

1750-201

SOUTHAMPTON COUNTY
CHANCERY PAPERS

LIGHTFOOT'S EXECUTORS VS. SIMMONS & d

1750

12/1750

other surnames: Booth, Philip Lightfoot &
Company, Lee, Nelson, Walke

Lightfoot & Co.
54
Simmons & Co.

Bill Cont.

July 1750
Settling

Sept. 1750
Cont.

Do. Settling
bearing on O. &
G. & Co.

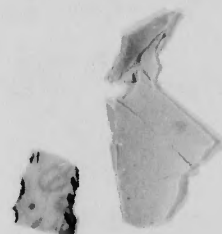
LIGHTFOOT'S EXECUTORS

vs.

SIMMONS

1750

Bill of Complaint (Fragments)



and Mordecai did comply; And thereupon the said John Simmons
by Indenture of Bargain & Sale bearing Date the Tenth Day of
October in the Year of our Lord one thousand seven hundred &
forty six made or mentioned to be made between the said John Simmons
of the County of Suffolk wight of the one Part & the Honourable
Philip Lightfoot & Company of the other Part it was by the said
Indenture witnessed that the said John Simmons for & in
consideration of the sum of eight hundred & sixty three Pounds
four Shillings & one Penny half being current money to the said
John Simmons in Hand paid by the said Philip Lightfoot &
Company he the said John Simmons did grant bargain & sell
alien & confirm unto the said Philip Lightfoot & Company
their heirs &c. forever the said Tract or Parcel of Land whereon the
said John Simmons then dwelt being seven hundred & ten
Acres lying & being on the North Side of Stoney River
& adjacent to the County of Suffolk wight (now Southampton) And
also a certain Tract or Parcel of Land of one hundred & fifty
Acres more or less with the Water Gravel &c. thereunto together
with all Houses Out Houses Offices Buildings Yards Gardens
Orchards Woods Underwoods Trees Ways Water Courses Heredit-
aments & Appurtenances whatsoever to both the said Parcels
of Land belonging and the Reversions & Remainders
& Remainders Rent & Issues & Profits thereof & of every Part
& Parcel thereof and all the Right Title Interest Property
Claim & Demand of him the said John Simmons of in &
to the same To have & to hold the said two Tracts of Land &
Premises unto the said Philip Lightfoot & Company their
Heirs & Assigns to the only proper Use & behoof of the said
Philip Lightfoot & Company their Heirs & Assigns forever
And the said Indenture further witnessed that the said
John Simmons also for the said consideration did grant
bargain & sell all those Negroes Male & Female known
by the Names of Saml. Ann. Quashey, Jeffry, Will, Judy,
Kate Ann, Sarah, Boy, Saml, Tom & Mingo together with
their future Increase & all the Right Title Interest whatso-
ever of him the said John Simmons of in & to the said Slaves
To

To have & to hold the said Slaves & future Increase of the said
Female Slaves unto the said Philip Lightfoot & Company their
Heirs & Assigns Administrators & Assigns to the only proper
Use & behoof of them the said Lightfoot & Company their Heirs
Executors Administrators & Assigns forever And in the said
Indenture there is contained a proviso or condition to the effect
following, to wit, that if the said John Simmons his Heirs
&c. should well & truly pay or cause to be paid unto the said
Philip Lightfoot & Company the abovementioned sum of eight
hundred & sixty three Pounds four Shillings & one Penny
half Penny together with lawful Interest thereupon to be
computed from the first Day of November next following
the aforesaid tenth Day of October until the first Day of April
then next ensuing without fraud force or unjust Delay
that then & from thenceforth the said Indenture of every
Thing therein should cease & determine & be of no Effect
to all Intents & Purposes & by the said Indenture it is daily
witnessed in the General Court of the said Colony of Virginia
that the said John Simmons did so pay or cause to be paid
thereunto that may more fully appear
Your Orators further shew that the said sum of eight
hundred & sixty three Pounds four Shillings & one Penny half
Penny in the said proviso mentioned or any Part thereof
was not paid to the said Philip Lightfoot & Company
William & Mordecai in the Life Time or to your Orators since
the Death of the said Philip at the Time limited in that
Behalf for Payment of the same or at any Time since.
That the said Philip Lightfoot & Company after the said first Day
of April which was in the Year of our Lord one thousand
seven hundred & forty seven departed this life first having
made his Last Will & Testament in Writing bearing
Date on or about the _____ Day of _____ in the Year of
our Lord one thousand seven hundred & forty six
& thereof appointed the aforesaid Thomas Lee William Nelson
William Lightfoot Anthony Walker &
Executors who after the Death of the said Philip proved
the said Will in due Form of Law & took upon them the
Burthen of the Execution thereof That

That after the Death of the said Philip the said John Simmons departed this life first having made his last Will & Testament in Writing bearing Date on or about the twenty fifth Day of August which was in the Year of our Lord one thousand seven hundred & forty nine - & therein & thereby did devise as follows to wit, I give unto my son Charles Simmons my still & one hundred & eighty Acres of land where I now live & one hundred & fifty in the Low Grounds.

After the Death of the said John Simmons Benjamin his son took Administration in due Form of Law singular the Goods & Chattels Rights & Credits which were the said John Simmons deceased at the Time of his Death with the Will of the said John Simmons.

Your Orators further shew that the said John Simmons whilst alive had Issue William Simmons his eldest Son & Heir at Law who had Issue William Simmons the Younger & soon after in the Life Time of the said John Simmons the said William Simmons the Elder departed this life leaving the said William Simmons the Younger his Heir at Law.

Your Orators further shew that the said Principle Sum of Eight hundred sixty three Pounds four Shillings & one Penny half Penny together with a considerable Arrear of Interest is still due & owing on the said Security, & therefore your Orators have often applied to the said Benjamin Simmons Charles Simmons & William Simmons (whom your Orators pray may be made Parties & Respondants to this their Bill of Complaint) & requested that they or some or one of them would pay off & discharge the said Mortgage your Orators on their Part having been ready & willing on Payment thereof to convey the said Mortgaged Premises to them or any or either of them.

But now so it is may it please your Honors
that the said Benjamin Charles & William & each of them
do absolutely refuse to pay off & discharge the ^{d.} Principle
Sum of Eight hundred & sixty three Pounds four Shillings &
one Penny half Penny & Interest so as afores^{d.} due to your
Orators in their respective capacities aforesaid. All
which Actings & Doings of the said Benjamin Charles and
William are not only contrary to Equity & good Conscience
& tend to the Apparent Wrong of your Orators I do tender
Consideration whereof & for as much as your Orators
are Remediless save by the Aid & Assistance of this
Honorable Court of Chancery where Matters of this Nature
are properly relievable, To the End therefore that
the said Benjamin Charles & William & each of them may
upon their respective personal Oaths set forth & Discover
the Matters & Charges afores^{d.} & what they severally
know believe or have heard relating thereto as fully &
~~particular~~ as if the same were here over & again repeated
& interrogated; And in particular that the said Benj^a
Charles & William may Discover & set forth whether the
said Philip in his Life Time & your Orators William and
Mordecai did not at or about the Time herein before for
that Purpose mentioned or at what other Time advance
to the said John Simmons in his Life Time Goods &
Merchandizes to the amount of Eight hundred & sixty
three Pounds four Shill^g & one Penny half Penny or
some other & what; & whether for securing the said Sum
with Interest or what other Consideration the said John
Simmons did or did not make such Mortgage or Security
as afores^{d.} And whether the said Principle Sum of
Eight hundred & sixty three Pounds four Shillings & one
Penny half Penny & Interest are not still due & owing
on the said Security; And to the End that the said
Benjamin as Administrator of the said John Sim-
mons may of the Goods & Chattels of the ^{d.} Deced^t in
his last will bequeathed to the said Charles Simmons

Devises of the said seven hundred & Ten Acres of Land
or the said William Simmons the Younger Heir at Law
to the said John Simmons deceased or some or one of them
may be compelled by a Decree of this Worshipful Court to pay
unto your Orators the said Principal Sum of Eight
hundred & Sixty three Pounds four Shillings & one Penny half
Penny and all Interest due & to become due for the same
together with their costs of Suit by some Short Day to be in
that behalf prefixed by this Worshipful Court; or in Default
thereof that the said Benjamin (Charles & William) each of
them may stand & be absolutely Barred & foreclosed of & from
all Right Benefit & Equity of Redemption of the said
Mortgages & each Part & Parcel of the same
And that your Orators may have such other & further
Relief in the Premises as is agreeable to Equity & good
Conscience & as the nature of their case may require
May it please Your Worships the Premises
consider to grant to your Orators ~~the~~ ^{their} ~~request~~ ^{prayer}
gracious Writs or Writs of Subpoena &c.

And y^e Orators shall ever pray &c.

R. Jonesy^r pro Comp^{ts}

Wm. Simmons
to
Lightfoot & Co
Genl

I wored to the 25th Day of Nov^r

1780 by ~~James~~ Francis

Guardian to William Simmons

London before me

Wm. Plunket

The sever
under the Answer of William Simmons an Infant
his Mother Age of twenty one Years by Frances Simmons
Bill of ^{for} Guardian, one of the Defendants to the
Exce Will complaint of Thomas Lee & William Nelson
Survivors of Philip Lightfoot & Anthony Walke Gent
of Philip Executors of the last Will & Testament
of Morde Lightfoot Esq deceased William Lightfoot
The said Philip Lightfoot, Complainants
Mannered Defendant saving to himself all & all
Untruth of Advantage of Exception to the many
in the said Errors & Uncertainties & other Imperfections
thereunto said Bill of Complaint contained for Answer
advised is or to so much thereof as the Defendant is
answer is material for him to make answer unto he

That beg by his Guardian with
Things in is a stranger to all & singular the matters of
the said Bill of Complaint contained otherwise
& the Complainants William & Morde in the Life Time
of the said Philip did advance & deliver to John
Simmons in his Life Time Goods & Merchandizes
to the amount of Eight hundred & sixty three Pounds
four Shillings & one Penny half Penny
And also has heard that for securing the Payment
of the said Money with Interest thereon from the
first Day of November one thousand seven hundred
& forty six to the first Day of April then next following
amounting to seventeen Pounds nineteen Shillings and
Eight Pence the said John Simmons did make such
Deed of Bargain & Sale as in the said Bill is set forth
and alleged
That the Defendant is heir at law to the said John
Simmons

That the said Defendant hath not Money wherewith to redeem the
said mortgaged Premises or any Part thereof
And this Defendant being an Infant of tender Years submits
himself

himself to the Judgment of this honorable Court & humbly hopes that what Right or Title he hath to redeem the said mortgaged Premises & every Thing therein contained may be protected by this Court in the Without that that any other Matter or material said Complainant said Bill of Complaint answered or Effectual for this Defendant to immediately answer unto & that herein & hereby well & sufficiently is true & that the said Defendant or avoider traversed or indant is ready all which Matters & Things this Defendant's Counsel to aver & maintain & move as this We have dismissed shall answer and humbly prays to be this Petition with his reasonable costs & charges in this Petition most wrongfully restrained.

Francis
Lefebvre

Wm. Simmons
to
Lightfoot & Co
Cant.

Suited to the 20th Day of Nov.
1780 by Francis
Guardian to William Simmons
before me

Wm. Litch

I think the names French State since the 1st Montpelier
place two centuries ago. I wish, for many and the
the making of the name for I read.

That he believes it to be true that ~~Bain~~^{man} Lightfoot & the
Complainants William W. Hordman in the life time
~~of the said Philip P. Smith~~ ^{of the said Bain} & General to John W.

most domestic since the making of the 1st Mortgage has had
at the fallow left in the 1st Mortgage mentioned since

Thomas Lee William Nelson William Lightfoot Anthony
Walke & others Executors thereof.

That the said John Simmons is also Dead & before his
Death did make such last Will & Testament as in the
Complainants Bill is set forth

That this Respondent Benjamin has obtained Administration of all singular the Goods & Chattles Rights and Credits which were of the said John Simmons deceased with the Will of the said John annexed in Virtue whereof he this Respondent hath disposed himself of all & singular the said Goods & Chattles Rights & Credits aforesaid which were of the said John Simmons at the Time of his Death

That the said John Simarone in his life time did pay
Gratuity to the said Philip Lightfoot in his life time
^{Quantities of Tobacco}
several times at sundry Times amounting
to twenty two thousand six hundred & forty Nine Pounds
of the Value of one hundred & forty one Pounds per Annum
in each of the two last years.

Shillings four Penny
Bonds nineteen Shillings
Eight Pence Interest & aforesaid

That there is still due
-ple of Interest the sum of
twelve Shill. & eight Pence
remaining in ~~the~~ ^{the} Hand
of the Adm^r of the said
of the said Security for Province
Seven hundred thirty nine Pounds
~~has been and is now~~
But that there are not Assets
of the Adm^r
to pay the other Debts with

which the Estate of the said John Simmons stands charged & therefore he is unable to redeem the said premises.

Without that that any other Matter or Thing in the

void Complainants void is Bill of Complaint con-
tain's material or Effect tual for this Deft to make

Answer unto & not herein & hereby well and sufficiently answered unto confessed or avoided

traversed or denied in any of the
and Things this Defendant is ready to aver

maintain & prove as
award & humbly pray

to be hence dismissed with

with his reasonable costs & charges in this Postal
most wrongfully sustained.

Sworn to in Court. July 1850

Ap'helle Clk

Benj^a Simmons pro se

10
93

563:4.12
 17.9.8
 881:3.92
 141.11.12
 739:12.8

The Several Answer of Charles Simmons one of the
 Defendants to the Bill of Complaint of Thomas Lee and
 William Nelson Esqs William Lightfoot & Anthony Walke
 Gent, surviving Executors of the last Will & Testament of
 Philip Lightfoot Esq deceased William Lightfoot & Mordecai
 Poorth Gent. Complainants.

This Defendant saving & reserving to himself
 all & all Manner of Advantage of Exception to the
 many Untruths Errors Uncertainties & other Imperfections
 in the said Bill of Complaint contains for Answer thereto
 unto or to so much thereof as materially concerns this
 Defd. to make Answer unto he answereth & saith

That he believes it to be true that Philip Lightfoot in
 his life Time & the Complainants William & Mordecai
 did advance & deliver to John Simmons in the said
 Bill mentioned in his life Time Goods & Merchandizes
 to the amount of eight hundred thirty three Pounds
 four Shillings & one Penny

That for securing the Payment of said Money with
 Interest thereon from the first Day of November in
 the Year of our Lord one thousand seven hundred & forty six
 to the first Day of April then next following amounting
 to seventeen Pounds nineteen Shillings & eight Pence
 the said John might make such Deal of bargain & sale
 as in the said Bill is set forth & alleged but that the
 said John Simmons at the Time of making said Deed
 of bargain & sale was not possessed of any Negro Slaves
 as in the said Bill is set forth known by the Names
 of Will Boy Sam Tom & Mingo

That the said Philip Lightfoot is since Dead & for
 ought he knows to the contrary might have made such
 last Will & Testament as in the Complainants Bill
 is supposed & appointed the Complainants Thomas Lee
 William Nelson William Lightfoot Anthony Walke &
 others Executors thereof

That the said John Simmons is ~~also~~ ^{also} Dead & before
his Death did make such last Will & Testament as
in the Complainants Bill is set forth

That Benjamin Simmons son of the said John
has obtained Administration of all & singular the
Goods & Chattles Rights & Credits which were of the said
John Simmons decd. at the Time of his Death &
~~in Virtue thereof~~ with the Will of the said John annexed
in Virtue whereof the said Benjamin hath received
himself of all & singular the said Goods & Chattles Rights
& Credits aforesd. which were of the said John at
the Time of his Death

That he this Defdt. is Devisee of the aforesaid seven
hundred & ten Acres of Land in the said Bill mentioned
and the Will of Simmons is Fair at Law to the said
John Simmons

That the said John Simmons in his Life Time did
pay & satisfy to the said ^{Philip} ~~William~~ eight foot in his
Life Time several ^{Quantities of Tobacco} ~~sums of Money~~ at sundry Times
amounting to twenty two thousand six hundred & forty nine
of one hundred & forty one Pounds Eleven Shillings & four Pence
Bounty of the Valley on East of the said eight hundred &
sixty three Pounds four shillings & one Penny half
Penny Principle & seventeen Pounds nineteen
Shillings & eight Pence Interest aforesaid

That there is still due on the said security for
Principle & Interest the sum of seven hundred
thirty nine Pounds twelve Shillings & eight Pence

But that he is unwilling to redeem the sd. mortgaged

Premises or any Part thereof

Without that that any other Matter or Thing in
the said Complainants said Bill of Complaint contains
material or Effectual for this Defdt. to make answer
unto & not herein & hereby well & sufficiently
answered unto confessed or avoided traversed or denied
is true; All which Matters & Things this Defendant
is ready to aver maintain & prove as this honourable
Court shall award & humbly prays to be hence
dismissed with his reasonable costs & charges in this
Behalf most wrongfully sustained

Sworn to in Court
July 4th 58.

Charles Simmons

Charles Simmons prose

Lightfoot's
or
Simmons & Co
In
in
Chas

April 750
Time to Ans.
June Cont

Executed on Benj.^a Simmons
& copy Left at the Dwelling
house of Charles Simmons

The within named Wm Simmons
is not to be found within my
Bailiwick & am below ship

George the second by the Grace of God of Great Britain
France and Ireland King Defender of the Faith &c. To the Sheriff
of Southampton County Greeting We command you that you
Summon Benjamin Simmons Adm^r & with the will
annexed of John Simmons de^d Charles Simmons and
William Simmons an Infant under the Age of twenty one
years to appear before our Justices of our said
County Court at the Courthouse of the said County on the
second Thursday in ~~May~~ April next to answer a Bill
in Chancery exhibited against them by Thomas Lee Esq^r
Nelson Esq^r William Lightfoot & Anthony Walker surviving
Exec^{rs} of Philip Lightfoot Esq^r de^d, William Lightfoot of
Worcester Booth And this they shall in no wise omit under
the Penalty of every of them £100 And have then there the
Writ Witness Richard Kellocth of our said Court at the
Courthouse the twentieth Day of March in the twenty
third year of our reign

R. Kellocth

To the Worshipful Court of Southamptone County
sitting in Chancery

Humbly complaining sheweth unto your Honors your
Orators Thomas Lee & William Nelson Esqrs. William Lightfoot &
Anthony Walke Esqrs. Surviving Executors of the last Will and
Testament of Philip Lightfoot Esq. deceased William Lightfoot &
Mordcai Booth Esqrs. That the said Philip Lightfoot Esq. decd.
your Orators William & Mordcai in the life time of the said
Philip traded & carried on Correspondance & Commerce in
Spain in importing selling European & East & West India Goods
That in or about the month of October in the Year of our Lord
one thousand seven hundred & forty six one John Simmons late
of the County of Southamptone Esq. deceased alleging & affirm-
ing to the said Philip & your Orators William & Mordcai that he
was seized & possessed in Fee Simple of a certain tract of Land
whereon the said John Simmons then dwelt situate lying &
being in the County of Southamptone about & on the North Side
of a certain river containing of more or less one hundred &
ten Acres of ground in one tract or parcel of Land situate
lying & being in the County of Southamptone as is more fully
described by the Name of Bogard's Swamp containing by Estimation
four hundred & fifty Acres, and also that he the said John Simmons
was possessed of sundry Negro Slaves and his absolute Property
namely Sam, Tom, Quashie, Jeffry, Will, Judy, Kate, Tab, Sarah
& Pray Sam, Tom & Mingo, &c. the said John Simmons requested
of the said Philip & your Orators William & Mordcai to Advance
to him Goods & Merchandizes to the amount of Eight hundred
& sixty three Pounds four Shillings & one Penny half Penny
Curr. Money of Virginia as well to supply the necessary
Occasions of him the said John Simmons as to enable him to
carry on a Trade of Merchandize who thereupon promised to
convey the aforesaid Tracts of Land & several Negro Slaves
to the said Philip & your Orators William & Mordcai for
securing the Payment of the said Eight hundred & sixty three
Pounds four Shillings & one Penny half Penny with the Interest
with which Request the said Philip & your Orators William
and

and Mordecai did comply. And thereupon the said John Simmons
by Indenture of Bargain & Sale bearing Date the Tenth Day of
October in the Year of our Lord one thousand seven hundred &
forty six made or mentions to be made between the said John Simmons
of the County of Aylesworth of the one Part & the Honourable
Philip Lightfoot & Company of the other Part it was by the said
Indenture witnessed that the said John Simmons for & in
consideration of the sum of eight hundred & sixty three Pounds
four Shillings & one Penny half being Lawful Money to the
said John Simmons in Hand paid by the said Philip Lightfoot &
Company he the said John Simmons did grant bargain & sell
alien & confirm unto the said Philip Lightfoot & Company
their Heirs & forever the said Tract or Parcel of Land wherein the
said John Simmons then dwelt being seven hundred & ten
Acres lying & being on the South Side of Romney River
aforesaid in the County of Aylesworth (now Southampton) And
also another Tract or Parcel of Land of four hundred & fifty
Acres more or less with a Water Course running thereon together
with all Houses built Houses to be built Paved Ways Vards Gardens
Orchards Woods Underwood Trees Ways Waters Rights Heredi-
taments & Appurtenances whatsoever to both the said Parcels
of Land belonging and the Reversions & Remainders
& Remainders Rent & Profits thereof & of every Part
& Parcel thereof and all the Right Title Interest Property
Claim & Demand of him the said John Simmons of in &
to the same To have & to hold the said two Tracts of Land &
Premises unto the said Philip Lightfoot & Company their
Heirs & Assigns to the only proper Use & behoof of the said
Philip Lightfoot & Company their Heirs & Assigns forever
And the said Indenture further witnessed that the said
John Simmons also for the said consideration did grant
bargain & sell all those Negroes Male & Female known
by the Names of Sam, Tom, Quashay, Jeffery, Will, Judy
Hated as, Sasaki, Boy Sam, Tom & Mingo together with
their future Increase & all the Right Title Interest whatso-
ever of him the said John Simmons of in & to the said Slaves
To

To have & to hold the said Slaves & future Issues of the s^d
Female Slaves unto the s^d Philip Lightfoot & Company their
Heirs Executors Administrators & Assigns to & only proper
Use & Benefit of them the s^d Lightfoot & Company their Heirs
Executors Administrators & Assigns forever And in this said
Indenture there is contained a proviso or condition to the effect
following to wit: that if the said John Simon his Heirs
&c. should well & truly pay or cause to be paid unto the said
Philip Lightfoot & Company the abovementioned sum of Eight
hundred & sixty three Pounds four Shillings & six Pence
half Penny together with lawful Interest thereupon to be
computed from the first Day of November next following
the aforesaid tenth Day of October until the first Day of April
then next ensuing without fraud force or further delay
that then & from thenceforth the said Indenture & every
Thing therein should cease & determine & be void & of no
Effect to all Intents & Purposes & by the s^d Indenture daily
inclosed in the General Assembly of the s^d County of
New York and may more fully appear &c.
Your Orators further shew that the said sum of Eight
hundred & sixty three Pounds four Shillings & six Pence half
Penny in the said proviso mentioned or any Part thereof
was not paid to the said Philip Lightfoot & Co^{rs}
William & Mordecai in the Life Time or to your Orators since
the Death of the said Philip at the Time limited in that
Behalf for Payment of the same or at any Time since.
That the said Philip Lightfoot Esq^r after the said first Day
of April which was in the Year of our Lord one thousand
seven hundred & forty seven departed this life first having
made his last Will & Testament in Writing bearing
Date on or about the _____ Day of _____ in the Year of
our Lord one thousand seven hundred & forty _____
& thereof appointed the aforesaid Thomas Lee William Nelson
William Lightfoot Anthony Walke &
Executors who after the Death of the said Philip proved
the said Will in due Form of Law & took upon them the
Discharge of the Execution thereof That

That after the Death of the said John Simmons Benjamin
Simmons his Son took Administration in due Form of Law
of the singular the Goods & Chattels Rights & Credits which
thereto John Simmons deceased at the Time of his
Death with the Will of the said John deceased & the

Your Orators further shew that the a^d. Principle sum of Eight hundred sixty three Pounds four Shillings four Penny half Penny together with a considerable Area of Interest is still due & owing on the said Security, & therefore if your Orators have often applied to the said Benjamin Simmons Charles Simmons & William Simmons (whom you as Orators pray may be made Parties & Respondants to this their Bill of Complaint) & requested that they or some or one of them would pay off & discharge the said Mortgage your Orators on their Part having been ready & willing to pay the rent thereof to satisfy the said Mortgaged Premises to the Lord or any or either of them.

But now so it is may it please your Honors
that the said Benjamin Charles & William each of them
do absolutely refuse to pay off & discharge the said Principle
sum of Eight hundred & sixty three Pounds four Shillings &
one Penny half Penny & Interest so as aforesaid due to your
Orators in their respective Capacities aforesaid. All
which Attempts & Doings of the said Benjamin Charles and
William are not only contrary to Equity & Good Conscience
& tend to the apparent Wrong of your Orators & therefore
Consideration whereof & for as much as your Orators
are Remissly saved by the said & by the said of this
their shuffling Court of Chancery where Matters of this Nature
are properly relievable to the End therefore that
the said Benjamin Charles & William each of them may
upon their respective forsworn Oaths set forth & Discover
the Matters & Charges aforesaid & what they severally
know believe or have heard relating thereto as fully &
particular as if the same were here over again repeat
& interrogated; And in particular that the said Benj^a
Charles & William may Discover & set forth whether the
said Philip in his Life Time & your Orators William and
Mordecai did not at or about the Time herein before for
that Purpose mentioned or at what other Time advance
to the said John Simmons in his Life Time Goods &
Merchandizes to the amount of Eight hundred & sixty
three Pounds four Shillings & one Penny half Penny or
some other & what; & whether for securing the said Sum
with Interest or what other Consideration the said John
Simmons did or did not make such Mortgage or Security
as aforesaid. And whether the said Principle Sum of
Eight hundred & sixty three Pounds four Shillings & one
Penny half Penny & Interest are not still due & owing
on the said Security; And to the End that the said
Benjamin as Administrator of the said John Sim-
mons may of the Goods & Chattels of the said Deceased in
his Last Will & Testament the said John Simmons

Devised of the said seven hundred & Ten acres of land
or the said William Simmons the Younger. And allow
to the said John Simmons deceased or some or one of them
may be compelled by a Decree of this Worshipful Court to pay
unto your Orators the said Principle sum of eight
hundred fifty three Pounds four shillings & one Penny half
Penny and all Interest due & to become due for the same
together with their costs of suit by some short Day to be in
that behalf prefixed by this Worshipful Court; or in default
thereof that the said Benjamin Charles & William each of
them may stand & be absolutely barred & foreclosed of & from
all Right Benefit & Equity of Redemption of the said
Mortgaged Premises & each Part & Parcel of the same
And that your Orators may have such other & further
Relief in the Premises as is agreeable to Equity & good
Conscience & as the nature of their case may require
May it please Your Honors in the Premises
considered to grant to your Orators such and so many
gracious Writs or Writs of Subpoena &c.

And your Orators shall ever pray.

A. Jones pro scriptis

The several Answers of William Simmons ^{an Infant}
under the Age of twenty one Years by Francis Simmons
his Mother & Guardian, one of the Defendants to the
Bill of Complaint of Thomas Lee & William Nelson
Esqs William Lightfoot & Anthony Walke Esrs
surviving Executors of the last Will & Testament
of Philip Lightfoot Esq deceased William Lightfoot
& Mordicus Booth Esrs, Complainants.

The said Defendant leaving to himself all & all
Manner of Advantage of Exception to the said
Bill & the Errors & Uncertainties & other Imperfections
in the said Bill of Complaint contained for Answer
Thereunto or to so much thereof as the said Defendant is
advised is material for him to make answer unto he
answering by his Guardian saith

That he is a stranger to all & singular the Matters &
Things in the said Bill of Complaint contained otherwise
than as the said Defendant has heard & seen in the said Bill of Complaint
of the Complaints William Lightfoot deceased in the Life Time
of the said Philip did advance & deliver to John
Simmons in his Life Time Goods & Merchandises
to the amount of Eight hundred & sixty three Pounds
four Shillings & one Penny half Penny.

And also has heard that for securing the Payment
of the said Money with Interest thereon from the
first Day of November one thousand seven hundred
& forty six to the first Day of April then next following
amounting to seventeen Pounds nineteen Shillings and
Eight Pence the said John Simmons did make such
Deed of Bargain & Sale as in the said Bill is set forth
and alleged.

That the said Defendant is heir at law to the said John
Simmons.

That he hath not Money wherewith to redeem the
said mortgaged & encumbrances or any Part thereof.
And this Defendant being ^{an Infant} of tender Years submits
himself

himself to the judgement of this worshipful court &
humbly hopes that what Right or Title he hath to
redeem the said mortgaged Premises & every thing
therein contained may be restored & saved to him
Without that that any other Matter or Thing is the
said Complaint or said Bill of Complaint material
or Effectual for this Defendant to make answer
unto that herein & hereby well & sufficiently answered
as facts confessed or avoided & traversed or denied is true
all which Matters & Things this Defendant is ready
to aver & maintain & answer as this Worshipful Court
shall award and humbly prays to be honorably dismissed
with the fees reasonable for so & charges in this Behalf
most unworshipfully views under

Francis
William

Witness my hand & seal this 25th Day of March 1750
at London
Francis
William
Guardian of the Person of the said Defendant
Wm. L. L.

I visited the Negro Market at St. Louis, and saw the most miserable creatures who were there. I saw two children made up like monkeys and sent to sell as such in the streets by the way.

The making of the candles &c. &c.

[illegible]

I of the Negro Men. It is said that the 18th of March, 1848, several negroes were taken from the ship and sent to the prison. I saw two of them, and they were very much distressed. I saw them twice, the morning of the same day. I saw them twice.

[illegible]

Thomas Lee William Nelson William Lightfoot Anthony
Walke & others Executors thereof.

That the said John Simmons is also Dead & before his
Death did make such last Will & Testament as in the
Complainants Bill is set forth.

That the Respondent Benjamin has obtained Adminis-
tration of all & singular the Goods & Chattels Rights and
Credits which were of the said John Simmons deceased
with the Will of the said John annexed in Virtue whereof
he this Respondent hath received himself of all & sin-
gular the said Goods & Chattels Rights & Credits aforesaid
which were of the said John Simmons at the Time
of his Death.

That the said John Simmons in his Life Time did pay
to the said Philip Lightfoot in his Life Time
several ~~sums~~ ^{quantities of} ~~Money~~ at sundry Times an amount of
to twenty two thousand six hundred & forty Nine Pounds
of the said one hundred forty one Pence & ~~four~~ ^{one} Penny half Penny
Shillings & one Penny half Penny Principle & Seventeen
Pounds nineteen Shillings & Eight Pence Interest aforesaid.

That there is still due on the said Security for Princi-
ple & Interest the sum of Seven hundred thirty nine Pounds
twelve Shillings & Eight Pence but that there are not Assets
remaining in ~~the~~ ^{the hands} of the said ~~Respondent~~ ^{of the adm^r} to pay the other Debts with
which the Estate of the said John Simmons stands
charged & therefore he is unable to redeem the said
mortgaged Premises or any Part thereof.

Without that that any other Matter or Thing in the
said Complainants said Bill of Complaint con-
tain'd material or Effectual for this Defdr to make
Answer unto & not herein & hereby well and
sufficiently answered unto confessed or avoided
traversed or denied is true: All which Matters
and Things this Defendant is ready to aver
maintain & prove as this honourable Court shall
award & humbly prays to be hence dismissed with

The Several Answers of Charles Simmons one of the
Defendants in the Bill of Complaint of Thomas Lee and
William Nelson Esqrs William Lightfoot & Anthony Walde-
gent, surviving Executors of the Last Will & Testament of
Philip Lightfoot Esq deceased William Lightfoot & Wrodeau
Proth Gent. Complainants in a Cause in

This Defendant saving & reserving to himself
all & all Manner of Advantage of Exception to the
Many Untruths Errors Uncertainties & other Imperfections
in the said Bill of Complaint contained for Answer thereto
unto or to so much thereof as materially concerns this
Defdt. to make Answer unto he answereth & saith
That he believes it to be true that Philip Lightfoot in
his life time & the Complainants William & Wrodeau
did advance & deliver to John Simmons in the said
Bill mentioned in his life time Goods & Merchandizes
to the amount of £ 1000 & 10 s & 6 d & 4 qrs

and the Will of Simmons is Heretofore to the said
John Simmons
That the said John Simmons in his life time did
pay & satisfy to the said Philip Lightfoot in his
life time several Quantities of Tobacco & sundry Times
several Sums of Money at sundry Times
amounting to twenty two thousand six hundred & forty nine
of one hundred & one Pound eleven Shillings four Pence & four farthings
of the said eight hundred & sixty three Pounds four Shillings four Pence & four farthings
being in principle of seventeen Pounds nineteen
Shillings & eight Pence Interest aforesaid

That there is still due on the said Security for
Principle & Interest the Sum of Seven hundred
thirty nine Pounds twelve Shillings & eight Pence
But that he is unwilling to redeem the said Mortgages

That the said John Simmons is ^{now} ~~dead~~ Dead & before
his Death did make such last Will & Testament as
in the Complainants Bill is set forth

That Benjamin Simmons son of the said John
has obtained Administration of all & singular the
Goods & Chattles Rights & Credits which were of the said
John Simmons dees. at the Time of his Death &
~~with the Will of the said John~~ with the Will of the said John
in Virtue whereof the said Benjamin hath disposed
himself of all & singular the said Goods & Chattles Rights
& Credits afores. which were of the said John at
the Time of his Death

That he this Defor. is Devised of the aforesaid seven
hundred & ten Acres of Land in the said Bill mentioned

and the Will of the said John Simmons is at Law to the said
John Simmons

That the said John Simmons in his lifetime did
pay & satisfy to the said ~~William~~ ^{Philip} Lightfoot in his
Life Time several Quarters of Tobacco & sundry Times
several Summs of Money at sundry Times
amounting to twenty two thousand six hundred & forty nine
of one hundred & ^{four} one Pound eleven Shillings & four Pence & four Farthings
of the said Lightfoot & of the said Lightfoot
vizably three Pounds four shillings & four Pence & half
Penny & principle of seventeen Pounds nineteen
shillings & eight Pence Interest aforesaid

That there is still due on the said security for
Principle & Interest the Sum of seven hundred
thirty one Pounds twelve Shillings & eight Pence

But that he is unwilling to redeem the said mortgaged

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July 4

Dead & before
Testament as
said John
irregular the
ere of the said
is Death &
id Johannas
hath proposed
& Chatter Rights
my John at
said seven
Bill mentions

Premises or any Part thereof

Without that that any other Matter or Thing in
the said Complainants said Bill of Complaint contains
material or Effectual for this Defor. to make Answer
unto & not herein & hereby well & sufficiently
answered unto confessed or avoided traversed or denied
is true; All which Matters & Things this Defendant
is ready to aver maintain & prove as this Honourable
Court shall award & humbly pray to be hence
dismissed with his reasonable Costs & Charges in this
Behalf most wrongfully sustained

Sworn to in Court

July 4th 50.

W. H. C. Clerk

Charles Simmons prose

Lightfoot Anthony

Dead & before his
Testament as in the

has obtained Admors
& Chatter Rights and
Simmons deceased
in Virtue whereof
did himself of all & of
Rights & Credits
inactions at the Time

in his Life Time did pay
Lightfoot in his Life Time
and Time amount of
Nine Pounds
one Penny half Penny

with the said
most wrongfully sustained.

Sworn to in Court. July 1780
Attest the Clerk
J. D.

Benj. Simmons pro se