Fairfield County Deed Book V, Page 101-102 (copy enclosed from SC Archives microfilm C303):

State of South Carolina. James Nelson of the District of Fairfield for \$ 200 to Samuel Nelson of the same district, plantation or tract of land on Mill Creek, waters of Little River, 195 acres, part of 300 acres granted to THOMAS WOODWARD 31 August 1774 and is taken out of the most western corner of the said tract... 8 July 1812. James Nelson (seal), Wit: Abner Nelson, John Nelson, Margaret Nelson (x) wife of James, relinquished dower 8 July 1812.

Fairfield County Deed Book Y, pages 33-35 (copy enclosed from SC Archives microfilm C304):

State of South Carolina, Samuel Nelson of District of Fairfield for \$ 1150 to Benjamin Owens of same, 195 acres on Mill Creek, waters of Little River, being the plantation whereon I now reside, part of 300 acres granted to THOMAS WOODWARD (on) 31 August 1774, conveyed by James Nelson to Samuel Nelson... plat made by Abner Nelson... 5 July 1815. Samuel Nelson (Seal), Wit: D. R. Evans, Jas. Owens. Sarah Nelson, wife of Samuel, relinquished dower, 1st January 1816.

Fairfield County Deed Book Z, pages 101-106 (copy enclosed from SC Archives microfilm C304):

State of South Carolina, Fairfield District. James Nelson of District and state aforesaid, whereas William Robertson, Esquire, Benjamin Ownes, Roling Williamson, JOHN WOODWARD and the said James Nelson of the same district, have built and erected on a tract of land now in possession of and claimed by the said James Nelson a certain house for the purpose of having divine worship performed therein by the ministers of the Baptist Church as well as any other minister of the Christian religion that may occasionally be invited thereto... regular Baptist Society... two acres of land...

25 June 1817. (Signed) James (N) Nelson, Wit: Jas. Hart, Wm. Stone.

Comments by Brent Holcomb: The first two deeds involve Samuel Nelson and the land conveyed to him by James Nelson. The second deed proves that Sarah was married to Samuel Nelson by 1815. The third deed is of interest in that it gives us information that James Nelson was a Baptist and very interested in his church, donating land for the church building.

Strategy (by Brent Holcomb): Now, of course, we want to know the origins of James Nelson. We know that he was old enough to have served in the Revolution and that he lived until 1835. Yes, he served in the Revolution and we have a pension application for him:

Revolutionary War Pension Application, James Nelson (Margaret) W-9588 (copy enclosed from National Archives microfilm microcopy M-804, Roll 1806):

Number 8045. Margaret Nelson, decd, widow of James Nelson who was a Private in the SC Militia, Husband died 28th May 1835.

23, 202. South Carolina, James Nelson Sr. of Fairfield Dist., SC, private in the company commanded by Capt. Taylor under Col. Winn.

State of South Carolina, Fairfield District.. Before me personally appeared James Nelson Senior of the District of Fairfield in the State aforesaid (being the identical James Nelson Sr. who made his declaration..) the first tour of duty (The Florida expedition), he neglected to mention that a Brown known as Burnfoot Brown, commanded the British fort burnt on the St. Mary's river. (omitting details of service). Signed by James (N) Nelson Senr. 26th June 1832.

State of South Carolina, Fairfield District. On the 28 day of March 1846, personally appeared in open court, James Nelson, son of the late James Nelson, aged 55 years.. said James Nelson was married in the year 1788 to Margaret Turner and as husband and wife, they lived together till the death of the said James Nelson who died on 28th May 1835 and that his widow Margaret departed this life 23 or 24th of July 1845 not having intermarried after the death of her said husband... (signed) James Nelson (Seal)

Depositions of Jeremiah Taylor and Cannon Cason that they served with James Nelson in the Revolution.

State of South Carolina, District of Fairfield. On 2 November 1832 personally appeared in open court before William D. Martin Esqr., Justice of the Court of Common Pleas

and General Sessions now sitting at Fairfield Court House, James Nelson Sr., a resident of the District and state aforesaid, aged eighty four years...

That deponent was born in the State of North Carolina, Orange Count, on the 6th day of August 1748, That his age was recorded in his father's family bible, which bible fell into possession of one of the deponents' oldest brothers. The deponent does not now know where the Bible is as his brothers removed long since to the north western part of the state and are now dead as informed.

Deponent lived on the same plantation where he now lives when called into service has lived there ever since and now lives there about four miles from Winnsborough on Mill Creek. Deponent was drafted every time he was called into service. (omitting details of service). (signed) James (N) Nelson Sr.

Deposition of Major Henry Moore that he knew James nelson in 1775.

Deposition of Major Benoni Robertson that he knew James Nelson.

Comments by Brent Holcomb: Now, we really have some good information from this pension application. James Nelson was born in 1748 and was living at the time he was called into service where he was still living in 1832, on Mill Creek in Fairfield District. I enclose copy of a page from Mill's Atlas, which shows the residence of J, Nelson exactly in that place. This application further tells us that James Nelson was born in Orange County, North Carolina. However, we are not quite finished with our South Carolina research. We do not know exactly when James Nelson came to South Carolina. Did he come as a child or as an adult? He does mention that one of his oldest brothers lived in the northwestern part of South Carolina. This application gives us the information that James Nelson married Margaret Turner in 1788. However, she was not the mother of your ancestor Samuel. Let's look at and for some other deeds involving James Nelson.

Fairfield County Deed Book N, pages 54-55 (copy enclosed from SC Archives microfilm C301):

James and Margaret Nelson of State of South Carolina, District of Fairfield, Power of Attorney to our dutiful son William Turner of State of Virginia & County of Fairfax, Carpenter, to ask for and demand of John Daniel of the State of Virginia and County of Fairfax the sum of money left by the said John Daniel as a legacy to the said Margaret Nelson (Late Margaret Daniel).... 3 July 1800. (Signed) James (N) Nelson (LS), Margaret (X) Nelson, Wit: William Robertson Senior; William Robertson Junior.

Comments by Brent Holcomb: This deed proves the origins of Margaret (Turner) Nelson and that she was obviously a widow Turner when she married James Nelson.

Information: All deeds recorded prior to 1785 were done so in Charleston (SC). However, it is not unusual to find deeds recorded years after their execution. I searched the Archives COM Index for deeds involving James Nelson and any plats or grants to him (or mentioned him as adjacent land owner) in the Mill Creek area. I did not find any for him, but I did find one for a Thomas Nelson which we need to keep in mind:

Colonial Plats, Volume 10, page 170 (Copy enclosed from microfilm at SC Archives):

Pursuant to a precept directed by John Troup dated 3rd November 1767, I have surveyed & laid out unto Thomas Nelson, 300 acres on the North side of Broad River, on a branch thereof called LITTLE RIVER, adj. land of THOMAS WOODWARD, Roger Pinckney, and vacant land, December 16, 1767.

Comments by Brent Holcomb: This land is in the right area to be near the land which James Nelson later owned. Now, back to Fairfield deeds to search for deeds to James Nelson.

Fairfield Deed Book E, pages 1-7 (copy enclosed from original at SC Archives, the film being too dim to make good copies):

23 October 1783, James Andrew Junior of Craven County, South Carolina, to James Nelson of district aforesaid of the other part, by a grant 15 May 1772 to Samuel Porcher, 250 acres and whereon the land is surveyed in Craven County on a small branch of Mill Creek, adjacent Isaac Sibley, Joseph Owens, THOMAS WOODWARD, and vacant land, and whereas said Samuel Porcher did convey said lands to THOMAS WOODWARD and THOMAS WOODWARD to James Andrews, and a small corner of 27 acres... now for L20 sterling... (Singed) James Andrews, Wit: David Teed, John Andrews.

22 July 1775, Joseph Owens of Craven County, South Carolina, Taylor to James Nelson of same, by grant bearing date of 2 March 1768 to Daniel Kinsey, 100 acres, and conveyed to said Joseph Owens 14 & 15 October 1771, now for L150 to said James Nelson... (signed) Joseph Owens Wit: Isaac Sibley, George (O) Harson.

Fairfield Deed Book E, pages 13-16 (copy enclosed from original at SC Archives, the film being too dim to make good copies):

8 June 1774, John Sibley of Craven County, SC, to James Nelson of same, by grant bearing date 10 January 1772 to John



Sibley, tract of 300 acres on a branch of Little River of Broad River called Mill Creek, adjacent bounds land (of) THOMAS WOODWARD, now for L50...John Sibley (Legal Seal), Wit: JOHN WOODWARD, THOMAS (T) WOODWARD. Proved 14 July 1775 by the oath of John Woodward. Recorded 2 November 1790.

Comments by Brent Holcomb: Now, we have several early deeds to James Nelson, all in the area where he lived and died, on Mill Creek. It would appear that there were no Nelsons in the area prior to the plat of Thomas Nelson in 1771. Therefore, James Nelson was probably an adult in Orange County, North Carolina, and there may well be record of him in that location.

End of Research by Brent Holcomb.

The following information was provided to me by Mrs. Jo Ann Cooper Killeen (Mrs Calhoun J. Killeen) for whom Brent Holcomb did the above research.

The proven children of James Nelson, the Revolutionary War Soldier, and his second wife, Margaret Daniel Turner. (She died 24/25 July 1845):

1. Jesse Nelson, born 16 August 1790, died after July 1845 (after his mother).
2. Mary Nelson, died between 15 May 1833 and July 1845, married Henry Kennedy.
3. Catherine Nelson, died between 15 May 1833-July 1845, married John Delleny.
4. Harriet Nelson, died between 10 July 1841- July 1845, married William Shedd.
5. Thomas Nelson, died between 15 May 1833-July 1845, married Margaret--?
6. John Nelson, died 1834, married Rebecca--?, no children.
7. Daniel Nelson, died after 25 July 1845, (died after his mother)

Administrative Request For Estate of James W. Nelson

Margaret W. (Woodward?) Nelson and John J. Robertson show that James W. Nelson, late of the District and State, died on 9-7 (September 7th, no year given but believe it was 1842) without a will (intestate) leaving your petitioners Margaret Nelson, his widow and Eliza W. Nelson, Margaret K. (who had previously inter-married with your petitioner, John J. Robertson), Harriet Eliza Nelson, Mary Ann (Nelson), James S. (Nelson), Nancy Jemima (Nelson) and Martha Nelson: John T. Nelson, Susan Nelson, Fergis C. Nelson, William B. Nelson,

Samuel Y. Nelson--

September 9th (no year given) Samuel Y. (Nelson) died (age 3 years) leaving Margaret, his mother and John T. Nelson, Susan H. Nelson, Fergus C. Nelson, William R. Nelson, his brothers and sister of the whole blood, that no administration of the estate of James W. Nelson had been taken and your petitioners pray that administration may be granted to your petitioners and in duty bound, they will pray (ve sic)-

dated October 24th 1842

Signed by/Margaret W. Nelson (his widow) and John J. Robertson (her daughter Margaret K. Nelson's husband) or her Son in law.

Comment by Robert Hill: This wife could not have been Margaret Woodward 3/, daughter of Thomas (Regulator) Woodward 2/! That Margaret Woodward 3/ was born ca. 1752 and would have been (in 1839) 87 years old when the above son Samuel Nelson was born.

If she turns out to be named Margaret Woodward, then Mrs Day feels she may have been a daughter of a John Woodward, also of Fairfield County, S.C., her Woodward line, and no known relationship to the Regulator's line.

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Based on the above information, it appears that John J. Robertson, a Son in law, filed with his mother in law (Margaret W. Nelson) to administer the estate of his deceased father in law, James W. Nelson. It also appears that James W. Nelson and his wife, Margaret W. Nelson had a total of nine (9) children. John J. Robertson, one of the two petitioners, was married to the daughter, Margaret K. Nelson.

The children originally named along with the mother and son in law (the two petitioners) were:

1. Eliza W. Nelson
2. Margaret K. Nelson
3. Harriet Eliza Nelson
4. Mary Ann Nelson
5. John T. Nelson
6. Susan Nelson
7. Fergus C. Nelson
8. William B. Nelson
9. Samuel Y. Nelson (born 1839?)

On this date (September 9th, (1842) Samuel Y. Nelson had died at age of 3 years old, leaving the following heirs.

Note by Robert Hill: Just what year Samuel died is not

clear, only that he died at the age of 3 years old. I erroneously thought this implied a birth of 1839 and died in 1842. I have now reconsidered the wording of this and the death date of Samuel Y. Nelson is not known.

The heirs were:

1. Margaret W. Nelson, mother
2. John T. Nelson (brother)
3. Susan H. Nelson (sister)
4. Fergus C. Nelson (brother)
5. William R. (sic) Nelson (brother)

It is not clear but since their names are not listed as heirs, it appears that the other three children (Eliza W. Nelson; Harriet Eliza Nelson; Mary Ann Nelson) may have all died.

Comments by Robert R. Hill of Brandon, Florida in December of 1993:

1. I did not know that James Nelson Sr. had two marriages BUT I am of the opinion (as I have been all along) that James Nelson Sr. was married to Margaret Woodward 3/, daughter of Thomas (The Regulator) Woodward 2/, and his first wife, Jemima Collins. Margaret Woodward 3/ is estimated to have been born in Fairfax County, Virginia ca. 1752. His second marriage was to a widow, Margaret Daniel Turner in 1788 in S.C.
2. I am of the opinion that Margaret Woodward 3/ was the first wife of James Nelson Sr., and had the son SAMUEL NELSON. It seem rather obvious that the first wife (Margaret Woodward 3/) Nelson died sometime between ca. 1775 and 1788.
3. I agree that Samuel Nelson married 2nd, Catherine (Strother) Lester, widow of Andrew Lester & the daughter of William Strother.
4. While I have no absolute proof, the Deeds above clearly shows that Thomas (Regulator) Woodward owned land adjacent to that of James Nelson Sr. I am of the opinion that Thomas Woodward in some manner gave or left this land to his daughter Margaret Woodward 3/, who married James Nelson Sr., who gained possession of the land by this marriage and became sole owner after the death of his first wife, Margaret Woodward 3/.

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Census Information for Fairfield County, S.C. (Provided by Mrs. Jean Holly Day of Danville, Indiana).

1790 Census (Page 21)  
James Neilson (Nelson)

2 males 16 or over (James & son Samuel)  
4 males under age 16 (1 was son Jesse by 2nd marriage)

6 females (no age were Listed)  
1 was wife Margaret Turner  
3 suspected have been by first marriage)

Comments by Robert Hill: This appears to be a misspelling for Nelson (James Nelson Sr.). He married a 2nd time to a widow named Margaret Daniel Turner in 1788. Based on this marriage date, I am of the opinion that:

1. That the 2 males over 16 were James Nelson himself & his son Samuel Nelson, born ca. 1773-1775 by 1st wife, Margaret Woodward 3/, daughter of Thomas (Regulator) Woodward 2/ & first wife, Jemima Collins. He would have been about 16 years old at this time and fits that age group above as being between 16-26. Thus it appears that James Nelson & first wife (Margaret Woodward 3/) had 3 sons, including Samuel Nelson.
2. That 1 of the males under 16 was Jesse Nelson (see him below). One other male child under 16 could be a son of the 2nd marriage but the other two, seems to have been by the first marriage, their names are not known.
3. I think that three of four of the female children were by the first wife, their names are not known at this time.

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1800 Census (page 219)  
James Nelson

3 males under age 10    2 females under 10  
1 male 10-16            1 female 10-16  
2 males 16-26           3 females 16-26  
0 males 26-45           1 female 26-45 (this was the 2nd  
1 male over 45 (James)    wife Margaret Turner)  
listed as owning 4 slaves

Comments by Robert Hill: This was James Nelson Sr. & 2nd wife Margaret Daniel Turner. Since they married in 1788, any children over 12 years of age MUST have been by the first wife. To me, it appears that the 2 males listed as being between 16-26 were by the first wife, and none of them was his son by the first wife, Samuel Nelson, who is listed below. Including Samuel, this would show that the first wife had three sons. One of the females listed as between 10-16 was probably by the first wife. Therefore, it appears that James Nelson Sr. & first wife (Margaret Woodward 3/) had



1 male under            1 female under 10  
1 male 10-16            1 female 10-16  
0 males 16-26           1 female 16-26 (wife)  
1 male 26-45 (Samuel)   0 females 26-45

Listed with 6 slaves

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1820 Census of Fairfield County, South Carolina.

James Nelson

(Page 142)

2 males under 10        3 females under 10  
1 male 26-45 (James)   1 female 26-45 (wife)

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James W. Nelson

(Page 143)

1 male 26-45 (James)   4 females under 10  
                                 1 female (Wife Margaret W.--)

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James Nelson

Page 144)

1 male 16-26            2 females 16-26  
1 male over 45 (James)   1 female over 45

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Fairfield County, South Carolina 1830 Census.

James Nelson

(Page 382)

1 male under 5           1 female under 5  
1 male 5-10              1 female 5-10  
1 male 40-50 (James)    2 females 10-15  
                                 2 females 15-20  
                                 1 female 30-40 (wife)

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Jesse Nelson (Son of James Nelson & 2nd wife Margaret

(Page 387) Turner who married in 1788).

1 male 30-40 (born 1790-1800)  
No one listed in his household

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James Nelson

(Page 395)

1 male 10-15            1 female 10-15  
1 male 70-80 (James)   1 female 20-30  
                                 1 female 70-80 (Wife)

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Fairfield County, South Carolina 1840 Census.

Listing for Jesse Nelson (Son of James Nelson Sr. & 2nd wife  
Margaret Turner

Jesse Nelson

(Page 165)

1 male 50-60 (b. 1780-1790) (Jean did not list others)  
(1830 Census says b. 1790-1800)

END OF DOCUMENT.