

Transcription of most pages found within Anderson County Estate papers: Thomas Orr, Lunatic File #2729 frames 3398-344 C1407, located at the South Carolina Department Archives & History is true to original except for highlighting. Order presented is the order microfilmed.

Linda Sparks Starr

copyright July 2010

State of South Carolina }
Anderson District } Personally appeared **James Mullikin Esq** before me
John Wilson a Magistrate in and for the District aforesaid and being duly Sworn by me
deposes and Says that he has been personally and intimately acquainted with **Thomas Orr**
for more than forty years. And that for the five years last past he has been imbecile devoid
of mind and memory and wholly incapable of managing his affairs.

Sworn to and

Jas Mullikin

Subscribed before me this 17th day of June

1864

John Wilson M. A. D.

Ex Parte }
Thos Orr } Personally appeared before me **J Monro Smith** and being duly Sworn
Saith, that he is personally acquainted with **Thomas Orr**, having known him, and lived in his
immediate neighborhood for more than twenty five years. That the said Thomas Orr is now,
and has been, for the last two or three years, wholly imbecile, devoid of mind and
understanding, and incapable of, taking care of his person, or managing of his affairs.

J M Smith

Sworn to before me
this 10th June 1864

Elijah Noble

Clk & E offele A, D

Ex Parte }
 } Personally appeared before me **Joshua Jamison**, and being duly
sworn saith that he is personally acquainted with **Thomas Orr**. That he has known him for
Five years past, and that he is now and has been for the last two or three years, imbecile
devoid of mind and memory, and wholly incapable of managing his affairs.

Sworn to before me
this 11th June 1864

Joshua Jamison

Elijah Noble

Clk & Eaffe A. D.

The State of South Carolina }
 Anderson District } Personally appeared before me **Stephen Martin** who swears that he is now, and has been for the last twenty years or more, personally acquainted with **Thomas Orr**. That the said Thomas Orr has been for the last five years wholly imbecile, devoid of mind and memory and incapable of managing her affairs.
 Sworn to before me his
 this 20th June 1864 Stephen X Martin
 Elijah Noble mark
 Clk & E offele A D

In the matter of }
 Thomas Orr } Pet for Writ in Lunacy
 On reading this petition and the accompanying affidavitts of **J. M. Smith, Joshua Jamison, James Mullikin and Stephen Martin**. On Motion of **Harrison & Whitacer** It is ordered, that a Commission in the nature of a writ de lunatico inquirendo do issue, directed to five freeholders, to be named by the commission of this Court, requiring them, or a majority of them, (being first sworn fairly and impartially to execute the duty) to inquire in the presence of the said Thomas Orr by the Oaths of twenty four freeholders of the vicurage (to be summoned by the Sheriff, on the written requisition of said Commissioners.) Whether the said Thomas Orr is a Lunatic, or otherwise of such emfeebled and imbecile mind, as to be unable to manage himself or his property. how long he has been so, and if he has lucid intervals. What property he possesses, and its Value and description, and whether he has alienated any portion of it, since he has been incompetent, and if so, the description and value thereof, and to whom alienated and when; and lastly who are his next of kin. The said commissioners to make return of their proceedings, under their seals, and the verdict of the jury, signed by the Jurors who made it, to the next term of this court.

John A. Inglis

June 27th 1864

The State of South Carolina }
 Anderson District } An Inquisition taken at the House of **Thomas Orr**, of Anderson District in the State aforesaid on the **ninth day of August AD 1864** before **Tho H. Russell, William Ford, D. J. W. Earle, T. H. McCann and William S. Pickens, Commissioners**, by virtue of a Commission on the nature of a writ "de lunatico Inquirendo," issued from the Court of Equity for the said District bearing the date the Fifteenth day of July AD 1864 to them the said Commissioners directed to inquire amongst other things, whether Thomas Orr now of said district, farmer, is a Lunatic or otherwise of such emfeebled and imbecile mind, as to be unable to manage himself or his property, how long he

has been so, and if he have lucid intervals; what property he possess and its value, and description, and whether he has alienated any portion of it, since he has been incompetent, and if so, the description and value thereof, and to whom alienated and when, and lastly, who are his next of kin &c upon the Oath of David K. Hamilton James Ritchie, Wm Wilson, J M. Hendrix, M. Phillips, James Wyatt J. M. Rogenain, Wm Orr Sen, Simeon Smith, Joshua Smith, Ezekiel Long, Robert Pickens, John Burdine, Elijah Owen, AP Watson, J. B. Fielding, G. W. Rankin, John Owen, W. D. Litton, Stephen Martin, Handy Fennele, George Tayler, James Mullikin, and J M Smith. [LSS note: numbers were inserted above each name to show there were 24 as directed]

good, honest and lawful men of the said Vicurage, who being sworn and charged upon their oaths, say that the said Thomas Orr is at the time of taking this Inquisition a person of such emfeebled, imbecile and unsound mind, without intervals of superior intelligence or lucid intervals, so that he is not capable of the Government of himself, his lands, tenements, goods and chattels, and that he has been in the same state of unsoundness of mind, for the space of Three years last past. but how or by what means the said Thomas Orr, so became of unsound mind, the Sworn aforesaid know not, unless by the decline incident to age and disease. And the said Jurors, upon Their Oaths, do further say, that the said Thomas Orr, is at the time of the taking of this Inquisition possessed of and entitled in his own right to the following Real and Personal Estate, viz One tract of land whereon the said Thomas Orr now lives containing **Two Hundred and Fifty nine acres**, valued at the sum of Twenty five Hundred and Ninty Dollars **\$2590.00**.

One other tract of land called the **Slab Town tract** containing **Three hundred and twenty three acres** and valued at the Sum of Twenty Six Hundred and Sixty Four Dollars **\$2664.00**

Twenty Three Slaves, viz **Ned, Phillis, Andy, John, Elias, Henry, Adeline, Caroline, Sam, Mahala, Martha, Ann, Warren, Jane, Lydia, Riley, Betsey, Emanuel, Martha, Adam, Fraser, Ben, Benj, [Berry ?] Bob**, valued at the sum of Eighteen Thousand Four Hundred Dollars **\$18,400.00**

2 Mules 2 mares 2 colts valued at	600.00
21 Head of cattle valued at	200.00
40 Head of Hogs valued at	175.00
Plantation Implements valued at	50.00
Blacksmith Tools	10.00
Household and Kitchen Furniture valued at	150.00
1 Buggy \$33.33 1 Spring wagon \$33.33 1 4 Horse wagon \$33.33	100.00
Cash on hand - Interest Bearing notes	\$1200.00
New issue \$35.00 4 pr cts Bonds \$11,00.00	1135.00
State Bills \$10.00 Old issue \$28.00 \$60 in Gold	98.00
Notes & choses in Action as produced	<u>\$ 450.00</u>
valued in the Whole at the sum of	\$ 31289.00

at a valuation, nearly approaching a specie currency -

And the jurors aforesaid do further say that the said Thomas Orr has within the three years last past contracted to sell the Slab town tract of land to his son James Orr on an agreement made perhaps when he was competent, and at a fair valuation but no titles were executed, also that he has sold Peggy and child, slaves to the said James Orr at the sum of Seven Hundred Dollars, not far from a fair price at the time, also it said that he sold some negroes to his sons in law Jamison, but the facts were not proven before the said Jurors. And lastly The Jurors further find that the following named persons are the next of kin of the said Thomas Orr, to wit his ["wife" blotted by ink smear] Sarah Orr and **twelve children viz Sarah Ann Rankin wife of Thomas Rankin, Alexander Orr, Abigail Wilson widow, James Orr, William M. Orr, John B. Orr, Mary Brock, wife of Chesley Brock, Margaret Jamison wife, of John Jamison, Eliza Couch wife of William Couch Matilda McKinney, wife of Franklin McKinney, Thomas Caswell Orr and Amanda Jamison widow,** all of whom are of full age and reside in the state aforesaid.

In witness whereof we have hereunto subscribed our names and affixed our seals this

Ninth day of August in the year of Our Lord One thousand Eight Hundred and Sixty Four

W. S. Pickens	LS	Jasw Earle	LS
T N Russell	L S	W H Ford	LS
Thos H McCann	LS		

Commissioners

Wm D. Sitton	LS	James N. Richey	LS
D K Hamilton	LS	J W Coramond	LS
E Owen	LS	W M Wilson	LS
Jas Mullikin	LS	J B Fielden	LS
Ezekiel Lang Senr	LS	John M. Lender	LS
Stephen Martin	LS	J. N. Smith	LS
Martin Philips	LS	John Owen	LS
A P Watson	LS	Joshua Smith	LS
N J Fennele	LS	Simeon Smith	LS
Robert Pickens	LS	G W Rankin	LS
Jas F Wyatt	LS	G W Taylor	LS
John Burdine	LS		
William Orr Sen	LS		

The State of South Carolina }
Anderson District } In Equity

To Thomas H. Russell, William Ford, D. J.

W. Earle, T. H. McCann and Wm S. Pickens or any Three of them. Know Ye, that you or a majority of you have been assigned, to inquire by the Oaths of twenty four freeholders of the vicerage, by whom the truth of the matter may be better known, whether Thomas Orr now of said District, is a Lunatic, or otherwise of Such enfeebled and imbecile mind as to be unable to manage himself or his property, how long he has been so, and if he has lucid intervals. What property he possesses, and its value and description; and whether he has alienated any portion of it, since he has been incompetent, and if so, the description and value Thereof, and to whom alienated, and when, and lastly who are his next of Kin &c and of what age. And therefore you or a majority of you, are commanded, that on a certain day and at a certain place, which you shall appoint for this purpose, you diligently make inquisition in the premises, and the same, distinctly and plainly make to the chancellors of the said State, under your seals, and the seals of the persons by whom it shall be made without delay ye send, and this writ &c &c

And the Sheriff of Anderson District, is hereby commanded, that on a certain day and at a certain place, which you shall make known to him, he cause to come before you or a majority of you, so many and such good and lawful men of his District, by which the truth of the matter in the premises may be better known and inquired into.

Witness A. O. Norris Esq Commissioner in Equity for Anderson District at Anderson Court House the fifteenth day of July in the year of Our Lord One thousand Eight Hundred and Sixty four and in the Eighty Eighth year of Sixty four and the Eighty Eighth year of the Sovereignty of the State of South Carolina.

Harrison & Whitacer

Pro Pet

A. O. Norris
C. E. A. D.

The State of South Carolina }
Anderson District } In Equity
To The Sheriff of Anderson District

By virtue of a Commission in the nature of a Writ de lunatico inquirendo issued under the seal of the Honorable the Court of Equity for Anderson District and by the authority of the said Court, bearing date the 15th day of July AD 1864, to us whose names are hereunder written and others in the same Commission named, directed to inquire whether Thomas Orr of the said district be a lunatic or not &c These are therefore to will and require you to cause, to come and appear before us, Twenty four good and lawful men, freeholders of the said district, on the Ninth day of August, next, by 10 O'clock in the forenoon of the same day at the residence of the said Thomas Orr, (or other house in the vicinity) situate in the Said district of Anderson, there and then on their Oaths to inquire

"of the lunacy or unsoundness of mind of the said Thomas Orr and of all such other matters and things as shall be given them in charge, by virtue of the said Commission.

And therefore fail not at your peril

Given under Our hands and seals this twenty sixth day of July AD 1864 and in the 88th year of the Sovereignty of the State of South Carolina.

W. S. Pickens	LS
T. H. Russell	LS
J. W. Earle	LS
Wm H Ford	LS
Thos H McCann	LS

In the matter of }
Thomas Orr } In Lunacy

We the undersigned children of the said Thomas Orr lately declared a Lunatic do hereby petition the Court of Equity to appoint **William M. Orr** the Committee for said Lunatic, he being acceptable to all of us.
August 13th 1864

John B. Orr
Matilda McKinny
Abigail Wilson
Eliza Couch
Amanda Jameson
Margaret Jameson
Mary J Brock
Sarah A Rankin
her
Sarah + Orr
mark

Wm H. Ford

State of South Carolina }
Anderson District }

To the Honorable the chancellors of the Said State

The humble petition of **James Orr** of the Said State and District respectfully Sheweth that **his father, Thomas Orr** was lately towit on the **ninth day of August A.D. 1864**, by a regular Inquisition issuing out of this Honorable Court found to be a Lunatic without lucid Intervals, as will be Seen by reference to the proceedings in Said case herewith filed. Your Petitioner therefore prays that he may be appointed Committee of the person and the estate of the Said Thomas Orr on his (Petitioner's) entering into Bond according to law

ever pray &c

And your Petitioner will
Harrison & Whitacers
Pro Pet

The State of South Carolina
Anderson District

To The Honorable the Chancellors of said State:

The humble petition of **William M. Orr** of the said State and District respectfully sheweth that his father Thomas Orr lately, towit, on the day of A.D. 1864 was found, by a regular Inquisition issuing out of this Honorable Court, a Lunatic without lucid intervals, as will be seen by reference to the proceedings in said case herewith filed. Your petitioner Therefore prays that he may be appointed Committee for this person and Estate of the said Thomas Orr, on his entering into Bond according to Law.

And your petitioners will ever pray &c

Harrison Whitacers
Pro Pet

The State of South Carolina }
Anderson District } In Equity

To the Honorable the Chancellors of the said State.

The humble petition of **William Orr** respectfully sheweth that his father Thomas Orr of the said State and District, now is, and has been, for more than three years last past, so far deprived of his reason and understanding, that he is rendered altogether unfit and unable to govern himself, or to manage his affairs, as by the accompanying affidavitts appears.

Your petitioner therefore prays, that a commission in the nature of a writ, de lunatico inquirendo may issue out put out of this Honorable Court, to inquire of the lunacy of the said Thomas Orr, directed to such persons as your Honor shall think fit.

And your petition, will ever pray &c &c

Harrison & Whitacer
Pro Pet

Schedule of Real and personal property belonging to Thomas Orr

- 1 Tract of Land on 23 Mile Creek containing Two Hundred & Fifty nine acres adjoining Lands of Col DK Hamilton, Asa Hodges, D J W Earle, Wm Ford and others valued at \$2590.00
- 1 Tract called the Slab Town tract containing Three Hundred Thirty Three acres adjoining lands Maj Rankin, James Wilborn and others, said to have been barganed to James Orr but no titles Executed -- valued at \$ 2664.00

Slaves

Ned, Phillis, Andy, John, Elias, Henry, Adeline, Caroline, Sam, Mahala, Martha Ann, Warren, James, Lydia, Riley, Betey, Emanuel, Martha, Adam, Fraser, Ben, Benj, [? Berry] Bob, 23 in number, valued at	\$18400.00
Two Mules, Two Mares and two colts \$600	800.00
Twenty one Head of Cattle	\$200.00
40 Head of Hogs	175.00
Plantation Implements	50.00
Black Smith Tools	10.00
Household Kitchen Furniture	150.00
1 Buggy }	
1 Spring wagen }	100.00
1 4 Horse Wagon }	

Names of the children

Sarah Ann Rankin, wife of Tho Rankin
Alexander Orr
Abigail Wilson widow
James Orr
Wm M. Orr
John B. Orr
Mary Brock, wife of Chesly Brock
Margaret Jamison wife of John Jamison
Eliza Couch wife of Wm Couch
Matilda McKinny wife of Franklin McKinny
Tho C. Orr
Amanda Jamison, widow