

JOHN ABBOTT
Son of Joseph Abbott of Halifax County, Virginia

Research Report by Joan Horsley
Based on Research as of December 2013
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JOHN ABBOTT
Son of Joseph Abbott and wife Frances
Born Bet. 1773-1776, Halifax County, Virginia
Died 1849, Halifax County, Virginia
Never Married

JOHN ABBOTT is named in his father's 1787 will among "my three young sons namely John, Moses & Flemmon," who were to share the money from the sale of a certain slave and Joseph's horses. [HWB2:298] They also are included as legatees of Joseph's residual estate. These bequests were effective only after the death of their mother, Frances Abbott. Frances died in 1823, and John Abbott was the only one of these three brothers who survived her.

John Abbott apparently was born abt. 1773, as he is first listed by name in his older brother Richard's personal property tax list in 1794--"Richard Abbott & brother John." (After their father's death in early 1788, Richard acted as head-of-house for his mother and his siblings still at home.) At this time period, when another male besides the taxpayer is listed by name, it usually indicates he is age 21 by then. John Abbott served on a Halifax Court jury in March 1798, thus born no later than 1776 or very early 1777; however, this may not be John's first jury service. [HPB18:425] (Jury members are not indexed in the court records, and this jury with John was discovered only because another Abbott entry is indexed on that page.) John Abbott is not listed separately by name in the tax lists until 1799. In 1797 and 1798, either he was missed or was enumerated in an employer's tax list, as he is not accounted for in his mother's or brother Richard's lists for those years.

Joseph and Frances' son John Abbott never married. After Frances died, John continued to live with his unmarried sisters Elizabeth and Martha, as proved by tax lists, censuses, and Martha's 1838 will. [HWB20:519] Nevertheless, numerous undocumented online Abbott family files list this John Abbott with at least three erroneous marriages.

First, Joseph's son is not the John Abbott who married Margaret Lyons in Stafford Co., VA 15 Jan 1758. [Boogher, Overwharton Parish Register, p. 7] Besides being proved too young to be Margaret Lyon's husband (in fact not born for another 15 years), John's brother William Abbott's Revolutionary War pension application proves that their father Joseph Abbott and family never lived in or near Stafford County. William's statement proves Joseph Abbott and his family were living in King and Queen County, VA at least by 1756 and moved directly from there to Halifax County, VA abt. 1762. [NARA File W5616]

Other online files list Joseph Abbott's son John as marrying Margaret Lyons 15 Jan 1788 in Halifax County. This obviously is merely a distortion of the Overwharton Parish record with the same names, day, and month but changing the year and place. No such marriage record exists in Halifax. In any case, again because of John's age, he would not have married in 1788.

Thirdly, the Halifax marriage bond of 16 May 1832 for a John Abbott to marry Mary Owen is not for Joseph and Frances' son John but for John's nephew instead. The younger John Abbott (b. c1806) who married Mary Owen is proved to be a son of Joseph and Frances' son Leonard Abbott and wife Susanna Ferguson. [HDB40:158] Mary/Polly Owen was a daughter of Joseph's daughter (and Leonard Abbott's sister) Mary Abbott who married Hatcher Owen in 1787. (See report on Leonard Abbott for details.)

Joseph and Frances' son John Abbott was, however, closely involved with the Owen family. Hatcher Owen's father, William Owen, wrote his will 11 Aug 1806, and John Abbott was one of the witnesses. Moreover, William Owen named "my neighbor John Abbott" to be a co-executor of his estate along with his sons Hatcher Owen and Thomas Owen. [HWB7:263] John later served or was appointed to serve in this capacity for several members of his family.

John and his two unmarried sisters, Elizabeth Abbott (b. c1768) and Martha/Patsy Abbott (b. c1772), lived with their widowed mother, Frances Abbott, until her death in 1823, then the three siblings continued living together the rest of their lives. The home they shared was on the Abbott family land just east of today's Crystal Hill in north-central Halifax, where they were surrounded by the families of four brothers who inherited Joseph Abbott's land (ie, William, Richard, Leonard, and Moody). The family of a fifth sibling, Mary Abbott Owen, lived nearby, as did the family of a sixth sibling, Joseph Abbott Jr., through 1810.

John Abbott is listed consistently in the annual tax lists for their North District. The exception is the three years from at least early 1812 through 1814, when, for good purpose, John Abbott lived in the South District near the widow and family of Joseph Abbott Jr., John's recently-deceased older (half) brother. Joseph Abbott Jr. died shortly before 25 Nov 1811, when administration of his estate was granted to John. [HPB29:223] Joseph only recently purchased, and then mortgaged, land on the Dan River near Omega, VA in southeastern Halifax [HDB23:292], and, in fact, he still may have been in the process of moving from his former land on Winns Creek near his Abbott siblings when he died. (Joseph sold his Winns Creek land in 1809 to his brother-in-law Hatcher Owen's brother Thomas Owen. [HDB22:266])

At Joseph Jr.'s unexpected death at abt. age 61 and still with minor children, John Abbott applied for and was granted administration of Joseph's intestate estate. Their brothers William Abbott and Richard Abbott secured John's administrative bond. [HPB29:223] The dates in John Abbott's accounts to settle Joseph's estate are from 1811 through 1813, coinciding with the years John lived near Joseph's widow, Magdaline Lacy Abbott, and her family in southern Halifax. Magdaline died bet. Mar 1813 - Mar 1814, and Magdaline's older son, Thomas Abbott, was first drafted for the War of 1812 in summer 1813, both occurrences during John's sojourn near them. Two to three years after John returned home, Thomas Abbott moved up with him and the other Abbots at Difficult Creek for several years. (See report on Joseph Abbott Jr. for more details.)

John Abbott was back living with his mother and siblings by March 1815. His sister Frances Abbott's husband, John Robertson, had died in southwestern Halifax bet. 1813-1814, leaving seven children, four under age 10. (John's brother William, by his request, was appointed administration of that estate.) Their oldest half-brother Benjamin Abbott's son James Abbott died unmarried bet. 1814-1815 at abt. age 40 in a part of Halifax 12 miles or so west of the Abbott families near Crystal Hill. Closer to home, John Abbott's brother Leonard Abbott also died bet. 1814-1815. Leonard, who lived next to John on part of the Abbott family land near Crystal Hill, was in his mid-40s and left a 33-year-old widow with five children between ages 11 or 12 and infancy or perhaps not yet born. Then at Christmas 1815, more family tragedy struck, and once again John Abbott became responsible for a brother's estate.

John's younger brother Moses Abbott (b. c1776) left Halifax abt. 1804 and at least by 1813 was living in Richmond, VA. Like John, he never married. Moses apparently was on his way home to Halifax to spend Christmas with his family when he wrote his will Christmas Eve, 24 Dec 1815, in adjacent Charlotte County and died there soon after. He was about 39 years old. (See report on Moses Abbott for details.) Moses named his brother John Abbott to be his executor along with a prominent Halifax County attorney, William B. Banks, although the latter did not serve. John's brother Moody Abbott was his security on the executor's bond of \$8000 (which speaks to John's financial assets as well). *[Henrico WB5:71]*

John Abbott was also among Moses' legatees. Moses left the whole of his estate in specified ways to "my dear mother," Frances Abbott, "my three brothers Moody, John and Richard" (who by then were his only surviving full brothers, as William Abbott, though still living, was a half-brother 20 years older than Moses) and "my two unmarried sisters Elizabeth and Patsy [Martha]." After Frances' death, the siblings were to share equally in Moses estate, except for a particular bequest to John: "I devise to my brother John and his heirs a lot of Ground which belongs to me in the City of Richmond upon condition that he pays annually to my two unmarried sisters the sum of one hundred dollars to be equally divided between them during their lives."

Settling Moses' estate accounts in Richmond and filing necessary court documents there involved extensive travel for his executor, John Abbott, over the following two years. An entry dated 16 May 1818 in the final estate accounts shows a cost to the estate of \$597.62 for travel expenses, more than many average people's entire estate. The entry also noted that the legatees had approved John's travel by carriage, the alternative being to make the 240-mile round-trip each time by horseback. *[Henrico WB5:390]*

A seventh adult death in the immediate Abbott family in seven years occurred in 1818, when John's nephew Carter A. Abbott, eldest son of John's brother William Abbott, died unmarried at age 27. William Abbott was granted administration of his son's estate. John Abbott and his brother Moody Abbott with their neighbor Nathaniel Barksdale made the inventory and appraisal of Carter Abbott's estate on 23 Nov 1818. *[HNB11:209]*

Like most Abbott households in Halifax, John's mother Frances, with whom he and his two unmarried sisters lived, is missing in the 1820 census. However, Frances, John, and his sister Elizabeth (now with one slave) are all listed in the 1820 tax lists.

John's mother, Frances Abbott, wrote her will 18 Nov 1820, leaving her estate to her unmarried daughters Elizabeth and Patsey/Martha. It was the custom for parents to provide particularly for older unmarried daughters, who had far fewer ways to provide for themselves than unmarried males. However, Frances appointed her son John Abbott as a co-executor. (The other appointed executor, John R. Hall, was a local merchant and likely included as the primary creditor of her estate, which often was done.) Frances Abbott died in late 1822 or early 1823 around 80 years old. When Frances' will was proved 22 Sep 1823, the two appointed executors stepped aside in favor of John's sister Elizabeth Abbott, the older of the two legatees. Elizabeth's administrative bond was secured by her brothers Richard Abbott and Moody Abbott. [HWB13:30]

John Abbott and his unmarried sisters Elizabeth and Martha/Patsy continued to live together surrounded by the families of their brothers William, Richard, and Moody, and with children of deceased siblings nearby. As the male in the household, John is listed in the 1830 census as head-of-house, even though he was the youngest of the three and their slaves technically were owned by his sisters.

1830 - Halifax Co., VA

John Abbott - Males: 1(40-49)[sic]; Females: 1(40-49)[sic], 1(60-69) - 14 slaves

John (b. c1773) and his sister Martha (b. c1772) are listed in this 1830 census in the wrong age category (a common census problem), but they are listed correctly in 1840. The younger John Abbott in the 1830 census in Halifax, listed as age 20-29, is Leonard Abbott's son John (b. c1806) who was living with three of his four brothers, all three then unmarried. It was this younger John Abbott who married Mary Owen in 1832, and he is not recorded in Halifax after that year.

On paper, the legacies Moses Abbott left to his siblings in 1816 were substantial, amounting to over \$3000. However, there were outstanding debts due to Moses' estate, reducing the inheritances and costing even more to try to collect. Almost 10 years after their mother, Frances Abbott, died, and 17 years after Moses died, the legatee siblings sold their interest in Moses' estate for \$250. In a deed dated 12 Jan 1833, "John Abbott, Richard Abbott, Moody Abbott, Elizabeth Abbott, and Patsy Abbott [Martha]" sold to Mel Spragins of Halifax: "All the right title and interest both real and personal of every description which we have in and to all the estate of Moses Abbott, dec'd...and especially to all the debts of every description which are now due to the said John Abbott, Exor. of the aforesaid Moses Abbott dec'd as aforesaid or due to the estate of the said dec'd or due to us as legatees of him the said Moses Abbott dec'd..." [HDB40:493]

On the same day, John Abbott, as Executor of Moses' estate, granted power of attorney to Mel Spragins, thereby turning over to Spragins the power to recoup whatever he could for his own use.

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Date: 12 Jan 1833

From: John Abbott of Halifax, executor of the estate of Moses Abbott, late of the City of Richmond [VA] as appointed by the will of Moses Abbott dated 24 Dec 1815 and proved 1 Apr 1816 in Henrico County Court

To: Mel Spragins of Halifax

Description: John Abbott grants to Mel Spragins his Power of Attorney ("Irrevocable") to recover all debts owed to John Abbott, executor, or to the estate of Moses Abbott and to discharge same and any other lawful and needful acts as Spragins deems proper to recover the debts

Signed: John Abbott, exor. of Moses Abbott, dec'd

Witnesses: John Owen, Wesley M. Abbott, James P. Roberts

Recorded: 28 Jan 1833

[Source: Halifax Deed Book 40, p. 495. LVA Reel 19. Abstract by J. Horsley. Comments in brackets added.]

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One of the witnesses to this POA as well as the deed from the siblings was their nephew Wesley M. Abbott, son of the siblings' (half) brother William Abbott. Wesley, like his father, lived among John Abbott and his siblings. Wesley Abbott was later involved in the probate of the estates of John Abbott's sisters Elizabeth and Martha as well as John's own.

John's sister Elizabeth Abbott was abt. 70 years old when she died, and her will was proved 26 Feb 1838. [HWB18:334] Elizabeth, like most of Joseph Abbott's children, was very well-off financially, and like most affluent Virginians at that time, her personal property wealth was in slaves. Elizabeth's will, dated 22 May 1836, bequeathed two slaves to their brother Moody's only child, 8-year-old Elizabeth M. Abbott, whose mother died when she was a baby and to whom Elizabeth and Martha probably acted as surrogate mothers. Elizabeth left the rest of her slaves and other personal estate to her sister Patsy/Martha, the elder of her two siblings Martha and John, who the 1840 census shows were still living together:

1840 - Halifax Co., VA - North Dist.

John Abbott - Males: 1(60-69); Females: 1(60-69) - 13 slaves

John's sister Martha "Patsy" Abbott died four years later at abt. age 72, and her will was proved 26 Aug 1844. [HWB20:552] Martha had written her will when her sister Elizabeth died, and Martha bequeathed all her estate (consisting primarily of the slaves inherited from her sister) to their niece Elizabeth M. Abbott. However, that bequest was to take effect only after the death of her brother John Abbott.

Martha's will directs that all her estate, real and personal, is "to be kept together during my brother John Abbott's life time at my late dwelling place and I furthermore leave him to take charge of it all and to feed and cloath [clothe] my servants out of their labour during his life..."

Throughout his life, John Abbott's family relied upon his competence and sense of responsibility as well as his obvious care for them. Even John's "neighbor" and relation by family marriages William Owen obviously respected these traits in John when William appointed him an executor of his estate with William's two sons in 1806. Although John never acquired his own land or held slaves in his own name, the family was not in need of more, and John's dependable capabilities were his valuable and valued contribution. In return, John shared the prosperous lifestyle of the Abbots at Difficult Creek. In 1842, John was taxed for a gold watch, his brother Richard for a silver watch, his brother Moody for two brass clocks, and his nephew Wesley M. Abbott for a carriage, all luxury items relatively few people could afford.

John Abbott lived another five years after Martha and died in 1849 at abt. 76 years old. (The previous year, John's half-brother William Abbott died at age 91, and John's brother brother Richard Abbott died in adjacent Pittsylvania at abt. 78, leaving only their brother Moody, who died in 1862 at abt. age 87.) John's nephew Wesley M. Abbott was granted administration of John's estate with the responsibility of settling the final accounts. The legatee of the estate, Elizabeth M. Abbott (now Robertson), was Wesley's cousin and by this time was also his sister-in-law. The only extant probate concerning John's estate is Wesley's estate accounts, which begin in Nov 1849 and were recorded in 1852:

1849 - Accounts of the Estate of John Abbott, dec'd

Wesley M. Abbott, Administrator

First dated entry: 1 Nov 1849 - Last dated entry: 26 Aug 1851

In addition to cash paid for standard costs to sheriff, clerk, commissioner's fee, and taxes for 1847 & 1849, cash was paid for "summer suit for [slave] Mary & shaving" and "clothing [for slaves] Jim & Mary for the winter;" also cash paid to Thomas Robertson [Jesse T. Robertson, husband of Elizabeth M. Abbott], Moody Abbott, Susan Chandler, Henry[?] Owen, Pleasant C. Robertson [brother of Jesse T. Robertson], Easley Carrington & Co., William Abbott [then dec'd] (one or two names are blacked out on the microfilm)

Accounts submitted to Halifax Court 22 Dec 1851 by Joseph C. Terry, Com's [Commissioner]

Recorded: 25 Jan 1852

[Source: Halifax Will Book 23, p. 378. LVA Reel 46. Abstract by J. Horsley. Comments in brackets added.]

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Based on research as of Dec 2013

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