

Thank you to James and Betty Wisdom of Raleigh, North Carolina for supplying me with a copy of the original court order.

Court Order– Transcribed (with the help of others) to the best of my ability, transcribed as written. My comments in parenthesis.

The State of South Carolina In this Court of Ordinary
Anderson District
James Hembree

vs.

Susannah Pitts. To James Hembree, Susannah Pitts, Nicholas Welch,
James Welch, Giles (or Liles) Welch, Betsy Heaton, Peggy Vandiver, Asenith
Vandiver, Hettie Welch, Judith Wisdom, Polly Welch, Sally Welch,
James Butler, William Butler, Hosea Butler, Absolem Butler,
Hezekiah Butler, Thomas Butler, Benjamin Butler, John
Butler, Elijah Butler, Sally Oliver, and Abraham Millinax 'Malinda his wife(?*)' (inserted
above) heirs

and legal representatives of David Hembree dec'd.

Greeting, you are hereby required to be and appear at this
court of Ordinary to be holdin at anderson Court House
for anderson District on the first Monday in January next,
A.D. 1837 to show cause if any you can why the real estate
of David Hembree dec'd. situated in said District on
the head waters of Generostee waters of Savannah River
Containing 120 acres more or less forming lands belong-
ing to Job Rainwaters, Robert Gordon, Elijah Brown and others
should not be divided or sold and 'if sold' (inserted) equally divided
among the heirs named according to their respective
claimed (crossed out) interests.

Given under my hand seal this 22 September
in the year of Lord 1836.

(signature missing)

(*could also read Malinda by Proxy?)

Heirs of David Hembree

1st child– James Hembree,

2nd child– Mrs. Susannah (Hembree) Pitts,

3rd child– Mrs. Margaret (Hembree) Welch, deceased:
her children became the heirs; (boys mentioned 1st)

3–6 Nicholas Welch (1793)

3–7 James Welch, (1795)

3–8 Liles or Giles Welch, (1800)

3–1 Mrs. Betsy (Elizabeth Welch) Heaton, (1783)

3–2 Mrs. Peggy (Margaret Welch)Vandiver, (1784)

3–3 Mrs. Asenith (Welch) Vandiver, (1786)

3–4 Hettie Welch (1789)

3–5 Mrs. Judith (Welch) Wisdom, (1791)

3–9? Polly Welch, (1820?)

3-10? Sally Welch, (1820?)

4th child- **Mrs. Elizabeth (Hembree) Butler, deceased:

her children became the heirs; (boys mentioned 1st, and most likely in birth order)

4- James Butler,

4- William Butler,

4- Hosea Butler,

4- Absolem Butler,

4- Hezekiah Butler,

4- Thomas Butler,

4- Benjamin Butler,

4- John Butler

4- Elijah Butler,

4- Mrs. Sally (Butler) Oliver

4- Abraham Mullinax (husband of Mrs. Malinda Butler Mullinax who is with child in Georgia)

**It has also been suggested that Mrs. Elizabeth Butler was the daughter of John Hembree, the son of David Hembree. Uncertain if David Hambree actually had a son named John.