

1766-003

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HARRISON & ux vs. Scott's admr / SCOTT'S admr vs. HARRISON & ux

12/1764

other surnames: Mundall, Garris,
Sharp, Westbrook, Lyles, Person,
Clifton, Dortch, Carrel, Ward,
Pyland, Sharpe, Mundall

1738

Francis Scott Williamsburg

1766-003

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HARRISON & ux vs. Scott's admr / SCOTT'S admr vs. HARRISON & ux

12/1764

Barndon

Papier.

Mar 6th and Novth

July and Augth

Aug. cont for report

Septth contth

Dec 17 66

Cont for report

Sept 66

Munday

Neamson

Oct 1766

and for a post

Dear

Drummers loft

Dec 19 1767

Mandall
or Pay

Harrison

Jan 64

Sept 64

Oct 64

Apr 64

May 64

July 64

Nov

Aug 64

all in or out

Sept 64

Dec 64

To the Worshipful Court of Southampton County sitting in Chancery
Humbly complaining

The amount of your Orator further sheweth that after his intermarriage with your Oratrix they did for forth his Majesty's writ of Superseas to have a rehearing of the Matter in the General Court of this Colony which said Court did reverse the same so far as related to the granting the Administration of the said Estate to the said John Muddale and did direct the same to be granted to your Orator in right of yr. Oratrix in whom the right of Adminⁿ rested on the Widow & Relict of the said Deced And your Orator further sheweth that at a Court held for the County of Southampton the Day of 175 the Lever of Administration granted the said John Muddale were reversed and the same granted to your Orator in Right of your Oratrix who gave bond according to Law fines which your Orator have often applied to the said John Muddale to deliver up to them all and

Transition to
Dada

Mundall
Chon

Sept 1762

Cont

Jan 29

Long

con-

Wapnet

Confidential

May.

singular the Goods Chattels Rights and Credits of the said Decd which
came to the Hands possession or knowledge of the said John Mundall
during his Administration as aforesaid and also requested the said John
Mundall to make up a just Acc^t of his Administration before the
Court of the said County so far as the said Estate was admin^d
by him But now so it is May it please yr. Worship that the
said John Mundall utterly refused to deliver up the possession
of all or any of the Goods and Chattels of the said Decd ^{pretending}
that he hath already administered all the Estate of the said
Decd and that he is not obliged to render any Acc^t thereof to your
Orator In tender Consideration whereof and for that your Orator
is remediless in the Premises by the strict Rules of the Common
Law and only and properly relievable in this Worshipful Court
where matters of Fraud & Delay are properly Cognizable To the
End therefore that the said John Mundall may upon his Corporal
Oath fully & expressly answer matters so all and singular
the Allegations of this Bill as fully and particularly as if the
same were herein again repeated and interrogated and more
especially that he may set forth and discover whether the said
John Scott died so ^{as stated} ~~perjured~~ ^{as before} set forth whether the said
Decd did not leave your Orator his widow and relict whether
your Orator did not exhibit to the Court of this County a Writing
purporting the last Will and Testament of the said Decd as before
is set forth whether the same was not opposed by the said
J^r Mundall whether the Court were ^{not} of Opinion that
the said Writing was not the last Will of the said J^r Scott
whether Adminⁿ of the Estate of the said John Scott was not
granted to the said Mundall whether the said Mundall did
not by Virtue of such Administration possess himself of all
the Goods & Chattels of the said Decd what was the amount thereof
whether yr. Orator did not intermarry with yr. Orator

whether they did not set forth as superfluous to have a return
of the Matter as before is set forth whether the same was not
renewed as far as related to the Administration of the said Estate
being granted to the said John Mundall as before is set forth
whether the Adminⁿ of the said Estate was not granted to
your Orator in Right of yr. Orator as before is set forth
whether your Orator hath not often applied to the said
Mundall requesting him to deliver up all and singular
the Goods Chattels Rights & Credits of the said Decd which
came to the Hands possession or knowledge of the said Mundall
during his Adminⁿ as before set forth whether your Orator
hath not often requested the said Mundall to make up an Acc^t
of his Administration before the Court of the said County and
that the said J^r Mundall may by Decree of this Court be
compelled to ~~pay unto your Orator~~ deliver up the possession
of all and singular the Goods Chattels Rights & Credits
of the said Decd and also to render a just & true Acc^t of his
Administration of the said Estate before persons to be app^d?
by this Worshipful Court and that he may also be
compelled to pay unto your Orator the Balance of the
Acc^t together with Interest ^{for} the same from the Time of
granting the Lien of Adminⁿ to your Orator as aforesaid
and that your Worship may make such further or other
Decree in the Premises as is or may be agreeable to
Equity & good Conscience may it please yr.

Harrison City
Mundell Bill

For M. Lang.

To the Worshipful Court of South Hampton City sitting in
Chancery Humbly Complaining

I sheweth unto your Worshipps your Orator & Oratrix Henry
Harrison & Sarah his Wife that one John Scott late of this
City deceased was in his Lifetime at the time of his Death possessed
of a considerable Estate consisting of Lands Slaves Stocks &
Utensils of Husbandry & being so possessed Departed this Life
Leaving y^e Oratrix his Widow & Relict who after the Death
of the s^d Scott found a Paper purporting the Last Will & Testament
of the s^d Deed which y^e Orator did exhibit to the
Worshipful Court of this City for Proof which was opposed by
one John Mundall of the s^d City & the s^d Writing not being
duly recited and Signed by the s^d Deed the s^d Court were of
Opinion that the s^d Writing was not the Last Will &
Testament of the s^d Deed & thereupon granted Letters
of Administration to the s^d John Mundall who by
Virtue thereof possessed himself of all the Goods & Chattels
of the s^d Deed to the amount of your Orator further
shew that after his intermarriage with y^e Oratrix they did sue
forth his Majesty's Writ of Supersedeas to have a rehearing of
the matter aforesaid in the General Court of this Colony which
s^d Court did reverse the same as far as related to the granting

the Administration of the s^d Deed Estate to the s^d John
Mundall and did direct the same to be granted to y^e Orator
in Right of y^e Oratrix in whom the right of Adminⁿ vested
as Widow & Relict of the s^d Deed And y^e Orator further shew
that at a Court held for the County of South Hampton the

Day of

1715

the Lords of Administration

granted the s^d John Mundall were received & the same granted to
y^e Orator in Right of y^e Oratrix who gave Bond according to Law
since which y^e Orator have often applied to the s^d John Mundall
to deliver up to them all & singular the Goods Chattels & Credits
of the s^d Deed which came to their Hands Possession or Knowledge
of the s^d John Mundall during his Administration aforesaid
and also requested the s^d John Mundall to make up a just
acct. of his Administration before the Court of the s^d City
so far as the s^d Estate was Admin^d by him but now for it is
May it please yr. Worshipps that the s^d John Mundall
utterly refused to deliver up the Possession of all or any of the
Goods & Chattels of the s^d Scott Pretending that he hath
already Administred all the Estate of the s^d Deed & that he
is not obliged to render any acct thereof to your Orator &

In tender Consideration whereof for that y^e Orator are veridically
in the Premises by the strict Rules of the Canon Law and
only & Properly releivable in this Worshippful Court none
matters of Fraud & Delay are Properly Cognizable To the
End thereof that the s^d John Mundall may upon his
Conjural Oath full true & Perfect Answer make to all &
singular the Allegations of this Bill as fully & Particular
as if the same were herein again repeated & Interrogated
more especially that he may set forth & Discover whether
the s^d John Scott Died for several & possessed as before set forth
whether the s^d Deed did not leave y^e Orator his Widow &
Relict whether y^e Orator did not exhibit to the Court of
this City a writing purporting the Last Will & Testament
of the s^d Deed as before is set forth whether the same was
not opposed by the s^d In^r Mundall whether the ~~same~~
Court was not of Opinion that the s^d Writing was not
the Last Will & Testament of the s^d In^r Scott Whether Admⁿ
of the Estate of the s^d In^r Scott was not granted to the
s^d In^r Mundall whether the s^d Mundall did not by
Virtue of such Administration possess himself of all
the Goods & Chattels of the s^d Deed what was the amount
thereof whether the Orator did not Intervene with y^e Orator
Whether they did not give forth a supersedeas to have a
rehearing of the matter as before is set forth Whether the same
was not reversed as far as related to the Administration of the
s^d Estate being granted to the s^d In^r Mundall as before is
set forth Whether the Admⁿ of the s^d Estate was not granted
to y^e Orator in Right of y^e Orator as before is set forth whether
y^e Orator hath not after applied to the s^d Mundall
requesting him to deliver up all & singular the Goods
Chattels Rights & Credits of the s^d Deed which came to the
Hands Possession or Knowledge of the s^d Mundall during
his Admⁿ as before is set forth Whether y^e Orator hath
not often requested the s^d Mundall to make up an Acct of his
Administration before the Court of the s^d City & that the
said In^r Mundall may by decree of this Court be
compelled to deliver up the Possession of all & singular the
Goods Chattels Rights & Credits of the s^d Deed & also
to render a just & true Acct of his Administration

of the s^d Estate before Persons to be App^{nt} by this Worshippful
Court and that he may also be Compelled to pay unto
y^e Orator the Ballance of the s^d Acct together with
Interest on the same from the time of Granting the Acct
of Admⁿ for y^e Orator as of & that y^e Worshippful may
make such further or other Decree in the Premises
as is or may be agreeable to Equity & good Conscience
may it please the

R. H. L.

Def. accounted for every thing in in Inventory
or Ac. Current at the appraised Value - made
a Sale of ^{the} Debtors Ac. - due to him &
detained sundries to Compl. who sold them
a Bell ~~capital~~ ^{capital} ~~safe~~ ^{safe} ~~pegging~~ ^{pegging} all forgo off and
Compl. always ^{for} men - ~~capital~~ ^{capital} ~~safe~~ ^{safe} ~~pegging~~ ^{pegging}
all also this Def. has found ~~given~~ ^{given}

Thomas A. C. 17
Munich 1734

Jan 17 1734

Mandell

or

Harrison

4/18/50

[Faint, mostly illegible handwritten text, possibly a letter or journal entry, with significant damage and tearing.]

[Faint handwritten text, possibly a signature or date.]

Harrison
Mandell

Mandell

[Faint handwritten text, possibly a signature.]

J

J
J
J

That the said sum of £25.8.3 deducting the sum
already paid - And also make up an account of the
Adm'n of the said estate since his acting therein account
for the said Judgment & the fees and also for the said m
her real value which was £20. at the lease. And
That you may be decreed his part of share ^{of the personal} of the Reg
of the said estate and have your share
of the said jointure
Sarah Dower in the said J. Scott's estate And of
further or other in relief in the premises accor
equity & good conscience may it please
Worship to grant

Military Compt

To the Worshipful in Majesty's Justices of the Peace
For the County of Southampton sitting in Chancery

Humbly complaining sheweth unto your Worship your
Orator John Mendell late Admior &c of the State of John Scott late
of this County dead That the said John Scott died dying intestate
some Time about the Month of 1758 Sarah Scott his

Widow exhibited into this County Court a Writing as his last Will
& Testament That your Orator who is the only Relation the said
John Scott had being his half Brother imagining the said Writing
to be an Impostition & forged and not the Will of the said John
Scott dead contested the Validity thereof in this Court and had
on a Hearing the Judgment of the Court Medon That the
same was not the Will of the said John Scott dead and

thereupon your Orator obtained ^{Letters} of Admion on the Estate of the
said John Scott dead That on his Admion he imagined &
on Inquiring found several Things belonging to the Estate of the
said John Scott dead succeeded & made Use of by the said
Sarah Scott and for recovering such Estate your Orator
Admion of the said John Scott commenced & prosecuted an
Action of Trover & Conversion agst the said Sarah & the same
~~Action proceeded so far that at a Court held for this County~~
in the Month of 1758 he recovered

a Judgment agst the said Sarah for Goods converted to her own
Use the Sum of £8 and 11s. 6d.

Which Damages & Costs being all that could then be ascertained
agst the said Sarah the same were conveyed away & further
separated converted to her own Use or left a valuable Bay
Now the said J^r. Scott died possessed of worth upwards of £20.

Which said Judgment & Costs remains yet in full Force &
Vigor agst the said Sarah and was never paid by her into
the said John Scotts Estate agst the said Mary ever approved
or accounted for by the said ^{Sarah} ^{agst} — Your shews that before the said
Jud. was paid or the said Mary could be recovered the said
Sarah intermarried with Henry Harrison of this County
who together with the said Sarah superseded the Judgment
of the Court in Relation to the said William said to be the Will of
the said John Scotts Estate & the said Court granted your Orator
an affidavit — And on a Judgment of the General Court the
Opinion of this Court in the said William was confirmed that
the same was not the last Will & Testament of the said
John Scotts dead but the Admon granted your Orator was
revoked and in consequence thereof the said Henry
Harrison in Right of the said Mary administered on the Estate
of the said John Scotts dead — That your Orator having settled
his Admon Account the Estate was indebted to him the
Sum of £25.8.3 for so much advanced in more than need
on Acct of the said Estate that he rendered of the said Estate
was delivered up to the said Harrison except a Ball and a
Saphial of Diamonds which this Deft forgot at the Time of the
Sale of the said Estate — ~~That the said Harrison & your Orator~~
agreeing to settle their Accounts in Relation to the said Estate
in several Times the said Harrison paid your Orator
the Sum of five Pounds in Part of his Debt & Demand but
on some Pretence or other refused to pay the rest or make
a final Settlement & Division of the said Intestate's Estate
in Slaves of which your Orator is intitled to one half —

and then brought his Bill in this Court with full power agst your
Orator only as your Orator believes to delay him of his just
Demand and to prevent a Division of the Slaves the said John
Scotts died seized of — Your Orator shews that before the said
John Scotts married the said Sarah he gave her a Settlement of
three Slaves named Jenny, Jim, & Pompey, for life as a Jointure
which Settlement duly of Record in this Court your Orator
begs leave to refer to Sprays & may be taken as Part of this his
Bill of Complaint Your Orator shews further that the said
John Scotts left several Slaves at the Time of his Death and
that there are four Slaves named Noll, Charity, Patience, &
Henry besides those sold for payment of his Debts & — the three
Jointure Slaves & two or three children of the said Jointure Slaves
Jenny a which your Orator is intitled to the half of and
which he expects to divide with the said Henry Harrison
who now keeps possession of the Labor thereof and refuses
to divide or pay your Orator his just Demand agst
the said John Scotts Estate (altho often friendly applied to
by your Orator for that Purpose) Which being contrary
to Equity & Justice tending to the Ruin & Impoverishment
of your Orator In tender Consideration whereof and for
that your Orator is a poor old man & only releivable in
this Court of Equity To the end therefore therefore the said
Deft & every one their respective corporal Oaths full true &
perfect Answers make to all & singular the Allegations of
this Bill as fully & particularly as if herein again repeated
Interrogated and more especially that they each of them

may set forth & in case whether the said John Scott died or
die in testate as herein is set forth? Whether a Writing was nessed
up as his Will & whether the same was not judged not to be his
Will? Who produced or what became of the same? did not
your Honor administer the Estate as herein is set forth?
Did not he settle his Account as herein before related? Did not
the sum of £25. 8. 3 due him on that Acc^t? Did not the said
Henry pay him £5. in part thereof? did not your Honor
continue an Action against the said Sarah for the taking &
converting sundry goods & Chattels belonging to the said John
Scott & Sarah & John Scott her as above? Did not
the same Judgment yet due to the said Sarah? Did not
the said Sarah before of a Day know that the said J. Scott
died possessed of a free his Death? Where is the said Sarah?
or what is become of her? What was her Value? Is the
said John Scott's Estate added as to the said things?
Admon. given the Reboating that of your Honor in
Reference to? did not the said Court declare George
the baronet's Son's Opinion that the said Writing was not
the Will of the said John Scott? Did not the said
J. Scott make the said Sarah a Jointure before her
Marriage as is herein before set forth? Was it not intended
as a Jointure for full & bar of all in the said Estate? And
how many Negroes are there the said J. Scott died possessed of
besides the said Jointure Slaves & what their Names? how
many of the Jointure Slaves & what their Names? And
that the said Henry Harrison may pay & satisfy you

The Answer of John Mundell a Def^t to a Bill of
Complaint of Henry Harrison & Sarah his Wife
Compl^t

This Def^t now at all Times hereafter saving answering to
himself all Advantage of Exception & for Answer to the
Compl^t said Bill he saith That on John Scott late of this County
decd half Brother to this Def^t dying intestate the Compl^t Sarah
exhibited a Writing into this Court as his last Will & Testament
which this Def^t believing to be a Forgery and that Will of the said
John Scott decd contested the Validity thereof and had
the Opinion of this Court That the said Writing was not the
Will of the said John Scott decd That this Def^t then administered
on the said John Scotts Estate with a View to preserve it from being
alienated That the Def^t intermarrying some Time since they
superceded the County Courts Opinion and by that or some
other Means had a Hearing in the General Court where the said
Writing was also adjudged not to be the Will of the said John Scott
the County Courts Jud^t affirmed but this Def^t Admon^d
recoated that the Def^t Henry in Right of his Wife Sarah
administered on the said Estate of the said John Scott decd &
thereby took the same into his Hands That during
your Orators Administration he administered of the said
Estate to the Amount of £56.7.3½ including a Negro Girl
named Trank which he sold for £50 - And paid away Debts
& Demands against the said Estate to the Amount of £81.15.6½
And was in Advance for the Estate the Sum of £25.8.3 only
an Act of his Admon properly returned to this Court more

Mundell
Ans.
Harrison & Wife
1807

fully may appear that on the Compt. Admon this Def.
delivered up what he had of the said John Scott due to
him that was not sold which was every thing came to his
knowledge except a horse Bill a pig and a calf of which he
forgot at the Time of Sale - But offered to the Compt. after his
Admon especially the Bill but the Compt. said he did not know
whether he could take them or not - That several of the Cattle
died after they were appraised notwithstanding the utmost
care used by this Def. to winter them with the Fodder on
the plantation intending to sell them in the spring - seven
died two were killed for provisions for the use of the Stanton
estate of which delivered to the Compt.

This Def. further answering saith that he often
applied to the Compt. to settle & pay him the Bill due to
him from the said John Scott which the Compt. seemed for some Time
to agree to & paid him £5 in part of what was due to him
but afterwards after several Appointments & Meetings
to settle refused to conclude the same & brought this
Bill. This Def. justly & honestly administered all the
estate he knew of & never secreted any but sold account of
for delivered all that was come to his hands except the Bill
and of which on above which the Def. may have as soon &
as true to please - And prays his Bill to be allowed him
agst the said estate and interest thereon And that he may
be hence dismissed with his costs.

June 29th 1763

Sworn to before me
James

Answer by
Sarah
Mumford
of
Dover

The answer of Henry Harrison and Sarah his wife deft. to the
bill of complaint of John Mumford Complainant
This defendant now and at all times hereafter joining and resuing
to himself at advantage of exception to the manifold untruths
inconsistent and imperfections in the said complaint paid
bill of complaint contained for answer unto or so far much thereof
as this deft. is advised is material for him to make answer
unto the answerer and faith that the said John Scott in
the bill named did his levy upon the deft. Sarah his widow
who after the death of the said Scott found a paper purporting the
last will and testament of the said J^r Scott which was
exhibited to this worshipful court for proof and by the
complaint alleged that the said writing not being duly executed
and signed the said court was of opinion that the same was
not the will of the said Scott that administration of the said
decedent's estate was granted to the complainant who
disposed himself of all the goods and chattels the said Scott did
dispose of that none of the same were embroiled or secured by the
defendants that the sum mentioned to be received by the complt.
was for a mare the deft. Sarah rode to Brunswick at which
place she got that that this deft. did take all the necessary care to
save her life but to no purpose the same being the mare
mentioned in the complt.'s bill take worth £20.0.0. Then
defendants further say that after their intermarriage they
did sue forth his majesty's writ of Supplicavit to have a
rehearing of the matter aforesaid in the general court which
said court did reverse the same so far as related to the
granting the administration of the said decedent's estate to the
complainant and did direct the same to be granted to
these defendants ^{Henry} in right of the deft. Sarah. Then deft. further

say that after the court at a court held for this county the
day of 17 the letter of administration granted to the complainant
was revoked and the joint granted to the def Henry in right of his
wife Sarah and whereupon this def. Henry applied himself to
the said complainant for the goods & chattels rights and credits
of the said Jas Scott decd who produced to this def. an account
which in this def. opinion was very unjust and erroneous the
having as this def. hath been informed charged articles in ^{his} ~~the~~ ac-
count which the said Scott paid for in his lifetime that the
five pounds mentioned by the complainant to be paid as part of
the sum due him from the estate was actually lent him and not
to be applied on in the complainant's bill in falsely alleged These
def. further say that before the revoking the administration afd.
the Probate of a will of the said Jas Scott decd was delivered to the
complainant in which was an ^{of a balance struck between} ~~an~~ ^{and the said Jas Scott} ~~the~~ complainant of ~~an~~
~~the said Jas Scott~~ ~~the~~ ~~in the said book~~ ~~bound to these def.~~

the leaf wherein that will was ~~deposited~~ ^{but} ~~the complainant~~ was
torn out or by some means taken out ~~and~~ ^{appears to have ch. the said Scott notwithstanding the} ~~the complainant~~
in his ac. account ~~giving any credit for the same~~ ^{which book}
is in ~~these def.~~ ^{the said def.} possession and ready to be produced that
what the complainant faith in regard to the jointure flaves the
def. believes to be true but have been advised that the said comph
hath not any right to claim any part of the remaining flaves
the said Scott decd ^{and his} ~~probated~~ of These def. further say that many
of the cattle ^{and horses} ~~intended~~ ^{and} the estate of the said Scott was by the
complainant killed and stolen by his neglect and no account
given thereof at which these def. hopes will be considered by
the court this month but could without that that he
Incombs before this 1stth
day of Sept. 1764 in Court of
Henry Harrison

Virginia ^{ps} At a General Court held at the Capitol November the 3.^d 1759

Henry Harrison & Sarah his Wife Plts
against
John Mandall Def^t } Upon a Writ of Superseadeas

On the Motion of the Plts It is Ordered That the Clerk of Southampton County Court do attend here on the tenth day of the next Court with the Original Writing purporting the last Will & Testament of John Scott dec^d lodged in his Office and that the parties be at Liberty to summon their Witnesses to contest the said Writing at the hearing of this Cause

you are to attend on me
the 4.th 1760

B. Waller
B. Waller cl: aud

Commission
to take Depositions
about Scott Mill

Page 1
8.

George the second by the Grace of God of Great Britain
France & Ireland King Defender of the Faith &c
To James Bridley and John Person of the County of
Southampton Gent: Greeting Whereas a Writing
purporting the last Will and Testament of
John Scott late of the Parish of Nottoway in the
County aforesaid deceased which is herunto
annexed hath been exhibited in the Court of
our said County by ~~E. Scott~~ Scott the Person
nominated as an Executor in the said Writing
for Proof and opposed by John Mundall of the
aforesaid County I know Ye therefore that
~~We trusting to your Fidelity and provident~~
Circumspection in diligently examining whatso-
ever Witnesses as well on the behalf of the said
John Mundall as on behalf of the said Executor
nominated in the Writing aforesaid th COM-
-mand you that at such certain Dares and
Places as you shall appoint you assemble
yourselves and the Witnesses aforesaid before
you you call and cause to come and diligently
examine on the Holy Evangelists of Almighty
God touching the Writing aforesaid and their
Examination into our Court of our said County
without Delay you shall send and certify
inclosed returning also to Us as well the said
Writing as this writ Witness Richard Kello
Clerk of our said Court at the Courthouse
aforesaid the tenth Day of December in the
2221st Year of our Reign

R. Kello &
Clerk

Commissioners
to take depositions
about John Will

In Obedience to the Within Commission to us Directed
We have Examined Thomas Clifton. Benjamin Clifton
Thomas Tyland. Hannah Tyland. Liddy Sharpe. Benj^d
Harrison. Groves Sharpe. Sarah Clifton. & Richard
Harrison. Whose Depositions we Send and Certifie Under
Our hands Annexed

J. D.
Liddy
John Verdon

Order to take
Depos about
Scotts Will —

At a Court held for the County of Southampton
December the 8th 1757.

A Writing purporting the last Will and
Testament of John Scott late of this County deceased
was exhibited in Court, by ~~Charles~~ Scott the Executrix
therein named, for Proof, which was opposed by John
Mundall, Whereupon on the Motion as well of the said
John Mundall as the Executrix nominated in
the said Writing It is Ordered that James Bridley
and John Person Gent: do examine upon Oath
and take the Depositions of all such Witnesses
as shall be produced as well on the Behalf of
the said John Mundall as on Behalf of the
Executrix nominated in the Writing aforesaid
and that the Clerk deliver the Original Writing
aforesaid to the said James Bridley and John
Person and that they return the same together
with the Depositions of the Witnesses that shall
be taken by them to the next Court.

A Copy

Test

R. Kells &
J. Kells

Cross to take
Benton about
Scott, Will

In Obedience to the Within Order ~~to have~~ ~~the~~
to us Directed we have Examined John Clifton -
William Carrel, John Dostick, & Sarah Ward whose
Depositions we send and Certified Under our hands
Annexed -

J. P. Redley
John Person

Harrison vs. Sha-

Mundall

Nov 1760

Times to Aug

Dec 1760

first Times

July 1761 further time

sent Bill for 4 times

April. time to Aug

May. time to Aug

time to Aug

Collected

L. D. W.

George the second by the Grace of God of Great Britain France &
Ireland King Defender of the Faith &c. To the Sheriff of Southampton
County Greeting We Command You that You Summon John
Mundall who was Adm^r of St John Scott dead.

to appear before our Justices of our said County Court in Chancery
at the Court house of the said County on the second Thursday in
November next to answer a Bill in Chancery exhibited against
him by Henry Harrison & Sarah his wife Adm^r &c of St. Scott.

And this he shall in no wise omit under the penalty of
£100— and have then there this Writ

Witness Richard Shello Clerk of our said Court at the Court
house the eleventh Day of October — In the thirty
fourth Year of our Reign

R Shello C

Mundall & Shey
Harrison & Co

For P. J. M. Harrison & Co

George the third by the Grace of God &c To the
Sherrifs of Southampton County Greeting We
Command you that you Summon ^{Henry}
Harrison and Sarah his wife ^{Wife of John Scott Deceased} ~~admit~~ appear before
our Justices of our said County Court in Chancery
at the Courthouse of the said County on the
second Thursday in October next to answer a
Bill in Chancery exhibited against them by John
Mundall

And this we shall in no wise omit under the
Penalty of — — — — — Four Witnesses Rich^d Wells Clerk
of our said Court at the Courthouse the sixteenth
Day of Sept^r — 1762 In the second year of our
S^o Reign

R Wells &
Clerk

Wendall }
Harrison } Doc
post

In Obedience to the within Dictum Potestatum we have Examined
Amos Garrison whose Depositions we send and Certify Annexed

St Edmunds
John Person
Henry Taylor
James Jones

Filed July 17/63

Southampton County / 6

George the third by the grace of god of
Great Brittain France and Ireland King defender of the faith
to To Howell Edmunds John Popwell Henry Taylor & James Jones
Gent Greeting Know ye that we trusting to your Fidelity and
provident Circumspection in diligently examining Amos Gavis
a witness as well on behalf of Seth Seek right Cesses of John
Mundall Jst as on behalf of Henry Harrison doft command
you or any two or more of you that at such certain days and
places as you shall appoint you assemble yourselves and the
witness aforesaid before you or any two or more of you you call
and cause to come and diligently examine in the holy
Evangelists of Almighty God this Examination into the
court of our said county of Southampton without delay
you shall send and certify inclosed returning also to us this
writ witness Richard Kello Ctk of our said court at the
counthouse the sixteenth day of may in third year of
our Reign

R. Kello Ctk
J. Kello Ctk

Harrison
 and
 Mendall } *Ans*

GRACE OF GOD, of Great Britain, King, Defender of the Faith, &c. To the Sheriff of the County of ... We command you to summon

to appear before our Justices of our said County, at the Court House, on the ... to testify, and the Truth to say in Oath of

in a certain Matter of Controversy in our said Court, before our said Justices be-
 pending and undetermined, between

and this
 Witnesses
 Clerk of our said Court, at the Court House, the
 Day of
 in the
 Year of our Reiga

GEORGE the Third, 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 to summon
William Harrison

to appear before our Justices of our said County, at the Court- House, on the
second second Thursday in July next
to testify, and the Truth to say, in Behalf of *Henry Harrison*

in a certain Matter of Controversy in our said Court, before our said Justices de-
pending and undetermined, between *the said Henry (deft) and John*
Mundall & Co
and this *he*

L100 Witnesses *R. Helle* shall in no Wise omit, under the Penalty of
Clerk of our said Court, at the said Court-House, the *eighteenth*
Day of *June* in the *third* Year of our Reign.

R. Helle

Harrison }
Mundall }
D. S.
Robert

In Obedience to the within' Dictionar' Collocation' we have Examined
Mary Lyles whose Deposition we send and Certify Annexed

Dated July 11. 1763

H. Edmunds
John Cogson
Henry Taylor
D. S.

Southampton County &c

George the third by the grace of
god of great Britain France and Ireland King (defender of the
faith &c. To Howell Edmunds John Poffon Henry Taylor & James Jones
gent. Greeting Know ye that we trusting to your fidelity and
provident circumspection in diligently examining Benjamin
Clifton and Mary Lyles as well on behalf of Henry
Harrison as on behalf of John Moundall Command you or
any two or more of you that at such certain days and places
as you shall appoint you assemble yourselves and the witnesses
aforesaid before you ~~or any two or more~~ or any two or more of you you call
and cause to come and diligently examine in the holy
evangelists of Almighty God and her examination into the
court of our said county of Southampton without delay you
shall send and certify enclosed returning also to us this writ
witness R. Helle Ck of our said court at the courthouse the
eighteenth day of June in the third year of our reign

R. Helle &
Dee

Mendall
ado pha
Harrison

Con. 2

W. W. Harrison

GEORGE the Thid, by the Grace of God, of Great-Britain, France and
Ireland, King, Deender of the Faith, &c. To the Sheriff of
Southampton County, Greeting. We command you to summon
John pason David Edwards John W. Moore J. Hannah
Byland ~~W. Moore J. Hannah~~
to appear before our Justices of our said County, at the Court- House, on the
second Thursday in July next
to testify, and the Truth to say, in Behalf of *John Mundall*

in a certain Matter of Controversy in our said Court, before our said Justices de-
pending and undetermined, between *the said John* ~~and~~ *Henry*
Harrison ~~and~~ *and this* ~~they~~ shall in no Wise omit, under the Penalty of
1000 each of them Wines *W. Kelly*
Clerk of our said Court, at the said Court-House, the *eighteenth*
Day of *June* in the *third* Year of our Reign.

W. Kelly

Harrison

and

Mundall

2020

Geo. D. [Signature]

[Signature]

to appear before our Judges of our said County, at the Court House, on the

to testify, and the Truth to say, in Behalf of

in a certain Matter of Controversy in our said Court before our said Judges de-
pending and undetermined, between

and this
Witness

Clerk of our said Court, at the said Court House, the
Day of [blank] in the [blank] Year of our Reign.

GEORGE the Third, 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 to summon

William Harrison

to appear before our Justices of our said County, at the Court- House, on the
second Thursday in September next
to testify, and the Truth to say, in Behalf of *Henry Harrison*

in a certain Matter of Controversy in our said Court, before our said Justices de-
pending and undetermined, between *the Henry West and John*
Muddall & Co

and this

shall in no Wise omit, under the Penalty of

Witness

1780 Clerk of our said Court, at the said Court-House, the *eighteenth*
Day of *July* in the *third* Year of our Reign.

W. H. B.

Marshall

N

Harrison

Red: potter

George the third by the Grace of god of Great Britain
France and Ireland King Defender of the Faith &c
To James Ridley Henry Taylor & James Jones a-
gent. Know ye that we trusting to your fidelity and
provident circumspection in diligently examining
what soever witnesses as well on behalf of Ashm.
Mundall just of Henry Harrison just Command
you or any two or more of you that at such certain
days and places as you shall appoint you afeble
your selves and the witnesses aforesaid before you
or any two or more of you you call & cause to come
and diligently examine on the holy evangelist of
almighty god and their examination into our
court of our county of Southampton without
delay you shall send certifie enclosed returning
also to us this writ witness W. Helle Cth. of our
said court at the courthouse the sixteenth day of
January in the fourth year of our reign

W. Helle

Annally
as
Barrington
Lot 2nd Mth Dr

George the Third, by the grace of God, of great Britain France and
Ireland, King defender of the faith &c. to the Sheriff of

County of Middlesex
County greeting we command you to summon
Benjamin Harrison

to appear before Justices of our said County at the Court house on
the Second Thursday in September next
to testify, and the truth to say in behalf of Jo^s M^r and

in a certain matter of
controversy in our said Court, before our said Justices depending
and undetermined between Mr. Jo^s M^r & Henry Harrison
Def^t

and then we shall in no wise omit under the penalty of
£100 ————— Witnesses J^s M^r ————— Clerk of our
said Court, at the said Court house the 9th
day of August in the 34th year of our reign

Shelloe

Mundall }
Hammond }
L. 2nd M. 1862
L

George the third 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 arrester Henry Harrison and
Sarah his wife admrs &c of John Scott Decd so that
you have their bodys before our justices of our said
county court at the court house on the second Thursday
in September next to answer us as well of a certain
conscript to us offered as it is said as upon those
things which to him then and there shall be
objected and have then there this our writings
Wells etc of our said court at the court house
the ninth day of August in the fourth year
of our reign

For not answering the writ of Complaint &c.
John Widdall go hitherto agt them.

Wells
1782

Proceedings
on
Scotts Will

June 1788

Cont^d

Oct 1730.

Wife & heirs &
Admon granted

Dispositions concerning
John Scotts Will

1810: Jan 17 1758.

190.

Southampton to wit

Sarah Clifton being first Sworn on the holy Evangelists Depoeth and
saith that as this Depoent and her husband and John Scott sit at
Breakfast. this Depoent heard John Scott say that as John Mandel
had almost killed him. but not quite he would fight him again
and then ^{they} his friends. & not before. this Depoent further saith that
she was Present when the Will was Taken out of the Chest and
handed to her husband. and her husband handed it to John Mandel
& said to John Mandel I Believe this is John Scotts Writing
and Mandel said Yes I Believe it is Johns Writing, that John
Mandel asked to see the Papers and Salley Scott said that there
was none there that belonged to him. That the Will was produced
to him, and he asked Where the other ^{will} was, Salley Scott made
Answer and said it was Burnt. and further saith not

Sworn to before us

Jan^y 9th. 1758

Sarah Clifton

J. Ridley. John Person

Southampton to wit

Benjamin Harrison being first Sworn on the holy Evangelist's Deposition
and Saith that this Deposition happened at John Scott when he was
Put in the Ground. and after they Came from the Grave the
Chest was Opened, and Sarah Scott handed a Paper to Tho: Clifton
and Tho: Clifton handed it to John Mundel and Said I Believe
this is John Scott's Hand Writing. to which Mundel Answered
and Said yes I Believe it is John's Writing, that John Mundel
asked for the other will & said that John Scott had Told him that
there was two wills in the house, to which Sarah Scott Answered
that the other will was Burnt, and that Mundel said he Desired to
see the other Papers, & that Tho: Clifton told Mundel it was almost
Night. & too late if he would Come any other time he might see
them and further Saith not

Sworn to Before us Jan^y 9th 1758

Benjamin ^{his} Harrison
mark

Paruley. John Person

Southampton to wit

Benjamin Clifton being first Sworn on the holy Evangelists —
Deposeth and Saith that the Writing hereunto Annexed
this Deponent Positively Believes that it is John Scotts own
hand Writing, that this Deponent has seen P. Scott Write and
Seen much of his Writing, that this Deponent says he Believes
that he heard John Mundel say it would be Proved that John
Scott Wrote that Will only to Please his wife and further Saith
not —

Sworn to before us Jan: ^{9th} 1758

Benjamin Clifton

Testes John Person

Southampton to wit

Liddey Sharpe Being first Sworn on the holy Evangelists
Deposeth and Saith that on the Saturday before John Scott's
Death this Deponent heard John Scott Say that he would
be Damned if he did not fight John Mundeel Again
Because ~~he~~ ^{he} ~~was~~ ^{was} ~~him~~ ^{him} ~~when~~ ^{when} ~~he~~ ^{he} ~~could~~ ^{could} ~~not~~ ^{not} ~~help~~ ^{help} ~~himself~~ ^{himself}
& that this Deponent Believes the S. Scott was Sober
when he spoke the Above words and further Saith not

Sworn to Before us

Liddey ^{per} Sharpe
marks

Janry. 9th. 1758


Verfon

John Verfon

Southampton to wit

Richard Harrison being first Sworn on the holy Evangelist Depoeth
and Saith that this Depoent was at John Scotts when he was Put
in the ground. and after they Came from the grave, Sarah Scott took
a Papers out of the Chest, and handed it to Thomas Clifton, and
Thomas Clifton handed it to John Mundel, and said I Believe
this is John Scotts Writing, and Mundel said yes I Believe it
is Johns Writing for it looks very much like it, but Asked
Where the other will was, for John Scott, told him he had
^{Smiths} Two in the house, & Sarah ^{Scott} Replied that the other will was
Burnt. Then Mundel says Ask for the Papers, before all
these People, and Desired them all to take notice, then
Thomas Clifton Told John Mundel that he had no business
with the Papers then, & Sarah Scott Told Mundel the same
& that there was none that Concerned him, but Tho. Clifton
Told him that he might Come another time & see them there
for there was not time then, and further Saith not

Sworn to Before us
Jan^y 9. 1758

Richard ^{his} + Harrison
Marsh

J. Daley John Perfon

Southampton to wit

Thomas Pyland being first Sworn on the holy Evangelists Depose & say
Saith that on or About the fourteenth Day of September last Past he
was in Company with Thomas Clifton at John Scotts and John Scott
brings out a paper which this Deponent by the size & Looks of it
Believes to be the Writing hereunto Annex'd. and gave it to Thomas
Clifton. and After T. Clifton had looked over it. J. Scott asked him
how he liked it. T. Clifton made Answer and said John I like it very
well. but I where is the old will John. J. Scott made Answer and
said it is Burnt. and further Saith not —

his
Thomas + Pyland
marks

Sworn to before us } This Deponent further Saith
Jan^y 9th 1758 } that he Believes John Scott was
Sober at the time he heard the
Above Discourse —

J. Ridley John Verfont

Southampton to wit

Hannah Wyland being first Sworn on the holy Evangelists Deborah and
saith that herself and her husband & Thomas Clifton was at John
Scotts Together and she saw John Scott Give Thomas Clifton a Paper
& said to him Daddy this is a Will how do you like it. Thomas
Clifton looked at it and said John I like it very well, but where is
your old Will, to which J. Scott Replied that he had Burnt it
and Thomas Clifton laughed & said John I dont think it worth your
while to make another will for he Believed he would Die his own
Executor Whereupon John Scott Took and folded it up and Put
it into the Chest again. this Deponent further saith that she -
Believes that John Scott was Sober when she saw & heard the Above
& further saith not

Sworn to Before us Jan^y 9th 1758

Richard John Person

Hannah B Wyland
mark

Southampton to wit

John Clifton being first Sworn on the holy Evangelists Depone
to Saith that when John Scott Departed this life. this Deponent
of John Mundel Laid him out, After which Thomas Clifton
Said to this Deponent. now this makes well for John Mundel
this Deponent Asked him why. he said because Scotts offer
would have nothing but his fortune. and that only for her
Life. Now Says Thomas Clifton. John Scott has a will. but
I dont know whether he has ever got it Assigned. but if he
has it will make as well for John Mundel as if he had not
That John Mundel Asked to see John Scotts Papers. and Saith
Scott said he had no Business to see them. but Afterwards
Went & took them out of the Chest and gave them with to Tho. Clifton
who Shewed John Mundel a Writing Which this Deponent
Believes to be the same hereunto Annexed, that Mundel looked
Over it. and Asked the said Clifton where was Scotts other will
Thomas Clifton said he knew nothing about it. That Thomas
Clifton Asked Mundel if he Did not Believe that to be
John Scotts Writing. to which Mundel Replyed that
he Believed it to be Very much like Scotts Writing
and further Saith not

Sworn to Before us

9th January 1758

John Clifton

Richard John Person

Southampton to wit

Sarah Ward being first Sworn on the holy Evangelist Depoeth
and Saith that on the Monday Morning before John Scotts Death
this Deponent was at John Mundels and John Scott Came there
and Seemed to be friends with John Mundel. and Alfred S. Mundel
and his Wife to go over to Breakfast with him. but Mundel
Told him that if he would stay and Take Breakfast with them
they would go over and take Dinner with him. that P. Scott did
stay and take Breakfast with Mundel, and after that ~~this Depon~~⁴
and John Mundel and his wife ^{and John Scott} went to the Outery at Deans
together. and ~~some~~ time in the Night they Came back together
to Scott. and John Scott Asked them all to Call and Eat Dinner
With him. which they did. and that When they were at Dinner
there was some Difference Between P. Scott and his wife. and they
Guarded one Another Mightily. and ^{Sarah} Scott said that ~~she~~ stood in no
more fear of him. then she did of Watch (the Dog) and John Scott
said if she did not love him he would make her fear him. and
on the next night. this Deponent was at John Scotts and heard P. Scott.
Wish for John Mundel and asked her if she thought John Mundel
was at home. if she thought he was, he would send for him. and
further Saith not

Sworn to Before us
Jan^y 9th 1758

Richard John Person

her
Sarah ^{for} Ward
marks

Southampton to wit

William Garrel being first Sworn on the holy Evangelists Deposeth
and Saith that the day before John Scott Departed this life
this Deponent met with him in the Road near his house -
and as they were going to the house, After having some other
Discourse, this Deponent told John Scott, that he was Sorry that
the s^d Scott had made himself not a freeholder in this County
to which John Scott Replyed that he was a freeholder, but
Nevertheless Neither a Clifton alive should have a Penny
More of his money, then what they had got Neither Breed
nor Seed of them, and that this Deponent Remained with
the said John Scott, from that time to the time of his Death
and that the said Scott was sober when he told him the Above
but did not Remain sober long after that, that this Depoⁿ
heard some talk After Scott was put in the ground, About a will
that M^{rs} Scott said there was another will but it was Burnt
and further Saith not

Sworn to Before us Jan^y 9th 1758

Frederick John Persons

his
William L Garrel
make

Southampton to wit

John Dortch being first Sworn on the Holy Evangelist, Deposeth
and Saith, that Some time this last fall this Deponent went
to John Mandels and saw John Scott there and heard John
Scott tell John Mandel that he had no other Brother but him
and that if he was the longest lived he intended that he should
be the better for his Estate, and took Mandel by the hand, and
said let us be Brothers, for when I die I will give you my
Estate, and that John Scott appeared to this Deponent to be
in his proper Sences when he spoke the Above words
and further Saith not

John Dortch

Sworn to before us
Jan^y. 9th. 1758

Teste. John Verfon

Southampton to wit

Groves Sharpe Being first Sworn on the holy Evangelist Depoeth
and saith that about a week before John Scotts Death this Deponent
was at the D. Scotts house, & that Tho. Clifton and John Mundel Differed
there, and John Scott got up and said that they should not Lick his
Daddy & ^{and John & Mundel agreed to fight but was hindered from fighting then} and after a while John Mundel lay Down on the bed and
John Scott went and lay down by him, and after a while John Mundel
got up & said that John Scott had Gouged him, & went out and
Striped himself, and Scott went out, and Thomas Clifton & Jos. Claud
Agreed to let them fight, but did not go out to see them fight, and
Mundel told Scott that D. Scott was too Drunk to fight, and helped
Scott up twice & says to Scott Jack you are too Drunk to fight, where
upon Scott made a motion to Strike Mundel but did not hit him
and Mundel made a Stroke and hit Scott on the head & Struck up
his heels, and Scott lay there sometime as if he was Dead, and
this Deponent went into the house and told Clifton & Claud
That Scott was Dead, that Clifton & Claud went out and
Mundel was Sitting by Scott & seemed very sorry for what had
happened, and further saith not

Groves Sharpe

Sworn to before me

Jan^y 9. 1758

Richard John Person

Southampton to wit

Thomas Clifton being first sworn on the holy Evangelists Depoeth and saith that on the fourteenth Day of September Last Past John Scott asked this Deponent and Thomas Cyland and Hannah his wife to go home with him from Robert Deans, which they did, and after they had been there sometime, John Scott went to his Chest and took out a Writing which this Deponent Believes by Several Remarks he made thereon, in the form and Spelling thereof to be the same hereunto Annexed, and gave it to this Deponent and asked him, he liked it, This Deponent told him very well, and asked him Where the other will was, for he heard that he had made another his Answer was we have Burnt it. This Deponent then told John Scott that he Believed he need not Trouble himself much about making of a will for this Deponent believed he would die his Own Executor. This Deponent further saith that when John Scott spoke the Above Words he appeared to be sober and Sedate - This Deponent further saith that the Saturday night before John Scotts Death. P. Scott lay at this Deponents house, and on the next morning when he got up, there came from him a large Quantity of Corruption out of his mouth in so much that it could scarcely be heard, and as they were at Breakfast he said to this Deponent that as John Mundel had almost killed him but not quite, he would fight him again ^{if he lived} and then they would be friends, and not before, that as this Deponent was going to Church the same day John Scott talked with him as far as P. Scotts house and told him that as long as he P. Scott was promising P. Mundel Gift, and forgiving of him Debt, that P. Mundel would be friends with him, and no longer, and that ever since Mundel had heard of his making such a Will he had been Disaffected towards him P. Scott. and further saith not.

sworn to Before us
A. C. 1750

Thos Clifton

Edley. John Person

Red Postcard
Concerning Scott's
Will.

Jan'y 1750

George the Second by the Lord's Appointment
 France and Ireland King Defender of the Faith &c
 To James Ridley Esq^r Baron of the County of
 Southampton Gent: Greeting Whereas a Writing purpor-
 ting the last Will & Testament of John Scott late of the
 Parish of Notthoway in the County afo^r said which is
 hereunto annexed hath been exhibited in the Court
 of our said County by Sarah Scott the Person nomina-
 ted as an Executrix in the said Writing for herself and
 proposed by John Munnall of the afo^r County Sheriff &c
 therefore that We trusting to your Fidelity and wisdom
 Circumspection in diligently examining whatever Witneses
 as well on the behalf of the said John Munnall as on
 behalf of the said Executrix nominated in the Writing
 afo^r Command you that at such certain Days and
 Places as you shall appoint you assemble yourselves
 and the Witneses aforesaid before you you call and cause
 to come and diligently examine on the Holy Evangelists
 of Almighty God touching the Writing afo^r and their exami-
 nation into your Court of our said County without Delay
 you shall send and certify enclosed returning also to us
 as well the said Writing as this writ Witnesse Richard
 Stello Clerk of our said Court at the Courthouse afores.
 the 16th Day of January in the 22nd Year of our Reign

W. Stello
 Clerk

Southampton to wit

Hannah Garri being first Sworn on the holy Evangelist Deposeth and
 Saith that Some time Since John Scott Death this Deponent saw Thomas
 Clifton at the Widow Harrison's and heard P. Clifton Ask P. Harrison
 Son if they did not hear John Munnall say that he believed this
 Will was John Scott's Writing. they said they heard Munnall say
 This Deponent further saith that Thomas Clifton said that John
 Scott had made a Will before, in which he gave his wife the
 Chief of what he had, on Proviso that she did not keep
 Company with Hall Sharpe after P. Scott's Death. And that that
 Will vexed Sarah Scott Prodigiously. This Deponent further saith
 that Thomas Clifton said that John Scott had made another
 Will and gave his Wife all he had. and it was as loving
 a Piece of work as ever he saw in his life. This Deponent
 further saith that she never saw any Writing call'd John
 Scott's Will & further Saith not

Feb^r 3. 1758

Sworn to Before us

her
 Hannah Garri
 Marks

J. Ridley
 John Person

Recd Perpetual
Comm. Scott
N.H.
Aug. 1738

In Obedience to the Within Dictum Potestatem we have
Examined Hannah Harris whose Deposition we read and
Certify under our hands Annexed

Feb. 3. 1738

Attest
John Perrow

The Deposition of Amos Garri of full age being first sworn on the Holy —
Evangelists of Almighty God Deposeth and Saith that some time before the
Jury for Docking the Entail of John Scotts land, this Deponent being at John
Scotts. Thomas Clifton Came there and told John Scott that he had brought home
Frank a Negro Girl and Told him to see if she was Whipt enough. where-
upon Scott. looked at her and allowed she was. That Clifton then told her
that Negro Girl. to Come no more to ~~him~~ ^{me} I am not your master
and Pointing to John Scott. said he is your master. if you come to me
any more I will whip you as much more. and after going to the house
P. Clifton said that he would never give a Negro away and Afterward
Encourage them to Come to him. ^{again} This Deponent further saith. that some
time After the Conveyance of the land from Scott to P. Clifton. this
Deponent being at P. Scotts. and this P. Scott having been Drinking. Cried
and P. Daddy Clifton when I get you have my land you promised
to let me have it again. to which P. Clifton Answered & said ~~that~~
he had got it and would keep it. This Deponent further saith
that some time After P. Scotts Death. he being at P. Clifton. & in
Discourse about the land. this Deponent said he thought that P. Clifton
Bought the land Cheap. to which the P. Clifton Answered that he gave
a great Deal more money ~~than~~ ^{than} ~~he~~ ^{that P. Scott was a Quaker & giving P. Clifton} ~~he~~ ^{for the land} and that he Bought
the land with no other View but to Procure Sallery ^{whome} I understood
to be Scotts wife. A Slave. This Deponent further saith that at the time
when P. Clifton Brought home the Negro as Above Mentioned there was no
Other Person there in Company with them but himself the Clifton and
the P. Scott. besides the Negro Frank. and further saith not

Southampton June 17. 1763

Amos Garri

Sworn before us —

H Edmunds
John Perren
Henry Taylor
James Jones

The Depositions of Mary Lyles of full Age being first Sworn on the Holy
Evangelists of Almighty God Depose and Saith that about the time of
John Scott going to Williamsburg to get With to Dock the Entail of his land
the P. Scott came to Thomas Clifton and Told P. Clifton that he must sell
his land, and asked P. Clifton if he would buy it, and after some talks
P. Clifton told P. Scott that he would give him the Negro Girl Franks for it
which P. Scott agreed to take, but mentioned something of his letting him
have it again, to which P. Clifton answered that if he did buy it, ^{he} should
not have it again, that if he Bought it he would have no fraud nor
cheating in the case, that he would have it to do what he Pleased
with ~~that~~ that the P. Clifton Told the P. Scott that he would never hear
him off it, and that if ever he had any Children he Did not know
but he might give it to them, and further Saith not.

Southampton June ¹⁵ 17. 1763
Sworn Before us

Mary Liles

Edmunds
John Person
Henry Taylor

Groves Sharp being of full Age & duly Sworn on
the Holy Evangelist of Almighty God Deposeth &
saith that in the time that Henry Harrison was
Overseer for the Widow Scott this Deponent & the
S. Harrison & S. Widow Scott at One John Johnson
in Brunswick County they Asked him if he had
seen any Horses he Answered them he had not
this Deponent Asked them what Horses they Rode
up they said Pigeon and Fly which had got away
from them this Deponent further saith that
the Mare which was called Fly was a Bay
Mare which formerly belonged to John Scott
and that he believed her to be worth Twelve
pounds Curr: Money and further saith not

Groves Sharp *(sworn)*

Sworn to before

J. H. H. H.

James Jones

1 Honour Westbrooke being of full Age & Duly
Sworn on the Holy Evangelist of Almighty
God Depoeth & saith that about Twelve Months
past Sarah Harrison Wife of Henry Harrison was at
her House and amongst Other Conversation this
Depont: heard the S: Sarah say, that the Night
before Groow Sharp got to John Johnsons in
Brunswick County the Horses which they Rode
up got away from them, this Depont asked
her what Beasts they Rode theather, Sarah
Harrisons Answer was the Bay Mare which
was John Scotts, and that she did believe she
was shot on her Return Home and further
saith not

Honour Westbrooke

Sworn to before

(S:
T. R. S. S.
James Jones

J. Parsons.
Deben

Southampton to wit

John Person being first sworn on the Holy Evangelists Depoeth and Saith that the Writing lodged as the last Will and Testament of John Scott Deced. does Resemble John Scotts hand Writing tho this Depoent Observes this Difference, that the said Scott did Generally begin his name with a letter made thus, J. or thus, J. and that his name is begun in the said Writing with a letter made thus, J. That this Depoent has since the said Scotts Death Examined many Pieces of Writing. Some of which he saw the said Scott Write, and others that he believes to be the said Scotts own hand Writing. and find them all wherein his Name is Inserted to Differ from the Writing lodged in that Particular. this Depoent further Saith that some time in the year One thousand Seven hundred and fifty Six Thomas Clifton undertook to Teach School, and about the time of his Beginning the School the said Clifton told this Depoent that he was like to have a pretty good School, and that he had been at a Great Deal of trouble in making the Books. that he had had a thought of getting this Depoent to Assist him about it, but had got John Scott to Assist him. this Depoent Asked him if John Scott was Capable of Pricking Down the tunes, he said that Scott was Very Capable of it, and Could do it near as well as he Could himself the said Clifton laughed, and said that he had a great Deal of laugh at Scott the other day in the time while they were about the ^{book} that he the said Clifton wrote some Piece of Writing the words whereof this Depoent does not Remember after the said Scott had wrote the same words, and Shewed it to the said Scott, and the said Scott Could not know one from the other nor tell which he wrote himself. And swore that he should have believed that he had wrote them both himself if he had not known the Contrary that some time since said Scotts Death the said Clifton being in Discourse with this Depoent Concerning the Writing lodged, said that if People did not believe the Will to be Scotts Writing whose Would they think it was, for he was sure that he

Could not Counterfeit Scotts Writing if it was to save his life. This Depoent further Saith that some time in the month of July last Past John Scott Told this Depoent that Thomas Clifton had sold him the said Scott out of his land, that he the said Clifton had Persuaded him the said Scott to Dock the Entail on his land, and to Convey it to the said Clifton, and that he would let him have it back again, but had since let him know that he never Intended to let him have it again. this Depoent Told the said Scott that he thought it a great Piece of madness of him to act in the manner he had, to Deprive his Brothers of the land, to which the said Scott Replied that his Brothers should be no looser by it, that if John Mundel Should be the longest liver of them he should be the Better for his the said Scotts Estate, that there should never a Clifton have any more of it. This Depoent Told the said Scott that as to that he Believed they had a pretty good Part of it Secure already, Inasmuch that if he the said Scott lived a few years longer, and Continued Selling ^{his} Negroes as he had done before he would have none left for Mundel or any body else to be the Better for Except it was them that he had made a Joyniture of to his wife, which no body would buy, the said Scott told this Depoent that it was only a Deed of Gift that he had made his wife before Marriage, and that upon their Marriage the Negroes Became his again, and that he thought he Could make as good use of them Negroes as of any others that he had, but if his wife Should hold them as a Joyniture she might make much of them for she should never have any more of his Estate and further Saith not

John Person

In the Name of God Amen I Francis Scott
of the City of Williamsburgh Mariner being now in
perfect healthy Memory and now being engaged to make
a Voyage to Bristol and well knowing the Danger of
the Sea Do appoint this my last Will & Testament
in Manner following if it should please God to take my
Life away before I make any other Will hereafter.

I give and Bequeath unto my Loving Brother John
Scott the Plantation with all the Appurtenances belonging to me
Lying on Great Swamp in the County of Sol's Wight near
Machin River to Descend to his heirs and in case he
dies without Heir or Heirs lawfully Begotten of his Body
~~to Descend to my Loving Brother Joseph Murrell and~~
his heirs and in case he aforesaid Joseph Murrell should
die without Heirs then to Descend to his next Heir.

I give and Bequeath unto my Loving Brother John
Scott the Plantation with the Appurtenances lying on Great Swamp
in Sol's Wight County belonging to me to Descend to
his Heirs and in case he dies without Heir Lawfully
Begotten of his Body to Descend to my Loving Brother
Joseph Murrell and his Heirs Lawfully Begotten and
in case he dies without Heir Lawfully Begotten of his
Body to Descend to the next Heir ⁱⁿ Law.

I give and Bequeath unto my Loving Brother
William Scott my Plantation at Roanoke in the
County of Albemarle County in North Carolina

and in case he Dies without heir to Descend in the same manner as those above mentioned Plantations.

I Item I Give and Bequeath unto my Loving Brother William Scott my Plantation in Surry County near the Courthouse and in case he Dies without an Heir to Descend to my Loving Brother John Mandell and Heirs and if in case all my Loving Brothers above mentioned should Die without Heirs Lawfully Begotten then I Give the above mentioned Plantations to my Loving Mother Francis Mandell And I do hereby appoint Mr John Mandell the Executor of this my Will and Testament In Witness Whereof the said Testator hath hereunto signed my Hand and Seal this 26th

Day of July 1736

Said Subscribed & Declared

Francis Scott (S.S.)

In Presence of

Virginia S^t

Wm Keith

Sam^l Wilkinson

George Watkins.

The General Court held at the Capitol the 27th Day of April 1738

This Will was Presented in Court by John Mandell the Executor therein named who made oath that according to Law and the same was proved by the Oath of William Keith and Samuel Wilkinson Witnesses thereto & Ordered to be Recorded & Certified granted the said Executor

[Faint, illegible handwriting]

Scott, J. C. & Co.
v. J. C. & Co.
Bleissin

[Faint, illegible handwriting]

To all to whom these presents shall come
Greeting Know ye that I John Scott late of South-
ampton County of my own accord and free good Will
do make over and sell as a Jointure unto Sarah Clifton
Junior Daughter to Thomas Clifton of Southampton County
aforesaid, three Negroes Viz. Jenny, Sam and Pompey
for their good Care and Consideration; but more spec-
ially in Consideration of Marriage to me. To have and hold
the said Negroes during her Natural Life without any
manner of Challenges, Claim, or Demand of me the said
John Scott or any other Person or Persons for me in any
Manner, by any Cause mean, Consent or procurement.
And further Know ye that the said John Scott have put
the said Sarah Clifton in full Possession of the aforesaid
three Negroes Viz. Jenny, Sam and Pompey. As Witness
my Hand and Seal this thirtieth Day of January one thou-
sand seven Hundred and fifty five.
and in the Presence of.

John Scott

John Macklemore
his
Henry H. Harrison
witness

Sarah Macklemore
Thomas Clifton

At a Court held for the County of Southampton at the
Courthouse the 13th Day of February 1755.

This Settlement by way of Jointure was acknowledged by
the above named John Scott. and by the Court Ordered to be
Recorded.

Test R. Thello

Cory. R. Thello

Mem^o. that on the twentieth Day of Octo^r in the Year of our Lord One thousand seven hundred
& fifty six Peaceable & Quiet Possession & Securin^g of the Lands & Premises contained in
(the within Indenture) was deliver'd according to Law — John Scott

In Presence of.

John Macklemore

James ^{his} ~~ee~~ ^{Garrie} ~~Garrie~~ ^{Martha}

William H. Hogans

34

Scotts & Deed
to
Clifton

Rec^d. and Exam^d.

This Indenture made the Twentieth Day of October One thousand seven hundred & fifty
Sixth year of Our Lord Christ Between John Scott of Southampton County of the one part and
Thomas Clifton of the County aforesaid of the other Part Witnesseth that the said John Scott for and in Consideration
of the sum of Forty five Pounds current Money of Virginia to the said John by the said Thomas in hand Paid before the
Sealing & delivery of these Presents the receipt whereof the said John doth hereby acknowledge Hath granted Bargained
Sold Aliened Enfeoffed & Confirmed & by these Presents for himself & his Heirs doth clearly & Absolutely grant
Bargain Sell Alien Enfeoff & Confirm unto the said Thomas Clifton his Heirs & Assignes all that Tract of Land
Situate lying & being in the County of Southampton containing One hundred & fifty Acres Bounded as followeth
to wit Beginning at two fums by the side of the Flat Swamp the said South Sixty Degrees West One hundred & fifty
four Pole to a Red Oak then South forty degrees East One hundred & six Pole to a White Oak by a Bracket
Side then down the Various Courses of the said Branch to the Flat Swamp aforesaid & Up the Various Courses of
the Run of the said Swamp to the beginning thereof One hundred & fifty Acres of Land being granted to Samuel Westons
by Patent bearing date the fifth day September in the Year of Our Lord One thousand seven hundred & twenty three
& by Deeds made Over to John Scott Father to Francis Scott & John Scott aforesaid & their Father Dying without Will
Francis Scott was Heir at Law & the said Francis Scott Bequeathed the said Land to his Brother John Scott & the
Heirs Lawfully begotten of his Body & the said John Scott Hath sued out a Writ off the Secretary's Office the
Day of March One thousand seven hundred & fifty six & the Sheriff made inquiry by a Lawfull Jury & Returned the Writ
and the Land being found under the sum by Law required by an Act of Assembly with all Edifices Buildings Orchards
& all other Appurtenances thereto belonging or therewith Enjoyed & the reversion & reversions remainder & remainders thereof
& of every Part & Parcel thereof & all the Estate Right Title Interest Claim & demand of him the said John Scott of in or to
the same or of in or to any Part or Parcel thereof To have and to Hold the Land Tenements & Premises with their and
every of their Appurtenances unto the said Tho. Clifton his Heirs & Assignes forever and the said John Scott doth for himself
his Heirs Executors & Administrators Covenant & Grant to & with the said Thomas Clifton his Heirs & Assignes in Manner
& form following (that is to say) that he the said John for & notwithstanding any Act or thing by him or by his
Means Consent Privily or Procurement had made Committed done or Wittingly or Willingly suffered to the contrary
now & at the time of the Sealing & delivery of these Presents standeth & is solely & Rightfully Seized of the said One
Hundred & fifty Acres of Land & Premises of a good Absolute & Perfect Estate in Fee Simple to him & his Heirs
forever & hath good Right full Power & Lawfull Authority in his Own Right to Grant & Convey & Assign the said
One Hundred & fifty Acres of Land & Premises & every Part thereof unto the said Thomas Clifton his Heirs & Assignes
in Manner aforesaid & the said Tho. Clifton his Heirs & Assignes & every of them shall & may at all times hereafter Peaceably
& Quietly have hold & enjoy all & singular the Premises with the Appurtenances without the least Suit Trouble or
Charge whatsoever for by the said John Scott his Heirs or Assignes or any other Person or Persons whatsoever Lawfully having
or claiming any Estate Interest or thing of in or out of the said One hundred & fifty Acres of Land & Premises or any part thereof the said John Scott
& his Heirs the said One hundred & fifty Acres of Land & Premises with the Appurtenances unto the said Tho. Clifton his Heirs & Assignes against
him the said John Scott his Heirs & Assignes & every of them & against all & every other Person or Persons having or Lawfully claiming
any Estate Right title or Interest of in or to the same shall & will Warrant & forever defend by these Presents In witness
whereof the said John Scott Hath set his Hand & Affixed his Seal the Day & Year first above Written

Sign'd Seal'd & deliver'd in presence of
John Macklemore
James
Joshua
William

+ John Scott

Memorandum that on the twentieth Day of Octo^r in the Year of our Lord One thousand seven hundred & fifty six Peaceable & Quiet Possession & Securin of the Lands & Premises contained in the within Indenture was delivered according to Law — John Scott

In Presence of

John Macklemore

James ^{his} Esq^r & James J. Allen

Joshua ^{his} Esq^r & Garrison

William H. Hogans

34

Scott & Deed
to Clifton

Recd. and Exam.

Rec^d. Octo^r the Twentieth Day One thousand seven hundred & fifty six
of Tho^s. Clifton Forty five Pounds Curr^t Money of Virginia being the Consideration
within Mentioned John Scott

In Presence of

John Macklemore

Joshua ^{his} Esq^r & Garrison

Marke

Virginia

At a General Court held at the Capitol the 26th day of
October 1756.

This Indenture and the Memorandum and Receipt endorsed were
Acknowledged by John Scott party thereto and Ordered to be recorded.

Teste Bon. Waller Esq^r

An Acct of the Sale of John Scotts Estate		Decr 17 60 th
Thos. Clifton 1 Cullender & Candlestick		£ 0 4 6
Henry Harrison 1 Box Iron		0 3 6
Thos. Clifton 2 Jugs & whipow 2/6		0 8 7½
William Harrison 4 knives 6 forks & Chisels 1 brush		0 2 6
3 Cyder Casks		0 5 0
William Person 3 spails 2 Bristles		0 1 11
Henry Harrison 2 axes 2 hoes & Powhoo & Drawingknife & adze square & old box		0 9 1
Thos. Clifton 1 old saddle & collar 2 pr harness 1 pair traps		0 2 0
1 old barrel 1 riddle & basket of wool		0 4 0
Henry Harrison 1 butter pott & Cason & Reag		0 8 9
Thos. Clifton 1 Iron pott & hooks		0 4 0
Rebeckah Diefenfon. 2 old boxes & parcel of Cotton		0 2 0
Thos. Clifton 1 ^{Carry} Comb & old cards		0 0 2
John Mundell 6 Cowhides 7/1 & 7 pr Cart wheels		0 14 0
Henry Harrison 5 head sheep		0 14 8
William Harrison 1 Gun barrel & lock		0 7 0
Henry Harrison 1 Black wigg		0 1 1
Haley Dupra 5 head of Cattle		2 4 6
Received 1 hammer & 1 Raso		7 11 1½

Dr The Estate of John Scott died in Dec^r Current owing John
 To Paid Wm & Jas Hamilton for their Acc^t £9. 4. 6¹/₂
 To Paid John Westbrooke for his Acc^t " 8. -
 To Paid Wm West for his Acc^t " 8. 1
 To Paid Charles Campbell for his Acc^t " 2. 6
 To Paid Cha^s Briggs for his Acc^t " 10. 3
 To Paid Francis Sharpe for his Acc^t " 12. 3
 To Paid Thos Clifton for his Acc^t 2. " 9
 To Paid John Bradley for his Acc^t " 6. 9
 To Paid Edw^d Windham for his Acc^t " 13. 6
 To Paid Thos Day for his Acc^t " 10. 7¹/₂
 To Paid John Sharpe for his Acc^t " 9. 6
 To Paid John Person for a Bond in Part - 20. 6. 2¹/₂
 To Paid Jas Scott for his Acc^t in Part - 5. - -
 To Paid John Mundell Against the Ex^r 13. 9. 4¹/₂
 To P^d Miles Cary - for a Fee & Duty vs Clifton. 0. 16. 3
 To Paid D^r for the same ag^t Scott - 16. 3
 To Paid Clerks fees in contesting John Scotts Will
 22. 10. 11 - 22. 10. 11

To Paid D^r for D^r - 11 - 11 - 12. 2
 To Paid D^r for Admⁿ & According Inventory 232 1/2 - 1. 18. 0
 To Paid Clerks & Sheriff fees in a Suit vs Clifton 112 1/2 - 18. 0
 To Paid D^r - in a Suit vs Scott - 12 1/2 - 12. 0
 To Paid D^r in the Suit vs Clifton - 244 1/2 at 18/- - 2. 3. 11
 To Paid D^r in the Suit vs Scott - 233 1/2 at 18/- - 2. 1. 11
 To Paid Witnesses in the Suit vs Scott 375 at 12/- - 3. 2. 6
 To Paid Witnesses in the Suit vs Clifton 800 at 12/- - 6. 13. 4
 77. 17. 9 1/2

To Expenses & Disbursements at 5/- - 3. 17. 9
 81. 15. 6 1/2

In obedience to an Order of the Court of Chancery
 County Bearing Date the 13th Day of August 1761 - We the
 Subscribers have Examined & Settled the Admⁿ
 of John Mundell on the Estate of John Scott died as above
 Stated Certified under our hands this 5th Day of Jan^y. 1762

John Person
 David Commins

Mundel Late Administrator thereof		
By Samuel Harrison for a Cask of 3 boxes	—	£. 6. —
By W ^m Dickinson for a frying Pan	—	" 2.
By Michael Lullivant for a Cask	—	" 4. —
By John Little for a doz. Spoons	—	" 3.
By Michael Lullivant for a Bason	—	" 3.3
By W ^m Foster for Tinware & Forks	—	" 5.3
By Berry ^a Clements for a Cork	—	" 1.3
By Edw Windham for a Branding Iron	—	" 7 ¹ / ₂
By Joshua Claud for Chizzels	—	" 1.0
By bands, Nick, Jack & Pyper Box sold to Mr Bell	—	" 3. —
By Thomas Day for a Chist	—	" 8.9
By Sam Harrison for a Grubbing Hoe	—	" 2. —
By Thomas Westbrook for a Box of Bolsters	—	1. 1.6
By Henry Harris for a Negro Girl pants	—	50. 0. —
By sold Chair frames	—	1. 2. —
By 3 Hogs	—	" 15. —
By a Parcel Wearing Clothes	—	1. 10. —
By a Spinning Wheel	—	" 5. —
By a Parcel of Tobacco	—	" 3.9
By 2 Brides	—	" 2.3
By a Parcel of Tanned Leather	—	" 3. —
By 1 Lot of A ^l	—	" 2.6
By 1 Jugg	—	" 3.6
		56. 7. 3 ¹ / ₂
Ball due the Adm ^t	—	25. 8. 3
		<u>£ 81. 15. 6¹/₂</u>

A Court held for the County of Southampton Thursday
the 14 Day of January 1762

This Account Current was Reported by the Persons
Appointed to the same & ordered to be Recorded

Test

Copy
J. H. L. S.

1901

10000
1000
1000

50
123
17

266

20000
19020
1000

266
100

223

20000
19560
436
600
1916

2.9

17.6

2.9

20.519396

20000
about 2000
M.M.

20000
20000

20000
20000
20000

20000
20000
20000

A Writing purporting to be the Last Will & Testament
of John Scott of this County deceased was exhibited
in Court by Elizabeth Scott the Ex^r therein named for
proof which was opposed by John Munday Whereupon
on the Motion of the said John Munday as the Ex^r
appeared nominated in the Writing It is Ordered that
James Ridley & John Person Esqrs. do examine
Depositions of all such Witnesses as shall be produced
as well on the behalf of the said John Munday as on
behalf of the Ex^r nominated in the Writing and that
that the Clerk deliver the said Original Writing to
the said James Ridley & John Person - ~~and~~ and that they
return the same together with the Depositions of the
Witnesses that shall be taken by them to the next House

George Esq. A B & C D Justs. of the City of Southton
Greetings Whereas a Writing purporting the last
Will & Testament of John Scott late of the Parish
of Newton in the County of Southton
has been exhibited in the Court of our said City by Elizabeth
Scott the Ex^r therein named as an Executrix in the
said Writing for proof and opposed by John Munday of the said County
Know ye therefore that We trusting to your
Fidelity & provident Circumspection in diligently
examining whatsoever Witnesses as well on
the behalf of the said John Munday as on behalf
of the said Executrix nominated in the Writing
do Command you that at such certain
Days and Places as you shall appoint you
assemble yourselves and the Witnesses aforesaid
before you you call and cause to come and
diligently examine on the holy Evangelists of
 Almighty God touching the Writing aforesaid
and their Examination into our Court of our
said County without Delay you shall send &

hereby inclosed returning
 Writing as this visit of the

well the said

20.619396
 17.6
 8.9

1916
 880
 494
 19364

223
 13
 266
 19420

266

0061

10000
 10000
 10000

50.
 123
 17

John Scott.

Writing to report
his Last Will &c

Dear

Ord. to Lodge &
Cous to P. W. is

1007 1000

In the Name of God. Amen I John Scott of Southampton
County in Virginia being very ailing & Crasy in my Limbs but in
Perfect mind & Memory do hereby make & ordain this my last will &
Testament in the like manner as followeth That is to say in the first
Place I give & Bequeath my Soul to God & my Body to the Earth to be
buried in a Decent Christian Like Manner & in the next Place I give
And Bequeath unto my Loving Wife ^{Sarah Scott} The following Negroes Viz: Jenny
Jeame: Pompey: Frankie: Charity: Moll: Will: & Mille: to her for
Ever & Likewise I give & Bequeath unto my Loving Wife Sarah Scott all
my Chattles Hogg & Sheep Horse household Goods & Money to her & her
heirs for Ever & that my Loving Wife shall pay out of the Estate all my
Worldly Debts & in Like Manner if there be any Debts Due to me that
she shall Receive them & that my Loving Wife shall have me laid in the
Ground & Buried in the above & manner & be at the Expence of the
funerall Expences & I do hereby leave my wife Sarah Scott my Whole &
Sole Executor of this my last Will & Testament