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NELSON

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Assignment: To find information on and advance the lineage from Samuel Nelson, father of Elizabeth (Nelson) Kelly. From the research done on Kelly, we had determined that Samuel Nelson died in Richland District, South Carolina, in 1839, and that was an equity suit from Fairfield District which named his children.

Information: From the equity suit mentioned above, we learned the name of a half-brother John Nelson, who died in Kershaw District. According to my copy of the report, we did not obtain a copy of that equity suit, or at least not a copy of the complete suit, in the previous research. I believe that the reason that I did not obtain a copy was that we were principally concerned with the KELLY lineage in the previous report and that the suit is rather long. However, such suits and other records are very important when dealing with a name as common as NELSON. There might be several persons by the same name in the same general area at the same time. Equity suits usually identify persons by locations, by property holdings, and by relationships to other persons. Because of the lack of vital records in South Carolina prior to the 20th century, equity suits are one of our best sources for proof of marriage and proofs of lineage in many cases. As was true with the Kelly family, the Nelson family appear to have lived near the junction of the districts of Fairfield, Richland, and Kershaw. Therefore, records of all three counties will be consulted. All three counties were counties formed in or from the older Camden District. The equity cases for the entire area would be found in Kershaw County records 1791-c1803 as Camden Equity District records are a part of those records. For cases in Fairfield District and Richland District c1803-1821, records will be in Richland District as they contain the records of Columbia Equity District. After 1821, each of these three districts will have its own equity court.

Kershaw County Equity Roll #232 [copy enclosed from microfilm KR 16 at SC Archives]:

Samuel Nelson vs John Nelson. Bill for injunction ne exeat & Relief. Filed 14 November 1824. Answer 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 this 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 by 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 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 commissioner & 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 for the recovery of the purchase money he had paid. That 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 fraternal 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 and took from him titles to the said land. your 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 Orators 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 ... afterwards 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 McKinstry, on the S by land of Samuel Green, E 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 removed 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 this State unless by leave of this honorable court.

Samuel Nelson appeared 18 Octr 1824. [signed] 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's of Newberry & two Jennys, leaving undisposed of one 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 Oct 1824. S. Nelson.

Comments: This suit certainly shows that Samuel Nelson and his half-brother 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.

Richland County Equity Bills #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 Defendant to the bill of Complaint of John Lester, Thomas Lester, Rebecca now the wife of Henry Andrews, Andrew Lester, William Lester, Catharine Dargan and Francis Lester complainants.

That he has been informed and does believe that William Strother deceased did give and devise to his daughter Catharine 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, Kempt 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 Catharine 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 an 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 said Plaintiffs recovered judgment... 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 ben 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 judgment except the negro girl Dulcena who was also in the hands 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 the widow of the said Andrew Lester deceased was humanely disposed to secure to the said Catharine out of his share or property of the said judgment 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 the executor of the said William Strother deceased at the suit of a certain Brailsford... said John Chesnut did permit William Strother Junr brother of said Catharine to adopt such measures as his prudence dictate... this Defendant took the said Complainants into his family upon his intermarriage with the said Catharine when the youngest of them was only about 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 Dulcina and her increase were the entire and absolute property of this defendant... 25th April 1817. 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, Catharine Dargan the widow of William Dargan and Francis Lester against Samuel Nelson, Defendant.

your orators and oratrixes, Children and Heirs at law of Andrew Lester deceased, that William Strother the Grand Father 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 Catharine one negro girl commonly called Dulcena and the said Testator 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 Catharine 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, 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 year of age...

Copy of the will of William Strother included as exhibit.

Comments: We know by reference from the Camden District suit that this is the same Samuel Nelson. His signature, S. Nelson, 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 Catharine (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 Catharine was about two years old in 1798, it stands to reason that Samuel Nelson and Catharine may have had children of their own. Catharine had a child aged 13 or 14 in 1798, or born about 1784-1785. Therefore, Catharine was probably born about 1765-1768. It does not seem likely that Catharine could have been the mother of Elizabeth Nelson, born about 1823. I think that Catharine would have been beyond child-bearing age, at least aged 55, by that time. Another equity suit answers that question.

Richland County Equity Petitions #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 the 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 \$2½ 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 petitioner 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 hereby nominate and appoint J. Gregg our Solicitor... 16 May 1820. Mary Montgomery, David Montgomery, Rachel God Bold, Ananias God Bold, Sarah Nelson, S. Nelson, Mark Perry, Daniel Perry, Daniel Perry for John Perry.

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

Comments: 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.

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 Danl 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 his wife formerly Martha Nelson, Granville Nelson, James Nelson, Elisabeth 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 Granville Nelson, James Nelson & Samuel Nelson & your oratrixes Rachel Nipper, Martha Turket, Elisabeth 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 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 purpose 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 the 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 his intermarriage 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 administrator of John Nelson residing in this State, to adjust the accounts of the said Samuel & John....

he as 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 James 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 Judgment 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 Judgment and make it an exhibit with this Bill of complaint...

[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 said moiety this defendants now having in possession only his distributive part of said estate.

dated 10 July 1841. Jesse Nelson, Daniel Nelson.

Comments: This equity suit establishes 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 #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 seat 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 Catharine 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 Nelson (N) (LS), 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 Wm. T. Nelson, 3 August 1835.

Comments: 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 Catharine are named as children. They were legatees 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 155-6: January Term 1798. Arthur Clarke & Co. vs Samuel Nelson & Catherine Nelson.

Comments: 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 and Death Notices from Columbia, SC, 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 53d year of his age, leaving a wife and eleven children.

Comments: If this is James Nelson, Jr., then he was born about 1790, clearly a much younger half-brother of Samuel Nelson.

Marriage and Death Notices from Columbia, SC, 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: This is without a doubt that John Nelson, half-brother of Samuel. Notice that he was born about 1788, and obviously quite a

bit younger than Samuel. Now, we will search some other Fairfield County records:

Fairfield County Deed Book V, pages 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. Margret 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 ranted to Thomas Woodward 31 August 1774, conveyed by James Nelson to Samuel Nelson... plat made by Abner Nelson.... 5 July 1815. Saml Nelson (Seal), Wit: D. R. Evans, Jas. Owens. Sarah Nelson, wife of Samuel, relinquished dower, 1 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 of and state aforesaid, whereas William Robertson, Esquire, Benjamin Owens, 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. James Nelson (N) (LS), Wit: Jas Hart, Wm. Stone.

Comments: 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: 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, Husb. 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 Senior who made his declaration...) the first tour of duty (the Florida expedition), he neglected to mention that a Brown known as burntfoot brown commanded the British fort burnt on the St. Marys river. [omitting details of service]. James Nelson Senr (N) 26th June 1832.

State of South Carolina, Fairfield District. On the 28 day of March 1846, personally appeared in open court, Jesse 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.... Jesse 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 deponant was born in the State of North Carolina, Orange County, on the 6th day of August 1748, That his age was recorded in his fathers family Bible, which Bible fell into the 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.

Deponant 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] James Nelson Sr. (N).

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

Deposition of Major Benoni Robertson that he knew James Nelson.

Comments: 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 Mills' 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. Jas Nelson (N) (LS), Marg. Nelson (X), Wit: Wm. Robertson, Senior; William Robertson Jur.

Comments: This deed proves the origins of Margaret 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. 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 mentioning 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 3 Nov 1767, I have surveyed & laid out unto Thomas Nelson, 300 acres on N side of Broad River on a branch thereof called Little River, adj. land of Thomas Woodward, Roger Pinckney, and vacant land, Decr 16, 1767.
Comments: 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 Junr of Craven County, South Carolina, to James Nelson of district aforesaid of the other part, by a grant 15 May 1772 to Saml Porcher, 250 acres and whereon the land is surveyed in Craven County on a small branch of Mill creek adj. Isaac Sibley, Jos Owens, Thos 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 £20 sterling... 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 2 March 1768, to Daniel Kinsey, 100 acres, and conveyed to said Joseph Owens 14 & 15 Oct 1771, now for £150 to said James Nelson... Joseph Owens Wit: Isaac Sibley, George Harson (O).

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 adj. bounds lands, Thomas Woodward, now for £50... John Sibley (LS), Wit: John Woodward, Thos Woodward (T). Proved 14 July 1775 by the oath of John Woodward. Recorded 2 Nov 1790.

Comments: 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.



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CERTIFIED GENEALOGIST

September 15, 1992

Mrs. Calhoun J. Killeen
1501 Natalie Joy Lane
McLean, VA 22101

Dear Mrs. Killeen:

Thank you for having me to do your South Carolina research. This Nelson case has proved to be a little difficult, but quite interesting. You can see from the large number of copies how long and involved equity court cases can be. You can also see that they can provide excellent information, such as the names of the two wives of Samuel Nelson, the names of his half-brothers, and the name of his father. These cases are necessary to prove identity, since the name NELSON is not an uncommon one in South Carolina.

Well, after all of the enclosed, the equity suits, will, deeds, etc., we have a lot of information on James Nelson. He was born in 1748 in Orange County, North Carolina, and was living in what was later Fairfield County as early as 1774. We do not know the name of his first wife, but he married, second, Margaret (Daniel) Turner. Thomas Nelson may have been a relative of his, perhaps his brother, perhaps even his father.

You need some research done in North Carolina records, which I cannot accomplish for you. However, a friend of mine is a real expert on Orange County, North Carolina, records: Mr. William D. Bennett, 415 Bickett Blvd., Raleigh, NC 27608. Raleigh is where the Archives, Land Grant Office, and State Library are located. You might wish to write to him to confirm his availability for this research. Please tell him that you were referred by me.

Statement enclosed for work and copies to date.

Sincerely yours,

Brent H. Holcomb