

Life of Ellen Walton Cherry Hardy (1836 – 1917)

As I began research, I found documentary information that suggested an early life in slavery for Ellen Walton, and a dramatic life at that. It was clear that Wright Cherry had his origins as a slave among the Outlaw and Cherry planter families who had numerous plantations in the vicinity of Windsor, North Carolina. Wright's mother, who took the name Judy Outlaw, was enumerated in the slave division of Ralph Outlaw in 1837. Ralph's widow, Celia Cherry Outlaw, petitioned the Bertie County Court for the slave division. The lot of slaves she received contained Judy and her children, a Hannah and her children, Bryant, Elec and several highly valued adult slaves. This appeared to be an extended family, given the familiar names that were handed down in the Bishop and Cherry families. We could document that the slave named Elec Eason, resided with Judy, Wright and their extended family in the 1880 federal census and is described as Wright's uncle. However, we could not know the exact relationships among the other members of the senior slave generation.

As I researched the Cherry family planters, I had not particularly been looking for Ellen Walton among them. No slave named Ellen appeared in Ralph Outlaw's slave division of 1837 or in Celia's gift of slaves to Solomon Cherry in 1844. However, in her 1861 will, Celia Cherry Outlaw, now widow of William Walton, lends a Negro girl named Ellen and her unnamed children to Celia's niece and husband, John and Jane Andrews, who resided in Roxobel. Ellen's death certificate indicates that she was born about 1836, that her father was named Bryant Walton, and that her occupation had been "house woman." The names Bryant and Hannah in the senior generation of slaves inherited by Celia, demanded a closer look for connections between Ellen, the senior Hannah and Bryant Walton.

Ellen's Life in Alabama

In 1842, in anticipation of her marriage to William Walton and move to Alabama, Celia Cherry Outlaw gave her plantation and slaves to her stepdaughter/niece, Jane Eason Outlaw, and husband, Dr. Solomon Cherry. In 1844, Celia married William Walton. They move to Greene County, Alabama. If we were to attach the name Walton to Bryant, Hannah, Sr. and Ellen and conclude that this Bryant is Ellen's father, we would have to establish that they went with Celia to Alabama. We did not know how many of her slaves Celia carried with her. We knew from looking at the gifts she made of slaves to family members in Bertie County before she left that Bryant and Hannah, Sr. were not among those gifts.

If Ellen were born in 1836, per her death certificate, she would only have shown in slave divisions as a minor child of a slave woman, and not as a separately listed slave with an assigned value, unless she was the specific subject of an individual bequest or sale. The 1849 estate papers of William Walton, maintained

at the Greene County, Alabama Courthouse in Eutaw, Alabama provide a clearer picture of what happened.

In 1844, William married Celia Cherry Outlaw of Bertie County, NC. They were first cousins by virtue of the fact that Celia was the daughter of Mary Walton (Eason) and Solomon Cherry.¹

William Walton died on November 5, 1849. William Walton's son, John Walton, who owned a plantation adjacent to his father, was the administrator of the estate. Celia gave up her rights to administer her late husband's estate. By November 19, 1849, John W. Walton was appointed administrator by the Greene County, Alabama court.²

One of the first documents John Walton files refers to land and about 50 more slaves that are named in the estate inventory. A deed of trust filed by Celia and William on May 28, 1844 must have excluded this property from Celia's inheritance. Celia's own slaves show up in her share of the property. She gets the right to get them back and take them home to Bertie County.

On February 21, 1850, William Walton's sons, John and James, divide their father's land and a group of slaves that are named in the 1844 deed of trust. This group of 50 slaves was valued around \$28,000. Celia receives nothing from this division, as she had agreed.

On November 30, 1849, an inventory is taken of the slaves, livestock, farm equipment and household furnishings Celia and her two stepsons are to divide. The list shows 48 names of slaves. Celia receives the slaves she bought to the marriage. The names that match those that are listed in the inheritance from the slave division of Celia's first husband, Ralph Outlaw, are Margaret, Bryant, Ryan, Hannah and children. The slaves that left Alabama with Celia that appear in Celia's 1861 will are Ellen, Amy, Meredith, Ben, Jane, and Bill; the last being three of Hannah's four children.

Hannah, Sr. and her four children, named Johnston, Jane, Ben, and Billy, appear in the 1849 inventory of Negroes belonging to William Walton. Ellen's name appears immediately after the names of Hannah, Sr. and her four children. Ellen is given a value of \$300. This leads us to speculate that Ellen is not enumerated as one of Hannah's children because she is now old enough at age 13 to be shown as a slave with skills and a value of her own. The fact that she is enumerated immediately before Hannah indicates that Ellen is also one of Hannah Sr's children. Johnston, Jane, Ben, and Billy are likely Ellen's brothers and sister.

¹ Sally's Family Place, op. cit., Descendants of [William Walton and Rachel Hunter](#), p. 2.

² Estate Papers of William Walton (1849), File #1170, Estate Files; Greene County Courthouse; Eutaw, Alabama.

Bryant also appears in the 1849 inventory of Negroes. Also appearing on the list is a L. (Little?) Bryant with a value of \$300. He is elsewhere in the estate papers referred to as "boy Bryant." That this "boy Bryant" is enumerated separately from Hannah, her four children, and Ellen, leads us to speculate that he may be the son of Bryant by another woman. This "boy Bryant" is not among the slaves that returned to Bertie County with Celia.

William Walton's estate inventory, property and slave divisions showed the success of his cotton plantations and the kind of lifestyle William and Celia lived in Greensboro, Alabama between 1844 and 1849. This was quite a different environment than Celia and her slaves, including the young Ellen and her parents, Hannah and Bryant, who we will now surname Walton, experienced in Bertie County, North Carolina.

William Walton's personal estate was valued at \$24,992.75. The estate was divided between William Walton's two sons, John and James and their stepmother, Celia. By agreement, Celia agreed to give up any rights to William Walton's real property and about 50 slaves. The referenced property was divided among William's sons. Celia received specified property amounting to \$4,586.

Ellen Returns to Bertie County

Between 1849 and 1850, Celia returns to Bertie County, NC with 16 slaves valued at \$6,458 and a few possessions valued at \$540. This is a journey of some 800 miles overland. Until individual states prohibited the importation of slaves from other states, after a slave division following the death of an owner, the slaves not devised by specific bequest would be divided up, sold to traders, and marched in a "coffle" (that is, in chains) on foot to a new state. The traders rode on horseback and were armed to protect the property against thieves and to prevent runaways.

William Walton's estate and Celia's departure happened in a short period of time. William died the night of November 4, 1849. By December 31, 1849, the family has divided the property Celia has to share with her stepsons. She has her own slaves back, her wagons, bed, textiles and silver. She is back in Bertie in time to be enumerated in the June 1850 US Census. It appears settlement of the estate was quickly expedited, and that Celia left without claiming some of her cash inheritance.³

There were many significant events occurring in Celia's family back in Bertie that might explain her quick departure. Her nephew, William Walton Cherry, died in 1845, just after his nomination for U. S. Congress. That was certainly a blow to the family's political hopes. William's widow sells the Cherry family homestead to her brother-in-law, Joseph Blount Cherry in 1850. Solomon Cherry's wife, Janie, dies in 1849. By 1850, Solomon has moved with two of his son's to Norfolk to

³ Estate Paper of William Walton, op. cit.

attend to his merchant business. All these developing events may have hastened Celia's departure from Alabama.

The 1850 U.S. Census shows that Celia is back in Bertie County residing with her brother, Joseph Blount Cherry (1816-1882), an attorney and North Carolina legislator, at The Oaks, his ancestral plantation near Windsor, NC. The value of Joseph Blount Cherry's real estate owned is \$8,000. Celia is now 58 years old. Joseph Blount Cherry is age 34 and his wife, Sarah Outlaw, is age 22.⁴ The reader will recall that Sarah Outlaw is the daughter of Celia's sister, Elizabeth Outlaw, and Celia's first husband, Ralph Outlaw. Ellen Walton would now be age 14.

Ellen Walton and Wright Cherry

In the African American Cherry family oral and written tradition, Wright Cherry was the mulatto son of Solomon Cherry, a brother of Joseph Blount Cherry and Celia Cherry Outlaw Walton. Wright's mother, Judy Outlaw, was a house slave. Wright learned to read and write from Solomon Cherry's children on their plantation. Wright was sometimes left to oversee the plantation in the absence of Solomon Cherry, who was also a commissioned merchant in Norfolk, VA. I believe that Wright and Ellen met as a result of the proximity and relationship between the two plantations owned by brothers Solomon Cherry and Joseph Blount Cherry when Ellen returned to Bertie County, NC.

Wright and Ellen had a daughter around 1855, who they named Hannah Ann Elizabeth Cherry. From the dates given in the 1870 U.S. Census, it also appears that they had two additional children, Gusto (Perhaps, Augustus, b. 1858) and Matilda (b. 1856). Apparently, these two children, who Ellen reported in the 1900 and 1910 U.S. Census, did not survive to adulthood. Gusto and Matilda were unknown to African American Cherry and Bishop family descendants.

Ellen and her Children come to Roxobel

Based on documentary evidence, I believe that Wright Cherry and Ellen Walton were separated around 1861 when Ellen and Wright were in their early twenties. In her 1861 last will and testament, Celia Cherry Outlaw Walton, lends a "Negro girl, Ellen, and her children" to Celia's niece and husband, John and Celia Jane Askew Andrews of Roxobel.⁵ We do not know the reason why Celia Walton made this loan. The loan is a curiosity, because it has no fixed term as a loan normally would. It is an unusual part of a transaction to settle an estate. The loan specifies that if Celia Jane Andrews dies before her children marry or reach

⁴ Seventh Census of the United States; Year: 1850; Census Place: Bertie, North Carolina; M432_621; Page: 66B; Image: 139.

⁵ Celia Cherry Outlaw Walton Will of 1861, CR.010.801, Box 17; North Carolina Division of Archives and History; Raleigh, North Carolina.

lawful age, Ellen and her increase are to be returned to the children of brothers Solomon and Joseph Blount Cherry.

This loan brings Ellen to the Roxobel area of Bertie County and very close to Oakland, the plantation home of William Wiley Bishop, the lands of Joseph Hardy, successive husband of two of William Wiley Bishop's daughters, both of which are locations that figure in Ellen's story.

John (born 1829) and Celia Jane Askew (born 1837) Andrews of Roxobel did not appear to have the wealth of the Outlaw, Cherry and Walton families in the Windsor area. The 1860 U.S. Census shows John's occupation as clerk with \$1,000 worth of personal property. He resides at household number 960, between the households of Alanson Capehart (962) and Cader Raby (959). John does not show the level of personal wealth of his neighbors. John and Celia have two sons, Charles E. and George, age 4 and one month respectively.⁶

There still exists is a small salt box shaped house, although much deteriorated, consistent with the location of the major planter families in the 1860 US Census and the land purchase John Andrews made in Roxobel on August 8, 1855. The land abuts the property of William Bishop. This was likely the Andrews home to which Ellen and her children were sent.

Celia Cherry Outlaw Walton's Effect on the African American Bishop & Cherry Families

Now that we know the relationship of Wright Cherry and Ellen Walton to the Outlaw and Cherry planter families, we see the impact the actions of Celia Cherry Outlaw Walton on the fate of our African American Bishop and Cherry families. Celia had no children of her own by either Ralph Outlaw or William Walton. Celia gifts her slaves and their children to her extended Cherry family members, her nieces and nephews, and her great nieces and nephews. In several cases, for unstated reasons, her slaves return to her ownership after being gifted to her family members. Celia's gifts and loans of slaves contain contingencies to return the slave to her extended family. Her forward planning is very detailed.

The purpose of Celia's gifts is revealed in phrases like "for the support and maintenance of my step-daughter," "in consideration of the love and affection I have for . . .," or "out of maternal love for." Her objective is to support and maintain her family. With the use of phrases like, "in perpetuity," "I give her and her issue, and if she should fail to marry . . .," Celia's intention is to keep her slaves within her extended family forever. In her will in 1861, Celia requests that her slaves not be sold, if possible. Celia is generous to her family members, but her generosity is built on an institution which robs her slaves of their autonomy.

⁶ 1860 U.S. Census, Census Place; Bertie, North Carolina; Roll: M653_888; Page: 61; Image: 121; Family History Library Film: 803888.

Although Celia's stated reason for her slave transactions is the support of her family, the result of Celia's actions was to preserve her slave family units. She gives Judy Outlaw and her children to Solomon Cherry in 1842, perhaps with the knowledge of Solomon Cherry's parentage of Wright Cherry. She gives Ellen Walton and her children to John and Jane Andrews in 1861. She retains Bryant, Hannah and their children as her share in her deceased husband, Ralph Outlaw's, slave division of 1837. She takes Bryant and Hannah Walton and their children, including Ellen, with her to Greene County, Alabama in 1844. She brings them back together to Bertie County in 1849. In her will of 1861, she gives Madison and Mary Eliza Cherry, who had been living together as husband and wife for 11 years in 1866, to her great nephew Joseph O. Cherry.

It was to the economic advantage of Celia and her extended family to maintain her slave families intact. After she gave her land and plantation to Solomon Cherry, her slaves were her primary asset. She had few personal possessions. One would like to think that Celia's feeling for her slaves as members of families also figured into her decisions since they had been with her as families for a long time.

Yet, we find three instances in which Celia's transactions involve children without mention of their parents. On November 8, 1842, Celia gifted a Negro girl named June to David W. Cherry, son of Solomon and Jane E. Cherry. On December 2, 1861, Celia gifted a Negro girl, Henrietta, age 8, to her niece, Mary C. Cox, and Mary's children. On October 11, 1856, Celia sold a Negro girl Betty, age 4, for \$200 to John Andrews in Roxobel. A sale of any slave is highly unusual for Celia.

It is difficult to reconcile Celia's positive effect of maintaining our Bishop and Cherry ancestor's families together with the descriptions of plantation life conveyed to Maria Cherry Newsome by her father, Wright Cherry. It is equally difficult to reconcile the humanitarian reputation of Solomon Cherry in the Norfolk yellow fever epidemic of 1855 with Wright's accounts of slave whippings on his plantation -- on occasion to death -- and the ill housing and clothing of slaves that contrasts so starkly with the wealth of the planter families derived from slave labor.