1757-003 SOUTHAMPTON COUNTY CHANCERY PAPERS BOOTH et ux et al vs. BYNUM 10/1757

other surnames: Tabor, Allen

Book Relating Papers
in
Byrnes } Chancy

Aug: 1736.

Com[plaint] for Def[endant]
Serv[ed]
Com[plaint] for Time
Decree
Att[achment] & Ans[wer]
Feby 1737.
Att[achment] & Proc[ess]
July
Copy Def[endant] Cost[s]
Oct 1737.
Decree for Pltf

Bill
Byrum & Chaney

Nov: 1754.
Cont
Feby 1755
Cont
April
Cont
July. 1755.
Put to Issue to Ans.
Nov: 1755.
Cont
July 1756
Cont at Def Costs
Feby 1756
Cont at Def Costs
April 1756.
Cont at Def Costs
July
Att Fund Bally
Ans

Feb 12 Nov 1757

To the Worshipfull His Majesty's Justices of the Peace
for the County of Southampton Sitting in Chancery

Humbly Complaining shew unto your Worships
your Orators Lewis Booth & Mary his Wife W.m [illegible] Jabor
& Judith his Wife & Joseph Allen an Infant under the Age
of Twenty one Years by Lewis Booth his Gardian & next Friend
that sd said Mary Judith & Joseph are Children of
Joseph Allen late of this County of Isle of Wight deed

That the said Joseph Allen died intestate sometime
in the Year [illegible] leaving your Orators said Mary
Judith Joseph & his eldest Son & Heir W.m Allen your Orators
Intestate being possest of a considerable Estate in Slaves &
Personal Chattels of the Value of one Hundred Pounds
or Upwards as your Orator have been informed That after
his Death the said Mary administred on his Estate and gave
Security for her Admon W.m Bynum & Arthur Warrington
of this County That soon after the said William pretending
himself in Danger took into his Hands & possession a Part of
Estate [illegible] of the said Joseph Allen at the Time of his Death your
Orators said Mary being with Child as aforesaid That the
said William having got said Estate in his Hands as
above without the Knowledge or Consent of your Orators
said Mary or said Arthur sold such of the said Estate
as he thought proper & returned an Acct. Curt. to which
Orators & Martin subscribed tho your Orators is not
certain that she ever signed Quorum tho she did expressly
charge That she was in [illegible] of Residents Neighbours
or of any of the Transactions of the said William tho your
Orators charge secreted great Part of the said Estate and
converted the same to his own Use but accounted for it
That thereupon Proceedings were carried on by said William
your Orators never interfering in any Manner Neverthe-
less to return an Inventory or Appraisment both of which if any
ever were returned were drawn by said William

That the said William Allen the Son & Heir of Joseph
Allen died having chose the said William Bynum his
Guardian the Place where the said Joseph died seized
& which your Orators have heard were appraised at Seventy

Pound came into the Hands of the said William Bynum who hath lately sold the same and is paid by Persons of the said William Allen Your Orator & the Rest they as Children of the said Allen dec.d are entitled to their Distributive Shares of the said Joseph Allen's Personal Estate & appraisd. Part of the appraisd Value of the Slaves And that they have often in a friendly Manner applied to the said William Bynum to pay them their same accounting for their Shares that came to his Hands settling a fair Acc.t of the said Estate & Value of the Negro's & pay their respective Shares to your Orator But the said William Bynum [redacted] not comply with [redacted] your Orator reasonable Requests but in Justice & Equity ought to have done Pretending & Giving out in Speeches that Mary the Relict being for their said Mary & according to Law & that the Estate being once Settled he is not obliged to give any Acc.t but that when & to Court or account for any Part of what he or all the said Estate well knows he never accounted for & all the said Estate All which Actings & Doings of the said William Bynum are contrary to Equity & good Conscience & tend to the ruin of your Orator unless relieved by this Court of Eq.y In Tender Consideration whereof & for that your Orator can medially at Law only relievable in Equity over fraudulent properly Cognizable & where they may have a Discovery of the whole Matter from the Oath of the said William Bynum To the End therefore that the said William Bynum may on his Corporal Oath full [redacted] true & perfect answer make to all the Allegations of this Bill But more specially Whether the said Joseph Allen did not die about the Time & Place as is herein set forth Whether the said Mary administred on his Est. & Whether the said William & Arthur Washington were her Securities Did not the said William take the said Estate into his Posson did he cause an Inventory & Appraisment thereof or of what Part thereof & return the same & Cause thereof Whether your Orator's Name

Name [illegible] did he ever [illegible] sult with your Orator about the said Estate Did he sell [illegible] the said Estate or did he secrete any of the Effects Particulars Kinds & Qualities & the Value thereof How much did the said Estate Amount to by the Appraisment if any & what Debts if any did he not sell William Allen his Ward for And that he may be compelled to render a Proceedings in Relation Orator [illegible] or Gen.l Acct of the that your Orator have & your Orator may be the Premises according

May it please your [illegible] Orator [illegible]

M Cary for the Compl.ts

40. 12. 6.
[illegible] 40. 10.
10. 3. 1½

7.
17. 10.

Booth & al.
agst.
Bynum & allen

Spd in Chan.y

Executed pr
Mich. Blow
Shff

April 1754.
Time to Cons. Bill
June.
Time to Ans.
July
Cons.
Sept. 1754
Cons.

George the second by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c To the Sheriff Southampton County Greeting We Command you that you Summon William Bynum & William Allen to appear before our Justices of our said County Court in Chancery at the Courthouse of the said County on the second Thursday in April next to Answer a Bill in Chancery exhibited against them by Lewis Booth & Mary his wife William Tabor and Judith his wife & Joseph Allen by Lewis Booth his Guardian & next friend And this they shall in no wise omit under the Penalty of each of them £30 And have then there this Writ Witness Richard Kello Clerk of our said Court at the Courthouse the eighteenth Day of March in the twenty seventh Year of our Reign

R Kello C

Boothby
to
Bynum

Allen
vs
Pres

Ld Sandys Proclamation Ind Mr Bynum
Nov Sess 1676 Brigg

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 in all & singular places in your Bailiwick where to you it shall seem most expedient you Cause it Publickly to be proclaimed that William Bynum under the Penalty of his Allegiance before our Justices of our County Court of Southampton in Chancery on the second Thursday in March next Personally do appear And nevertheless the said William Bynum in the mean Time if you can find you Attach so that you have his Body before our Justices of our said Court at the Day & Place aforesaid to Answer us as well of a Certain Contempt by the said William to us offered as it is said as upon those things which to him then & there shall be objected & further to do & receive what our said Court shall of him in this part Consider And have then there this Writ Witness Richard Kello Clk of our said Court at the Courthouse the nineteenth Day of March In the thirtieth Year of our Reign

For not Answering the Bill of Complt.
of Lewis Booth Fothers. WK.

R Kello Cl

Booth Esq
&c &c &c
Bynun
10 July 1786

Not to be found

A. Bynum Simmons

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 attach
William Byrum so that you have his Body before our Justices
of our said County Court at the Courthouse of the said County on the
2d Thursday in August next to answer us as well of
a Certain Contempt by the said William by us offered as it is
said as upon those things which to him then & there shall
be objected and further to do and receive what our said
Court shall of him in that part Consider And have then
there this Writ Witness Richard Kello Clerk of our said
Court at the Courthouse the tenth Day of July In the Thirteenth
Year of our Reign

R Kello

In Chancery

For not Answering the Bill of Complaint of
Lewis Booth & ats. exhibited against him &c

Booth & ab
vs
Bynum } Att^a

No 1 Sum'd Bill Answer &c

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 attach William Rynum if he be found within your Bailiwick & him safely keep so that you have his Body before our Justices of our County Court in Chancery at the Courthouse on the second Thursday in January next to Answer unto a certain Contempt by the said William to us Offered as it is said as upon those things which to him then there shall be objected & further to do & receive what our said Court shall of him in that Part Consider and have then there this Writ Witness Richard Kello Clerk of our said Court at the Courthouse the thirteenth Day of December In the thirtieth year of our Reign

R Kello Cl

For not answering the Bill of Complaint of Lewis Booth and Mary his Wife ~~exhibited against~~ Guardian William Tabor & Judith his Wife and Joseph Allen by Lewis Booth his Guardian exhibited against him — —

R.K.

Copy

Joseph Allen's

Account Current

Lewis Booth & Mary his Wife Wm Tabor &
Judith his Wife Wm Allen & Joseph Allen
by Lewis Booth his Guard & Wm Bynum
Cand

D^r The Estate of Joseph Allen deceased

	£	s	d
To paid Coun Scott Jr^s Account	£ 1	11	3
To paid Cap^t Dunkley Sheriff for sundry Tickets 5 ¼ Tob^o @ 14/	4	4	1
To paid John Rochell		16	3
To paid Elizabeth Atkinson		1	3
To ditto John Turner		2	6
To ditto Cap^t Person		2	6
To p^d Sam^l Blow. Sheriff Quitrent 100 Acres of Land 1748	1	2	1
To Raman Ennio ½ To Tho^s Avery ½		2	6
To Jn^o Bird £2:17:9 Quitrents 100 do^o Land 1749		1	3
To Col^o Baker 56 Tob^o 14/ p^r Cent	3	0	3
To ditto paid 356 Tob^o A ditto		5	10
To paid William Bynum his Account	2	17	0
To paid Maj^r Riddick Fee for Allen	9	17	9
	1	1	6
	25	3	6
Tomy Trouble as Administratrix	3	0	5
Ballance to the Estate	£ 40	12	6
	£ 68	16	0

To One Negro Man appraised to	£ 33	0	0
To One Negro Woman Kate appraised	37	0	0
Now in the Hands of William Bynum Guardian to the Heir at Law			

Contra

	£	s	d
By Amount of all the Estate sold except the two Negroes	68	16	0

Errors Excepted this 15 of May 1752.

By Mary (her Mark) Butho late Allen deceas^d

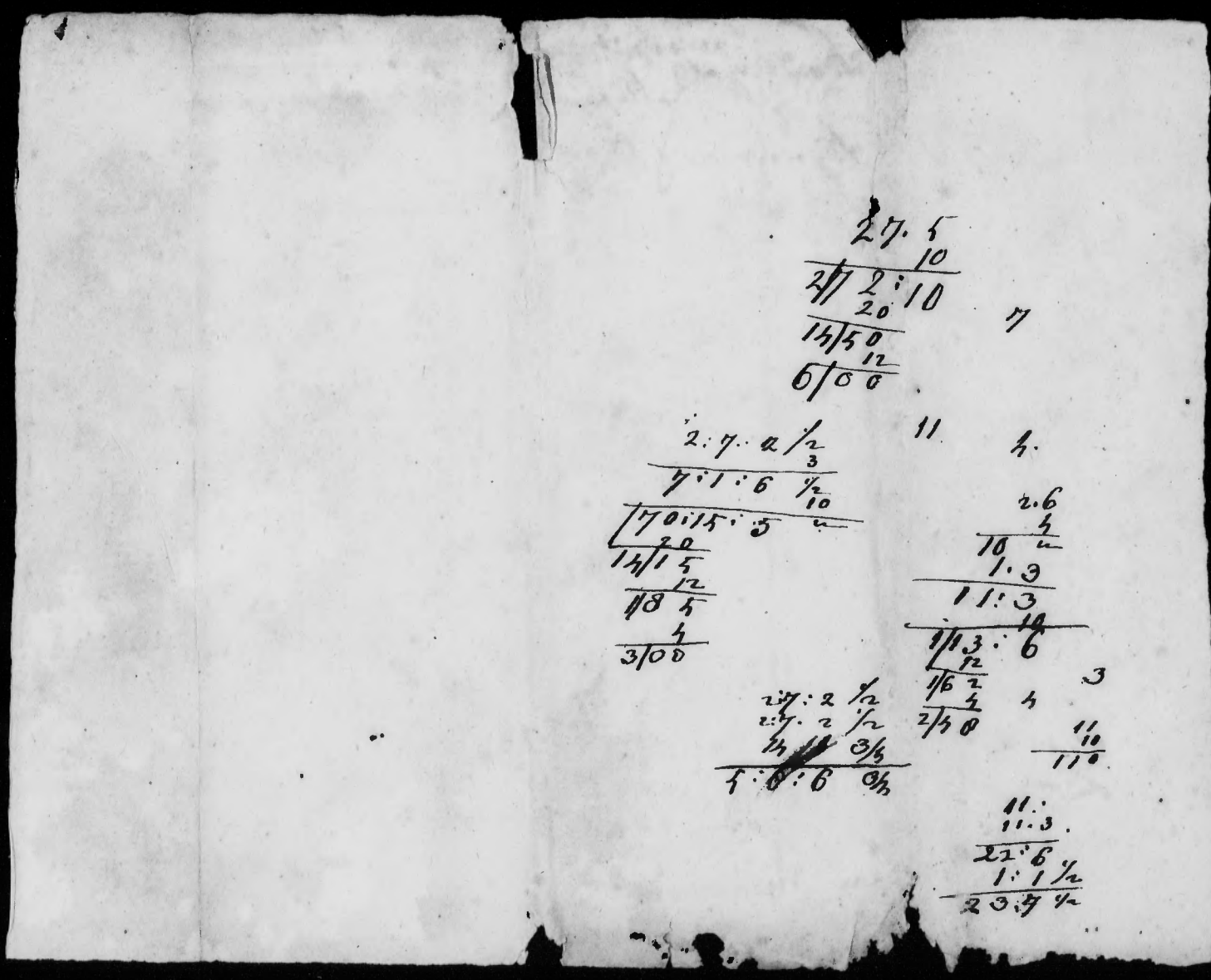
By Vertue of an order of Isle of Wight Court bearing Date the 5: of Dec^r 1751. Ordering Joseph Gray Thomas Jarrell & Howell Edmunds^o. or any two. to state & Make an Account Current of the Estate of Joseph Allen deceased. We the Subscribers have examined the within Account and stated the same this 15: May 1752

J Gray
Tho^s Jarrell

At a Court held for Isle of Wight County Sept^r 14: 1752

An Account Current of the Estate of Joseph Allen deceased was returned into Court. and having been audited is Ordered to be Recorded.

A Copy. Test^d Baker Clk

Booth & al?
v.
Bynum.

Papers
in
Chan.